

LOCAL AUTHORITY DESIGNATED OFFICER (LADO)
ANNUAL REPORT
2018/2019

Safeguarding and Quality Service

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1. INTRODUCTION

- 1.1 The purpose of this report is to provide an overview of the management of allegations against Professionals and Volunteers within the Enfield based children's workforce and the role of the Local Authority Designated Officer (LADO) in the London Borough of Enfield, for the period of 1 April 2018 to 31 March 2019.
- 1.2 The role of the LADO is set out in the "Working Together to Safeguard Children" (2018). The guidance requires Local Authorities to have an officer or a team of officers to manage and oversee allegations against people who work with children and that this officer or team of officers are sufficiently qualified and experienced to fulfil this role effectively. It also requires newly appointed officers to be qualified social workers.
- 1.3 The guidance refers to the officer responsible for overseeing allegations as Designated Officer. Enfield, and most of the London councils have decided to maintain the term LADO, a term which is already familiar to agencies and professionals.
- 1.4 A part-time LADO, Bruno Capela, was appointed in January 2019. Bruno Capela was already part of the Safeguarding Service as a Child Protection Chair and Independent Reviewing Officer and is managed by Maria Anastasi, the previous LADO and Head of Safeguarding and Quality Service. This has ensured some continuity.
- 1.5 The Child Protection Conference Chairs/Independent Reviewing Officers in the Safeguarding and Quality service have continued to lead on some investigations in the absence of the LADO as well as offering advice and guidance to agencies, when there may be concerns about a person's conduct and when the threshold for a formal investigation has not been met. These, recorded as consultations, have often ensured that advice and guidance has been given to managers when there are low level concerns.
- 1.6 In the past year, there has also been some challenges, including the testing and planning for the implementation of the Allegation Workspace in Liquid Logic which formally started on the 1st April 2019. This required new work processes - developed in partnership with the Meetings, Panels and Events (MPE) Operational Support - as well as training for all Child Protection Conference Chairs/Independent Reviewing Officers for when they act as Duty LADOs.
- 1.7 Since 2018, the meetings chaired by the LADO are no longer referred to as "strategy meetings". As per new guidance within Working Together 2018, they are, instead referred to as "Allegations against Staff and Volunteers" meetings, abbreviated as "ASV".
- 1.8 Another significant change which impacts on these investigations is the change in police guidance on arrest. It is now the case that the defendant will not be arrested unless there is a need for bail conditions.
- 1.9 Following the implementation of the Allegations Workspace in Liquid Logic and the abolition of the GCXS e-mail, the LADO referral form in Enfield has again been revised to reflect these changes and adjust to the new processes. Most agencies provide the necessary detailed information about the alleged incident and the staff involved, in advance of the Allegation against Staff and Volunteers (ASV) meeting. This has had a positive impact on the quality of referrals and has continued to reduce the time previously spent by the LADO gathering information from different sources.

1.10 The Local Enfield LADO Protocol has also been redrafted to reflect progress in guidance, legislation and procedures. The purpose of the protocol is to ensure that key professionals and bodies in Enfield work together to safeguard and promote the welfare of children in the discharge of their duties and functions under section 11 of the Children Act 2004 when concerns emerge regarding a professional or volunteer working with children within the Enfield Borough.

1.11 Throughout these changes, the approach to Allegations in Enfield has continued to be effective and robust. An Ofsted inspection in February 2019, concluded that, in Enfield, *“the management of allegations and concerns against adults who work with children is timely and proportionate. A well-managed system prioritises and focuses on allegations in a timely manner in order to safeguard children”*.

1.12 Although Ofsted provided good overall feedback regarding the work achieved, the Service recognizes that there are many challenges ahead. This report sets out the key findings from LADO activity through data analysis and commentary and identifies areas for further progress. Case studies have been used to provide an illustration of the complex and diverse nature of the role.

