

Local Authority Designated Officer Annual Report

April 2017 to March 2018

SOMERSET



Table of Contents

1	Introduction	3
1.1	Statutory Guidance	3
1.2	Managing Allegations Procedure	3
1.3	Role and Responsibilities	3
1.4	System for Dealing with Notifications	4
2.	Data and Information on Notifications - 2016 / 2017	5
2.1	Notifications received.....	5
2.2	Comparison of Notifications.....	6
2.3	Thresholds	8
2.4	Notifications Received in One Working Day.....	9
2.5	Which Organisations are Making Notifications?	11
2.6	Types of Allegations	14
2.7	Responses to Notifications	16
2.8	Outcomes of Allegations.....	19
2.9	Actions Taken by the Employer	22
2.10	Outcomes	22
2.11	Timescales to Close Notifications Received	24
2.12	Ethnicity & Disability information	26
3.0	Service Development	27
3.1	Progress on priorities set in 2016 / 2017	27
3.2	Other developments	28
4.0	Emerging Themes, New Issues & Challenges	31
4.1	High number of notifications that do not meet the threshold	31
4.2	Increase the number of notifications received from the Police/Health	31
4.3	Notifications received within one working day	32
4.4	Completion of a written business process for the managing allegations procedure.....	32
4.5	Timeliness in Notifications being concluded	32
5.0	Action Plan for 2017 & 2018 – see Appendix A	32

1 Introduction

1.1 Statutory Guidance

The statutory guidance *Working Together to Safeguard Children...* (2015) outlines the criteria that trigger the allegations management procedure. The procedure applies when there is an allegation that any person who works with children, in connection with their employment or voluntary activity, 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 pose a risk of harm to children.

The guidance sets out the importance 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* – aka Local Authority Designated Officer (LADO), or team of officers, to be involved in the management and oversight of allegations against people that work with children.

1.2 Managing Allegations Procedure

The detail of the procedure to manage allegations against people who work with children is contained within the South West Child Protection Procedures: http://www.proceduresonline.com/swcpp/somerset/p_alleg_against_staff.html

Inappropriate behaviour by those who work with children should be considered within the context of physical, sexual, emotional abuse or neglect. It includes concerns about inappropriate relationships between staff / volunteers and children. For instance, where professional boundaries are not maintained and employees / volunteers breach policies e.g. a worker having contact online with a young person through social networking sites.

1.3 Role and Responsibilities

1.3.1 Role of the LADO (Local Authority Designated Officer)

The role of the LADO is to:

- Provide advice and guidance to employers and voluntary organisations
- Liaise with the police and other agencies;
- Monitor the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.

1.3.2 Role of Employers

The role of employers is to: -

- Appoint a designated senior manager to whom allegations or concerns should be reported;
- Appoint a deputy to whom reports should be made in the absence of the designated senior manager or where that person is the subject of the allegation or concern.

1.3.3 Role of Police

Avon and Somerset Constabulary through the Safeguarding Co-ordination Unit – Southern (SCU), provides the following support:

- Immediate availability for strategy discussions / meetings, as it is now co-located with the First Response Team (Children’s Social Care);
- Consultation to the LADO on notifications received to determine if there is a role for the Police;
- A review on the progress of cases in which there is a police investigation;
- Sharing information on operational cases as appropriate including confirmation of the outcomes upon completion of investigations or related prosecutions.

1.4 System for Dealing with Notifications

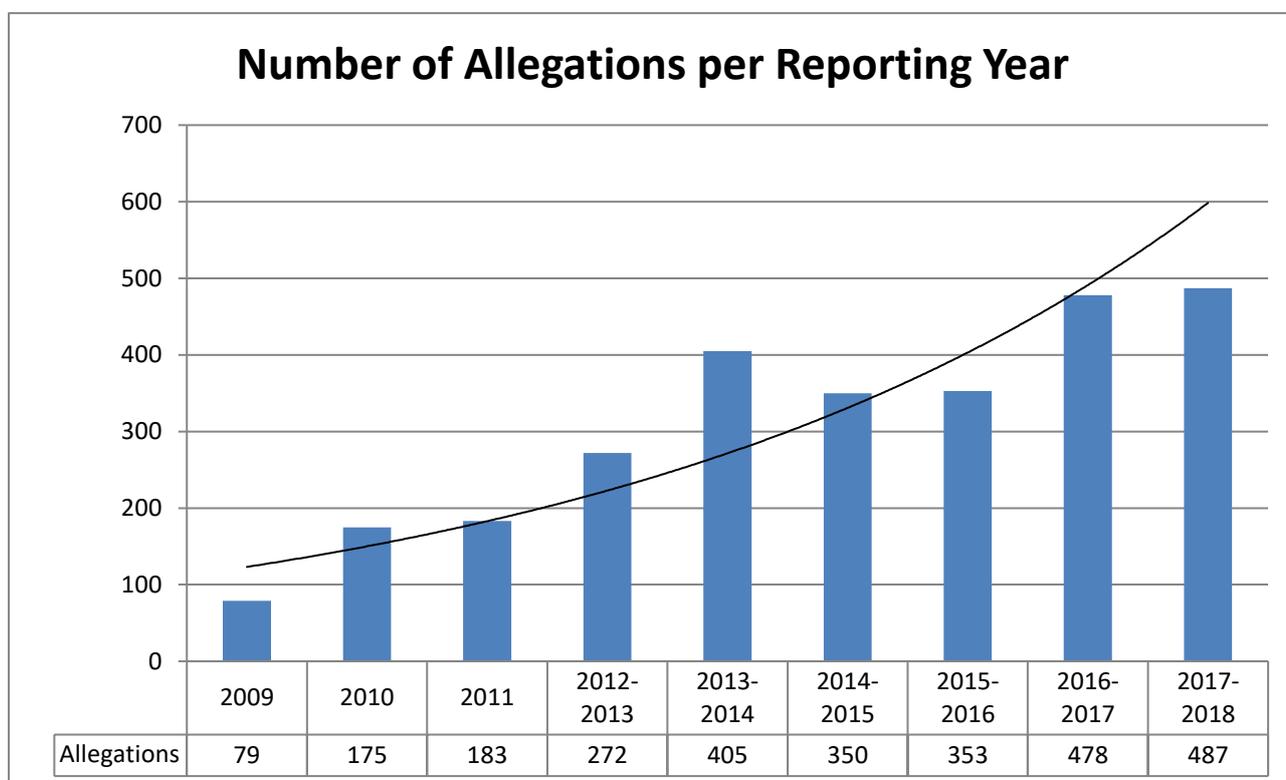
The system of recording and managing referrals, including LADO notifications, being processed through Somerset Direct ensures a first point of contact to determine whether the threshold for Children Social Care involvement is met.

The managing allegations process is compliant with DfE expectations in terms of there being a single point of contact for all notifications to ensure the safety of children is determined at the earliest stage.

Organisations are required to complete an **Allegations Reporting Form** (ARF) before advice, guidance and support is received from the LADO Service.

2. Data and Information on Notifications - 2016 / 2017

2.1 Notifications received



The LADO was notified of 487 allegations during the year. This means that the LADO dealt with 9 more allegations than in the previous reporting year. This represents approximately a 2% increase in notifications from the previous year.

Although this is only a slight increase in comparison to the large % increase in 2016 /2017 it still represents a considerable on-going volume of work at a time capacity is identified as an issue.

The high number of notifications is often due to organisations seeking clarity as to whether or not the alleged incident meets the criteria to trigger the managing allegations procedure. Anecdotally many of the contacts received can be attributed to the notifier lacking the confidence to determine if any of the criteria are met and / or wishing to have an audit trail of consultation with the LADO.

This is reflected in the number of children's residential homes who will make notifications having already determined that the incident does not meet any of the criteria. This is in order to avoid undue criticism from Ofsted inspectors who expect all incidences to be notified to the LADO irrespective of whether the home can evidence that the incident does not meet any of the criteria.

This said, such notifications can potentially be invaluable as it enables the cross referencing of names to the existing database and the ability to detect

any emerging patterns of concerning behaviour by an adult at an early stage, or the involvement of a child in previous notifications.

Additionally, completion and return of an Allegations Reporting Form (ARF) serves as an official record of consultation between organisation and the LADO Service.

