



# Marriott Primary

Achieving Together

## Managing Allegations Policy

This policy should be read in conjunction with the School's Safeguarding Policy, Whistleblowing Policy, Anti-Bullying Policy, Disciplinary Policy and SEND Policy

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## **1. Scope**

All allegations of abuse of children by those who work with children must be taken seriously.

Allegations against people, who work with children, whether in a paid or unpaid capacity, cover a wide range of circumstances.

The scope of this inter-agency procedure is not limited to allegations involving significant harm or likelihood of suffering Significant Harm to a child and now includes unsuitable and criminal behaviour. The procedure should be applied in all situations where it is alleged that a person who works with children has:

- Behaved in a way which 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 may pose a risk of harm to children.

This includes allegations where it might indicate that the person is unsuitable to continue to work with children in their current position.

This should include indications that the person has employed behaviour which could constitute grooming.

The allegations may relate to the person's behaviour at work, at home or in another setting.

It may concern, for example, a paid employee, unpaid volunteer, child minder, approved foster carer or prospective adopter. In the context of this procedure, the term "employer" means the organisation that has a working relationship with the person against whom the allegation has been made and includes voluntary organisations, employment agencies, fostering services, child minder services, youth clubs and others. Allegations of historical abuse should be responded to in the same way as contemporary concerns. In such cases, it is important to find out whether the person against whom the allegation is made is still working with children and if so, to inform the person's current employer or voluntary organisation or refer their family for assessment.

Where concerns arise about a person's behaviour in relation to their own children, the Police and Children's Social Care Services need to consider informing the person's employer in order to assess whether there may be implications for children with whom the person has contact at work, in which case this procedure will apply.

### **Principles of Good Practice in Considering Suspicions of Abuse**

- Children and young people should be listened to and all allegations should be taken seriously and acted upon;
- Enquiries should establish details of any other work undertaken by the adult of concern and refer to the Local Authority Designated Officer (LADO) or delegated representative;
- All allegations and concerns should be reported to the LADO;
- Assessments should take account of the impact on the child or young person within the workplace and how this will be managed;
- Assessments should take account of the continuing vulnerability of the child or young person through the enquiry process;

- It should be considered whether any other meetings are required to safeguard the child or young person;
- All staff should be aware that all children can be vulnerable when cared for outside their own home, particularly when they are living away from home. Those factors which increase vulnerability to abuse within their own family such as being very young, disabled or in an isolated, closed family also apply when cared for by others;
- All staff who work with children have a personal responsibility to report suspicions or allegations of abuse. This also applies when the suspicion is raised against a colleague;
- Everyone involved with suspicions or allegations of abuse by staff should maintain an open and enquiring mind;
- If the suspicion or allegation is about physical contact, the strategy discussion should take account of the fact that staff in certain settings have to manage difficult behaviour. The Department for Education (see Use of Reasonable Force in Schools, GOV.UK website) sets out when teachers and other school staff may use reasonable force to manage disruptive behaviour. Residential care staff should be given similar guidance. Wherever possible, staff who operate in such settings should receive suitable training about when physical intervention should be employed, and about the use of appropriate restraint techniques;
- The risk of harm posed by the person under investigation will be carefully evaluated and managed - in respect of the child/ren involved, and any other child/ren in the individual's home, work or community life;

Any enquiry/investigation may well have three related, but independent strands, all of which need to be thoroughly assessed and a definite conclusion reached. These strands are:

1. Child protection enquiries relating to the safety and welfare of any children who are or may have been involved;
2. A police investigation into a possible offence;
3. Disciplinary investigations, where it appears that allegations may amount to misconduct or gross misconduct on the part of staff. A similar, if simpler, process should be in place for concerns about volunteers, foster carers etc.

## **2. Key Roles and Responsibilities**

Employing agencies and others who provide services to children have an active duty to have in place basic safeguards including:

- Rigorous recruitment and selection procedures which create a high threshold of entry to deter and detect abusers; and include awareness training for decision makers (see Safer Recruitment, Selection and Supervision Procedure);
- Guidelines for staff behaviour which promote safe care and safer working practice;
- Clear procedures and support systems for dealing with expressions of concern by staff and carers about other staff and carers (Whistle Blowing Procedure);
- Clear internal processes for responding to suspicion or allegations of abuse which support these inter-agency procedures;

- Clear information on where staff and managers can seek advice.