2. The LADO ROLE

2.1 The Local Authority Designated Officer (LADO) has the responsibility to manage and have oversight of allegations against people who work with children Working Together 2018. This is defined as an adult who is working or volunteering with children (anyone under the age of 18 years old) or coming into contact with children through work on a regular basis and would be seen as being in a position of trust over them. This includes all paid or unpaid staff and volunteers, including foster carers and prospective adopters.

2.2 It captures concerns, allegations or offences within a person’s paid or unpaid role working with children, as well as those emanating from outside of work. It also includes 16 and 17-year-old young people placed in a position of trust by an organisation in relation to anyone under the age of 18, for example, where they might be involved in coaching a sport in a school or out of school activities.

2.3 An allegation may relate to a person who works with children who 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;
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

2.4 Such behaviour should be considered within the context of physical, sexual and emotional abuse and neglect. It includes concerns about inappropriate relationships between members of staff (paid and volunteers) and children and young people. Examples include:

- Having a sexual relationship with a child under 18 if in a position of trust in respect of that child, even if consensual (see ss16-19 Sexual Offences Act 2003);
- 'Grooming', i.e. meeting a child under 16 with intent to commit a relevant offence (see s15 Sexual Offences Act 2003)

- Other 'grooming' behaviour giving rise to concerns of a broader child protection nature e.g. inappropriate text / e-mail messages or images, gifts, socialising etc;
- Possession of indecent photographs / pseudo-photographs of children
- Has behaved in a way in their personal life that raises safeguarding concerns. These concerns do not have to directly relate to a child but could, for example, include arrest for possession of a weapon;
- As a parent or carer, has become subject to child protection procedure.

2.5 Due to the diversity of environments employing staff or volunteers to work with children and young people, it is essential for the LADO to develop knowledge and expertise in understanding the work and management of organizations as diverse as Local Authority Schools and Academies; the whole spectrum of faith organizations, including implications of, for example Canon or Islamic law on management of staff and ordained members; youth organizations; non-regulated professionals, for example tutors and childminders; foster and residential placements; NHS staff; or Police amongst many other settings where individuals are employed directly to work with children.

2.6 In addition, it is essential that the LADO has excellent knowledge of child protection law; child protection processes and knowledge and experience of risk assessments; as well as an understanding of criminal and employment law.

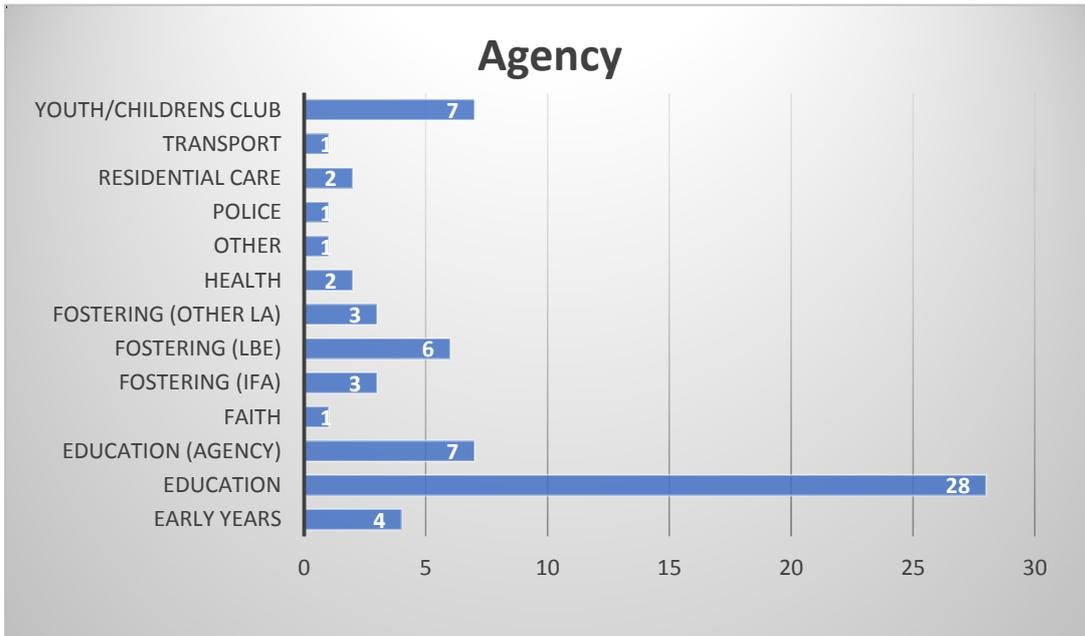
2.7 The child is paramount in all child protection processes. This means that the LADO process considers the safety and wellbeing of the specific child or children affected by the allegation. Although the LADO does not conduct the investigation, in all ASV meetings it is important that the LADO ensures that the voice of the child is not lost within the Allegations Management process. The LADO should ensure that the child has been spoken to by the professional most appropriate in the circumstances and their views gained.

