



# SOLIHULL LOCAL SAFEGUARDING CHILDREN PARTNERSHIP

## REPORT OF SIMON STUBBS

### Local Authority Designated Officer (LADO) Annual Report

01 April 2018 to 31 March 2019

#### 1. Purpose of report

- 1.1 To update the Local Safeguarding Children Partnership (LSCP) in relation to work undertaken by the LADO on behalf of the Local Safeguarding Children Board (LSCB) during 2018/2019. This work being in respect of allegations received during the period about adults who work or volunteer with children.

#### 2. Action required by LSCP (or others e.g. single agency or other partnership) to improve practice and/or outcomes for children, young people and families

- (i) The LSCP is asked to note the report and the author's analysis that the data suggests a positive picture in respect of awareness and understanding of the 'managing allegations' process in the borough, the timeliness of progressing referrals, and, drawing through learning for settings to help improve their safeguarding arrangements where such learning has been identified.
- (ii) The LSCP is asked to ensure that key agency leads revisit with their staff groups the contact details for the LADO Service to assist with further embedding this information.

#### 3. Background

- 3.1 Statutory guidance requires the Local Authority Designated Officer (LADO) dealing with allegations against adults that work with children to report annually basis about work undertaken. This report will provide an overview of the work undertaken with reference to relevant available data in relation to managing allegations against adults who work with children. The report will also inform the LSCP of the wider activity undertaken within the role.
- 3.2 In Solihull the LADO is Simon Stubbs (Head of Safeguards within the children's social work service). The LADO is supported by officers of the Child Protection and Review Unit in managing referrals, chairing Position of Trust (POT) meetings, and, in the provision of advice. This arrangement is in line with the statutory guidance within Working Together to Safeguard Children 2018.

3.3 The work undertaken by the CPRU officers is quality assured by the LADO.

#### 4. LADO threshold

4.1 The threshold for LADO cases is described in Working Together 2018 as:

An allegation may relate to a person who works with children who 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; or
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

4.2 The statutory guidance requires Local Authorities to have a Local Authority Designated Officer (LADO) to be involved in the management and oversight of individual cases. The LADO should 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.

#### 5. Analysis of data

5.1 The analysis for this report is based on data held in the dedicated confidential case file records relating to managing allegations made against adults who work with children

5.2 **Table 1** *total number of referrals received over the last 3 years*

<b>Table 1 - Total number of allegations referred to the LADO 2018/19</b>			
<b>Year</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b> 01 Apr 2018 – 31 Mar 2019
Number of allegations	75	94	<b>79</b>

5.3 The number of contacts leading to formal referrals during the reporting year 2018/19 represents a **decrease of 20%** against the previously reported 12 month period (2017/18). This is a return to the referral rate shown in 2016/17. The number of referrals evidences continued awareness within the various agencies working in the borough of the 'managing allegations' process

5.4 In terms of other contact activity, there were **a further 58 contacts** from agencies considering the need to refer to the LADO (or 'checking out' their views and intended actions in relation to particular circumstances) where, after initial consultation, it was agreed that the

threshold for LADO involvement was not met. This **figure shows consistency against the previous reporting period** (when 59 such contacts were also recorded). Quality assurance activity was undertaken by the LADO on half of these contacts – confirming that the correct view was reached.

- 5.5 These contacts are actively encouraged by the LADO. This type of contact is included in the relevant procedures, is emphasised during the ‘managing allegations’ training programme, and, is also emphasised by the LADO when visiting particular groups of relevant staff.
- 5.6 It is important that colleagues in all agencies feel assured that they can contact the LADO for a discussion even if such calls result in no further action from the LADO. **NB:** where a referral is not required these are not recorded on the LADO case management records.
- 5.7 There were also a large number of other contacts from agencies about issues which do not fall under the LADO remit (examples of this are contacts from Ofsted relating to concerns raised about ‘culture of practice’ within specific settings). Where these contacts are received the LADO service ensures that they are passed over to the appropriate service and the referrer advised of the action taken.
- 5.8 **Table 2 total number of referrals from agencies over the last 3 years.**

<b>Table 2 - Total number of referrals by referring agency 2018/19</b>			
<b>Agency</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>
<b>Social Care</b>	23	22	<b>14</b>
<b>Health</b>	11	10	<b>1</b>
<b>Education</b>	22	48	<b>28</b>
<b>Police</b>	8	3	<b>9</b>
Youth Offending	-	-	-
Probation (NPS & CRC)	1	-	<b>1</b>
CAFCASS	1	-	-
NSPCC	-	-	<b>1</b>
Voluntary Youth Org	1	-	<b>2</b>
<b>Faith groups</b>	-	1	-
Fostering	1	-	<b>2</b>
<b>Care agency/ Residential home</b>	-	4	-
<b>Nursery/Child minder</b>	-	2	<b>10</b>
<b>Other</b>	7	4	<b>11</b>
<b>TOTAL</b>	<b>75</b>	<b>94</b>	<b>79</b>