## **2.1 Local Authority Designated Officers**

The Local Authority must appoint a Designated Officer(s) (LADO) whose responsibilities are to:

- Provide advice and guidance to employers and voluntary organisations, liaising with the police and other agencies and monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process;
- To be involved in the management and oversight of individual cases from all partner agencies of the LCSPB which fall within this procedure;
- To provide advice and guidance to employers and voluntary organisations;
- To provide advice and guidance to Senior Managers (see Section 2.3, Senior Manager) about the operation of this procedure;
- To liaise with the Police and other agencies;
- To monitor the progress of cases - to ensure that they are dealt with as quickly as possible within set timescales and consistent with a thorough and fair process; and
- To keep records of all advice given, actions taken and decisions made;
- To maintain information databases in relation of all allegations and produce qualitative and quantitative reports for the Local Safeguarding Partnership Board (LSPB) and the Department of Education;
- Chairing Strategy Meetings and liaising with chairs of Strategy Meetings (if not chairing) (see Section 11, Strategy Meetings);
- To contribute to LSPB inter-agency training programmes and awareness raising across all agencies;
- To provide assistance to agencies in the discussion regarding suspension (the power to suspend is vested in the employer alone);
- To liaise with the Police and the Crown Prosecution Service;
- To discuss with the Senior Manager the possibility of referral to the Disclosure and Barring Service or to the appropriate Regulatory Authority (see Section 14, Action Following a Criminal Investigation or a Prosecution).

Any allegation should be reported immediately to a senior manager within the organisation. The LADO should also be informed within one working day of all allegations that come to an employer's attention or that are made directly to the police.

If an organisation removes an individual (paid worker or unpaid volunteer) from work such as looking after children (or would have, had the person not left first) because the person poses a risk of harm to children, the organisation must make a referral to the Disclosure and Barring Service. It is an offence to fail to make a referral without good reason.

## **2.2 Named Senior Officer**

Each member agency of the Leicester City, Leicestershire and Rutland Safeguarding Partnership Boards will appoint a Named Senior Officer to have overall responsibility for ensuring that their agency operates procedures for dealing with allegations against those who work with children, resolving inter agency issues and liaising with the Local Safeguarding Partnership Boards on the subject

The responsibilities of the Named Senior Officer include:

- Ensuring that their organisation complies with the standards identified and agreed by the LSPB for managing allegations;
- Ensuring that this LSPB procedure for managing allegations is reflected and implemented within their own agency procedure;
- Ensuring that the work force is aware of and implements this procedure in relation to all allegations against those who work with or on behalf of children;
- Ensuring that the organisation has systems in place to review cases and identify and implement any changes, therefore improving procedures and practice;
- Resolving any inter-agency issues which impede the implementation of LSPB procedures;
- Ensuring that the key roles of Named Senior Officer, Local Authority Designated Officer and Senior Manager (employer) are reflected in their agency policy and procedure;
- Ensuring that effective reporting and recording arrangements within their agencies are in place.

### **2.3 Senior Manager**

Each employer must appoint a Senior Manager who has overall responsibility for ensuring that this procedure is followed at an operational level. This person may be, or may represent, the employer.

The responsibilities of the Senior Manager include:

- Ensuring that this procedure is properly applied and implemented;
- Providing advice, information and guidance for staff within the organisation;
- Being the senior manager within the organisation to whom all allegations or concerns are reported;
- Liaising with the Local Authority Designated Officer (LADO) as required under this procedure;
- Referring allegations in accordance with the organisations and this procedure;
- Gathering any additional information which may have a bearing on the allegation e.g. previous known concerns, care and control incidents, etc;
- Providing the subject of the allegation with information and advising them to inform their union or professional body;
- Should the allegation be unfounded, considering, in consultation with the LADO, the need to make a referral to Children's Social Care Services for support or to the Police if the allegation is deemed to be deliberately malicious or invented;
- Attending Strategy Meetings where required (see Section 11, Strategy Meeting);
- Liaising with Human Resources where employer's disciplinary action is required;
- Ensuring that risk assessments are undertaken where and when required;
- Ensuring that effective reporting and recording systems are in place which allow for the tracking of allegations through to the final outcome;
- Undertaking appropriate checks with data the agency may hold;
- Providing reports and information as required by the Named Senior Officer;
- Raising the awareness of the need to empower children and young people who are in vulnerable positions by ensuring their agency produce good whistle blowing and complaints procedures for all children;

- Ensuring appropriate and relevant training programmes are in place for and accessed by all staff;
- Ensuring relevant support programmes are in place for staff, parents and children/young people.