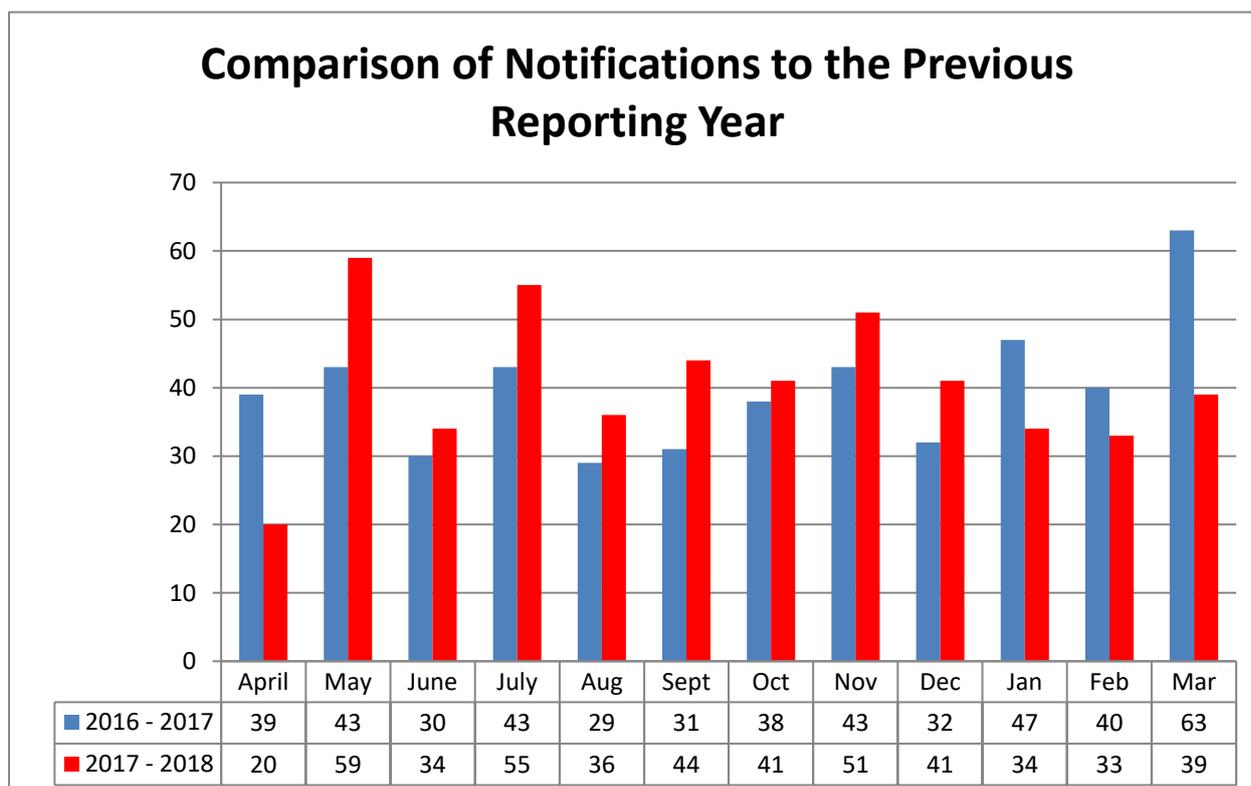
The importance of recording advice and guidance is highlighted in the serious case review report (East Sussex Safeguarding Children Board - Child G – A Serious Case Review) which states, the LADO is “*personally and professionally responsible for ensuring that consultations are conducted and recorded appropriately*” (Harrington, K, 2013, pp15-16). As a result, comprehensive case recordings are maintained for all notifications that are received.

A high number of notifications also indicates that agencies / organisations are becoming increasingly familiar with the requirement to notify the LADO when there are concerns relating to the alleged inappropriate behaviour of employees / volunteers.

To deal with this increase, capacity has been created through the combination of a number of measures. This includes the following:

- A robust application of the threshold to determine if the criteria to trigger the managing allegations procedure is met;
- Advice and guidance only being provided upon receipt of a completed Allegations Reporting Form (ARF);
- The appointment of an Independent Reviewing & Safeguarding Officer to supplement the existing cover arrangement.

2.2 Comparison of Notifications



In comparison to the previous reporting year there were 8 months in 2017 / 2018 in which more notifications were received.

The multi-agency safeguarding training – '*Introduction to Child Protection*' (One day) and '*Working Together*' (2 days), continues to promote the managing allegations procedure and requirement to notify the LADO when there are concerns of inappropriate behaviour relating to employees / volunteers.

Notifications peaked in May with an increase of 37% compared to the previous May. There is no obvious reason for such a spike in numbers.

The trend of notifications being lower in the school holidays - Easter, half-term and August holidays, was not reflected this year with notifications received in August being higher than April, June, January and February. To a degree this can be explained by 50% of notifications being received from residential homes – a 1/3rd of the allegations being by one young person whose needs were manifested in making allegations given that half the allegations made were closed as false. In addition, young people in care can resent not sharing the summer holidays with their families.

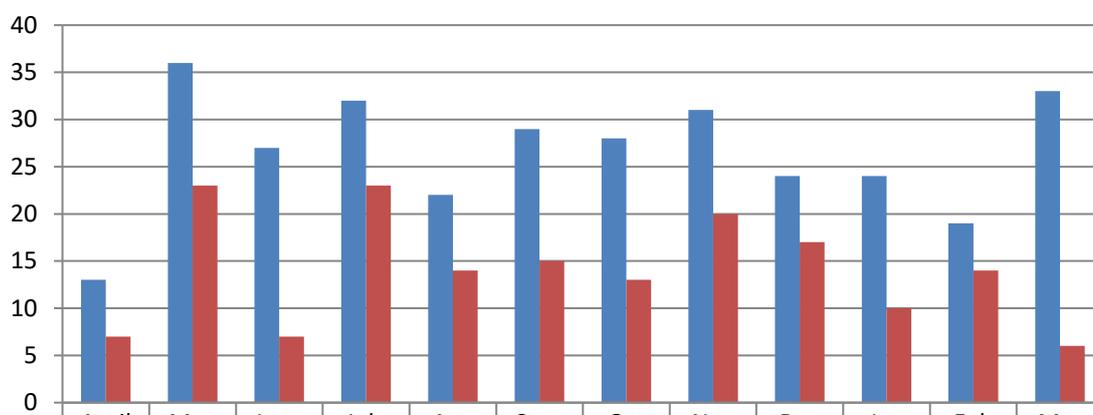
As opposed to last year the number of notifications decreased following the Christmas break and continued to the end of the reporting year.

The pattern continues of a large number of notifications being received during the autumn months following the summer holiday.

There is insufficient evidence to suggest that there is an escalation in the numbers of professionals, working in the wider childrens workforce, who may pose a risk to children. This is based on the number of notifications received which did not meet the threshold to trigger the managing allegations procedure which was 39% of cases closed.

2.3 Thresholds

Notifications Meeting/Not Meeting the Threshold



Met Threshold	13	36	27	32	22	29	28	31	24	24	19	33
Did not meet Threshold	7	23	7	23	14	15	13	20	17	10	14	6

The busiest month for receiving notifications was May during which over half received (39%) did not meet the threshold compared to March, which like May was one of the busiest months of the year, of which only 15% did not meet the threshold. There is no obvious reason for this.

Statistically the busier months – May, July and November, reflect the high number of notifications that do not meet the threshold.

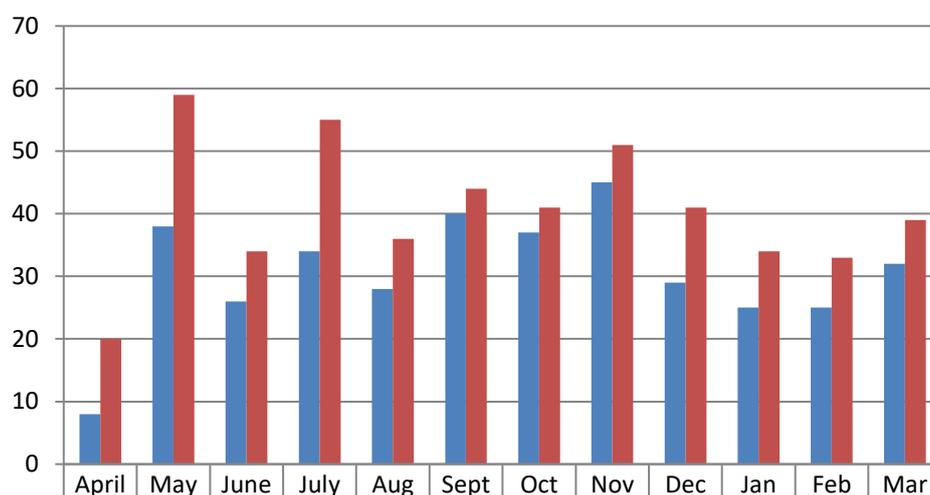
A possible explanation for increases in notifications is the lack of confidence in professionals determining if an allegation meets the threshold outlined in the managing allegations procedure.

Of the total notifications received 34% related to notifications in which agencies / organisations were seeking advice and guidance from the LADO Service to assist in determining if a reported concern met the threshold.

This statistic evidences the continuing need to provide training to managers / Headteachers in the application of thresholds so that it improves their understanding and confidence when interpreting allegations against the criteria.

