



## PAN DORSET INTER-AGENCY SAFEGUARDING PROCEDURES

### CHAPTER 3

#### 3.9 MANAGING ALLEGATIONS AGAINST PEOPLE WHO WORK WITH CHILDREN

**Procedures Effective from: 2006**

**Last Review Date: 2011**

**If you have any comments or queries about the pan-Dorset procedures please contact your agency representative on the Pan-Dorset Policy and Procedures Group or notify the relevant LSCB using the following email addresses:**

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## Managing allegations against people who work with children

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## 1. Introduction

- 1.1 The Bichard enquiry identified a number of recommendations designed to help ensure that those who come into contact with children through their work are safe and appropriate.
- 1.2 Despite all efforts to recruit safely and to ensure people who work with children do so in a way that safeguards and promotes their welfare, there will still be occasions when allegations of abuse or concerns about individuals are raised.
- 1.3 This procedure is provided to give guidance on managing allegations against people who work with children, and should be seen as part of a raft of measures to safeguard children which include robust recruitment policies; staff codes of practice and the creation of safer activities and environments.

## 2. Scope

- 2.1 These procedures apply to a wider range of allegations than those in which there is reasonable cause to believe a child is suffering, or likely to suffer, significant harm. They also apply in cases where allegations indicate someone is unsuitable to continue to work or volunteer with children in his/her present position, or in any capacity. These procedures should be used when there is an allegation or concern that any person who works with children, in connection with his/her employment or voluntary activity, has:
- behaved in a way that has harmed a child, or may have harmed a child;
  - possibly committed a criminal offence against or related to a child; or
  - behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.
- 2.2 These behaviours should be considered within the context of the four categories of abuse (i.e. physical, sexual and emotional abuse and neglect). These include concerns relating to inappropriate relationships between members of staff and children or young people, e.g.:
- Having a sexual relationship with a child under 18 if in a position of trust in respect of that child, even if consensual<sup>1</sup>;
  - 'Grooming'<sup>2</sup> (i.e. meeting a child under 16 with intent to commit a relevant offence);
  - Other 'grooming' behaviour giving rise to concerns of a broader child protection nature (e.g. inappropriate text / e-mail messages or images, gifts, socializing etc);
  - Possession of indecent photographs / pseudo-photographs of children.
- 2.3 In addition, these procedures apply to an individual who works with children but the allegation or concern arises in his/her personal life which indicates he/she may be unsuitable to work in their present position, or any capacity. (For example when a person assaults his/her own child). Similarly, the allegation might relate to the spouse or partner of the person who works with children, whose response or attitude to this suggests that his/her ability to fulfil his/her work role might be compromised. (See Para 9)

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<sup>1</sup> Sections 16-19 Sexual Offences Act 2003

<sup>2</sup> Section 15 Sexual Offences Act 2003

### **3. Roles and responsibilities**

3.1 Each LSCB member organisation should identify a named senior officer with overall responsibility for:

- ensuring that the organisation deals with allegations in accordance with these procedures;
- resolving any inter-agency issues;
- liaising with the appropriate LSCB on the subject.

3.2 Bournemouth, Dorset and Poole local authorities each have designated officer(s) (LADO) to:

- be involved in the management and oversight of individual cases which meet the threshold set out at 2.1;
- provide advice and guidance to employers and voluntary organisations;
- liaise with the police and other agencies;
- monitor the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.

In Bournemouth the LADO role is fulfilled by the Principal Education Welfare Officer and the Service Manager for Quality Assurance and Children's Review.

In Dorset the LADO role is undertaken by a number of Children's Services Staff. Any contacts with the LADO should therefore be made via the Children's Services Safeguarding Unit who will identify the appropriate LADO and ensure urgent contact with the referrer/employer.

In Poole the LADO role is fulfilled by the Safeguarding and Quality Assurance Manager.

Contact details are included in Appendix 1

3.3 All employers should designate:

- a senior manager to whom allegations or concerns should be reported;
- a deputy to whom reports should be made in the absence of the designated senior manager or where that person is the subject of the allegation or concern.

