**Buckinghamshire Council**

**Children’s Services**

**Local Authority Designated Officer**

**Annual Report**

**The management of allegations and concerns regarding adults who work with, care for or volunteer with children**

**2019-20**

# INTRODUCTION

The purpose of this report is to provide an overview of the management of allegations against the adults who work with children across Buckinghamshire County, and the role of the Local Authority Designated Officer commonly known as the LADO, for the period 1 April 2019 to 31 March 2020. The term adult applies to those aged 18 years and over working in either a paid or unpaid capacity with children in the County.

This report will be presented to members of the Buckinghamshire Safeguarding Children Partnership and the Council’s Corporate Management Team, to provide information and relevant data and analysis regarding the LADO service activity in respect of all allegations dealt with in 2019/2020. The report will highlight the role and structure of the LADO Service as well as the guidance that governs this role.

## Legislative Framework

All agencies that provide services for children, where staff or volunteers are recruited and supported to work with or care for children, are required to have a procedure in place for managing and reporting allegations against staff, which is consistent with statutory guidance published by HM Government (current guidance: Working Together to Safeguard Children, 2018).

This guidance outlines the requirement of the LADO service to oversee the effectiveness, transparency and record retention of these processes, not only in terms of protecting children, but also ensuring that staff who are the subject of an allegation are treated fairly, and that the response and subsequent action is consistent, reasonable and proportionate.

In respect of education services, additional guidance is set out in Keeping Children Safe in Education 2018, which outlines the legal duties that educational establishments must follow to safeguard and promote the welfare of children and young people. It includes guidance around the management of allegations against the children's workforce.

These sets of guidance are placed alongside additional statutory guidance – Disqualification under the Childcare Act 2006 (Updated 2015). This further informs specific circumstances, which would lead to disqualification from work within defined sectors of Early Years and Education services.

# **GENERAL OVERVIEW AND THE ROLE OF THE LADO**

Working Together 2018 outlines the responsibility of the Local Authority Designated Officer. The guidance sets out how important it is that the co-ordination of any actions to address welfare concerns, in relation to the child or children involved, are taken without delay. It stipulates that Local Authorities should have a Designated Officer (LADO) or a team of LADOs to be involved in the management and oversight of allegations against adults who work with children.

As stated, for the purpose of this report, 'adults who work with children’ should be interpreted as meaning all paid or unpaid staff and volunteers, including foster carers and prospective adopters in Buckinghamshire Council. All references to ‘employers’ should be taken to include any agency or organisation with responsibility for paid or unpaid staff and volunteers, including foster carers and prospective adopters.

In Buckinghamshire, all agencies are expected to follow the procedures in the Buckinghamshire Safeguarding Children Partnership “Managing allegations against staff and volunteers working with children”, which was updated in September 2018.

The LADO service must be contacted within one working day in respect of all cases in which it is alleged that a person who works with children has:

• behaved in a way that has harmed, 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.

AND/OR

• behaved in a way in their personal life that raises safeguarding concerns. This does not have to directly relate to a child.

• closely associates/resides with another person who is disqualified because they have committed an offence included in the 2009 Regulations.

In all cases that meet the threshold, the LADO will give consideration to:

• issues of safeguarding children, significant harm and children in need of protection.

• any possible criminal investigation that may need to take place.

• any staff disciplinary process that will be undertaken.

• any complaints process that are being undertaken.

The Buckinghamshire Council LADO service has continued to work in line with the above guidance and has primarily focused on making the improvements in line with the strategic direction of the local authority.

# ALLEGATIONS MANAGEMENT

The management of allegations should be seen in the wider context of safer employment practices, which has three essential elements:

* Safer recruitment and selection practices.
* Safer working practices.
* Management of allegations or concerns.

Although this report primarily focuses on the third element, the three elements are interlinked in the work undertaken by the LADO. The Buckinghamshire LADO service aims to provide consistent and appropriate scrutiny across diverse workforces and voluntary bodies, contribute to a greater level of safeguarding to children, facilitate a proportionate response to staff, enable appropriate referrals to be made, and build a safer workforce by vetting individuals who are likely to present a risk.

The Ofsted inspection of services for children in need of help and protection, children looked after, and care leavers (published on 29 January 2018)noted that:

‘*The designated officer provides a timely and effective response to concerns about adults who work with children. Work to raise awareness of the designated officer role to ensure a full understanding of professionals’ responsibilities has taken place with a wide range of professionals. Close working arrangements are evident in the majority of cases sampled.’*

This feedback from Ofsted was considered as a baseline for plenty of improvement work, which has been the focus of the LADO service throughout the last 2 years (2018/19 and 2019/20). Some of the improvements were discussed in last year’s annual report, and further improvements are discussed below.

