



# ALLEGATIONS AGAINST ADULTS WHO WORK WITH CHILDREN

ANNUAL REPORT

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APRIL 2017 – MARCH 2018

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## 1. INTRODUCTION

- 1.1** The management of what to do if there are concerns about an adult who works with children is outlined in 'Working Together to Safeguard Children' and "The London Child Protection Procedures". In October 2017 the "New Working Together Guidance" amended the procedures. The following is a summary of the procedures.
- 1.2** The procedures should be applied when there are concerns, or it is alleged, that an adult who works with children, either as an employee or in a voluntary capacity, has:
- Behaved in a way that may have harmed a child;
  - possibly committed a criminal offence against a child;
  - Behaved towards a child in a way that indicates they are unsuitable to work with children.
- Such behaviour should be considered within the context of physical, sexual and emotional abuse or neglect.
- 1.3** Allegations can be made in relation to physical chastisement and restraint and can also relate to inappropriate relationships between members of staff and children or young people, for example:
- Having a sexual relationship with a child under 18, if in a position of trust in respect of that child, even if consensual
  - 'Grooming', i.e. meeting a child under 16 with intent to commit a relevant offence and other 'grooming' behaviour giving rise to concerns of a broader child protection nature
- 1.4** In addition, the procedures should be applied when there is an allegation that any person who works with children:
- Has behaved in a way in their personal life that raises safeguarding concerns. These concerns do not have to directly relate to a child but could, for example, include arrest for possession of a weapon;
  - As a parent or carer, has become subject to child protection procedures;
  - Is closely associated with someone in their personal lives (e.g. partner, member of the family or other household member) who may present a risk of harm to child/children for whom the member of staff is responsible in their employment/volunteering
- 1.5** The procedures should be followed where allegations are made against a 16 and 17 year old who has been put in a position of trust by an organisation in relation to anyone under the age of 18. For example, where they might be involved in coaching a sport or in other school or out of school activities.

**1.6** The procedures should to be applied with common sense and judgement. Many cases may well either not meet the criteria set out above, or may do so without warranting consideration of either a police investigation or enquiries by local authority children's social care services.

**1.7** It might not be clear whether an incident constitutes an 'allegation' or is a matter of concern. An allegation has to be sufficiently serious as to suggest that harm has, or may have been caused to a child/children, or, that the alleged behaviour indicates the individual may pose a risk of harm to children. Issues that do not meet this threshold may constitute conduct or disciplinary issues and should be addressed by employers using the appropriate organisational procedures.

In order to determine the level of risk associated with an incident the following should be considered:

- Was the incident a disproportionate/ proportionate response to the challenging situation
- Had the member of staff had relevant training? If not is the member of staff willing to undertake training? Do they accept the behaviour was inappropriate?
- Have similar allegations been made against the member of staff previously? Is a pattern developing?

**1.8** Cases will often be relevant to more than one borough. For example, an allegation could be made against an agency worker who works across multiple boroughs and whose agency is based in a further borough. Decisions about which LADO should take the lead are complex and the procedures helpfully directs that the agency which holds the greatest risks should take the lead.

**1.9** Suspension should be considered only in cases where there is cause to suspect a child is at risk of harm or the case is so serious that it might be grounds for dismissal. The case manager must consider carefully whether the circumstances warrant suspension from contact with children until the allegation is resolved, and may wish to seek advice from their personnel adviser and the LADO(s). The employer is responsible for making the decision about suspension.

## **2. THE PROCEDURES REQUIRE EACH LSCB TO IDENTIFY**

- 2.1**
- A named senior officer who has overall responsibility for ensuring that allegations are responded to appropriately and that any difficult interagency issues are effectively resolved;

- A Local Authority Designated Officer (LADO) who will be involved in the management and have oversight of individual cases, provide advice and guidance to employers and voluntary organisations and liaise with police and other agencies;
- Employers in each agency should designate a senior manager to whom allegations or concerns should initially be reported;
- The police should designate a named police officer to liaise with the LADO; take part in strategy discussions and share information as appropriate.