The employer must also identify an alternative person to whom reports should be made in the absence of the nominated Senior Manager or in cases where that person is the subject of an allegation or concern.

## **2.4 The Police - key officers**

The Police should also identify a senior officer (Strategic Management Officer) to have a strategic oversight of arrangements, to liaise with the Leicester City, Leicestershire and Rutland Safeguarding Partnership Boards in the force area and ensure compliance.

The Police should also appoint others officers, possibly unit managers, with responsibility for liaising with the Local Authority Designated Officer, Named Senior Officers and Senior Managers, taking part in Strategy Meetings, reviewing the progress of cases in which there is a Police investigation and sharing information on completion of the investigation or any prosecution.

## **3. Responding to Allegations**

Concerns about a member of staff may arise in many different ways, including:

- A direct allegation from a child or parent/carer;
- A concern expressed by a colleague;
- A criminal investigation;
- Disciplinary procedures;
- Complaints procedures;
- Information from another authority.

The concern may be contemporary in nature or historical or both. Even when concerns are clearly historical, allegations may have implications for the safety of children now; and should be dealt with within these procedures.

All allegations or suspicions of significant harm must be referred to children's social care. The procedures set out in Referrals to Children's Social Care Procedure must be complied with, in addition to the procedures in this chapter.

All organisations which provide services to children, or provide staff or volunteers to work with or care for children, should operate a procedure for handling allegations that fall within this procedure in a way which is consistent with these procedures.

Where such allegations are made, consideration must be given to the following three strands:

1. The police investigation of a possible criminal offence;
2. Enquiries and assessment by Children's Social Care Services as to whether the child is in need of protection or in need of services;
3. Consideration by an employer of disciplinary action in respect of the individual.

## **4. Initial Considerations**

All allegations within this procedure that come to the employer's attention should be notified to the Local Authority Designated Officer (LADO) or delegated representative within one working day. Senior Managers should receive reports in relation to all allegations against those within their organisation. A senior member of the Human Resources section for the relevant agency must also be consulted.

The LADO or delegated representative will discuss the matter with the Senior Manager and where necessary obtain further details of the allegation and the circumstances in which it was made. The discussion should also consider whether there is evidence/information that establishes that the allegation is false or unfounded, and/or whether disciplinary action is appropriate. Initial emergency steps may be needed to safeguard children.

If the allegation is not patently false and there is reasonable cause to suspect that a child is suffering or is likely to suffer Significant Harm, the LADO or delegated representative will immediately refer the matter to Children's Social Care Services (see Referrals to Children's Social Care Procedure) and arrange for a Strategy Meeting (see Strategy Discussions Procedure) to be convened straight away. In those circumstances, the Strategy Meeting should include the LADO or delegated representative and the Senior Manager (see Section 11, Strategy Meeting).

Where the safety of other children is in question as a result of the allegation, consideration should be given to invoking the Complex (Organised or Multiple Abuse) Procedure.

Some allegations may be less serious and at first sight might not seem to warrant consideration of a police investigation or enquiries by Children's Social Care Services. However, it is important to ensure that even apparently less serious allegations are followed up and examined objectively by someone independent of the organisation. Consequently, the LADO or delegated representative should be informed of all allegations that come to the employer's attention and appear to come within the scope of this procedure (see Section 1, Scope) so that s/he can consult Police and social care colleagues as appropriate.

## **5. Direct Referrals to the Police/Children's Social Care Services**

Where a referral is made directly to Children's Social Care Services, they will consult with the Local Authority Designated Officer (LADO) or delegated representative, the Police and the Senior Manager in the relevant agency or organisation.

If a referral is made to the Police first, the officer who receives it should report it to the relevant Child Abuse Investigation Unit (CAIU) without delay and s/he should in turn inform the LADO or delegated representative.

If the matter is sensitive, see also Complex (Organised or Multiple) Abuse Procedure, Potential Criminal Investigations.