2.8 In addition to the specific child(ren) directly affected by the allegation, the LADO process must consider the safety of all children within the organizations, including promoting the reflection of the specific circumstances or environment that allowed abuse to occur and consider lessons learned. This is a vital part of the LADO role as well as a challenge. This may involve local issues as well as contribute to the reflection of regional and national trends.

2.9 Although the safety and welfare of children are paramount, it is acknowledged that being subject to an allegation is usually very distressing and unsettling for the member of staff. The LADO process must also consider the wellbeing of the member of staff. This includes ensuring that employers have support services in place for the adults facing allegations, including access to formal and informal advice as well as counselling services.

3. BREAKDOWN OF ALLEGATIONS

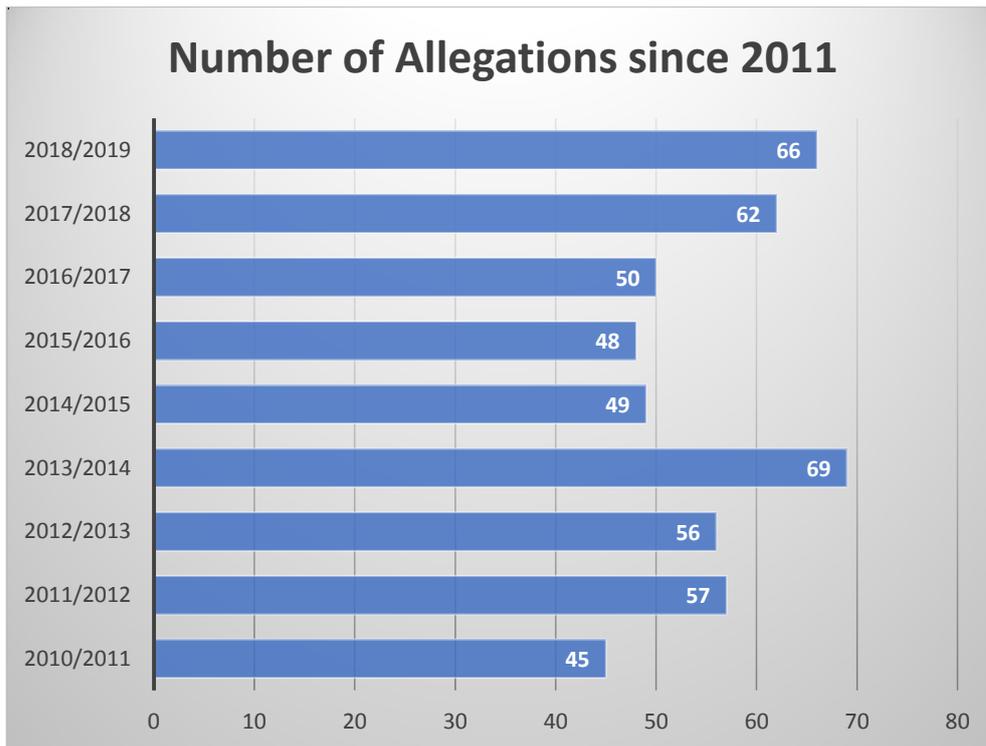
3.1 The total number of allegations between 1st April 2018 and the 31st March 2019, which met the threshold for formal LADO involvement was 66.