- 5.9 **Education remains the agency grouping most often referring concerns** to the LADO. The data for the year 2018/19 shows that **35%** of the referrals recorded were from the education sector.
- 5.10 The distribution of sources of referrals is positive – with increased numbers from Police colleagues and nursery provisions.
- 5.11 Of particular positive note is **the increased number of referrals made by sports organisations**. These are included in the ‘Other’ classification and **total 6** (compared to 1 the previous year) – including referrals from the Football Association, Rugby Football Union and English Cricket Board. During the previous year, allegations relating to non-recent abuse of young people by football coaches emerged nationally. This led directly to referrals being received in relation to coaches in the Solihull area. As a result Solihull LADO has further developed its links with the Football Association nationally and locally. There is a confirmed single point of contact for liaison regarding any future referrals relating to FA affiliated coaches.
- 5.12 Also in the ‘Other’ group are referrals from other local leisure activity groups (dance, music), and, Birmingham and Solihull Women’s Aid.
- 5.13 Whilst the figures show significant variance in terms of rate of referral, it should be noted that the relatively small total figures mean that % rates can be significantly affected by a small number of cases.
- 5.14 **Table 3** number of referrals broken down into the agencies that the adult subject to the allegation works in (work is defined as paid or voluntary).

<b>Table 3 - Total number of referrals by employment sector 2018/19</b>			
<b>Agency</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>
<b>Social Care</b>	4	3	<b>6</b>
<b>Health</b>	1	6	<b>2</b>
<b>Education</b>	40	55	<b>35</b>
Police	2	-	<b>1</b>
Youth Offending	-	-	-
Probation(NPS & CRC)	-	-	-
CAFCASS	-	-	-
NSPCC	-	-	-
<b>Voluntary Youth Org</b>	3	1	<b>2</b>
<b>Faith groups</b>	-	1	<b>3</b>
<b>Fostering</b>	8	6	<b>6</b>
<b>Care agency</b>	-	6	<b>2</b>
<b>Nursery/Child minder</b>	9	8	<b>9</b>
<b>Other</b>	8	8	<b>13</b>
<b>TOTAL</b>	<b>75</b>	<b>94</b>	<b>79</b>

- 5.15 Data in **table 3** suggests that the agency grouping where **staff members are more likely to be the subject of referrals** of concern is **Education** (with 35 cases). The spread of cases is generally consistent with the data from 2017/18.
- 5.16 There is an increase in referrals being received against the 'Other' classification.
- 5.17 Agencies/roles listed as 'Other' comprise 4 x taxi drivers, 6 x sport coaches, 1 x dance tutor, 1 x music tutor and 1 x school cleaner.
- 5.18 **Table 4** *total number of referrals by abuse category*

<b>Table 4 – Total number of referrals by abuse category during 2018/19</b>			
<b>Abuse Category</b>	2016/17	2017/18	<b>2018/19</b>
<b>Physical</b>	36 (48%)	48 (51%)	<b>38 (48%)</b>
<b>Sexual</b>	17 (22%)	19 (20%)	<b>18 (23%)</b>
<b>Neglect</b>	11 (15%)	10 (11%)	<b>8 (10%)</b>
<b>Emotional</b>	11 (15%)	17 (18%)	<b>15 (19%)</b>
<b>TOTAL</b>	<b>75</b>	<b>95</b>	<b>79</b>

- 5.19 The distribution of referrals against the various abuse categories has remained consistent against the previous year.
- 5.20 **Table 5** *number and percentage of cases resolved within the year and associated timeliness of resolution.*

<b>Table 5. Of those cases concluded during the year 2018/19, the number that were resolved within the relevant timeframes (and comparison with previous years)</b>									
<b>Time period in months</b>	<b>Actual number</b>			<b>Percentage of the total completed</b>			<b>Rolling Percentage of total completed</b>		
	16/17	17/18	<b>18/19</b>	16/17	17/18	<b>18/19</b>	16/17	17/18	<b>18/19</b>
Within 1 month	36	32	<b>33</b>	41%	30%	<b>36%</b>	41%	30%	<b>36%</b>
Within 3 months	38	58	<b>44</b>	44%	55%	<b>49%</b>	85%	85%	<b>85%</b>
Within 12 months	11	13	<b>12</b>	13%	12%	<b>13%</b>	98%	97%	<b>98%</b>
More than 12 months	2	3	<b>2</b>	2%	3%	<b>2%</b>	100%	100%	<b>100%</b>
Total concluded	87	106	<b>91</b>						