## **6. Cross Boundary Issues**

Where a child from any of the Leicester City, Leicestershire and Rutland (LLR) local authority areas makes an allegation in a setting or placement which is outside their own area, the lead responsibility for action lies with the local authority for the area where the alleged abuse occurred.



In these circumstances, the Local Authority Designated Officer and, where appropriate, the child's social worker and Independent Reviewing Officer (IRO) will liaise with the relevant local authority and agree a joint strategy.

Checks should be made as to whether there are any other children in the setting or placement. If so, the child's social worker and manager must be informed, and the Local Authority Designated Officer should consult them about the action required.

Interviews of children from any of the local authority areas will usually be undertaken by their own local Children's Social Care Services in conjunction with the Police as appropriate.

Where the referral relates to a child from another local authority temporarily placed in an establishment located within the LLR local authority areas, for example a boarding school, the Local Authority Designated Officer should liaise with the child's home authority about the roles and responsibilities in carrying out this procedure.

## **7. Providing Information about the Allegation**

If the parents/carers of the child are not already aware of the allegation, the Local Authority Designated Officer (LADO) or delegated representative needs to determine how and by whom they should be informed of the progress of the case and the outcome - see also Section 13, Confidentiality and Record Keeping.

The Senior Manager should inform the accused person about the allegation after consulting with the LADO or delegated representative. However, where a Strategy Meeting is needed or it is clear that Children's Social Care Services and/or the Police may need to be involved, that should not be done without consulting those agencies and an agreement being reached about what information can be disclosed to the person.

Staff, foster carers, prospective adopters, volunteers and other persons about whom there are concerns should be treated fairly and honestly and should be provided with support through the investigative process, as should others also involved.

If the accused person is a member of a union or other professional association, the Senior Manager should advise them to seek support from that organisation. If the person is suspended, the Senior Manager should make arrangements to keep the individual informed about developments in the work place.

## **8. Action**

Where there is cause to suspect that a child is suffering or is likely to suffer Significant Harm, a referral must be made to Children's Social Care Services and a decision taken to call a Strategy Meeting, which should take place within one working day of the referral. Where the safety of other children is in question as a result of the allegation, consideration should be given to invoking the Complex (Organised or Multiple) Abuse Procedure and if any immediate steps are required to safeguard the children;

Where the involvement of Children's Social Care Services is not required as the child is not believed to be suffering or likely to suffer Significant Harm but a police investigation will continue, the Local Authority Designated Officer (LADO) or delegated representative should conduct a discussion with the

Police, the Senior Manager and any other agencies involved with the child to evaluate the allegation and decide how it should be dealt with; this may take the form of an evaluation meeting. This discussion should take place within one working day and must consider how to take matters forward in a criminal process parallel with a disciplinary process or whether any disciplinary action will need to await the completion of the police enquiries and/or prosecution. The progress should be reviewed by the Police no later than four weeks after the initial action meeting and thereafter at fortnightly or monthly intervals;

Where a decision is made that neither Children's Social Care Services nor the Police are required to continue any involvement, the LADO or delegated representative should consider an evaluation meeting to discuss next steps with the employers Senior Manager in sufficient time so that appropriate action can be taken within three working days. In those circumstances options open to the employer range from taking no further action to suspension (see Section 9, Suspension), summary dismissal or a decision not to use the person's services in future. Where a disciplinary hearing is required and can be held without further investigation, this should take place within 15 working days. Where further investigation is required, the Senior Manager should discuss who will undertake what with the LADO or delegated representative. The Senior Manager or the nominated investigating officer should provide a report to the employer within 10 working days; the employer should decide whether disciplinary action is required within 2 working days and if a hearing is needed it should be held within 15 working days. The LADO or delegated representative should continue to liaise with the Senior Manager to monitor progress of the case and provide support/advice as required.

## **9. Suspension**

The possible risk of harm to children posed by an accused person needs to be evaluated and managed effectively - in respect of the children involved in the allegations, and any other children in the individual's home, work or community life. Where a serious allegation has been made employers should consider whether the member of staff should be suspended from duty. (This would involve managers in conjunction with either the Human Resources Department, or members of a management committee).

This would usually be for one or more of three reasons:

- The allegation is so serious that it would constitute gross misconduct and grounds for dismissal;
- The person's continued presence could present risk of significant harm to the child or other children;
- The person's continued presence could impede an investigation.