3.4 The Police Detective Chief Inspector will:

- have strategic oversight of the local police arrangements for managing allegations against staff and volunteers;
- liaise with the relevant DSCB on the issue;
- ensure compliance.

3.5 The police also have a designated detective sergeant in each Child Protection Investigation Unit to:

- liaise with the relevant local authority designated officer;
- take part in strategy discussions;
- review the progress of cases in which there is a police investigation;
- share information as appropriate, on completion of an investigation or related prosecution.

#### **4. Initial action by person receiving or identifying an allegation or concern**

4.1 An allegation against a member of staff/volunteer may arise from a number of sources (e.g. a report from a child, a concern raised by another adult in the organisation, or a complaint by a parent).

4.2 The person to whom an allegation or concern is first reported should treat the matter seriously and keep an open mind.

4.3 S/he should not:

- Investigate or ask leading questions if seeking clarification;
- Make assumptions or offer alternative explanations;
- Promise confidentiality, but give assurance that the information will only be shared on a 'need to know' basis.

4.4 S/he should:

- Immediately report the matter to the designated senior manager, or deputy in his/her absence, or where the senior manager is the subject of the allegation.
- As soon as possible make a written record of the information (where possible in the child / adult's own words), including the time, date and place of incident(s), persons present and what was said;
- Sign and date the written record;

#### **5. Initial action by the designated senior manager**

5.1 When informed of a concern or allegation, the senior manager should not investigate the matter or interview the member of staff, the child concerned or any potential witnesses. He / she should:

- Obtain written details of the concern / allegation, signed and dated by the person receiving (not from the child / adult making the allegation);
- Countersign and date the written details;
- Record any information about times, dates and location of incident(s) and names of any potential witnesses;
- Record discussions about the child and/or member of staff, any decisions made, and the reasons for those decisions.

5.2 If the allegation meets the criteria in paragraph 2.1, the designated senior manager should report it to the Local Authority Designated Officer (LADO) promptly, at least within 1 working day. If there is any doubt regarding whether the allegation meets the criteria, advice should be sought from the LADO. Referral should not be delayed in order to gather information. Any failure to follow procedures is a potential disciplinary matter.

5.3 If an allegation requires immediate attention, but is received outside normal office hours, the senior manager should consult the LA Children's Services emergency duty team (tel: 01202 45800) or local police and inform the LADO as soon as possible.

5.4 If a police officer receives an allegation, s/he should, without delay, report it to the designated detective sergeant on the Child Protection Investigation Unit (CPIU). The detective sergeant should then immediately inform the LADO.

5.5 Similarly, an allegation made to LA Children's Services should be immediately reported to the relevant LADO.

## 6. **Initial considerations by the senior manager and the Local Authority Designated Officer (LADO)**

6.1 There are up to three strands in the consideration of an allegation:

- a police investigation of a possible criminal offence;
- enquiries and assessment by Children's Services about whether a child is in need of protection or in need of services;
- consideration by an employer of disciplinary action.

6.2 Each Local Authority area has a designated LADO and at times issues may cut across several boundaries. In these situations it has been agreed regionally that the principle for deciding which is the appropriate LADO is that the LADO responsible will be from the Local Authority area where the incident has occurred unless and until transfer of responsibility is negotiated with a LADO in another area. The LADO where the incident occurs will coordinate the initial processes, and inform/involve LADOs from other authorities as appropriate. Decisions/agreements about who should manage the process going forward can be made at the initial evaluation or strategy meeting/discussion stage.

6.3 The LADO and designated senior manager should consider first whether further details are needed and whether there is evidence or information that establishes that the allegation is false or unfounded. Care should be taken to ensure that the child is not confused as to dates, times, locations or identity of the member of staff.

6.4 If the allegation is not demonstrably false and there is cause to suspect that a child is suffering or is likely to suffer significant harm, the LADO will immediately refer to Children's Services and ask them to convene an immediate **strategy discussion**. Wherever possible this should take the form of a meeting and the LADO and senior manager should normally attend.