- 5.21 Working Together to Safeguard Children emphasises the importance in the LADO role of ‘...monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.’ Although there is no indicative timescale for completing enquiries set out in the 2018 statutory guidance, previously, Working Together 2010 suggested that it was reasonable to expect that 90% of cases should be completed within three months.
- 5.22 When considered against previous years’ data, the **rate of completion of cases within the three month timescale has remained stable at 85%**.
- 5.23 The rate of **completion of cases within one month has increased** against the 2017/18 data (**up to 36% from 30%**).
- 5.24 There has been some impact on timeliness of progressing enquiries as a result of an increase in other aspects of workload for the IROs involved in managing LADO referrals. The need to manage this demand was been supported by the provision of funding to secure two additional IROs.
- 5.25 There were marginally fewer cases taking longer than 3 months to complete in 2018/19 (14 cases) than in the previous year (16 cases) – the rate being the same at 15%. *See table 6 below which illustrates that complexity and the need to follow investigative processes are the main reasons that can lead to cases going beyond a three month timeframe for resolution.*
- 5.26 **Table 6** *breakdown of those cases which took over three months to conclude.*

<b>Table 6 shows the reasons for the individual cases in 2018/19 where the conclusion period was longer than 3 months</b>		
<b>Case number</b>	<b>Months</b>	<b>Reasons for delay in completion</b>
597	9	Police investigation, mental health issues, disciplinary investigation
621	10	Police and social work investigations, multiple LA involvement, criminal Court process.
623	10	Police investigation linked to historic abuse allegations, multiple LA involvement
649	4	Police and social work investigations, disciplinary investigation, referral to DBS
655	5	Multiple LA involvement, individual agency issues
667	7	Police and social work investigations, disciplinary investigation; multiple LA involvement, referral to DBS and

		professional regulatory body
673	6	Complex issues, Police and social work investigations, referral to DBS and professional regulatory body
677	4	Police and social work investigations, multiple alleged victims, referral to DBS
678	10	Police and social work investigations, disciplinary investigation, criminal Court process.
697	10	Multiple concerns, Police and social care investigations, Private Law Court process
706	7	Police investigation, Internal disciplinary process
711	4	Multiple concerns, Internal disciplinary process

5.27 **Table 7** outcomes for cases in 2018/19

<b>Table 7 Outcomes for cases in 2017/18. The number of referred cases that resulted in:</b>			
<b>Outcome</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>
No further action after initial consideration	1	1	<b>3</b>
<i>Substantiated</i>	Not collated	Not collated	<b>37</b>
<i>False</i>	Not collated	Not collated	<b>0</b>
<i>Being Unfounded</i>	4	12	<b>5</b>
<i>Being Unsubstantiated</i>	6	15	<b>18</b>
<i>Being Malicious</i>	0	1	<b>2</b>
Suspended	12	26	<b>19</b>
Dismissed	10	10	<b>13</b>
S47 investigation	9	3	<b>1</b>
Criminal investigation	29	39	<b>33</b>
Disciplinary procedures	10	22	<b>24</b>
Criminal Prosecution	3	2	<b>6</b>
Caution	0	1	<b>1</b>
Conviction	1	0	<b>0</b>
Acquittal	1	0	<b>5</b>
Referral to DBS	8	9	<b>14</b>
Referral to regulatory body	3	2	<b>4</b>

5.28 It should be noted that one case can be referenced a number of times in **table 7** above, for example, suspended, disciplined, charged and convicted could all be one case. Equally cases are referenced in respect of the child alleged to have been exposed to harm/risk of harm

by the staff member/volunteer. An adult can, therefore, be listed multiple times where there was more than one victim, possibly on separate occasions. The data for table 7 is given as a snapshot as at 31st March 2019.