Suspension should be considered in any case where there is cause to suspect a child is suffering or likely to suffer Significant Harm or the allegation warrants investigation by the Police, or is so serious that it might be grounds for dismissal. People must not be suspended automatically or considered as a default option, without careful thought. Employers must consider carefully whether the circumstances of a case warrant a person being suspended from contact with children until the allegation is resolved.

Neither the Local Authority Designated Officer (LADO) or delegated representative nor the Police nor Children's Social Care Services can require an employer to suspend a member of staff or volunteer. The power to suspend is vested in the employer alone. However, where a Strategy Meeting (see Section 11, Strategy Meeting) or initial evaluation discussion concludes that there should be enquiries by Children's

Social Care Services and/or investigation by the Police, the LADO or delegated representative should canvass the Police and Children's Social Care Services as to their views about whether the accused member of staff needs to be suspended from contact with children, to inform the employer's consideration of suspension. Consideration at this stage should also be given to the need to refer the matter to the Disclosure and Barring Service.

If suspension is deemed appropriate, the reasons and justification should be recorded and the individual notified of the reasons.

## **10. Resignations and Compromise Agreements**

The fact that a person tenders his/her resignation, or ceases to provide their service, must not prevent the allegations being followed up in accordance with these procedures. It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, including any in which the person concerned refuses to cooperate with the process.

By the same token, 'compromise agreements' - by which a person agrees to resign, the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference - must not be used in these cases. In any event, such an agreement would not prevent a thorough Police investigation where appropriate, nor can it override an employer's statutory duty to make a referral to the Disclosure and Barring Service where circumstances so require.

## **11. Strategy Meeting**

The LADO or delegated representative will need to ensure that the relevant people are invited to a Strategy Meeting and any follow up meetings to ensure that the full scope of the enquiry can be effectively addressed. This will include an invitation to the employer's Senior Manager unless there is good reason not to do so.

Where the suspicion relates to a member of staff within social care services, the enquiries must involve someone independent of the relevant service or from outside the authority. In order to meet this requirement, the following will apply:

Notifications will be required to be made to OFSTED, regarding day care and child minders, and residential workers, foster carers and prospective adopters and the Regulatory Authority social workers, teachers, nurses, doctors, police etc.

The Strategy Meeting will be chaired by the LADO or delegated representative. The Strategy Meeting will need to:

- Share all relevant information about the person who is the subject of the allegation and about the alleged child victim;
- Plan the investigation/enquiries and set timescales for tasks to be undertaken;
- Consider whether any other children are affected by the allegations e.g. the persons own children or other children in the agency setting, for example children placed with foster carers, child minders, a youth club, grandchildren;
- Determine any action that needs to be taken in respect of any other children identified including Section 47 Enquiry;

- Decide how regular information and support will be provided to the child and family and by whom;
- Ensure that the person who is the subject of the allegation is kept informed and supported;
- Plan all interviews and agree who should undertake them so that there is no confusion between a criminal investigation, Section 47 Enquiry and disciplinary processes;
- Consider whether the circumstances suggest that the person who is subject to the allegation should be suspended from contact with children, so as to inform the employers decision about this issue (including whether a foster carer's approval should be suspended and the implications for other children in the placement); this may change as the investigation progresses and should be reviewed regularly;
- Consider the need to develop a media strategy.

The progress of the investigation and enquiries needs to be reviewed by the LADO or delegated representative fortnightly or, at a maximum, monthly depending on the complexity of the case.

### **Timescales**

Every effort should be made to carry out investigations as quickly as possible to avoid disruption to services and unnecessary delay.

Information sharing should happen without delay.

Where an allegation or concern arises that does not require police or social care investigation, the employer should determine what action is needed within 3 working days. The LADO or delegated representative may hold an evaluation meeting to aid this process.

If a strategy meeting or strategy discussion is required, this should take place without delay and normally within 3 working days.

At each strategy meeting the police, where involved, should give an estimate of the time required to carry out investigations. This should be kept under review. The officers investigating both child protection and criminal aspects should provide regular updating information to the LADO or delegated representative and the agency senior officer (where different) fortnightly or at monthly intervals, depending on the complexity of the case.

Where police or social care investigation is needed and concluded, the employer should determine whether a further investigation is needed within 3 working days. Where a further investigation is needed, the investigating officer should aim to complete the investigation within 10 working days. Where this is not possible, the employer should be informed and an estimated time of completion established.