6.5 If the threshold for significant harm is not reached, but a criminal offence might have been committed and/or the accused person may have behaved in a way that indicates s/he is unsuitable to work with children, the LADO should immediately inform the police CPIU and convene a similar discussion, an **initial evaluation discussion**, to evaluate the allegation and decide how it should be dealt with including whether a police investigation is needed. That discussion should wherever possible take the form of a meeting, and involve the employer and other agencies involved with the child.

NB. Where a referral has been made to Children's Services and a strategy meeting convened, the initial evaluation meeting will not be held separately. All issues relating to the person who works with children should be addressed within the strategy meeting (see paragraph 7)

6.6 If there is no cause to suspect significant harm is an issue and there is nothing to suggest a criminal offence has been committed but the initial considerations indicate a need for the employer to take some action through their disciplinary procedures, the LADO will check with children's social care and the police (Child Protection Investigation Unit) whether they have any relevant information about the accused person.

- 6.7 It is anticipated that the LADO and senior manager will be in agreement in respect of action to be taken. If agreement cannot be reached or the senior manager does not follow the LADO's advice, the matter will be referred to the named senior officer who sits on the relevant LSCB for resolution.

**7. Strategy/Initial Evaluation discussion/meeting and Post Allegation Investigation Meeting**

7.1 Strategy Discussion/meeting

- 7.1.1 Wherever possible, a strategy discussion should take the form of a meeting. However, on occasions a telephone discussion may be justified. The following is a list of possible participants:

- Children's Services care manager to convene and chair (if a strategy meeting);
- Local Authority Designated Officer;
- Relevant social worker;
- Detective Sergeant from the CPIU (or nominated officer in his/her absence);
- Designated senior manager for the employer concerned;
- Human resources representative, where appropriate;
- Legal adviser where appropriate;
- Senior representative of the employment agency or voluntary organisation if applicable;
- Manager from the fostering service provider when an allegation is made against a foster carer;
- Supervising social worker when an allegation is made against a foster carer;
- Those responsible for regulation and inspection where applicable (e.g. Health Care Commission or Ofsted);
- Consultant paediatrician or designated or named professional as appropriate;
- Where a child is placed or resident in the area of another authority, representative(s) of relevant agencies in that area;
- Complaints officer if the concern has arisen from a complaint.

7.1.2 The strategy discussion should:

- Fulfil the usual tasks of a strategy discussion in relation to protecting individual children (see Inter-agency safeguarding procedures part 1 Ch 2 paragraph 2.71);
- Consider whether any parallel disciplinary process can take place and agree protocols for sharing information;
- Consider the current allegation in the context of any previous allegations or concerns;
- Where appropriate, note any entitlement by staff to use reasonable force to control or restrain children;
- Consider whether a complex abuse investigation is applicable;
- Plan enquiries if needed, allocate tasks and set timescales;
- Decide what information can be shared, with whom and when.

### 7.1.3 The strategy discussion should also:

- Ensure that arrangements are made to protect the child/ren involved and any other child/ren affected, including taking emergency action where needed; consideration should be given to the needs of any child who was previously in the care of the adult, or was known to them in their personal lives;
- Consider what support should be provided to all children who may be affected;
- Consider what support should be provided to the member of staff and others who may be affected. This includes consideration of those who may be witnesses to the situation ;
- Ensure that investigations are sufficiently independent;
- Make recommendations where appropriate regarding suspension, or alternatives to suspension;
- Identify a lead contact manager within each agency responsible for coordinating, liaison and feedback;
- Agree protocols for reviewing investigations and monitoring progress by the LADO, having regard to the target timescales (see paragraph 20);
- Consider/plan for media interest;
- Consider risk assessments to inform the employer's safeguarding arrangements;

Agree dates for future discussions/reviews of progress, as appropriate.

