

Managing allegations against people who work or volunteer with children

Information for employers



Worried about a young person?

Safeguarding children and young people and keeping them safe is everyone's business.

If you think that a child might be the victim of abuse or neglect or they may be at risk of harm, you should always report your concerns.

Please contact North Lincolnshire's Children's Services Single Point of Contact on:

- 01724 296500 (9am to 5pm Monday to Thursday, 9am to 4.30pm Friday)
- 08081 689667 (free phone)
- 01724 296555 (answerphone – out of office hours and at weekends)

101 – Police non-emergency

999 – Police emergency

You can also read the government advice for practitioners [What to do if you are worried a child is being abused](#), this leaflet will also be helpful to the members of the public who are worried about a child.

Introduction

Every organisation that works with children should have a Named Senior Officer responsible for progressing allegations. When they are informed of an allegation, they must contact the Local Authority Designated Officer (LADO) within 24 hours to report it, failure to do this could put children and young people at risk of harm. The criteria for making a report are that an individual who works or volunteers with children may have:



Allegations of an historical nature should be responded to in the same way as contemporary concerns.

Please refer to the 'initial considerations guide' to consider initial actions when identifying an allegation or concern which is available on the [Children's MARS website](#).

The LADO is responsible for overseeing all safeguarding allegations about individuals who work with children and young people. This work can be paid, unpaid or voluntary. The LADO's role is to provide scrutiny and oversight and not to investigate. It is important that the LADO remains impartial to the investigation.

Role of the Named Senior Officer

The role of the Named Senior Officer is to:

- Refer to the LADO
- Gather any additional information required (build the context)
- Take part in any strategy discussions/ joint evaluation meetings
- Progress the case jointly with the LADO
- Support the employee
- Consider agency media arrangements
- Resolve any interagency issues & liaise with the Children's MARS Board on the subject

Ensure compliance with the Children's MARS Board policy and procedure for managing allegations against adults who work with children, reflect and implement them in their own organisation's procedures.

What happens next?

If an allegation has been made or a concern raised about the behaviour of a member of staff which meets the criteria above, further information is needed to understand what has happened. The LADO will agree with the named senior officer when the person subject to an allegation will be informed of the concern and this is dependent on the nature of the allegation and if the police or children's services need to be consulted.

Joint Evaluation Meetings will be held to explore the allegation and decide how it should be dealt with. This may involve Police, your employer, Children's Services and other agencies, as appropriate. The person subject to an allegation or the alleged victim(s) will not be invited to these meetings, but it is important they are given the opportunity to share their views throughout the process.

As an employer you will be asked to provide relevant information in respect of the person subject to an allegation; including their time in employment and what this looks like, any previous concerns/allegations noted, what support is in place and what action you have taken/plan to take as an employer.

The aim of this meeting is to share relevant information and determine whether an investigation needs to be conducted by:

- Children's Services under child protection procedures
- The police regarding any possible criminal offences. In some instances, the police may decide to proceed with a criminal investigation. The person subject to an allegation may be arrested and interviewed under caution or invited to assist with their investigation.
- The employer under disciplinary/suitability procedures

Following the investigation, a decision will be made to conclude the outcome as either Substantiated, Unsubstantiated, False, Malicious or Unfounded and it is the employer's responsibility to notify the person subject to an allegation the outcome and the meaning of this.

Employers' responsibilities

The Employer has a duty of care to their employees. The employer should appoint a named representative to keep the person who is subject of the allegation informed of the progress of the managing allegations process and consider what other support is required.

The power to suspend is invested in the employer. Suspension should be considered in any case where there is:

- cause to suspect a child or other children is/are at risk of harm or
- the case is so serious that it might be grounds for dismissal

The Employer should be as inventive as possible to avoid suspension, based on assessment of risk.