Where a disciplinary hearing is required, without or on completion of an investigation, this should be held within 15 working days.

## **12. Post Outcome Meeting**

At the end of any investigation, the Local Authority Designated Officer (LADO) or delegated representative will consider whether it is necessary to convene a Post Outcome Meeting, for example in particularly complex cases.

This meeting must take into account Section 13, Confidentiality and Record Keeping, Section 14, Action Following a Criminal Investigation or a Prosecution and Section 15, Action Following Disciplinary Process of this procedure and will primarily ensure that

- All the original allegations have been addressed;
- The investigation has been clearly recorded;
- All strands of the investigation have been concluded;
- All those involved have been informed of the outcomes appropriately;
- The children have been safeguarded and services have been provided;
- The recommendations and decisions of the post-investigation meeting are reviewed within an agreed timescale to ensure that they are followed through;
- If an organisation removes an individual (paid worker or unpaid volunteer) from work such as looking after children (or would have, had the person not left first) because the person poses a risk of harm to children, the organisation must make a referral to the Disclosure and Barring Service. It is an offence to fail to make a referral without good reason.

### **13. Confidentiality and Record Keeping**

During the investigation the police should obtain consent from the individuals concerned to share the statements and evidence they obtain with the employer and/or Regulatory Authority, for disciplinary purposes. This will enable the Police and the Crown Prosecution Service (CPS) to share relevant information without delay at the conclusion of the investigation or any court case.

Children's Social Care Services should also obtain consent when making enquiries so that any information that is relevant to a disciplinary case can be passed on to the employer or Regulatory Authority.

Every effort should be made to maintain confidentiality and guard against publicity while an allegation is being considered or investigated.

In line with the Association of Chief Police Officers guidance, the Police will not normally provide any information to the press or media that might identify an individual who is under investigation, unless or until the person is charged with a criminal offence. In exceptional circumstances where the police might make an appeal to trace a suspect, the reasons for this action should be documented and partner agencies should have been consulted beforehand.

The child and parents or carers can be informed about the outcome of any disciplinary process but they do not have access to the deliberations of a disciplinary hearing nor the information taken into account in reaching the decisions in the hearing.

Employers must keep a clear and comprehensive record of any allegations made, details of how the allegation was followed up and resolved, and details of any action taken and decisions reached, on a person's confidential personnel file and give a copy to the individual. Such information should be retained on file, including for people who leave the organisation, at least until the person reaches normal retirement age or for 10 years if that will be longer.

The purpose of the record is to provide accurate information in response to any future request for a reference.

Each agency must take great care to ensure that the records they keep respect the confidentiality of the victim and/or the alleged perpetrator i.e. the child's file should contain limited information about the perpetrator and the perpetrators file should contain limited information about the child victim.

Details of allegations that are found to be malicious should be removed from personnel records.

#### **14. Action Following a Criminal Investigation or a Prosecution**

The Police or the Crown Prosecution Service (CPS) should inform the employer's Senior Manager and the Local Authority Designated Officer (LADO) or delegated representative straight away when a criminal investigation and any subsequent trial are complete, or if it is decided to close an investigation without charge, or not to prosecute after the person has been charged.

In all circumstances the LADO or delegated representative should discuss with the employer's Senior Manager what further action is appropriate and agree how to proceed. The information provided by the Police and/or Children's Social Care Services should inform that decision.

Action on conclusion of a case should include consideration of whether a referral to the Disclosure and Barring Service is required or advisable, and the form and content of a referral. If a referral is appropriate, it should be made within one month.

If the person is subject to registration or regulation by a professional body or regulator, for example by the Health and Care Professions Council, General Medical Council, Ofsted etc. the LADO or delegated representative should advise on whether a referral to that body is appropriate.

If it is decided that a person who has been suspended from work can return, the employer must consider how best to facilitate that return. The employer must also consider how the persons contact with the child or children who made the allegation can best be managed if they are still in the work place.

#### **15. Action following Disciplinary Process**

The employer or HR representative should inform the LADO or delegated representative of the outcome of the internal investigation and any disciplinary process. Where the employer ceases to use the adult's services for safeguarding reasons a referral must be made to the Disclosure and Barring Service. If a referral is appropriate it should be made as soon as possible.