## 7.2 Initial evaluation discussion/meeting

### 7.2.1 Wherever possible the initial evaluation discussion should take the form of a meeting. However, on occasions a telephone discussion may be justified. The following is a list of possible participants:

- The Local Authority Designated Officer should normally convene and chair the meeting
- Designated senior manager for the employer concerned;
- Human resources representative, where appropriate;
- Legal adviser where appropriate;
- Senior representative of the employment agency or voluntary organisation if applicable;
- Manager from the fostering service provider when an allegation is made against a foster carer;
- Supervising social worker when an allegation is made against a foster carer;
- Those responsible for regulation and inspection where applicable (e.g. Health Care Commission or Ofsted);
- Consultant paediatrician or designated or named professional as appropriate;
- Where a child is placed or resident in the area of another authority, representative(s) of relevant agencies in that area;
- Complaints officer if the concern has arisen from a complaint.

### 7.2.2 The initial evaluation meeting should:

- Consider the current allegation or concern in the context of any previous allegations or concerns;
- Where appropriate, note any entitlement by staff to use reasonable force to control or restrain children;

- Plan enquiries if needed, allocate tasks and set timescales;
- Decide what information can be shared, with whom and when;
- Ensure that arrangements are made to protect the child/ren involved and any other child/ren affected, including taking emergency action where needed; consideration should be given to the needs of any child who was previously in the care of the adult, or was known to them in their personal lives;
- Consider what support should be provided to all children who may be affected;
- Consider what support should be provided to the member of staff and others who may be affected. This includes consideration of those who may be witnesses to the situation;
- Ensure that investigations are sufficiently independent;
- Make recommendations where appropriate regarding suspension, or alternatives to suspension;
- Identify a lead contact manager within each agency responsible for coordinating, liaison and feedback;
- Agree protocols for reviewing investigations and monitoring progress by the LADO, having regard to the target timescales (see paragraph 20);
- Consider/plan for media interest;
- Consider risk assessments to inform the employer's safeguarding arrangements;

Agree dates for future discussions/meetings as appropriate

### 7.3 The post allegation investigation meeting

### 7.4 At the conclusion of the child protection enquiry and/or police enquiry, a further meeting (post allegation investigation meeting) should be held to:

- share findings of the investigation;
- outline any further actions required, include completion of the police investigation and any potential media interest;
- decide whether an individual who has been suspended can return to work and if so how s/he can be supported;
- review the circumstances of the case to determine whether any changes/improvements should be made to the employer's (or any other agency's) procedures or practice;
- Consider reports to relevant regulatory body and/or POCA/POVA/List 99 (The independent Safeguarding Authority from autumn 2008).
- Consider whether notification under the "people posing a risk" protocol is required (see inter-agency safeguarding procedures Part 1 Appendix 1)

## **8. Confidentiality Considerations**

### 8.1 In managing allegations against people who work with children, the following general considerations should be taken into account:

- Parents and carers of a child/ren involved should normally be told about the allegation as soon as possible. The decision about how and by whom they should be informed, should be agreed between the senior manager and the LADO. In cases where the Police and/or Children's Services may need to be involved the LADO should first discuss and agree the most appropriate course of action with those colleagues.

- The Senior Manager should, as soon as possible, inform the accused person about the allegation and how enquiries will be conducted after consulting and agreeing this with the LADO. In some cases, the police and/or social care will want to impose restrictions on the information that can be provided. The LADO and/or Senior Manager will need to reach an agreement with those colleagues about the disclosure of any information.
- Every effort should be made to maintain confidentiality and guard against publicity whilst an allegation is being investigated or considered. Apart from keeping the child, parents and accused person up-to-date with the progress of the case, information sharing should be restricted to those who have a need to know in order to;
  - protect children
  - facilitate enquiries
  - manage related disciplinary, capability or suitability processes
- The fact that a person tenders his/her resignation, or ceases to provide services, must not prevent an allegation being followed up in accordance with these procedures and it is important to reach and record a conclusion. By the same token, “compromise agreements” by which an employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, must not be used in these cases.
- In accordance with ACPO guidance, the police do not normally provide any information to the press that might identify an individual who is under investigation unless and until the person is charged with an offence. In exceptional cases, where the police might depart from that rule (e.g. an appeal to trace a suspect) the reasons should be documented and partner agencies consulted beforehand.