2.4 Notifications Received in One Working Day

The Number of ARFs received within One Working Day in Comparison to the Total Number Received Each Month



■ ARFs received within one working day	8	38	26	34	28	40	37	45	29	25	25	32
■ Total number of ARFs received	20	59	34	55	36	44	41	51	41	34	33	39

The statutory guidance requires agencies / organisations to notify the LADO of an allegation that potentially meets the criteria to trigger the managing allegations procedure within one working day.

The notification form was amended in August 2016 to ensure all those making notifications entered a date when the allegation was first known and the date of actual notification to the LADO.

This graph demonstrates that at times agencies / organisations are not fulfilling the statutory requirement to notify the LADO within one working day.

Of the 487 notifications received during this reporting period 367 (75%) were received within one working day.

There can be legitimate reasons for an allegation not being reported within one working day and therefore it is unlikely to ever reach 100%.

For instance, the organisation may choose to discuss the alleged incident with the child's social worker before notifying the LADO due to the young person having a history of fabricating allegations against staff.

Additionally, it is recognised that on occasion delays can occur as a result of the organisation itself not considering an incident to meet the criteria whereas another organisation / agency involved with the child, who receives a

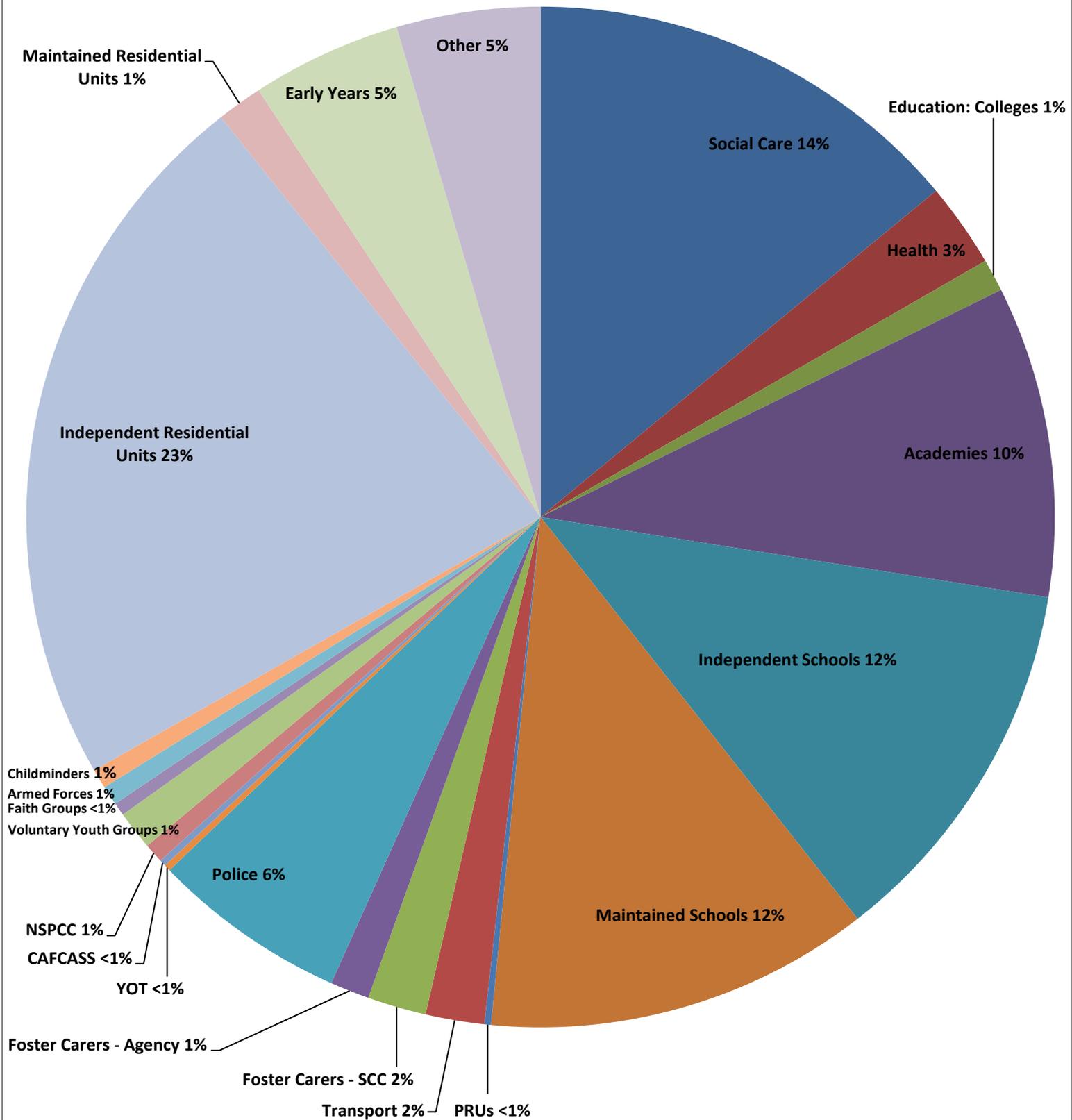
disclosure from the young person, considers that it does and makes a notification.

As it is a statutory requirement an action from last year was to use various means to promote this with agencies and organisations. This saw an increase in the % of notifications in one working day.

This will be continued to be monitored and further promotion will take place periodically.

2.5 Which Organisations are Making Notifications?

Notifications by Organisation



2.5.1 Notifications from Education, Early Years Settings & Residential settings

The largest number of notifications received came from the education and early years providers which combined amounted to 194 (39% of the total notifications received, this compares to 38% in 2016/17).

This was followed closely by notifications received from residential children's homes which combined amounted to 117 (24% of the total notifications received, this compares to 23% in 2016/2017).

The amounts of time children spend in education and early years and / or who are accommodated in residential or foster care would explain the higher rate of notifications.

2.5.2 Notifications from all Schools

Generally reporting from schools is higher as a result of the schools' statutory guidance which has existed for some years – 171 notifications (35% of the total notifications received). Over time this has enabled more staff to be familiar with the managing allegations procedure and the expectations to report any concerns about inappropriate behaviour of colleagues.

The move to a more robust safeguarding culture in schools was as a result of the Soham Public Inquiry (2004) into the murders of Jessica Chapman and Holly Wells by the caretaker employed in a local secondary school. He was in a relationship with a Teaching Assistant, at the local primary school the girls attended, and she had lied to Police about his whereabouts when a major search was underway to find the girls at the time they went missing.

This led to major changes in legislation - Education Acts (2002 & 2006); Safeguarding Vulnerable Groups Act (2006), which introduced huge changes to the way staff are recruited including Criminal Records Bureau (CRB) checks now Disclosure & Barring Service (DBS) disclosure checks. Additionally, it introduced the mandatory requirement that on every interview panel for a school vacancy at least one person must complete the nationally accredited Safer Recruitment course. The course covers offender behaviour; how to deter unsuitable people from applying for vacancies and detecting such people should they apply.

As a result Headteachers and Designated Safeguarding Leads (DSL) in schools have developed a degree of confidence in understanding the threshold to make notifications to the LADO.

2.5.3 Notifications from Independent Schools

The number of notifications received from independent schools – 58 (12% of all notifications received) remains consistent with the figure of 56 (12%) that were received in 2016 / 17.

The number of notifications for both independent schools and academies combined is approximately 50% higher than notifications received from maintained schools. This is similar to the last reporting year.

This especially demonstrates that fee paying schools and those not under local authority control have a real focus on child safety. This ameliorates any criticism that such schools place more emphasis on protecting the reputation of the school than prioritising the safety and welfare of children.

2.5.4 Notifications from Residential Children's Homes

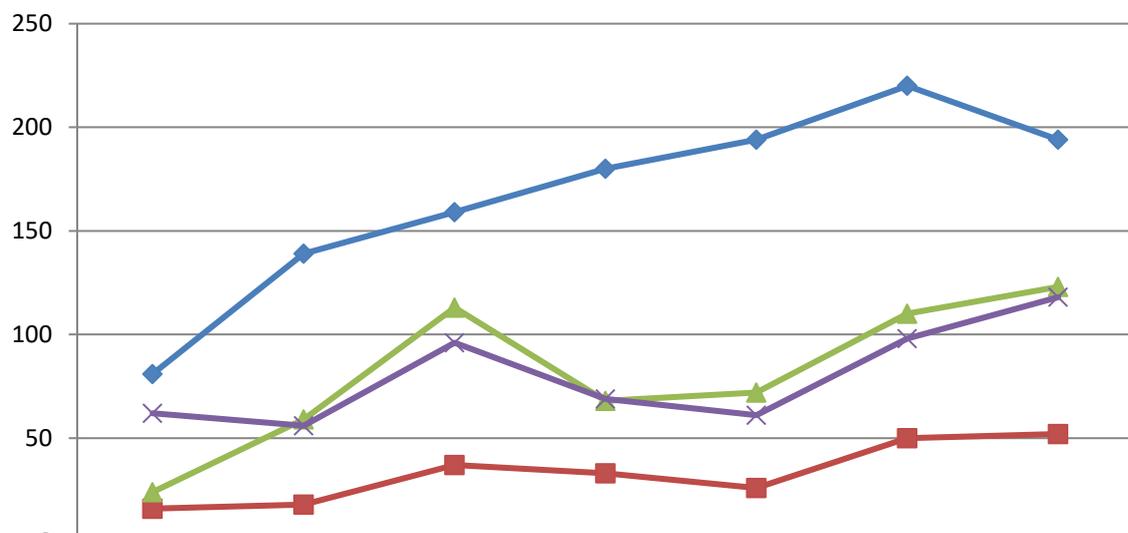
The residential sector is effective in making notifications with 117 (24%) of the total notifications received coming from this area. This compares to 108 (23%) in 2016/17.