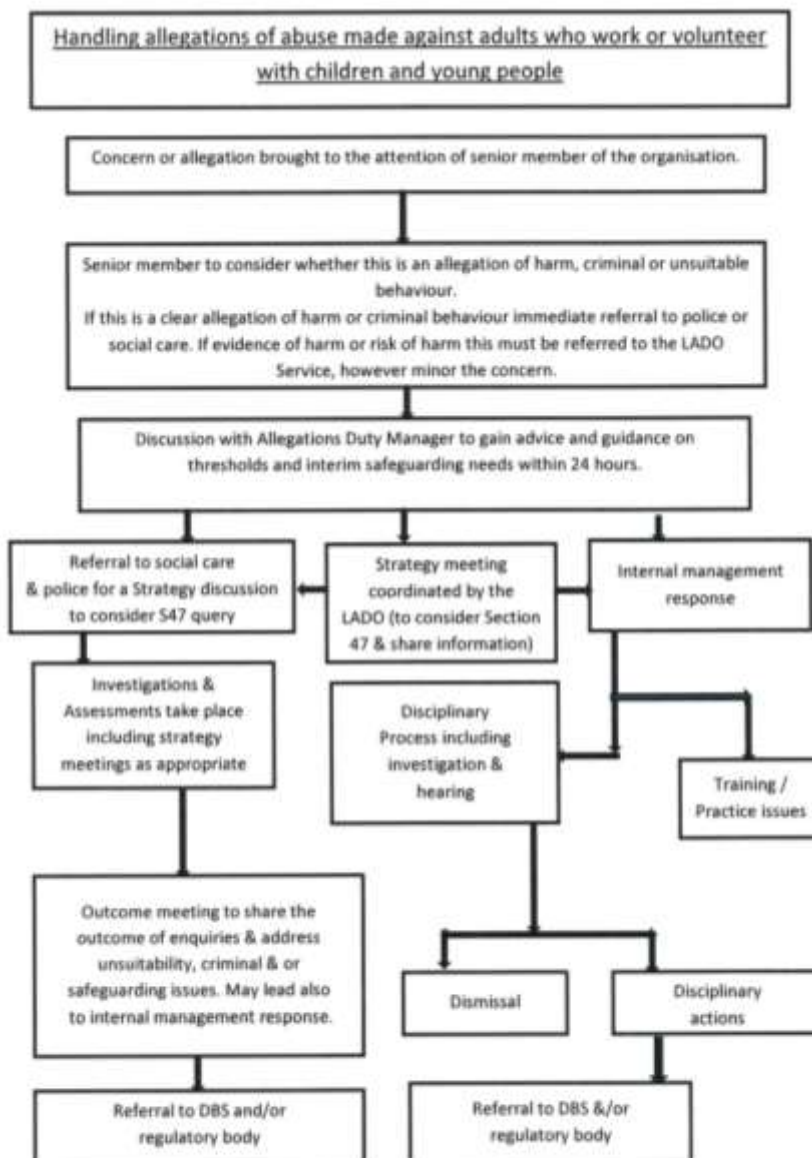
#### **16. Learning Lessons**

At the conclusion of a case where the allegation has been substantiated, the Senior Manager, in consultation with the Named Senior Officer and the LADO or delegated representative, should review the circumstances of the case to determine whether there are any improvements to be made to the organisations procedures or practice to help prevent similar events for the future.

Any lessons from investigations and enquiries should be reported by the LADO or delegated representative on a regular basis to the Leicester City, Leicestershire and Rutland Safeguarding Children Partnership Boards.

In some cases, a Serious Case Review or other learning process may be appropriate. See Learning and Improvement Framework for more information.

## 17. Flowchart



Section 47, Children Act = duty to investigate.

\* Leicester City also have an evaluation meeting if concerns do not meet S47, but there is a pattern of concern.

Local Authority Designated Officer = LADO. Contact details as follows:

Leicester City Council in the Safeguarding Unit on 0116 4542400.

Leicestershire County Council in the Safeguarding and Improvement Unit on 0116 305 7597.

Rutland County Council in the Children's Duty Team on 01572 758407.

## Appendix 1: DBS Factsheet - Relevant Offences

Please follow the following link: <https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check> to view the list of offences that will never be filtered from a DBS certificate.