## 2.2 Below are Camden's lead officers for managing such allegations:

- **Anne Turner**  
Director Children Services and Social Work, is the lead for Camden.
- **Kurt Ferdinand**  
Service Manager for Children Looked After IRO, is the LADO for Camden
- **Bodil Mlynarska**  
Specialist CQA Manager is the LADO deputy
- IROs - **Hellen Stack, Sonia Forbes, Sarah Browne, Jane Stabrawa, Ruma Stephens**  
The local LADO leads and they now share a duty rota taking referrals, providing advice and chairing LADO meetings as required

## 2.3 The Role of the LADO

2.4 All concerns reported to the LADO should be assessed to decide if the threshold for an allegation has been met. The employer and the LADO should discuss the incident and agree whether or not it meets the **threshold for risk of harm**. Consideration should be given to the risk or potential risk to both the child/children directly affected by the issue and any other children who may also be at risk;

2.5 Where it is decided that the incident **does not meet the threshold of harm/risk of harm** and is a concern only, then the employer should take steps to ensure any conduct or behaviour issues are addressed with the member of staff through normal employment practice.

## 2.6 There are 4 options when considering an allegation:

1. A police investigation of a possible criminal offence;
2. A Children's social care enquiries and/or assessment about whether a child is in need of protection or services

3. Consideration by an employer of disciplinary action in relation to possible performance/ conduct issues;
  4. Whether the allegation should be considered to have no foundation and may be malicious.
- 2.7 An ASV (*allegations against staff and Volunteers meeting*) will normally be convened only when it has been decided **that the threshold of harm/risk of harm** has been met.
- The ASV will be chaired by the relevant LADO
  - The LADO should monitor the progress of each case

### 3. MANAGEMENT INFORMATION: APRIL 2017 - END OF MARCH 2018

3.1 136 referrals were made to the LADO regarding allegations or concerns about the behaviour of adults who work with children. This is in line with the number of referrals received in the previous year.

3.2 As would be expected, the majority of referrals relate to adults who work *directly* with children. The professionals include:

- 47 teachers/teaching assistants;
- 7 School support workers (dinner lady, caretaker, cleaner, bus driver, cook);
- 17 nursery workers
- 15 health workers (nurses, hospital staff , GP);
- 7 foster carers;
- 6 Council employees
- 4 child minders
- 3 residential social workers
- 2 Religious workers
- Others include – Voluntary worker, Park inspector, Martial Arts Instructor

#### 3.3 The nature of the concerns

- Physical abuse and/or chastisement were the concerns in 55 cases. In the majority of cases the incidents related to teachers either having difficulty in managing challenging behaviour or children misunderstanding, or not accepting the teacher's authority. The majority of allegations were made by the child or their parent. Some of the children presented challenging behaviour.
- In 20 referrals the concerns were about behaviour in the person's private life. This included physical and sexual abuse of own children, domestic violence and parental substance misuse. The referrals were made by LADOs in other local authorities or Camden managers.
- In 19 cases concerns related to possible sexual abuse/sexual harassment.

- The concerns in 8 cases related to Neglect.
- The concerns in 12 cases related to emotional abuse.
- The category of concerns in 22 cases was not identified

### 3.4 LADO Referrals in the last 5 years:

Date	Volume
2013/14	75
2014/15	117
2015/16	120
2016/17	139
2017/18	136

Over the last two years there has been little increase in referrals to the LADO service.

### 3.5 As previously reported, adults who work directly with children are more likely to have allegations or concerns raised about their behaviour. Concerns are raised by the children themselves or their parents.

The remaining allegations relate to adults from a wide variety of services which would suggest there is good understanding by managers about what to do when there are concerns about adults who work with children.