It is expected that the volume of notifications of residential care homes is high when the following factors are taken into account:

- For many children to be taken from their family home and placed into statutory care is not what they would wish for.
- As a result some will exhibit challenging behaviour as a result of their unhappiness and distress at being away from the family.
- The needs, often complex, that many children have.
- The potential issue of limited placement availability whereby decisions can be taken to place a child in a home without thorough evaluation of its ability to meet that child's needs.
- The pressure from Ofsted for all incidents of actual or potential inappropriate behaviour by staff to be notified to the LADO.
- Feedback from registered managers suggesting a greater confidence in the LADO service whereby they are quick to seek advice, guidance and support.

2.6 Types of Allegations

Category of Allegations across Reporting Years



	2011	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018
Physical	81	139	159	180	194	220	194
Emotional/Verbal	16	18	37	33	26	50	52
Sexual	24	59	113	68	72	110	123
Neglect/Inapp Behavior	62	56	96	69	61	98	118

There has been a notable decrease in the number of allegations relating to physical abuse being reported without any obvious reason.

Physical abuse remains the highest reported category of abuse given that it is the most easily identifiable of the abuse categories.

There has been an incremental increase in the categories of neglect / inappropriate behaviour and sexual.

There has been negligible increase in incidences involving emotional / verbal abuse.

2.6.1 Physical Abuse

Since 2014 / 2015 there has been a year on year increase in the number of notifications relating to *Physical abuse* until this reporting year when there has been a 13% decrease compared to the last reporting year (2016 / 2017)..

2.6.2 Emotional Harm

In relation to *Emotional harm* there has been a 4% increase in the number of notified incidents from the last reporting year. .

2.6.3 Inappropriate Behaviour / Neglect

With *Inappropriate behaviour / neglect* there was a 20% increase in the number of notified incidents from the last reporting year.

2.6.4 Sexual Abuse / Child Sexual Exploitation (CSE)

In terms of *Sexual Abuse* there has been a 23% increase in notifications from 110 in 2016 / 2017 to 123 in 2016 / 17.

A child who is sexually exploited is a child who is sexually abused.

As the managing allegations procedure relates to the risk management of adults who work with and may pose a risk of harm to children, the recording and reporting of statistics makes a clear distinction between paedophiles and those adults who may have had no sexual attraction to children before the point at which they were presented with an opportunity or circumstance.

Such cases may have come about due to poor boundary setting in the organisation they work or simply because they did not believe they would be discovered. An example of this situational abuse model is that of Child G where Jeremy Forest groomed, abducted and sexually abused the young person who was a pupil at the school he taught at.

This situational type of abuse differs to those perpetrators or groups of perpetrators who are paedophiles who deliberately target children to exploit them due to their paedophilic tendencies.

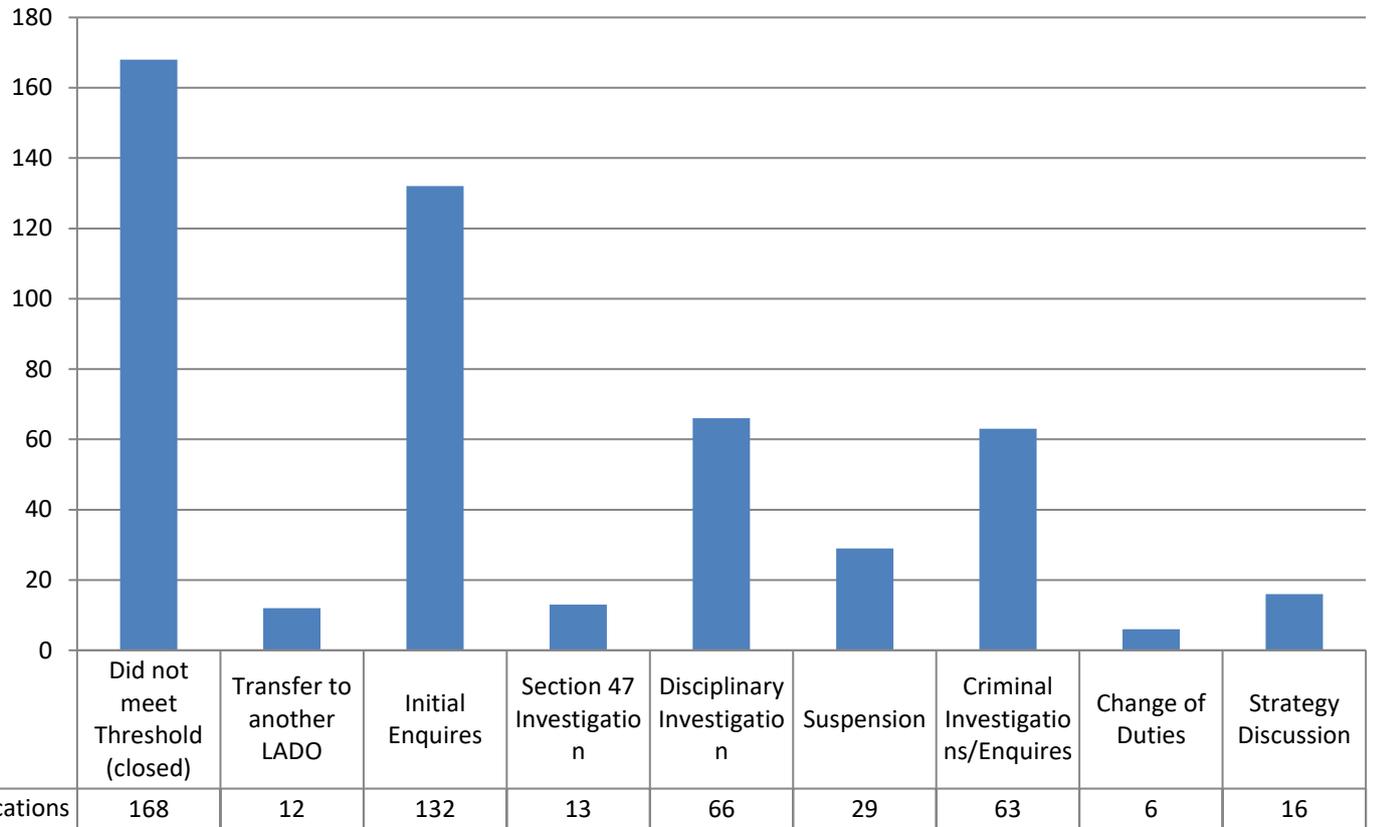
Classifying a child as being sexually exploited is determined by the following recognisable elements being present:

- The child has been groomed by an individual with power and control e.g. a professional working with children.
- There is evidence of an exchange – gifts, money, food, drugs, alcohol etc, being present; this could be to a third party and not always to the child themselves.
- There is evidence of a sexual act taken place or the exchange of a sexual image.