3.2 In 2018/2019, the majority of allegations which progressed to formal LADO involvement were made within education settings, 36, which includes primary and secondary schools within the London Borough of Enfield. These involve teaching and non-teaching staff and 7 members of staff were employed via supply agencies. The high number of allegations within schools, compared to other settings, is to be expected as this is where children spend most of their time outside the home. Also indicates that most Senior School staff, within the Local Authority, receive regular training regarding LADO processes and have a good working relationship with Safeguarding and Quality Service, including the Head of Service, and therefore may be prone to discuss ongoing issues as well as being clearer about expected standards of care for children within their schools.

3.3 The second highest group is Fostering, including carers from Independent Fostering Agencies, 3, and other Local Authorities carers, 3. In addition, these allegations that progressed to a formal ASV Meeting, the LADO is often consulted in issues over Standards of Care which don't quite meet the threshold for a meeting, but the LADO monitors the outcome of the intervention.

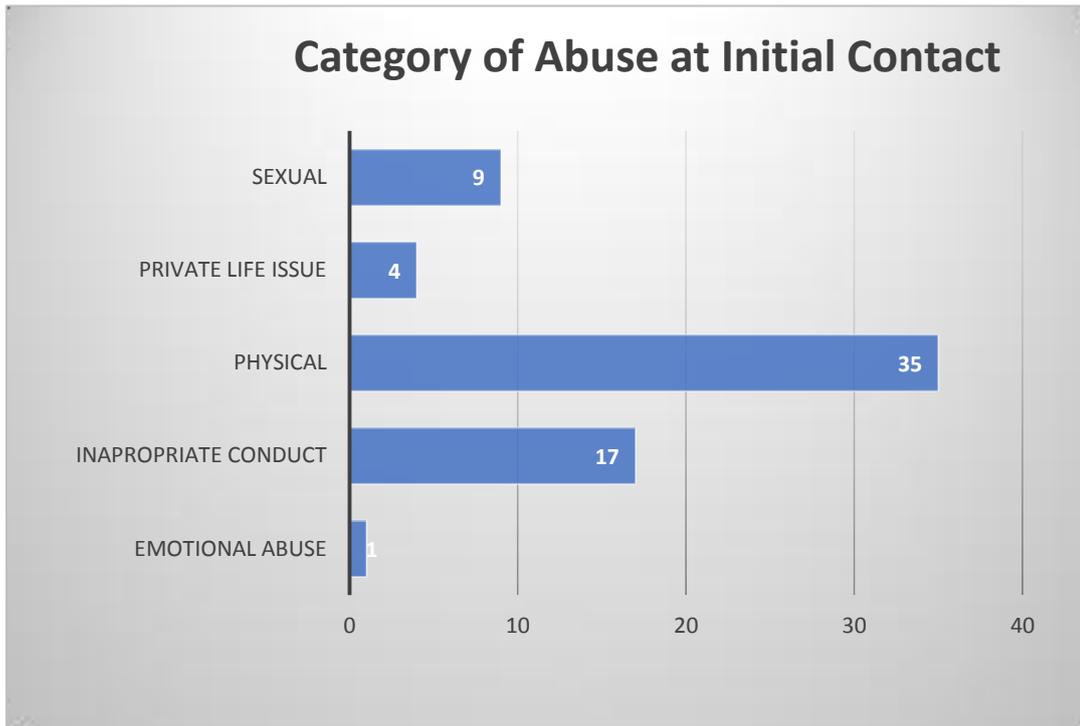
3.4 The number of allegations which met the threshold for formal LADO involvement in the last year has increased compared to previous 4 years. However, the increase has been gradual and not particularly significant.



3.5 In addition to the above 66 allegations, there have been approximately 92 consultations with the LADO, where the threshold for LADO intervention had not been met. In these cases, advice was offered on managing low and medium level concerns and a system has been put in place to record this activity and report. Some of the Consultations refer to conduct issues for staff in all settings and standard of care issues for foster carers. Also, a small number of cases involve incidents when there have been clear factors that school staff needed to use reasonable force to prevent damage to other children, staff or property (under section 93 of the Education and Inspection Act 2006). It is important to note that in cases where the need for reasonable force is not clear, an ASV meeting may be held to consider the circumstances and relevant factors in a process which safeguards children but also staff.