## **9. Allegations against staff in their personal lives**

- 9.1 If an allegation or concern arises about a member of staff, outside of his / her work with children, and this may present a risk of harm to child/ren for whom the member of staff is responsible, the general principles outlined in these procedures will still apply.
- 9.2 The strategy /initial evaluation discussion should decide whether the concern justifies:
- Approaching the member of staff’s employer for further information, in order to assess the level of risk of harm; and/or
  - Inviting the employer to a further strategy discussion about dealing with the possible risk of harm.
- 9.3 If the member of staff lives in a different authority area to that which covers his / her workplace, liaison should take place between the relevant agencies in both areas and a joint strategy discussion convened.
- 9.4 In some cases, an allegation of abuse against someone closely associated with a member of staff (e.g. partner, member of the family or other household member) may present a risk of harm to child/ren for whom the member of staff is responsible. In these circumstances, a strategy discussion should be convened to consider:
- The ability and/or willingness of the member of staff to adequately protect the child/ren;
  - Whether measures need to be put in place to ensure their protection;
  - Whether the role of the member of staff is compromised.

## 10. Disciplinary process

- 10.1 The LADO and the designated senior manager should discuss whether disciplinary action is appropriate in all cases where:
- It is clear at the outset or decided by a strategy discussion that a police investigation or LA Children's Services enquiry is not necessary; or
  - The employer or LADO is informed by the police or the Crown Prosecution Service that a criminal investigation and any subsequent trial is complete, or that an investigation is to be closed without charge, or a prosecution discontinued.
- 10.2 The discussion should consider any potential misconduct or gross misconduct on the part of the member of staff, and take into account:
- Information provided by the police and/or LA Children's Services;
  - The result of any investigation or trial;
  - The different standard of proof in disciplinary and criminal proceedings.
- 10.3 In the case of supply, contract and volunteer workers, normal disciplinary procedures may not apply. In these circumstances, the local authority designated officer and employer should act jointly with the providing agency, if any, in deciding whether to continue to use the person's services, or provide future work with children, and if not, whether to make a report for consideration of barring or other action.
- 10.4 If formal disciplinary action is not required, the employer should institute appropriate action within three working days. If a disciplinary hearing is required, and further investigation is not required, it should be held within 15 working days.
- 10.5 If further investigation is needed to decide upon disciplinary action, the employer and the LADO should discuss whether the employer has appropriate resources or whether the employer should commission an independent investigation because of the nature and/or complexity of the case and in order to ensure objectivity. The investigation should not be conducted by a relative or friend of the member of staff.
- 10.6 The aim of any disciplinary investigation is to obtain, as far as possible, a fair, balanced and accurate record in order to consider the appropriateness of disciplinary action and/or the individual's suitability to work with children. Its purpose is not to prove or disprove the allegation.
- 10.7 If, at any stage, new information emerges that requires a child protection referral, the disciplinary investigation should be held in abeyance and only resumed if agreed with LA Children's Services and the police. Consideration should again be given as to whether suspension is appropriate in light of the new information
- 10.8 The investigating officer should aim to provide a report within ten working days.
- 10.9 On receipt of the report the employer should decide, within two working days, whether a disciplinary hearing is needed. If a hearing is required, it should be held within 15 working days.

**11. Sharing information for disciplinary purposes**

- 11.1 Wherever possible, police and LA Children's Services should, during the course of their investigations and enquiries, obtain consent from witnesses or those interviewed to provide the employer and/or regulatory body with statements and evidence for disciplinary purposes. The witness/interviewee should be advised that it may be necessary to disclose information in order to safeguard other children, even if consent is not given.
- 11.2 If the police or CPS decide not to charge, or decide to administer a caution, or the person is acquitted, the police should pass all relevant information to the employer without delay.
- 11.3 If the person is convicted, the police should inform the employer straight away so that appropriate action can be taken.