Below is a summary of the actions completed, against each of the key objectives that were agreed for the LADO service in 2019/12:

| **ACTION** | **ACHIEVED BY WHO & WHEN** | **OUTCOMES AND IMPACT** |
| --- | --- | --- |
| To facilitate greater understanding about safer recruitment & selection  processes, safer working practices, and the management of allegations or  concerns | Service Manager  March 2020 and ongoing | The Service Manager has facilitated learning and development sessions in allegations management to various Council services including: fostering; early years; child protection conferencing; education safeguarding advisory service; Independent Reviewing; social work teams and managers in addition to partner agencies such as schools; designated safeguarding leads in schools; residential homes such as Action for Children; some faith groups and schools, and others. |
| To develop greater links with faith settings across the county. | Service Manager  March 2020 and ongoing | As above |
| To be more visible within the county through training, development and information sessions with the major sources of referrals to the LADO service. | Service Manager  March 2020 and ongoing | Learning is shared and regular touch downs take place with numerous key partners including the MASH; Buckinghamshire Human Resources; Child Abuse Investigation Team of the Police; key safeguarding leads in health; Early Years; Education Safeguarding Advisory Service; Schools Improvement Team; Buckinghamshire Transport and Licencing Services. |
| To develop newsletters linked to Schools Bulletins to be undertaken in partnership with the Education Safeguarding Advisory Service. | Service Manager  March 2020 and ongoing | The Service Manager has shared learning with key partner agencies and implemented systems which are reflective of the required improvements and ongoing learning. This includes contributions and updates through various newsletters, bulletins and websites operating in Buckinghamshire including the BSCP, Schools Web, and ESAS. |
| To update the Privacy Impact Statement and publish this on the safeguarding  partnership (BCSP) website alongside the updated material about the  Management of Allegations procedures, which will be completed in partnership with the BSCP. | Service Manager  December 2020 | The Buckinghamshire Safeguarding Children’s Partnership guidance was updated in September 2018 and a further update has been scheduled to take place before December 2020 to reflect the amendments to the KCSIE, Working Together and current procedures and regional agreements.  The Service Manager has reviewed the LADO procedures and forms to reflect changes and learning from key partners.  A new LADO referral form has been devised with input and consultation from partner agencies and learning from practice over the previous year. |
| To improve the recording of cases which do not meet the threshold for LADO oversight, to be undertaken by the Safeguarding Officers. | Service Manager  March 2020 | Paper records have now largely been digitalised and this task is near completion for all paper-file records held.  The LADO service has now implemented a clear and structured system to record all cases that do not meet the threshold for becoming allegations, including case progress and the management oversight required to conclude them. |
| To improve the consistency of management oversight on all cases considered within the LADO service, to be consistently applied by the Manager of the LADO Service. | Service Manager  March 2020 | The Service Manager has implemented a management oversight system for every case that is closed to the LADO service including those that do not meet threshold for allegations management. |
| Records of LADO strategy meetings reflect how the integrity of the investigation will be maintained and the decision making of information sharing (i.e. what info will be shared with who and when) | Service Manager  December 2019 | The team have implemented a system in partnership with other teams such that child protection (Section 47) enquiries are undertaken outside of LADO position of trust meetings, so that the child’s view is obtained for every case considered within the service, whether that be a criminal investigation, employer investigation or a transference of risk.  The Service Manager has implemented a system that stipulates for every LADO case that meets threshold, a summary of the case with the employer’s outcome, overall outcome from the LADO and the learning / next steps (including notifications to regulatory bodies) will be provided.  Position of trust meeting actions are completed within one working day of the meeting and shared with all parties and full notes within 20 working days of the meeting. |
| To facilitate a feedback system about the LADO service to appreciate partner  agency views about the service and areas for improvements. | Service Manager  March 2020 | Learning is shared and regular touch downs take place with numerous key partners including the MASH; Buckinghamshire Human Resources; Child Abuse Investigation Team of the Police; Key Safeguarding leads in Health; Early Years; Education Safeguarding Advisory Service; Schools Improvement Team; Buckinghamshire Transport and Licencing Service amongst others; |
| For regular supervision to take place, which promotes a reflective and analytical approach to children’s and families’ needs.  Supervision is utilised to increase workers’ confidence, competence and their ability to think critically leading to improved decision making and effective interventions with children and families. | Service Manager  March 2020 | Monthly supervision is undertaken with each member of the team.  Fortnightly team meetings, weekly duty touchdown sessions and monthly supervision has meant that in addition to increased management oversight on activity within the team, each worker within the team has been able to take an active role in driving improvements in safeguarding children across the multi-agency workforce. Management oversight therefore has improved considerably when compared to the previous year, although improvement in this area is further required. |