3.6 For the more significant cases, the LADO may ask to be kept informed of disciplinary processes in these cases and clear records are kept, as often if issues are repeated over a period of time, it might then meet the threshold for LADO involvement. An emotional abuse case described below, is an example where issues raised regarding standards of care and advice was given for the Independent Fostering Agency to address issues, later led to children being considered as suffering persistent emotional maltreatment such as to cause severe effects on their emotional development, hence LADO involvement became necessary.

3.7 The sources of referrals for both allegations and consultations include direct contact from young people and parents; police; schools; other partner agencies; OFSTED and other local authorities. Several referrals were also received from within children’s social care, including the MASH, allocated Social Workers and Independent Reviewing Officers.



3.8 The majority of contacts that led to an ASV Meeting being held, 35, refer to allegations of physical abuse, mostly where it is alleged that professionals used unreasonable force to address behavioural issues or impose their will over children.

3.9 Private Life Issue refers to professionals or volunteers working with children, where concerns are raised about their care of children in their private life, for example if a teacher is the parent of a child subject to a Protection Plan. In these cases, the ASV Meeting considered how these concerns impact, or not, in their professional contact with children. In most cases, it has been possible to offer parallel support to the member of staff alongside the child protection plan. The procedure is not implemented if Social Care involvement is deemed of a Child in Need nature, although this might be recorded as a Consultation. In one case, the professional was parenting a child facing similar challenges to those of the children in their specific employment. The professional's neglectful and abusive parenting style was relevant to their judgment at work where similar concerns had emerged in the recent past as well as issues regarding dishonest professional conduct highlighted during the LADO process, leading to a decision for the employer to complete a referral to the governing body.

3.10 The four cases of Private Life issues, do not refer to concerns outside work, not directly linked with main employment, but still cause significant concern, for example if a professional has accessed online images of Child Sexual Abuse in their own home. These, due to the level of risk associated to the organization, as well as children, are contained within the 9 sexual abuse cases.

3.11 The 17 inappropriate conduct cases refer to incidents where professionals' consistently fell short of expected conduct and standards. For example, a professional who repeatedly used inappropriate language or disciplinary methods which are not in line with their code of conduct and expected standards leading to harm being caused to a child or children. It also refers to cases, where a professional may have adopted behaviour which could be viewed as building up to become abusive, but the lack of indicators fell short of sexual abuse, for example having persistent inappropriate social media contact with students where personal information is

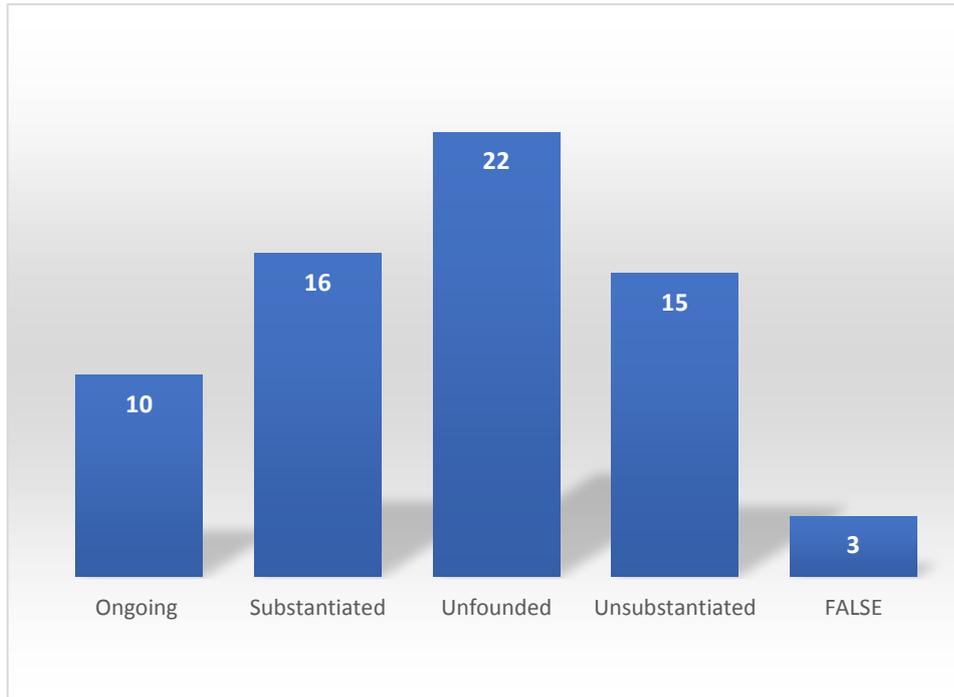
shared or when physical contact has been persistently interpreted as unsolicited and inappropriate.