**12. Record Keeping**

- 12.1 Employers should keep a clear and comprehensive summary of the case record on a person's confidential personnel file and give a copy to the individual. The record should include details of how the allegation was followed up and resolved, the decisions reached and the action taken. It should be kept at least until the person reaches normal retirement age or for ten years if longer. It should be retained even if the individual leaves their employment.
- 12.2 This enables accurate information to be given in response to any future request for a reference and will help to provide clarity where a future CRB check reveals police information that an allegation was made but did not result in a prosecution or conviction. Such a record also serves to protect the employee from unnecessary re-investigation if allegations resurface after a period of time.
- 12.3 The LADO should keep a copy of all relevant records, assessments and papers. S/He will keep comprehensive records in order to ensure that each case is being dealt with expeditiously and that there are no undue delays. The records will also assist the DSCBs to monitor and evaluate the effectiveness of the procedures for managing allegations and provide statistical information to the DCSF as required.
- 12.4 Where a s47 investigation has been undertaken, any record of sensitive personal information relating to the accused adult should be kept in a confidential section of the child's case record.

**13. Unsubstantiated, unfounded and malicious allegations**

- 13.1 Where it is concluded that there is insufficient evidence to substantiate an allegation, the Chair of the strategy or initial evaluation discussion (or the allocated social worker or a person delegated this task) should prepare a separate report of the enquiry and forward this to the designated senior manager of the employer to enable her/him to consider what further action, if any, should be taken.
- 13.2 An allegation would be unfounded where it can be evidenced that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively, they may not have been aware of all the circumstances. If an allegation by a child is determined to be unfounded, the employer should refer the matter to Children's Services to determine whether the child is in need of services or may have been abused by someone else.

13.3 Malicious allegations are rare; in order to be classed as malicious, there needs to be clear evidence there was a deliberate intention to deceive. In such cases the police should be asked to consider whether any action might be appropriate against the person responsible.

#### **14. Procedures in specific organisations**

14.1 It is recognised that many organisations will have their own procedures in place, some of which may need to take into account particular regulations and guidance (e.g. schools and registered child care providers). Where organisations do have specific procedures, they should be compatible with these procedures and additionally provide the contact details for:

- The designated senior manager to whom all allegations should be reported;
- The person to whom all allegations should be reported in the absence of the designated senior manager or where that person is the subject of the allegation;
- The local authority designated officer.

#### **15. Support**

15.1 The organisation, together with LA Children's Services and/or police, where they are involved, should consider the impact on the child concerned and provide support as appropriate. Liaison between the agencies should take place in order to ensure that the child's needs are addressed.

15.2 As soon as possible after an allegation has been received, the accused member of staff should be advised to contact his/her union or professional association. Human resources should be consulted at the earliest opportunity in order that appropriate support can be provided via the organisation's occupational health or employee welfare arrangements.

#### **16. Suspension**

16.1 Suspension is a neutral act and it should not be automatic. It should be considered in any case where:

- there is cause to suspect a child is at risk of significant harm; or
- the allegation warrants investigation by the police; or
- the allegation is so serious that it might be grounds for dismissal.

16.2 The possible risk of harm to children posed by the accused person should be evaluated and managed effectively – in respect of the child/ren involved in the allegations and any other children in the accused member of staff's home, work or community life.

16.3 The senior manager should advise the LADO what action has already been taken to remove the accused person from duties where such action has been taken. Any informal action should be strictly time limited until a considered decision on suspension has been reached, which should normally be made no later than ONE DAY after the strategy/initial evaluation discussion. If a strategy discussion is to be held or if LA children's social care or the police are to make enquiries, the LADO should canvass their views on suspension and inform the employer. Only the employer, however, has the power to suspend an accused employee and they cannot be required to do so by a local authority or Police.