## 4. OUTCOMES

Following discussions with the referrer, and usually in discussion with the police, it was concluded that:

### 4.1 95 referrals were deemed to be of concerns and therefore not an allegation of abuse. These cases were therefore managed by the employer in discussion with the LADO. The referrals were identified as concerns because:

- In 56 cases there was no evidence of abuse
- 44 cases were found to be complaints/Professional standards concerns

### 4.2 41 referrals were deemed to be allegations of abuse.

- On all such cases a strategy discussion was held with the police, and in more complex cases a sit down ASV meeting was arranged which was always chaired by the relevant LADO
- Twenty professionals were suspended during the investigation, thirteen cases led to disciplinary proceedings, eleven of those led to dismissal and two to a final written warning.
- All 13 cases were referred to the DBS

**4.3** The investigations were completed within the following timescales:

- 81 within one month
- 30 within three months
- 14 within 6 months
- 11 are ongoing

## **5 ANALYSIS**

- 5.1** The number of referrals have remained static over the last year. Whilst we cannot be sure about the reasons for this I think the significant increase in referrals over year 14/15 was partly an effect of recent major historical enquiries, such as the Jimmy Saville enquiry, a high profile case whereby such abuse was given by the national and local media rather than evidence of an increase in abusive and inappropriate behaviour.
- 5.2** As might be expected, concerns refer in the main to adults who spend most of their working life with children.
- 5.3** Whilst all abuse of children is serious and its prevention a priority, in the majority of cases referred the LADO threshold for an allegation was not reached. In 56 cases there was no evidence of harm to the child and in 44 cases the concerns were about professionals standards which had not caused significant harm to the child. The concerns were often found to relate to a misunderstanding between the adult and the child, or the child was finding it difficult to accept the authority of the adult.
- 5.5** Part of the LADO's role is to monitor how quickly and consistently cases are dealt with through the use of a fair and thorough process. All cases are expected to be concluded within 6 months and on the whole this timescale continues to be met.
- 5.6** The LADO has continued to provide advice and consultation to managers in all agencies. This has helped named staff to gain further clarity about thresholds and any action to be taken. The LADO service provide a daily duty rota to manage referrals.
- 5.7** The Child Abuse Investigation Team (CAIT) and the LADO continue to work well together. The majority of referrals are discussed with the police and strategy meetings held as required. Information sharing has been effective and both agencies have been able to challenge one another.
- 5.8** Two referrals were anonymous. Such referrals are treated as any other and always referred to the police. The police carried out a thorough investigation on one of the referrals which concluded that the allegation was probably malicious. The other anonymous allegation could not be investigated because there was not sufficient information for an investigation to be progressed
- 5.9** A significant number of concerns relate to an adult's behaviour in his/her private life. All adults working with children have responsibility for maintaining public confidence in their ability to do so safely. They are, therefore, expected to maintain high standards of conduct in their private as well as their working lives. They must also understand that the behaviour and actions of partners may reflect on their own suitability to work with children.

Guidance on appropriate behaviour is part of the Local Authority induction program and Camden has produced a leaflet for members of staff who are subject to an investigation.

## 6 HISTORICAL CHILD ABUSE

- 6.1** Historical allegation of abuse is one that is made after the abuse has stopped. It includes allegations made by adults about their experience of abuse during childhood.
- 6.2** The response to an allegation of historical abuse must be as robust as that to referrals about current abuse because there is every possibility that a person who has abused a child in the past may still be abusing other children. In addition a criminal prosecution might still be possible if care is taken to collect sufficient evidence. The police is the lead agency for historical allegations.
- 6.3** In Camden, referrals of historical abuse by adults were relatively common in the late 1990s and early 2000s. Overall, they related to abuse experienced during the 1970s and 1980s in Camden's residential homes or foster homes. . All Camden's children's homes were closed about 15 years ago and few historical allegations have been referred over the last 10 years in relation to children's homes.
- 6.4** Sometimes children who are looked after and placed in foster or residential homes will make allegations of abuse after they have moved to another placement and the abuse has stopped. Such allegations are always responded to vigorously and are fully investigated.
- 6.5** Sometimes adults report historical abuse by a professional such as a teacher, doctor or social worker.
- 6.6** In the last year the LADO service received 11 referrals of historical child abuse Allegations, they included:
- Nine of sexual abuse and 2 of physical abuse
  - The alleged abuse took place over the following timespan:

Amount	Timespan
One	30 Years ago
One	20 years ago
Two	15 years ago
One	10 years ago
Six	Within last 5 years

The Police leads on historical allegations and all the cases were investigated as far as possible. The outcomes:

- One investigation could not be completed because in spite of attempts by both Police and CSSW it was not possible to identify sufficient information to progress a criminal investigation. The alleged abuse took place 30 years ago.
- A further six cases were investigated but the allegations could not be substantiated because of lack of evidence
- Three cases could not be progressed because the alleged perpetrator had deceased
- One case could not be progressed because the case had been referred by a third party and the alleged victim denied that any abuse had taken place

- 6.7** Research shows that in the majority of cases adults who made allegations of historical abuse had attempted to disclose the abuse at the time it was happening. However, not all disclosures were heard, or if heard, acted upon. Research also highlighted how important it is to make children aware of appropriate boundaries, their right to protection and safety and healthy relationships. It is crucial that children are given information about how and where to seek help.
- 6.8** The Children's Commissioner's report on the findings from a national Enquiry into child sexual abuse within the family environment confirmed that professionals are not always confident in their ability to identify child sexual abuse. In addition children often find it difficult to disclose the abuse and therefore professionals have to develop additional skills in how to work with suspicion of sexual abuse.
- 6.9** The CSCB has developed training to increase the awareness of child sexual abuse and how to respond when there are suspicions are suffering child sexual abuse.
- 6.10** Camden schools have continued to work closely with the NSPCC training program for schools to equipping children to understand healthy and safe relationships. Schools play a key role in safeguarding children and schools try to ensure that children have a number of trusted adults they can talk to about their worries. In addition to safeguarding there are also workshops on subjects such as e-Safety, gangs and radicalisation.
- 6.11** Children looked after:
- 6.12** When a child becomes looked after they are given an information pack which includes details of who to talk to if they have concerns. The pack also includes leaflets about Online Safety.
- 6.13** In addition to their allocated social worker all children/young people looked after have an Independent Reviewing Officer (IRO) who will also try to ensure their safety and welfare. The IRO has an independent relationship with the child /young person and will meet with them both before and after the formal child care review. If the young person presents troubling behaviour the IRO will explore what may explain such behaviour and how the child/young person can be helped.

## **7 DEVELOPMENTS**

- 7.1** The new Working Together to Safeguard Children was finally implemented in October 2017. It has been particularly helpful for the LADO service in the following ways:
- It usefully clarifies the difference between a concern and an allegation. In order to reach the threshold for an allegation there must be evidence that a child has been harmed, or, likely to be harmed. Issues that do not meet that threshold should be treated as a concern and managed by the employer supported by the LADO
  - The guidance also helpfully directs that referrals should be approached with common sense and judgement. Referrals may not meet the identified criteria , or, may do so without warranting consideration of ether a police investigation or enquiries by children's social services

- Cases which cross borough boundaries often cause difficulties and differences between local authorities and are always complex. The procedures helpfully direct and provides examples of how to determine which local authority should lead.
- An allegations against staff and volunteers (ASV) meeting will be used for all LADO cases. This will clarify the difference between a child protection strategy meeting convened under the CP procedures and an ASV meeting which will only be convened when the harm threshold has been met. .

**7.2.** There have been important staff changes within the LADO service as outlined in the introduction

## **8. RECOMMENDATIONS**

1. Create a standardised template for completion by LADO and referring agency which documents conversation, actions and outcome.
2. All agencies to be made aware of significant changes in Working Together 2018
3. A list of contacts to be provided for LADO leads across all agencies. This document to be disseminated to partners.