3.12 Although some allegations are addressed within one ASV Meeting, many require multiple ASV meetings. In 2018/2019, the 66 allegations involved 97 ASV Meetings to enable either criminal investigations and/or further information to be gathered for example via Children's Services assessment or obtain statements from witnesses prior to an outcome being decided.

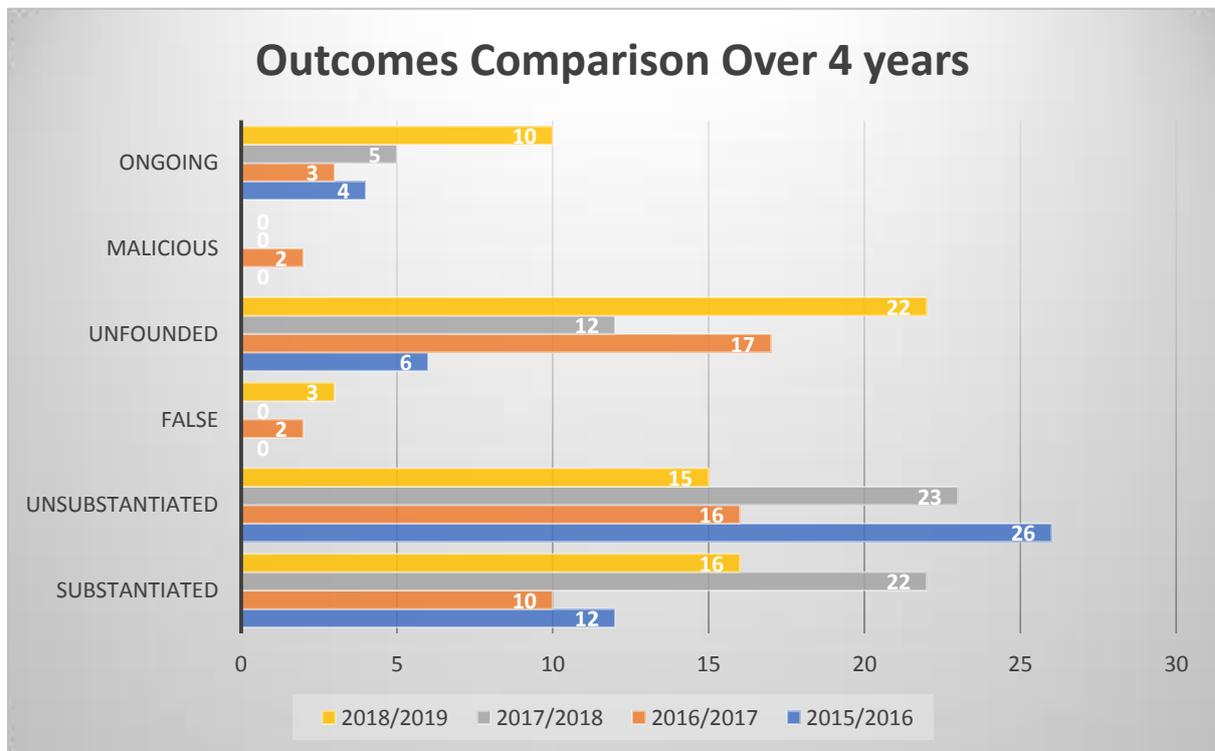
3.13 Between the ASV Meetings, the LADO monitors and records the progress of each case, either fortnightly or monthly depending on its complexity via direct liaison with the police, LA children's social care, or employer, as appropriate. Where the target timescales cannot be met, the LADO should record the reasons, for example, allegation where Police has to examine electronic devices may take months before an outcome can be safely reached.

