



INFORMATION TO PERSONS SUBJECT TO AN ALLEGATION



All Local Authorities must have a 'Local Authority Designated Officer' (LADO) in place to oversee and facilitate the process that examines allegations made against people who work or volunteer with children and young people either in a position of trust and/or in a regulated activity.

All agencies and organisations, whatever their business status, have a statutory duty to share information in instances where they believe children may be at risk of harm. [Children Act 1989; 2011. Working Together 2023. Keeping Children Safe in Education 2024].

What is an allegation or concern?

Working Together to Safeguard Children (2023) describes concerns about a persons' behaviours in the following ways:

- behaved in a way that has harmed, or may have harmed, a child.
- possibly committed a criminal offence against children or related to a child.
- behaved towards a child or children in a way that indicates they may pose risk of harm to children.
- behaved in a way that indicates they may not be suitable to work with children.

As well as concerns and allegations raised in a person's place of work, concerns regard a person's conduct in their personal life may also be considered relevant as the LADO and your employer/ agency must consider the transferable risk.

Examples may include instances in which:

- A child you care for is on a child protection plan
- A report of domestic abuse

It will be agreed how the concern or allegation is investigated and who will undertake the process, i.e. which agencies shall be responsible for investigating or collating information that will inform the final safeguarding Managing Allegations process decision.

Depending upon the seriousness or nature of the concern or allegation, this can be investigated by the Police, Children's Social Care, or by an employer/regulatory agency under their disciplinary procedures. Please note that all previous concerns and allegations about you will be considered as part of the ongoing safeguarding process.

You will be informed by your employer/agency of the concern or allegation and that this matter is subject of the safeguarding LADO process.

Your employer/agency will also explain the investigation that is going to take place and will update you on the progress of the process as soon as is reasonable, depending on the extent and nature of that investigation.

Throughout the investigation and safeguarding process, you can expect to receive support from your employer or voluntary agency.

Will you be suspended from work?

The decision to suspend an individual from their role as an employee or volunteer is always that of the employer/agency with advice and guidance from their Human Resources department and/or employment legal adviser. It is not the decision of the individual LADO or the overall LADO process whether an individual is suspended from their role.

Your views regarding the event of concern/allegation:

It is the expectation that your employer/agency seeks and fairly represents your views and response to the allegations made against you within the investigation and the overall safeguarding process.

Please note the LADO cannot enter into a dialogue with you about the information you share or any part of the safeguarding process. They must remain impartial.

Role of the LADO:

The LADO will:

- Oversee and facilitate the multi-agency process that examines allegations made against adults who work or volunteer with children and young people either in a position of trust and/or in a regulated activity.

The LADO will not:

- Undertake any investigation
- Have direct communication with the person subject of the allegation
- Provide advice and support to the person subject of the allegation
- Provide HR advice in respect of suspension or dismissal

How long does the safeguarding LADO process take?

It is in everyone's interest for cases to be dealt with thoroughly and in a timely manner and for unnecessary delays to be avoided. Some cases will take longer because of their specific nature or complexity. Please note the LADO is not able to set a confirmed timescale for completion of an investigation as the process depends on several factors including the nature / complexity of the concerns. The LADO will however, endeavour to minimise unnecessary delays by liaising regularly with the agency undertaking the investigation.

The Final Managing Allegations meeting agrees the outcomes of the allegation. It is based on the investigation undertaken and information gathered, information you have shared about the events of concerns and the views of the child who is the alleged victim. Meeting attendees are asked, based on this information, to decide on the balance of probability if the allegation is:

- 1. Substantiated:** where there is sufficient identifiable evidence to prove the allegation.
- 2. Unsubstantiated:** this is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation; the term therefore does not imply guilt or innocence.
- 3. Unfounded:** 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.
- 4. False:** where there is sufficient evidence to disprove the allegation.
- 5. Malicious:** whether wholly or in part an allegation has been made with a deliberate intent to deceive or cause harm to the person subject to the allegation.

You will be informed of the outcome of the meeting by your employer/agency. Once the allegation against you has been concluded there is currently no appeals process should you be unsatisfied with the outcome. Decisions would have been the professional judgment made on the balance of probability by the multi-agency participants. If however, you are concerned that the LADO did not follow the correct processes in accordance with the Allegations Management procedures to inform its decision making, you are able to raise a complaint to the North Somerset Council Compliments and Complaints Department.

If you require any further support during this process then you should seek support from HR or other sources including any Trade Union.