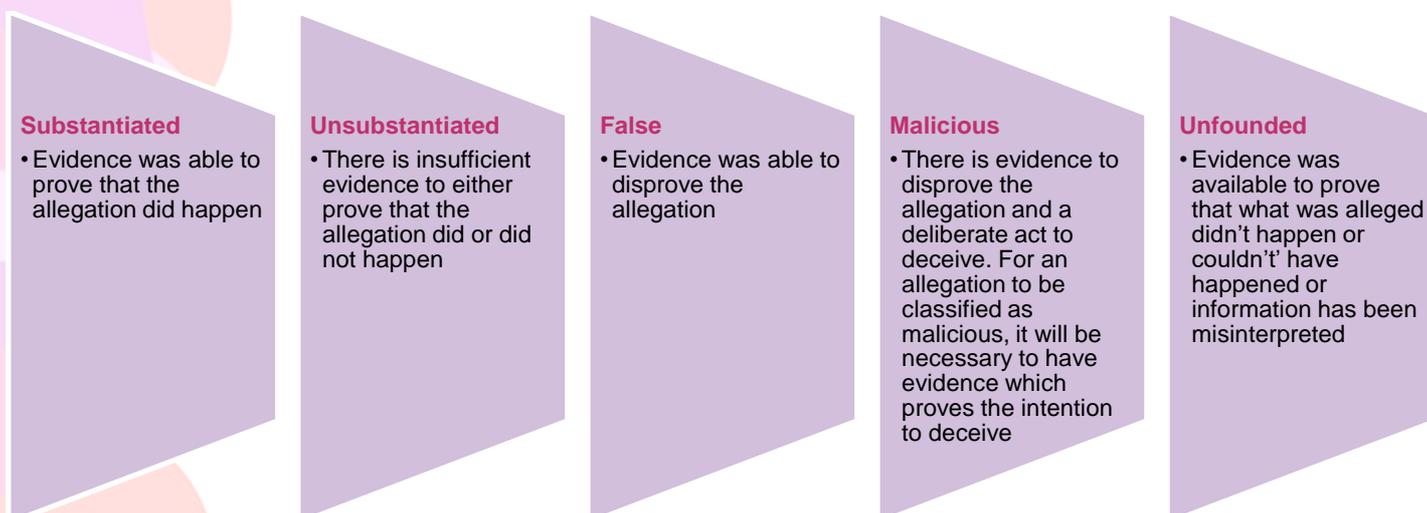
If the accused person resigns, or ceases to provide their service, this should not prevent an allegation being followed up. Referrals to the Disclosure and Barring Service (DBS) must still be made if the criteria are met.

Ofsted and other regulatory bodies may need to be informed of allegations being made against employees by the employer. Employers have a duty to refer to the DBS when the criteria are met.

Further guidance on when to refer to the DBS is available on the [government website](#).

Outcomes

At the end of an investigation an outcome is required, and the possible outcomes are:



Only Substantiated allegations should be referred to in employer references.

Record keeping

Employers should keep clear & comprehensive records.

You should provide the person subject to an allegation with the following information in writing and place a copy on their personnel file:

- a comprehensive summary of the allegation
- details of how the allegation was followed up and resolved

- any relevant employer's action taken and decisions reached
- whether the allegation will be referred to in future references by the employer
- how long any records will be retained by the employer
- if there will be a referral to DBS and / or any regulatory body by the employer

Records should be stored on the individuals confidential personnel file at least until the person reaches normal retirement age or for a period of 10 years (whichever is longest).

There is only one exception to this, currently on the advice of Justice Lowell Goddard, previous Chair of the Independent Inquiry in Child Sexual Abuse, in that all allegations of a sexual nature are kept indefinitely with no purge date added.

Further Information

For further information, see Children's MARS policy and procedure for managing allegations against adults who work with children which is available on the [Children's MARS website](#).

These procedures implement the statutory guidance for the management of allegations which can be found in [Working Together 2018](#).

Contact us

If you have concerns about a child or young person, please tell somebody who can help:

- Children's Services Single Point of Contact (SPOC)
01724 296500 (out of hours 01724 296555)
- Police
999 (in cases of emergency)
101 (non-emergency number)
- Local Authority Designated Officer (LADO)
01724 298293 (Stacey Darker)