# 4 STAFFING AND RESOURCES

## Local Authority Designated Officers (LADO)

The staffing establishment for the LADO service continued to remain the same during the period between April 2019 and March 2020 at 1.6 Local Authority Designated Officers (covered by two members of staff). These two individuals were managed and supervised by a full time manager, who also managed the conferencing service (until February 2019) and reports to the Head of Quality, Standards and Performance.

## The Local Authority Designated Officers are qualified social workers, with many years post-qualifying experience in children’s social work and in management. The two individuals in post were recruited to the permanent positions in August 2017 and November 2019 respectively. The LADO service had a period between February 2019 and November 2019, where the service was not able to recruit a full time permanent LADO, and interim post holders (agency staff) recruited to provide cover. The service also relied upon Child Protection Advisors who had experience in allegations management for support. Due to these challenges, more management oversight and input, to ensure the service was consistent and continued to operate within the required statutory framework, was put in place.

## Safeguarding Officers within the LADO Service

In November 2018, the LADO and Education Safeguarding Advisory services were reviewed, and it was decided that the two social work posts (full time equivalent of 1.6 posts) supporting the Education Safeguarding Advisory Service should be located within the LADO service.

During the year 2019-20, the service has continued to have the benefit of the Senior Safeguarding Officer post. Recruitment for the permanent, full time Safeguarding Officer post has been challenging and this has meant that there have been periods when the service has been short staffed. These posts have become an integral part of the LADO service and are working well with the LADO posts in managing frontline enquiries, providing information sessions, supporting education settings with managing allegations and undertaking robust assessments of staff who may pose a risk to children.

## Business support staff

The LADO service is supported by a full time permanent Business Support Specialist. The Business Support Specialist provides an initial point of contact, helps in keeping the electronic records up to date, and takes notes at Position of Trust meetings (previously known as Joint Evaluation Meetings). The digitalising of paper files has required the support of an additional Business Support Administrator who provides part time support of 20 hours per week. As the volume of work within the LADO service has increased, this additional post supports the overall work of the team, and a request for making this second post permanent has been submitted. It is anticipated that this decision will be made by April 2020.

A permanent Business Support Coordinator provides direct line management to the Business Support Specialist and arranges cover during periods of annual leave.

## Management of the LADO Service

The management of the service was changed during the course of 2019/20 to reflect some of the challenges and issues faced during the year. This resulted in the manager’s role changing from Service Manager for LADO and Child Protection Conferencing to Service Manager for LADO and Education Safeguarding Advisory Services. The main aim of this change is to enable the manager to provide a seamless service to employers within education settings (largest employer for allegation referrals) and to ensure management oversight and scrutiny for these teams was more robust and child focused.

## Overview of activity within the service

In 2019/20 the LADO service managed 785 enquiries. This is the first year that the LADO service has retained figures for all enquiries.

The Safeguarding Officers have managed the majority of these 785 enquiries in a year that has been dedicated to improving the service with revised and renewed systems. The Safeguarding Officers have triaged all initial enquiries including ensuring that all children are referred to their respective MASH or allocated social workers within the Local Authority they live in, and that police are informed wherever appropriate and required. Most of these enquiries came from education settings (46%).

Of these a total of 256 met threshold for allegations management. Twenty three of these, though they met threshold, were not recorded on the allegations data management system as they related to risk assessments of staff whose behaviours potentially posed risks to children. These have subsequently been added to the system and will be reflected in the 2020/21 annual report. Risk assessments undertaken by employers for staff who have behaved in ways which may have or are likely to have caused harm were not routinely recorded on the allegation management database and this was the practice in Buckinghamshire as at the end of the last financial year. As such, some of these matters at the start of the 2019-20 were also concluded without being logged in the allegations database. This has subsequently been rectified and uploaded onto the allegations database and therefore the overall numbers for threshold-met cases for 2019-20 is 256.

The number of threshold-met cases has dropped slightly from 279 to 256 as of 31st March 2020. This resulted in an average of up to 128 threshold met cases per 1.0 FTE LADO. This is a decrease from last year by 16%. During the period of 2019/20, there was one large health employer which had several allegations and this was managed by one LADO to maintain consistency and a seamless service.

