

LADO Review Joint Evaluation Meeting Agenda

Purpose of Meeting

To discuss the action required when an employee or volunteer who works with children 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 they may pose a risk of harm to children.'**

Working Together / Keeping Safe in Education 2015

Part One – Review of Actions

Discussion about the investigation

- Progress on any police involvement or criminal offences
- Progress on any child protection enquiries or concerns
- Progress on any investigation by the employer or setting

Part Two – Discussion and Evaluation of the Information

Current Risks - What are we still concerned about?

Grey Areas - What is complicating the situation and what do we need to know more about?

- Is there sufficient information to conclude the allegation at this stage?
- If not is further investigation required to determine the outcome of the allegation?
- Is there evidence of criminal behaviour, behaviour which may pose a risk to children?
- Is the person in any other role with children or does the person have children who may be a risk?

Part Three – Decisions and Action Plans

What needs to happen?

- Is the allegation substantiated, unsubstantiated, unfounded/false or malicious?
- Is there a role for the police; children's services or for the employer?
- Should the person be suspended, instructed not to come into work (recommended max of 3 days) or moved to other duties?
If the person is dismissed, should there be a referral to DBS by the employer?
- Agree action plan and review date.
- Employer to return completed section 2 of referral form **within 5 days** of outcome decision.

The actions and notes of the meeting will be distributed after the meeting. They are restricted and should not be shared with or passed on to another source unless agreed by the LADO.

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ALLEGATION OUTCOME CATEGORIES

Substantiated

This is an allegation that is supported or established by evidence or proof. The employer must consult the LADO to discuss whether a referral should be made to the DBS and/or to a professional or regulatory body.

Unsubstantiated

An unsubstantiated allegation means that there is insufficient identifiable evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence. Where there is insufficient evidence to substantiate an allegation the employer must consider what further action, if any, must be taken.

Malicious

For an allegation to be classified as malicious, it will be necessary to have evidence to prove the intention to cause harm. Care should be taken in dealing with such allegations as some facts may not be wholly untrue. Some parts of an allegation may have been fabricated or exaggerated but elements may be based on truth. Children rarely fabricate an allegation. In cases that are deemed malicious, employers should work with the child to discover what was behind the allegation and seek further support for the child from other agencies as considered appropriate.

Unfounded

The term 'unfounded' means that there is no evidence or proper basis which supports the allegation being made, or there is evidence to prove that the allegation is untrue. There is the possibility that the allegation may be malicious (see below), but it might also indicate that the person making the allegation had misinterpreted the incident or was mistaken about what he/she saw, or was not aware of all the circumstances.

False

The employer, in consultation with the LADO, must refer the matter to Children's Social Care to determine whether the child is in need of services, or may have been abused by someone else. In all circumstances where an allegation has been deliberately invented or malicious, the police will consider whether any action might be appropriate against the person responsible.