16.4 If a suspended person is to return to work, the employer should consider what help and support might be appropriate (e.g. a phased return to work and/or provision of a mentor), and also how best to manage the member of staff's contact with the child concerned, if still in the workplace.

## **17. Resignations and 'compromise agreements'**

17.1 Every effort should be made to reach a conclusion in all cases even if:

- the individual refuses to cooperate, having been given a full opportunity to answer the allegation and make representations;
- it may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete.

17.2 'Compromise agreements' must not be used (i.e. where a member of staff agrees to resign provided that disciplinary action is not taken and that a future reference is agreed). (see Para 9)

## **18. Organised and historical abuse**

18.1 Investigators should be alert to signs of organised or widespread abuse and/or the involvement of other perpetrators or institutions. They should consider whether the matter should be dealt with in accordance with complex abuse procedures which, if applicable, will take priority.

This guidance is available at: [http://police.homeoffice.gov.uk/news-and-publications/publication/operational-policing/child\\_abuse\\_guidance.pdf?view=Binary](http://police.homeoffice.gov.uk/news-and-publications/publication/operational-policing/child_abuse_guidance.pdf?view=Binary).

18.2 Historical allegations should be responded to in the same way as contemporary concerns. It will be important to ascertain if the person is currently working with or has contact with children and if that is the case, to consider whether the current employer should be informed.

## **19. Whistle-blowing**

19.1 All staff should be made aware of their organisation's whistle-blowing policy and feel confident to voice concerns about the attitude or actions of colleagues.

19.2 If a member of staff believes that a reported allegation or concern is not being dealt with appropriately by their organisation, s/he should report the matter to the LADO.

## **20. Timescales**

20.1 It is in everyone's interest for cases to be dealt with expeditiously, fairly and thoroughly and for unnecessary delays to be avoided. The target timescales detailed below are realistic in most cases, but some cases will take longer because of their specific nature or complexity.

20.2 If any allegation or concern meets the criteria set out in Para 2.1 the employer should normally report it to the LADO immediately but always at least within one working day

The LADO will regularly monitor the progress of cases, either via review discussions or by liaising with the police and/or children's services or the employer as appropriate. Such reviews should take place at **monthly or**

**fortnightly** intervals depending on the complexity of the case. Where the target timescales cannot be met the LADO should record the reasons. The LADO should keep comprehensive records in order to ensure that each case is being dealt with expeditiously and that there are no undue delays. The records will also assist the DSCB to monitor and evaluate the effectiveness of the procedures for managing allegations and provide statistical information to the DfES as required.

- 20.3 Similarly the police should review the progress of investigations and consult with the Crown prosecution Service (CPS) wherever possible no later than **4 weeks** after the initial action meeting. Dates for subsequent reviews, at **fortnightly or monthly** intervals, should be set at the meeting if the investigation continues.
- 20.4 Where the initial evaluation decides that the allegation does not involve a possible criminal offence, it is dealt with by the employer. In such cases, if the nature of the allegation does not require formal disciplinary action, appropriate action should be instituted within three working days. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 15 working days.
- 20.5 Where further investigation is required to inform consideration of disciplinary action, the employer should discuss who will undertake that with the LA designated officer. In some settings and circumstances, it may be appropriate for the disciplinary investigation to be conducted by a person who is independent of the employer or the person's line management to ensure objectivity. In any case, the investigating officer should aim to provide a report to the employer within 10 working days.
- 20.6 On receipt of the report of the disciplinary investigation, the employer should decide whether a disciplinary hearing is needed within two working days, and if a hearing is needed it should be held within 15 working days.
- 20.7 If the allegation is substantiated, and on conclusion of the case the employer dismisses the person or ceases to use the person's services, or the person ceases to provide his/her services, the employer should consult the LA designated officer about whether a referral to the PoCA list and/or to a professional or regulatory body is required. If a referral is appropriate, the report should be made within one month.

**Contact details for LADO's****Bournemouth:**

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Principal Education Welfare Officer  
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20-22 Christchurch Road  
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