## Information sharing and development sessions

The service has been able to deliver 22 information and development sessions on allegations management over the course of the year. These sessions have been delivered to: educations settings; in-house council teams; police service; health agencies; fostering services; residential settings; early year’s settings and the voluntary sector.

## Staff training

One of the key changes initiated in the previous year, which has consistently been maintained, is the regular team meetings and peer development sessions. These were scheduled across the year to provide opportunities for reflective discussion as a means to continue to improve the service. This has become a vital part of the team’s routine and includes the safeguarding officers and the business support staff. This has been key to continuing with the improvements required within the service and enabling learning and development opportunities for the team.

## Budget

The LADO spend in 2019/20 remained in line with its forecast budget. The main source of spend related to staffing costs, especially with the recruitment of agency staffing which was required to cover periods when the team faced recruitment challenges.

# ANALYSIS OF ACTIVITY

**Commentary:**

The number of allegations has slightly decreased during 2019-20 compared to the previous year. There were a total of 256 allegations made in 2019-20 compared to 279 in 2018-19 (a decrease of 16%).

There were a total of 57 cases recorded that did not meet the threshold for the LADO service to take oversight of and manage.

**Type of allegations**

**Commentary:**

Physical abuse has continued to be the most common type of allegation through 2019-20. There were a total of 103 during 2019-20 (45%); this is a similar proportion to 2018-19 where the total was 113 (41%). Allegations relating to neglect were the second largest category for 2019-20, with a total of 48 (21%). This is a change from the previous year where sexual allegations were the second highest allegation type with 65 in total (23%). This has dropped during 2019-20 with a total of 41 (down to 18%).

**Allegations by sector**

**Commentary:**

The education sector remains the most common employer type during 2019-20. There were a total of 110 allegations relating to this sector. This is slightly higher than last year where the total was 98.

2019-20 saw a decrease in allegations coming from the health sector, from 46 referrals in 2018-19 to on 26 in 2019-20. There was also a drop in referrals for Foster Carers down from 26 in 2018-19 to 15.

There was a slight increase in the number of referrals from social care from 6 last year to 8 in 2019-20.

**Outcomes of allegations**

**Commentary:**

At the end of the year, 142 allegations were still being worked on and therefore have not yet reached an outcome. Some of the reasons for these allegations not being concluded within 12 months of being initiated included: volume of new enquiries; challenges with staffing and recruitment; police and criminal investigation; employer delays.

Of those allegations that have been completed; 43 were unsubstantiated (30%). During 2018-19, 59 allegations were unsubstantiated out of a total of 279 (only 21% of the total). There has been a rise in the proportion of allegations found to be neither proven nor disproven and therefore recorded as unsubstantiated. A total 31 allegations were substantiated in 2019-20 (22%), which is also an increase compared to 2018-19 where 14% were substantiated.

Referrals came from the following employers in order of their numbers: education settings (362); early years (96); health (90); residential homes (81); other including Buckinghamshire County Council (54); transport (28); fostering (24); sports (18); faith (15);Scouts and Guides (11); voluntary sector (6);

**Outcomes of investigations**

**Commentary:**

Of the 91 matters which met threshold for allegations management and were brought to a conclusion within the year, 43 resulted in no further action (47%). This outcome is largely seen when an employer has considered the matter and the outcome is neither proven nor disproven (unsubstantiated) and it is felt that taking further action against the member of staff may be unjust. Generally in these situations, the employer considers making system changes rather than any specific ones directed at the staff member. This is a decrease compared to 2018-19 where 93 matters resulted in no further action (56%).

The number of allegations ending in training or development of staff was also high at 32 in total (35%). This was also high in 2018-19 where 45 investigations resulted in training or development (26%).

**Service Performance**

**Timescales for completed cases**

**Commentary:**

Of the 128 investigations that have been completed since April 2019 (including allegation investigations started before the beginning of the year) 40% were completed within 1 month. This is a decrease compared to 2018-19 where 63% of all cases were completed in less than 1 month. Overall, in 2019-20 conclusion of allegations have taken longer than previous years due to the challenges described earlier in this report.

A total of 35 (27%) cases were completed between 1 and 3 months. This is an increase compared to last year where 21% of cases were completed in 1 to 3 months.

There has been a slight increase in investigations taking over 1 year to complete, from 1 in 2018-19 to 3 during 2019-20.