3.14 The final outcome of an Allegation should be decided by all agencies involved in the process led by the LADO. The following definitions should be used when determining the outcome of allegation investigations:

- Substantiated allegations, meaning that there is sufficient evidence to prove the allegation that a child has been harmed or there is a risk of harm. If the facts of the incident are found to be true but it is not found that a child has been harmed or there is a risk of harm, then consideration should be given to deciding that the outcome is 'unsubstantiated' or 'unfounded'.
- Malicious, meaning that there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive. The police should be asked to consider what action may be appropriate in these circumstances.
- False, meaning that there is sufficient evidence to disprove the allegation, however, there is no evidence to suggest that there was an deliberate intention to deceive. False allegations may be an indicator of abuse elsewhere which requires further exploration. If an allegation is demonstrably false, the employer, in consultation with the LADO, should refer the matter to LA children's social care to determine whether the child is in need of services, or might have been abused by someone else.
- Unsubstantiated, meaning that there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.
- Unfounded, the additional definition of 'unfounded' can be used to reflect cases where there is no evidence or proper basis which supports the allegation being made. It might also indicate 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.



3.15 In 2018/2019, there were 16 Substantiated allegations. These resulted in one dismissal and two people resigned from their positions. DBS referrals have been made or are being processed in these cases.



3.16 The LADO is responsible for coordinating referrals to DBS.

3.17 The “ Working Together to safeguard Children” document makes it clear that if an organisation removes an individual (paid worker or unpaid volunteer) from work such as looking after children (or would have, had the person not left first) because the person poses a risk of harm to children, the organisation must make a referral to the Disclosure and Barring Service. It is an offence to fail to make a referral without good reason. To ensure there is compliance with this, referral to DBS is recommended, if appropriate after the investigation and the LADO is involved in coordinating referrals to DBS. The duty to refer to DBS applies irrespective of whether a referral has been made to the local authority designated officer and it is an offence to fail to make a referral without good reason.

3.18 The DBS procedure considers the following work with children as regulated activity. This cover:

- Unsupervised activities such as teaching and social care
- Work for a limited range of establishments such as schools, children’s homes and other child care premises
- Relevant personal and healthcare even if done once
- Registered child minding
- Foster care

4. OTHER LADO RELATED ACTIVITIES

4.1 In addition to the above activity, (allegations and consultations), the LADO has liaised with the Standards and Curriculum Service when there have been referrals from OFSTED to co-ordinate responses in a timely fashion. A robust system has been developed between the two services and the Director’s office to ensure all referrals from OFSTED are considered and a response is provided. Records are kept by the Director’s office.

4.2 The LADO has collaborated with IT services to develop a bespoke LADO workspace within ICS. This is now in place and was fully implemented on the 1st April 2019. The new ICS workspace is expected to contribute to the LADO’s duty to hold statistical information in a format that is readily available and ensure that information regarding a potential perpetrator of harm to a child is recorded securely and available to compare with new information regarding the same person.

4.3 The LADO also frequently assists in answering Freedom of Information (FOI) enquiries; provide comparable figures to assist Regional or National LADO Network in identifying trends or areas of commonality or disparity; and provide accurate figures to Ofsted/DfE when required.

4.4 The Training of the senior management of the Children’s Workforce is an integral part of the LADO role and essential to staff development and awareness of procedures and thresholds for LADO involvement.

