

LADO GUIDANCE FOR PROFESSIONALS / EMPLOYER

Does your enquiry / referral meet the Management of Allegations Threshold (POT) criteria? As defined by Working Together (2018) and Keeping Children Safe in Education (2021)

This is defined as – Where an allegation has been made whereby a person working (employed or volunteer) with children may have:

- *Behaved in a way that has harmed a child, or may have harmed a child*
- *Possibly committed an offence against or related to a child OR*
- *Behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or close to children*
- *Behaved or may have behaved in a way that indicates they may not be suitable to work with children*

Before Referring:

NB Please always check which geographical area the Person of Concern works in and refer to the LADO for that area – if you remain unclear, consider the Employing agency and its' location (i.e. outside of DUDLEY) – the employee/ will fall under the jurisdiction of the LADO where the employing agency is based

HOW TO MAKE A REFERRAL TO THE LADO

Any Referrals made to the LADO will be inputted into the LADO DATABASE – an electronic record will be maintained, this is held securely by the LADO

The POT Referral form must be completed and emailed to the LADO secure email address allegations@dudley.gov.uk If you do not have a secure email, it is better to check with the LADO - **Contact 01384 813061** to make alternative arrangements to refer the allegation.

In the absence of the LADO or duty worker – business admin will take a message that you have called and can forward you the LADO referral form and advise you that information will be passed to the LADO/duty worker – if the LADO/duty worker is absent for more than 24hrs and your enquiry is urgent – your referral will be brought to the attention of the Safeguarding & Review Service Manager. The LADO referral form together with LADO guidance is available on *the Dudley Safeguarding People Partnership Board (DSPPB)* website for your convenience.

Ensure you have as much relevant and appropriate information connected to the individual/s you are referring. Make sure you have all your contact/agency details – see *'Checklist' below*.

The LADO will in the main be able to confirm the following:

- Give you advice / provide consultation
- Manage the POT evaluation via phone and / or email



- Progress to a Position of Trust Professional Meeting – (face to face meeting) if this is deemed necessary
- Ensure matters subject to the Management of Allegations evaluation process or/and a Position of Trust Meeting has an outcome that is clearly conveyed and recorded

NB – the person referring the employee **must be a Manager & have Designated Responsibilities for Management of Staff** (they must have **Decision making responsibility for employees** and/or management of service)

CHECKLIST:

Referrer's details: Your name, address, phone number, email address, telephone number and your post - are you Ofsted registered?

Details in respect of Person of concern:

- Name, addresses, telephone number, dob, ethnicity, employment history, when was their last DBS check done, is it an enhanced check, their position within agency, professional conduct/capability issues (past and present), training including safeguarding training to date and so forth
- The Person of concern's family details including any children, their names, dobs, addresses, parental responsibility (PR), partner's details (all where possible) – clarity regarding relationships
- Other agency involvement – contact details
- If you have an locum/agency worker – please ensure you have and can provide the address, phone number, contact name of the Employment agency
- Human Resources – contact person's name and details – have they been spoken – what action has been taken e.g. suspension, refrain from duties; restriction on duties, dismissal?

The Allegation/Concerns:

- What happened, we must have the **date of the incident/allegation**, where, when, who and how questions
- What are the actual allegations/what happened
- When did it/they take place, where and what happened
- How did the information come to your attention
- Who are the other professionals involved who are aware of these concerns?
- Who are the victims? The child/young person's full details i.e. dob, address, ethnicity, who has parental responsibility (PR)
- What have they said?
- What actions have been taken by your agency?
- Are the parent/s aware? - Complaint being made? Who else knows?
- Have you advised parents of the options and/or your actions
- What discussions have you had with your Human Resources Dept.

- What advice have HR provided you
- What discussion, if any*, has taken place with the Person in a POT? – How did they respond? *The employer should ensure the person who the allegation/concern is raised, is informed of the allegation and given the opportunity to comment, in addition that they may be subject to a POT meeting, apart from where doing so might affect any potential criminal investigation, the matter is already subject to police investigation and/or it is not safe to do so*
- What has been achieved/outcomes prior to making a referral to the LADO
- Have you consulted with the LADO prior to making the referral?
- Have you checked the person subject to the Management of Allegations Process (POT) has been provided with a leaflet explaining the process (a copy of this can be found on the Dudley Safeguarding People Partnership Board (DSPPB) Website for convenience

Checklist continued – Do's and Don'ts

Do submit the MARF to the MASH team (Children Services) if you have clear allegations about/made by a child

Do consult with your Safeguarding Lead or MASH colleagues to check if the MASH threshold has been met

Do record who you spoke to, date and time regarding your referral e.g. submission of MARF – what was the response

Do liaise with your HR services regarding the actions you need to take in respect of your employee/volunteer

Do not let your referral drift – you must ring and check the progress and seek an outcome

Do not ask victims or witnesses to provide statements or ask for their signatures

Do ask the alleged victim or person making the allegation basic questions -

What happened?

Where and when/time?

Who else was present?

Who the Person of Concern (i.e. alleged perpetrator) is and/or establishment may be?

Is there a visible injury? Does the child need medical attention?

The actions your service has taken or will take

And anything that might be helpful

Do write down what is said– keep an accurate record and maintain them securely

Do not take photographs of any injuries

Do follow the your Safeguarding procedures and refer to WTSC 2018 & KCSI 2021

Do provide advice to the parents if they are aware of the allegations or they have brought the concerns to you e.g.:

You have taken their concerns seriously

What would the parent/s like you to do: some options could be:

You may need to make a referral to MASH

Does the parent want to go to the police?



Does the parent consent the child to have a medical examination?
You will be making some internal inquiries (if appropriate) and feedback to them as necessary and so forth

Do ensure that the person we have concerns about is safeguarded and supported in line with employer's duty of care and responsibility

Do discuss any conflicts which arise with your line manager

Do not form a judgement about the possible outcome

Do ensure Data Protection - a senior officer who has designated responsibility for Management of Allegations Matters must ensure confidentiality is maintained and records should be secure with limited access (Senior or manager of the service)

If you are a designated safeguarding lead do not manage POT issues – this is a conflict of interest; think about the Person of Concerns human rights to fair and equitable approach

Do not delay referring a matter to the Police and/or MASH service for Children's Services – Think child first and LADO second (***The LADO does not investigate child abuse allegations or hold records relating to the child/ren this will be Children Social Care (CSC)***)

Do advise the LADO if you are aware of historical Management of Allegations Matters or POT meetings

Do ensure if matters change and a POT meeting does not need to go ahead due to significant change/s in the Person of Concerns' situation, the LADO needs to be advised by a manager or delegated person within the organisation of this decision making

Please note: if you are unsure/in doubt whether your situation is a Position of Trust issue or want to query and/or clarify anything surrounding allegations against an employee/volunteer who works with children – please do not hesitate contacting the LADO

When you refer or consult with the LADO this is known as the POT evaluation – the LADO will decide how the POT enquiry/referral will be managed and will provide you; dependent on the information you share with the LADO advice or the next steps for managing the POT issues in relation to your employee.

Please forward the POT Referral Form to:

allegations@dudley.gov.uk

Please remember for all Child Care Concerns/Child Protection matters please refer to the MASH team before speaking to the LADO. Either ask for a discussion and/or send the completed form to:

mash_referrals@dudley.gov.uk

REMEMBER REFERRALS TO THE LADO *must be done within 24hrs of the incident* OR CONTACT THE LADO FOR A DISCUSSION without delay