# ALLEGATION MANAGEMENT RECORDING SYSTEMS

Subsequent to an internal corporate audit and a service review which took place during 2018-19, the LADO service implemented several revised and new systems, including the recording of all matters / referrals which came through to the service. All referrals which were made to the LADO service, irrespective of their nature (advice only or threshold met), were recorded within a duty system for the team to manage as a collective with clear management oversight. When a case was identified to have met threshold as an allegation, this was then transferred to LCS (Buckinghamshire’s allegations management recording platform).

# MANAGEMENT OVERSIGHT

Management oversight of every referral coming through to the LADO service was an area identified for improvement in 2019-20. Weekly data reports and the revised duty systems have been used by the LADO Service Manager to track the caseloads of the individual officers, the source and type of allegations, and timeliness in achieving an outcome. Regular fortnightly team meetings, weekly duty touchdown sessions and monthly supervision has meant that in addition to increased management oversight on activities within the team, each individual member has been able to take an active role in driving improvements in safeguarding children across the multi-agency workforce. Management oversight therefore has improved considerably in comparison to the previous year, although further improvement in this area is required.

# CHALLENGES IN 2019-20

Overall, 2019-20 has been a challenging year for the LADO service. The main challenges faced included the following:

* Stable and consistent permanent staffing – between April and November of 2019, the service struggled with recruiting and sustaining permanent staffing. This meant that during this period the service had several temporary staff which impacted on the service’s ability to consistently implement the changes and improvement required.
* Management oversight of the service – The service manager for the post was also the manager of a very busy child protection conferencing service. This meant that their ability to provide the required levels of management scrutiny to both areas and make improvements was not always comprehensive.
* Staff movements – the service saw several changes during the 12 month period including 12 starters and 11 endings. This took a considerable toll on the team and the management of the service. It is a time-intensive process to induct new starters and to manage workloads upon their departure. For a small team this had a significant impact on individuals and the ability to manage the workload with consistency and to the standards required.
* High volume of contacts – the 12 month period recorded 785 enquiries, all of which were processed to bring about 256 allegations which met threshold.
* The start of the COVID-19 Pandemic – COVID-19 began during this end of this period, which had already started to impact on several employers, and the nature of allegations which were coming through in the last quarter of this financial year reflected this.
* Higher number of internal referrals – this last financial year, the LADO service has seen an increase in referrals for staff from within the agency, with the service needing to manage these matters sensitively and robustly.
* Levels of understanding around allegations management with employers – the volume of contacts and referrals into the service has impacted on how much developmental work the team can undertake to increase awareness about allegations management. As such, this has had an impact on the levels of awareness and the inability to minimise referrals into the service.
* Levels of understanding with partner agencies and internal teams – the timeliness of referrals and conclusion of allegations has been impacted by the levels of understanding by partner agencies including internal teams.

# AREAS FOR DEVELOPMENT AND IMPROVEMENT: 2020-21

During the course of 2019-20, the LADO Service has made significant improvements despite several challenges and hurdles including increase in volume of activity. However, these changes and improvements highlighted above now require a stable and consistent team with a period for embedding and cementing these changes, in addition to considering how best to enhance the work that has already begun. The areas for enhancement include:

* To enable a more seamless and consistent LADO duty system which includes participation and implementation of each team member to the standards developed by March 2021.
* To improve on the timeliness of concluding cases within a 4 to 6 week period, especially cases outside of police jurisdiction by October 2021.
* To increase the consistency and management oversight of all activity within the LADO service – to be led by the Service Manager and demonstrated by the team by the end of March 2021.
* To increase the number of learning and development sessions (by 25%) offered by the LADO service on safer working practices and the management of allegations or concerns both within Buckinghamshire Council and children’s workforce employers by March 2021.
* To increase the number of links with faith settings across the county by the LADO Service over the coming 6 months (April to October 2020).
* To increase the number of training, development and information sessions delivered by the LADO service for the benefit of the major referring sources by the end of March 2021.
* To contribute more regularly to newsletters linked to Schools Bulletins in partnership with the Education Safeguarding Advisory Service starting from April 2020.
* To make more consistent and enhance the recording of cases (including management oversight) which are advice-only (do not meet the threshold for LADO oversight), to be undertaken by all members of the team from April 2020.
* To facilitate a feedback system about the LADO service to appreciate partner agency views about the service and areas for improvements, to be initiated by October 2020 by the LADO Service.
* To ensure there is consistency in the records of LADO position of trust meetings continue to reflect how the integrity of the investigation will be maintained and the decision-making regarding what information to share with whom, and when is clearly recorded (by June 2020).