4.5 In 2018/2019, the LADO service has delivered six half training sessions to Enfield foster careers around safe caring and managing allegations. Since 2017, the LADO has also contributed to the

“Skills to Foster training for prospective foster carers. This has proven to be a helpful preparation to those who have shown interested in becoming foster carers and as optimizing the resources to ensure that those coming into fostering understand the consequences of harming children but also feel supported when an allegation has been made against them.

4.6 During the training sessions with prospective and current foster carers, it appears to be reassuring that the number of malicious or false allegations is quite low and that, although children are paramount in all investigations, the LADO process will also consider the needs and welfare of the members of staff accused.

4.7 The LADO has also delivered 5 half day trainings sessions on managing allegations to LSCB partner agencies and contributed to the Designated teachers’ training with specific reference to LADO issues and processes.

5. REVIEW OF WORK PLAN 2017-2018 AND

5.1.



Action complete



Action taken but as yet not complete



Action requiring urgent attention/implementation

ENFIELD LADO WORKPLAN 2018 – 2019			
Action	Responsibility	Timescale	RAG Status
Recruitment of a part -time LADO	Maria Anastasi	November 2018	
Revise and update the procedure on “Managing Allegations”	Maria Anastasi	October 2018	
Continue with developing and delivering awareness raising sessions within the statutory and voluntary sector and identify and give specific attention to agencies where there are few or no referrals	Maria Anastasi and SQS	Ongoing	
Design leaflets for parents and professionals	Maria Anastasi/LADO	November 2018	
Peer on Peer Review of LADO processes	Anne Stoker/Maria Anastasi	March 2019	

6. CONCLUSION

6.1 Although, there were many challenges and changes for the LADO role over the last year, the general feedback received, from Ofsted and agencies in contact with the LADO service, indicates that there has continued to be effective oversight of allegation against Staff and Volunteers in Enfield.

6.2 However, it is important that acknowledge that there are still many areas for improvement, which have been highlighted in the work plan for the upcoming year. This includes increased effective and consistent service delivery outcomes alongside increasing awareness and networking with partner and voluntary agencies. Although, it is welcomed that a part-time LADO has been recruited, this still creates challenges to provide a consistent response to allegations at all times. This is not as evident in the response to new allegations and concerns, but rather with the follow-up of internal investigations and formal recording of final outcomes once the ASV meetings have been concluded.

7. WORK PLAN FOR 2019-20

ENFIELD LADO WORKPLAN 2019 – 2020		
Action	Responsibility	Timescale
Present and approve the updated “Enfield LADO Protocol” to the Enfield Safeguarding Children Partnership Board.	Maria Anastasi/Bruno Capela	October 2019
Continue with developing and delivering awareness raising sessions within the statutory and voluntary sector and identify and give specific attention to agencies where there are few or no referrals, including faith organizations.	Bruno Capela	Ongoing
Design leaflets for parents and for professionals regarding LADO processes.	Bruno Capela	September 2019
Design leaflets with information specifically for children about what to do if they or a friend believe they are being abused by an adult who works with them. The information should also be added to Enfield Safeguarding Children Partnership Website.	Bruno Capela	November 2019
Peer on Peer Review of LADO processes	Anne Stoker/Maria Anastasi/Bruno Capela	November 2019
Ensure systematic collation of feedback of LADO experience to ensure learning is captured and used to improve performance of the function, with a focus on measures to elicit the	Bruno Capela, in connection with the London and National LADO group	Ongoing

child's voice to inform continued practice.		
Support implementation of LADO referrals via the Children Portal.	Bruno Capela	Ongoing

8. APPENDIX A

Key contacts for Enfield

Local Authority Designated Officer (LADO)	0208 379 1919/2850
Police Child Abuse Investigation Team (CAIT)	0208 733 5139
Enfield MASH	0208 379 5555
Emergency Duty Out of Hours Social Worker	0208 379 1000
Enfield Safeguarding Children Partnership	0208 379 2767

Key publications

“Working Together to Safeguard Children” (2018)

“Keeping Children Safe in Education” (July 2016)

“London Child Protection Procedures”

“Protocol for the Management of Allegations of Abuse Against an Adult working with Children” (ESCB 2019)