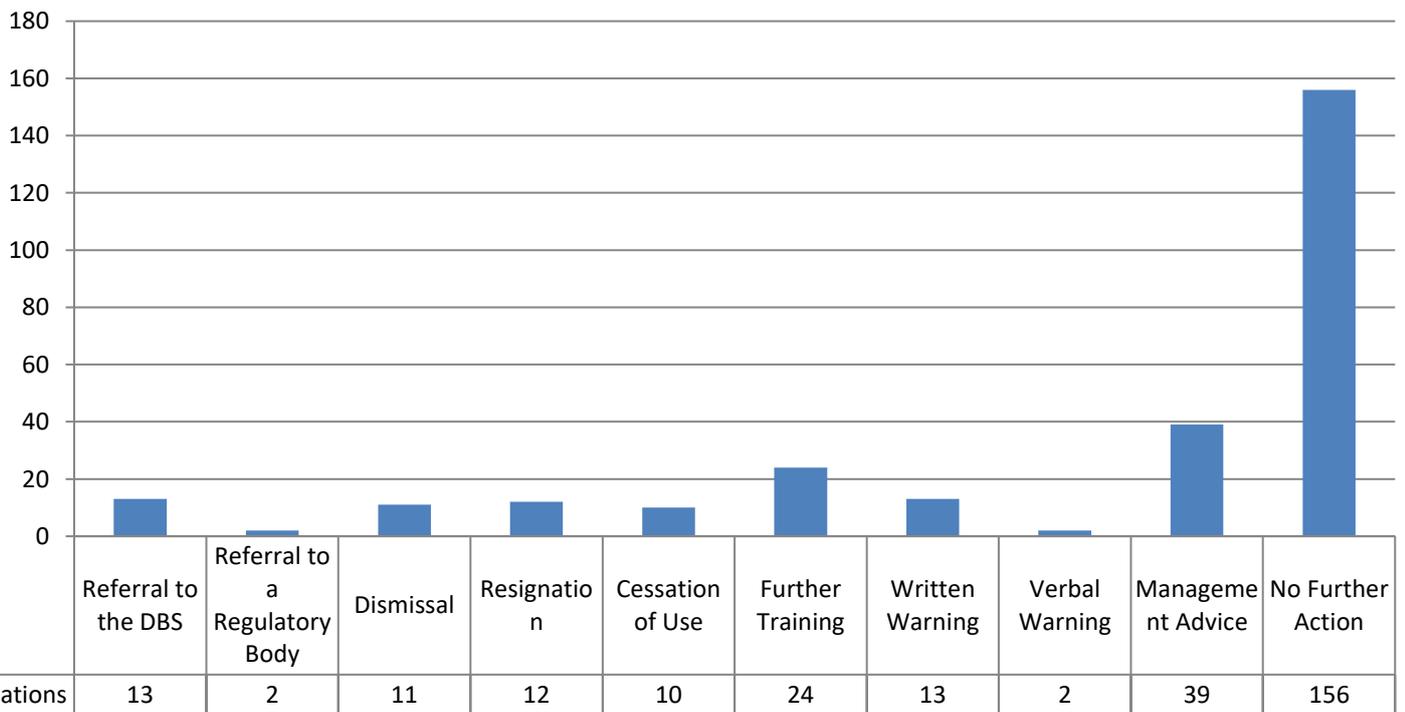
In two notifications of sexual abuse in 2017 / 2018 did all three elements exist to be recorded as CSE.

2.7 Responses to Notifications

Initial Actions Taken



Outcomes



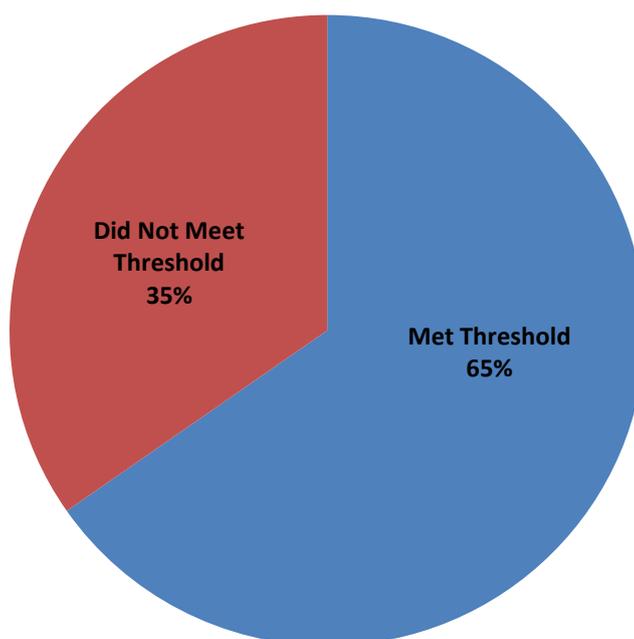
2.7.1 Number of Allegations Not Meeting Criteria

168 (35%) notifications to the LADO were deemed not to meet the criteria for triggering the managing allegations process. This compares with 24% in 2016 / 2017.

This number represents a significant investment in time in evaluating notifications, including the need to seek further clarification, before determining that the threshold is not met.

An example of this is a parental complaint that the school is failing to address bullying behaviour towards their child. Whilst the emotional impact on the child can be harmful it is as a result of the possible inadequacy of the schools overall safeguarding arrangements – particularly its bullying policy, supervision and pastoral arrangements, rather than one individual being culpable for the harm being experienced by the child.

Total Percentage of Notifications that met/did not meet Threshold



2.7.2 Involvement of Children's Social Care and the Police

The majority of notifications received do not meet the respective thresholds for either Children's Social Care or the Police to be involved.

For Children's Social Care to become involved there must be reasonable cause to suspect a child has suffered, or is likely to suffer, significant harm.

In respect of the Police becoming involved in an allegation the burden of proof requires that there is sufficient evidence to establish the fact that a crime has been committed beyond reasonable doubt.

2.7.3 Child Protection Enquiries

There were 16 strategy discussions as a result of there being reasonable cause to suspect a child/ren had suffered, or was likely to suffer, significant harm.

The outcome of 13 strategy discussions was a decision to undertake child protection enquiries (section 47, Children Act 1989).

2.7.4 Criminal Investigations

Consultation will always take place with the Police when notifications indicate that a criminal offence has potentially been committed against or related to the child. This liaison with the Southern Safeguarding Co-ordination Unit (SSCU) ensures that appropriate decisions are taken to determine if the criminal threshold is likely to be met and if so ensures that the case is allocated to the relevant inspection team.

There were 63 notifications that resulted in criminal enquiries or investigations being undertaken by the Police.

2.7.5 Investigations by the Employer

For all notifications where the individual is in employment the LADO Service advises the employer of the need to consider an internal investigation being undertaken.

An example of this is notifications in which a teacher has made physical contact with the pupil – grasping their shoulder, to remonstrate with them for negative behaviour. Without evidence of the child being physically harmed it may not meet the criminal threshold for investigating but is a clear breach of the school's code of conduct.

There were 66 notifications that were formally investigated under the employer's disciplinary procedure.

There were 132 notifications that required further information to be sourced and enquiries to be made e.g. speaking to children and adult witnesses to the alleged incidences, before being able to determine the outcome.

2.7.6 Suspension

The statutory guidance for schools – ‘*Keeping Children Safe in Education*’ (2016) and for all other organisations the guidance within the South West Child Protection Procedures, states that suspension should not be automatic. It encourages other options to be considered before a decision is taken to suspend e.g. re-deployment.

For many employers however, they will defer to their own disciplinary policy which for many organisations state that a decision to suspend should be taken when the allegation indicates an act of potential gross misconduct has been possibly committed.

In 29 of the total notifications received a decision was taken to suspend the employees during the investigative processes - criminal and / or disciplinary investigation.

In only 6 notifications, rather than to suspend the member of staff alternative working arrangements were agreed. This included a change of work base or role during the course of the investigation.

2.7.7 Transfer of Notifications

In 12 notifications although the incident involved a child looked after by Somerset County Council it had occurred outside of the county and therefore became the responsibility of the relevant LADO. Further consultation takes place between the respective LADOs to ensure a comprehensive handover of actions.

A protocol has been agreed and established by the south west group of LADOs. Where the incident takes place and / or where the reputation damage rests, in terms of the organisation who employs the individual and where this is located, it is for the LADO in this area who is responsible for overseeing and managing the notification.

2.8 Outcomes of Allegations

2.8.1 Department for Education Definitions

The following DfE definitions are used when determining the outcome of cases:

- **Substantiated:** there is sufficient evidence to prove the allegation (67 [16%] of cases);
- **Unsubstantiated:** there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence (91 [21%] of cases);
- **False:** there is sufficient evidence to disprove the allegation (60 [14%] of cases);

- **Malicious:** there is sufficient evidence to disprove the allegation and there is a deliberate act to deceive (only three cases had this recorded outcome).

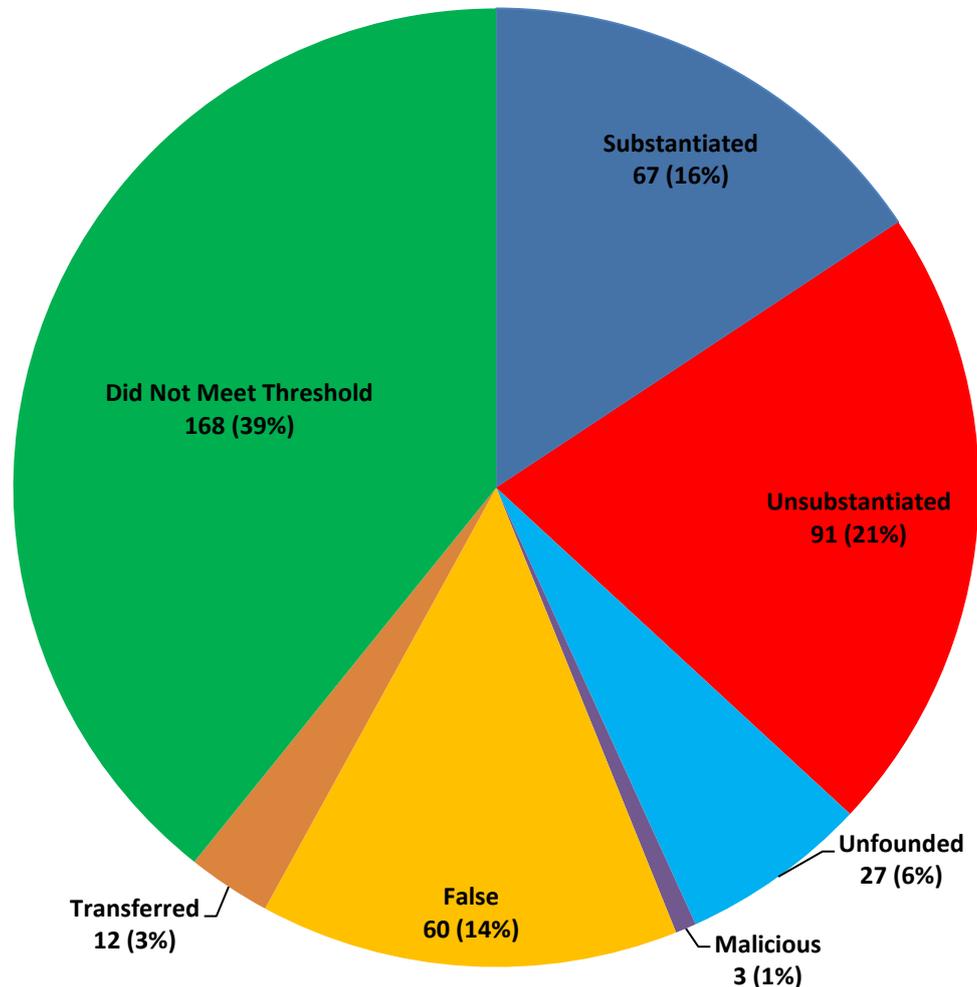
One additional outcome is used to lend clarity to those cases in which the young person has misinterpreted the actions and intentions of the professional involved:

- **Unfounded:** this is defined as there being no evidence or proper basis that supports the allegation being made. 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 (27 [6%] of cases).

This was a definition in previous statutory guidance – ‘Working Together....’ (2010) that many LADOs in the South West Regional forum continue to use. It better reflects those cases where the conclusion of an investigation indicates that the professional’s actions had no malicious or sinister intent, were carried out in accordance with organisational policies and procedures and that the young person misinterpreted the individual’s conduct.

2.8.2 Breakdown of Outcomes

Notification Outcomes



- There has been a 7% decrease to 16% in the total number of *substantiated* allegations (23% in 2016 / 2017).
- There has been a 6% decrease to 21% in the total number of *unsubstantiated* allegations (27% in 2016 / 2017).
- Exactly 1% of total notifications received resulted in an outcome of *malicious*.
- The number of *false* allegations has decreased by 3% from 17% in 2016 / 2017 to 14% in this reporting year.
- The number of '*Unfounded*' allegations was 27 (6%) of cases which is a decrease of 2% from the last reporting year.

2.9 Actions Taken by the Employer

2.9.1 Recording of Actions

It should be noted that the recording of actions by employers can lead to double or even multiple counting for individual notifications. For instance, a substantiated allegation of sexual abuse perpetrated by a teacher can lead to the following recorded outcomes:

- Dismissal
- Refer to the regulatory body
- Refer to the Disclosure and Barring Service
- Criminal Conviction

Even in less serious cases there may be a need to record several outcomes. For example, in the case of a foster carer an allegation that they handled the challenging behaviour of the child in placement inappropriately led to the following outcomes: additional supervision, refresher training and management advice.

2.10 Outcomes

2.10.1 Criminal investigations

Of the 63 notifications that resulted in criminal enquires / investigations only one (1) notification resulted in a conviction.

There are a number of on-going criminal cases carried forward from the last reporting year that may possibly lead to convictions. Once concluded these figures are included in the next reporting year.

2.10.2 Formal Action Taken by Employers Following Investigation

Of those cases where there were sufficient grounds to pursue formal procedures - disciplinary investigation (n.66, 14%), the following outcomes are recorded:

- In 11 cases (17%) a decision by the employing organisation to *dismiss* the employee.
- In 13 cases (20%) a decision was taken to issue formal *written warnings* to the respective employees.
- In 24 cases the employer has provided *training* to the employee.
- 39 cases resulted in *management guidance* being provided to the individuals concerned. This includes those cases where the outcome is recorded as unsubstantiated and the employee was reminded of required standards of conduct and the need to comply with policies and procedures.

- 24 cases resulted in *training* for staff members.
- In 13 of these cases a referral was made to the *Disclosure and Barring Service* (DBS) for a decision to be made about whether the individual should be barred or restricted from working with children and young people in the future. Current legislation prevents the DBS from informing the local authority as to what decision it takes on referrals made. It is not possible to confirm the conversion rate of referrals to decisions to ban or prohibit the individual from working with children.
- In 10 cases the individuals were either employed through an agency or providing services on a self-employed basis and their work with the organisation was *ceased*.
- In 2 cases a referral was made to the relevant *Regulatory Body* e.g. National College for Teaching & Leadership (NCTL); Health & Care Professions Council (HCPC).

2.10.3 Resignations

The statutory guidance for schools – ‘*Keeping Children Safe in Education*’ (2016), and for all other organisations the guidance within the South West Child Protection Procedures, requires that allegations are investigated even if the individual has resigned. It acknowledges that this can be difficult given the employee may have served their notice and left their employment.

Nonetheless, the guidance states that the process of seeking a response from the individual, recording the allegation, collating and considering any supporting evidence and reaching a judgement should still happen. One reason for this is that it may impact on what is shared in future reference requests that are received.

In 2017 / 2018 12 staff members *resigned* during the process of an allegation being investigated. The allegations were investigated by the respective organisations and the following conclusions reached:

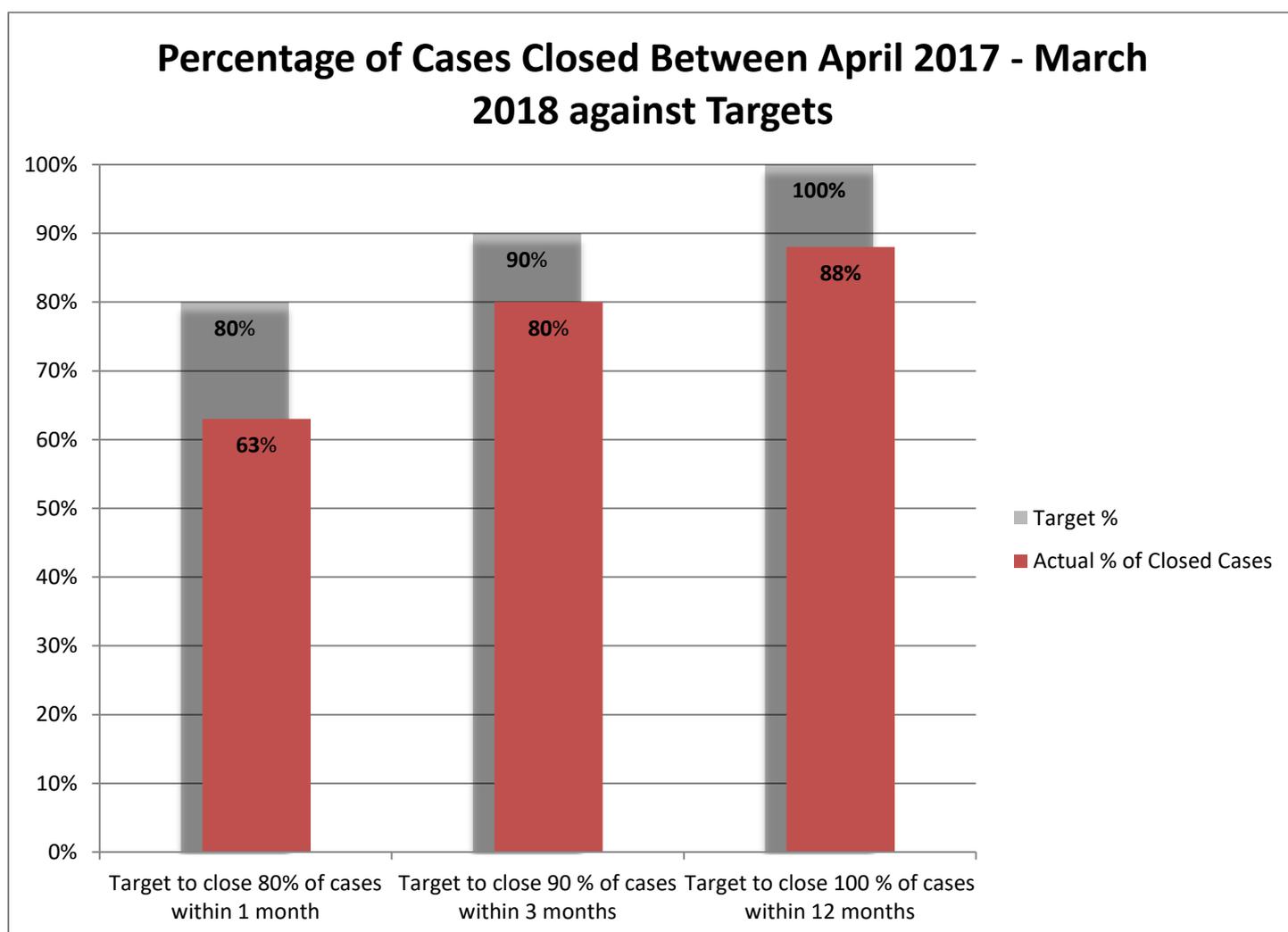
- The outcome in eight of the allegations the decision taken was that the allegations were substantiated.
- In four of the eight cases a decision to dismiss would have been taken had the individual not resigned.
- In all four cases a referral was sent to the Disclosure & Barring Service.
- In one case a referral was also sent to a Regulatory Body (National College for Teaching and Leadership)

2.11 Timescales to Close Notifications Received

The statutory guidance requires that all notifications are resolved as quickly as possible consistent with a fair and thorough investigation. To this end, a key aspect to the role of LADO is to be involved in the management and oversight of cases being dealt with by agencies and organisations to ensure avoidance of unnecessary delays.

The following target timescales outlined in the statutory guidance for school notifications are also used for all notifications from across the children's workforce. These timescales are useful in measuring the effectiveness of notification being closed expeditiously:

- A. 80% of cases to be resolved within **one** month.
- B. 90% to be resolved within **three** months.
- C. All but the most exceptional cases to be closed within **twelve** months.



2.11.1 Limiting Factors

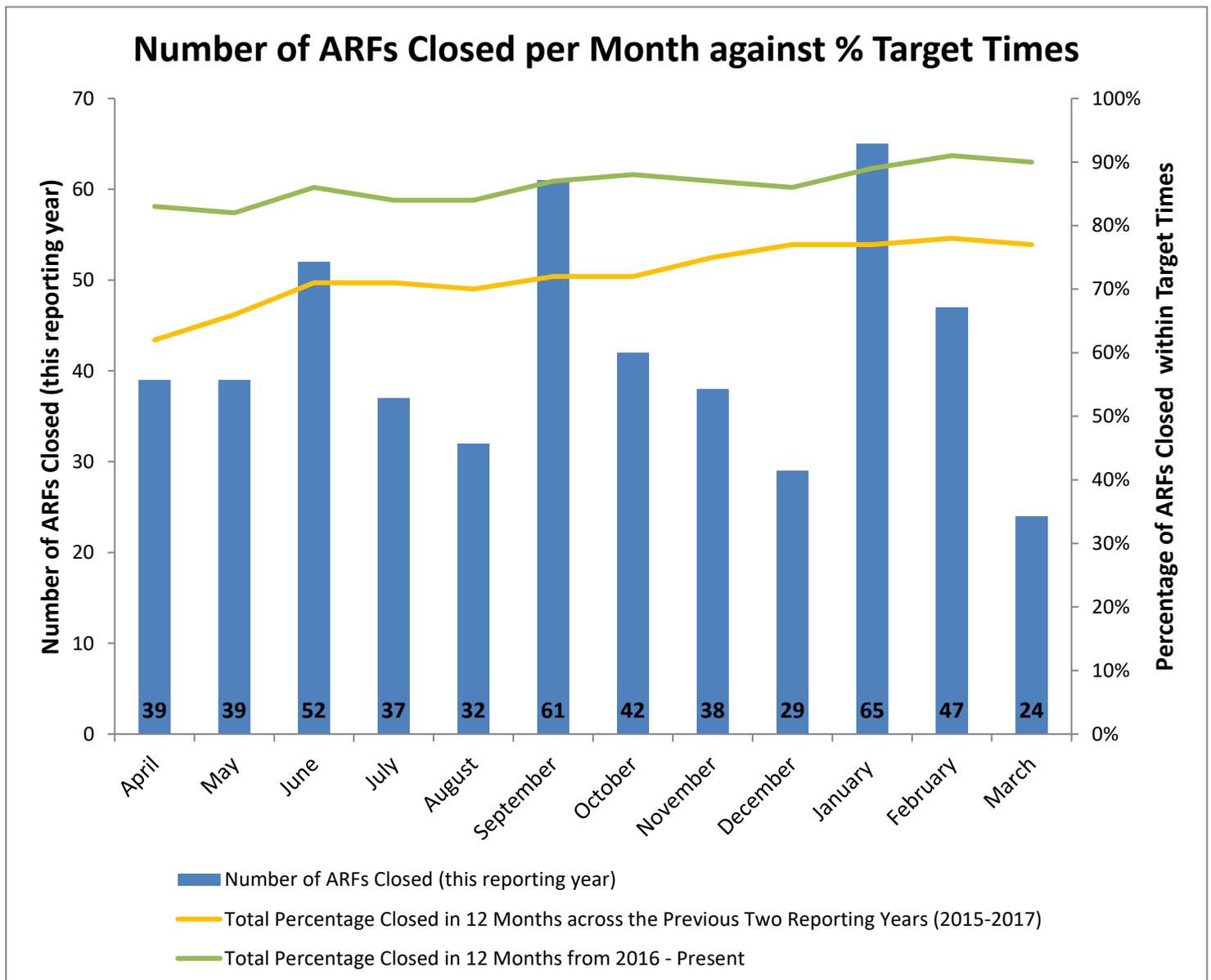
There are a number of factors that make these targets challenging including:

- The length of time a case may take to work through the criminal justice process to conclusion.
- Employers awaiting the outcome of a criminal investigation before being able to formally investigate under its disciplinary procedures.
- Practical considerations such as the unavailability of people for interview including witnesses to an incident due to shift patterns; holidays; sickness.

2.11.2 Improvement

Monthly performance reports – see Appendix A, demonstrate a steady improvement in all three targets being met.

This upward trend in the closure rates of notifications received is outlined in the following graph.



2.12 Ethnicity & Disability information

The notification form (Allegations Reporting Form - ARF) requires the notifier to provide information on the ethnicity and disability of the child, where one is identified, and the adult of concern.

In relation to the adults, those named in 334 notifications (91%) were identified as White British. For the remainder of the notifications (153 - 31% of the total ARFs received) the ethnicity of the adult was not known or this information was not provided.

Just over 1% of reported ethnicity were adults of non-white origin.

In relation to children and young people reported as victims of abuse, 91% were identified as White British with the remaining 9% from other ethnic backgrounds, including just over 1% of black origin and just under 2% of mixed race.

This 9% is above the 6% of children in Somerset from a black, minority or ethnic background.

In 28% of ARFs received the ethnicity of the child was not known or provided.

In terms of disability information, for children reported, 71 (24%) notifications recorded that the child had a disability.

This represents a significant number. The information provided is not qualitative and therefore does not analyse the nature of the disability.

In relation to adults reported, only 8 (2%) individuals were classed as having a disability; however 159 (33%) cases the information was not known to the notifier and in 79 (16%) cases the information was not provided.

Further work needs to be undertaken to ensure that ethnicity and disability information is provided on ARFs that are submitted.

3.0 Service Development

3.1 Progress on priorities set in 2016 / 2017

The target to establish regular meetings with the Placements Team and the bi-monthly Safeguarding Advisors Forum (SAF) has been achieved. This ensures that there is a cross sharing of data and information in relation to notifications received from residential children's homes and schools.

The resulting analysis identifies quality assurance issues for all homes and schools looking after and providing education to Somerset children.

These regular meetings between the LADO, Placements Officer and the Education Safeguarding Advisor is analysis leads to monitoring visits of children's homes and schools in order to communicate expectations around standards of care and support settings in improvement safeguarding arrangements.

This is a complex area particularly for children's homes working to meet the variety and depth of needs of young people in the context of a care sector involving 24/7 care, in which wages are comparatively low and issues of recruitment exist. Monitoring and analyst of the statistics will continue at SAF and the regular scheduled meetings with the Placements Officer.

[Reference no. 1 - Action Plan (2016/2017)]

Discussions and meetings have taken place with the Police to consider the low reporting of allegations against Police Officers. The Professional Standards Team has reviewed its reporting procedures and compliance with the managing allegations procedure.

Notifications have been received during the current reporting year in relation to two officers. Concerns were raised by professionals who witnessed the arrest of a young person involved in a physical fight with another pupil that school staffs were not able to bring under control. The concerns related to perceived excessive physical intervention in relation to the arrest of the youngster. Body worn video footage was reviewed and the decision taken that the officers' intervention had been proportionate and compliant with operating procedures.

The monitoring of notifications from partner agencies that are possibly under reporting – Police and Health, will continue as an action for 2017 / 2018.

[Reference no. 2 - Action Plan (2016/2017)]

When comparing those notifications received within one working day to the total notifications received, it is evident that in six of the 12 reporting months nearly a 1/3rd of the notifications were reported outside of this.

The need to promote the one working day reporting requirement will need to be an on-going action in 2017 / 2018.

[Reference no. 3 - Action Plan (2016/2017)]

The target to complete a quality assurance process has been achieved. The QA group has met on four occasions to review a sample of cases utilising an audit tool that had been produced. The audit tool enables the group to evaluate the consistency and quality of decision making by the LADO Service in managing and subsequently closing cases.

Terms of reference have been produced for the group which includes representatives from the key partner agencies e.g. schools, foster care services, Somerset Council County Human Resources and services to children looked after.

[Reference no. 4 - Action Plan (2016/2017)]

The target to create a written business process for the managing allegations procedure has not been completed.

Capacity issues have prevented completion of the process although a 25-page guidance document has been produced. This remains a key performance priority for the LADO Assistant and will be carried forward as an action in the 2017 /2018 reporting year.

[Reference no. 5 - Action Plan (2016/2017)]

3.1.1 Timely Closure of Notifications

Generally there has been an upward trend in the timely closure of notifications received. In recent months this has been impacted upon due to capacity issues.

It is vitally important to ensure that allegations are resolved as quickly as possible to alleviate the potential stress and anxiety for all parties involved – the child, the child’s parents / carers, the professional who is implicated and their employer.

This will continue as key priority for new reporting year

[Reference no. 6 - Action Plan (2017/2018)]

3.2 Other developments

3.1.2 Promotion of the Managing Allegations Procedure

The on-going promotion of the managing allegations procedure to all organisations is reflected in the increase numbers of notifications received.

Specific work has been undertaken with Somerset Football Association with a presentation to club welfare officers in order to promote the procedures in the advent of nationally reported historic sexual abuse cases.

There continues to be contact with the County Sports Partnership to utilise forums involving sports coaches and designated safeguarding leads affiliated to sports clubs to promote the procedures.

The importance of promoting the managing allegations procedures extends to children, parent(s), carer(s), professionals and volunteers involved when an allegation of inappropriate behaviour is made so that all parties understand the processes that are followed and the support available.

A key action in this current year will be the production of brochures, written in plain English, made available in relevant languages and that are age appropriate that will be produced and distributed.

3.1.3 Faith based groups

The Church of England Diocese has sought to develop stronger links with the Somerset Safeguarding Children's Board. To this end the LADO will sit on the Diocesan Safeguarding Panel a strategic body that meets quarterly to oversee safeguarding policy, practice and operational matters for all churches and CofE schools in the Diocese.

These links are key to ensuring that inappropriate behaviour of those working with children and young people are identified quickly and reported to the LADO. As a result links need to be extended to other denominations and faith based groups.

Promotion of the managing allegations procedure is important particularly in the context of the issue of child sexual exploitation in terms of identifying those working in a position of trust who may be using the role as an opportunity to groom and eventual perpetrate abuse.

The Prevent agenda also requires the need to work closely with faith based groups to ensure they are aware of their responsibility to identify and report those who may be promoting extremist views.

The importance of partnership working to enhance information sharing, identification and reporting of inappropriate behaviour and promoting safer working practice, including vetting and checking procedures, will be reflected in this year's action plan.

3.1.4 Safeguarding Advisors Forum (SAF)

A Safeguarding Advisors Forum meets on a quarterly basis and is administered and chaired by the LADO. The forum meets to share knowledge, expertise, best practice and training resources. This enhances the advice and support provided by Somerset County Council and District Councils safeguarding representatives to safeguarding leads of affiliated organisations. This promotes the joint responsibility of partnership working to keep all Somerset children, particularly those identified as vulnerable e.g. children who are looked after, safe.

A term of reference has been established and the forum includes safeguarding representatives from education and early years, Licensing

Manager – South Somerset District Council, Placements Team, Training Manager - SSCB and Transporting Somerset.

Archiving hard copy files – this has been a specific piece of work undertaken by the LADO Assistant over the past 18 months. The aim is to transfer all remaining hard copy files held in the Bridgwater office to achieve storage under a retrieval recording system.

This has required a time commitment of half a day a week since the work commenced and remains on-going with the completion of this work hindered by current capacity issues relating to the volume of work created by the steady increase in notifications being received.

The outcome of this piece of work will ensure that once the moratorium on the retention policy, set by the Independent Inquiry into Child Sexual Abuse, is over, the service continues to be compliant with data protection requirements to delete files after certain time periods.

Regional & National networking - on-going involvement with the regional South West LADO group and the National LADO Network (NLN).

- The NLN is a representative group of all the LADO regions across England. It has established an executive and working groups to create national standards, joint protocols e.g. to deal with cross boundary issues, promotes the managing allegations procedures to government and other key agencies / organisations e.g. DfE. It has forged links with the Independent Inquiry into Child Sexual Abuse led by Alexis Jay.
- The South West regional group continues to develop with its prime focus to ensure that practice and processes between South West LADOs are consistent and complies with statutory guidance and the South West Child Protection Procedures. Additionally, the forum is used to share information, best practice and lessons learnt from each other's professional experiences as well as learning from serious case reviews. This forum enables the identification of training needs and input into policy development at a local and national level.

A business plan has been created that oversees the development of the LADO (aka Designated Officer) role – see Appendix B

- On behalf of the Somerset Safeguarding Children Board the LADO has been commissioned to deliver three times a year the nationally accredited **Safer Recruitment Training** course.
- The LADO is involved in the **Independent Providers Group** and delivered in November a presentation to promote the managing allegations procedure.
- Delivery of presentation at the annual induction organised for new appointed Headteachers.

4.0 Emerging Themes, New Issues & Challenges

4.1 High number of notifications that do not meet the threshold

In the current reporting year over a 1/3rd of the total notifications received did not meet any of the criteria to trigger the managing allegations procedure. This is an 11% increase over the previous reporting year.

This is causing a significant capacity issue in-so-far as the time required to individually log and evaluate each notification can be extensive. Additionally, the collation and clarification of information required to reach a view that the threshold is not met is often time consuming.

This problem is exacerbated by the pressure from Ofsted on regulatory settings to send notifications on all incidences of physical contact despite a judgement by the organisation that their staffs have acted in accordance with policy, procedure and training requirements.

Whilst on-going training to improve the confidence of managers / Headteachers to interpret incidences and apply the criteria is part of the solution, it will be necessary to engage with Ofsted to explore with inspectors their interpretation of the application of the managing allegations procedure.

This will be reflected in the Action Plan.

4.2 Increase the number of notifications received from the Police/Health

Large public sector organisations such as the Police and the acute trusts employ many thousands of employees who work daily and in close proximity with children and young people.

Further work needs to be undertaken to understand the low numbers of notifications being reported on this large workforce.

This low rate of reporting needs to be explored and understood with support provided to address any particular challenges.

For instance, in relation to anecdotal experience of day to day working with some police officers it is clear that there remains an unawareness of the statutory responsibilities of the LADO and the managing allegations procedure adopted and endorsed by all partner agencies.

Through direct liaison and working in conjunction with relevant senior officers represented on the SSCB the LADO will continue to promote the managing allegations procedure.

4.3 Notifications received within one working day

The statutory requirement is that notifications should be made to the LADO within one working day of the allegation been made. This is a statutory requirement for all agencies / organisations and yet there is evidence of poor compliance with the reporting requirement.

Further work needs to be undertaken to understand what barriers might exist that prevent this timescale being met.

Additionally, there is the constant need to promote this statutory requirement through publicity and promotion at forums.

4.4 Completion of a written business process for the managing allegations procedure

From a business continuity perspective, it is vital that there is a business process in place. This will ensure that should there be a turnover in personnel there is in place written guidance for new comers that ensures established processes are preserved and business systems continue to maintain consistency and continuity.

4.5 Timeliness in Notifications being concluded

There is an on-going priority to ensure cases are concluded as expeditiously as possible for the benefit of the young person involved, their parent(s) or carer(s), the individual whose behaviour is being questioned and the employer.

There has been a drop in the % figure to close cases as a result of capacity issues which needs to be addressed.

It is important to maintain a focus on improving on closure targets for one, three and twelve months. .

[*Reference no. 4 - Action Plan (2017/2018)*]

5.0 Action Plan for 2017 & 2018 – see Appendix A

From the emerging themes an action plan has been produced.

Anthony Goble
Local Authority Designated Officer
May 2018