- 5.29 'Suspension' is referenced in the table above. This is used by agencies only where this is appropriate and the potential risks relating to the adult referred cannot be managed by a different route. Wherever possible, agencies consider alternatives to suspension providing that these arrangements are safe. Within the 'managing allegations' process and training sessions, agencies are encouraged by the LADO to undertake a risk assessment to inform their decision making about the use of this route. This helps to clarify the rationale and supports review of any arrangements put in place to manage risk. It also promotes challenge and discussion via the LADO if it is suggested that the arrangements to safeguard children require further strengthening.
- 5.30 The frequency of criminal investigation has remained at a similar level as the previous years. The frequency is reflective of the understanding and engagement of Police colleagues with the position of trust process. The need for a criminal investigation can result in cases needing more time to reach a point where the LADO involvement can close (due to complexity within the investigative process). 6 cases progressed to criminal prosecution and no cases are recorded as having resulted in conviction.
- 5.31 Where an outcome of 'unsubstantiated' is reached (ie the concern cannot be substantiated or disproven), consideration is given at the Position of Trust meeting as to what actions it may be helpful for the work place setting to consider in order to address any training needs and minimise the possibility of potential future risk.
- 5.32 Unusually there were two cases where the outcome is recorded as 'malicious'. The definition of 'malicious' in this context is set out in the statutory guidance and refers to situations where 'there is clear evidence to prove that there has been a deliberate act to deceive and the allegation is entirely false'. One case related to allegations made by a pupil against a teacher where the pupil subsequently confirmed to Police colleagues that the allegations were fabricated. The related to allegations made by a pupil against a teacher that was subsequently disproved by CCTV footage and the accounts of others. There was evidence of the pupil having told friends that they didn't like the teacher and wanted them out of the school.

## 6. Training

- 6.1 During 2018/2019 The LADO provided **three multi agency training sessions** on behalf of the LSCB on the 'managing allegations' process. The LADO was supported in delivering these training sessions by staff from the Local Authority's Human Resources team. These training sessions have been well attended and the evaluations have been very positive.
- 6.2 Following the courses delegates reported finding the training helpful updating their knowledge of the procedures and processes relevant to managing allegations against staff. Some delegates reported subsequently revisiting and reviewing their own in-house procedures and the awareness of staff within their settings. A common theme from the evaluations of attendees was that they felt they would be more confident in responding effectively to an issue if it was to arise. There was recognition of the importance of handling any allegations in a sensitive and appropriate manner whilst ensuring that relevant investigative processes were not compromised.
- 6.3 A further two training sessions are planned for 2018/19.
- 6.4 There is a **West Midlands Regional LADO Network**. The Solihull LADO has been actively involved with this network and has participated in the exploration of issues arising for the role across the region. Colleagues from other agencies have been invited to attend the regional meetings to work through issues arising in terms of practice, and, to scope out working arrangements moving forward.
- 6.5 The regional network also works towards a consistency of approach across the region and is a source of specialist support and knowledge across LADO services when dealing with specific issues. Work has been completed to formalise and agree a West Midlands regional protocol where cross border issues may have a bearing. In practice this means that the LADO for the LA where the adult referred works or volunteers would be responsible. Where the adult referred is employed in a position of trust in Solihull but also volunteers in a young person's sports club in the other LA area where he/she lives, there would be negotiation as to which LADO would lead the process.
- 6.6 Representatives from the Solihull LADO service attended the national LADO conference held on London in May 2019 and fed back learning into the group of Solihull officers dealing with LADO issues.

## 7. Lessons Learned from cases

- 7.1 There has been **learning for agencies/settings arising** from specific cases. This has included ensuring that responsibilities re managing

allegations are understood and acted upon to ensure referral to the LADO (and Children's Social Care if needed) in good time – including ensuring that there are deputising arrangements in place to cover leave/absence to ensure matters are progressed, and, including ensuring that information is shared at the earliest opportunity.

- 7.2 **Specific learning for settings** has also resulted in a number of settings reviewing their safeguarding procedures and governance arrangements; agencies recognising the need to update staff training programmes to raise awareness of CSE/Exploitation.
- 7.3 On occasion the LADO officers have offered focused developmental conversations with specific settings to assist the development of understanding within that setting and its staff group about the managing allegations process, the statutory basis of this, and, the expectations arising. Such responses are provided (for example) where there have been a number of referrals in respect of a specific setting and the approach was taken to enable reflection and a co-ordinated approach to promote safe practice going forward.
- 7.4 The LADO has endeavoured to **support broader learning for settings**. Where concerns have been raised relating to a setting (for example via Ofsted) but the threshold for formal LADO involvement has not been evidenced, the information has been passed to relevant officers (for example Early Years' Service or Schools Improvement Service) to inform their involvement and support of these settings going forward.
- 7.5 Where necessary the LADO has provided evidence (including witness statements and attendance at fitness to practice hearings) to professional bodies to support decision making at professional hearings.
- 8. What are the key issues and/or learning the LSCB needs to know?**
- 8.1 These information above suggests that awareness and understanding of the 'managing allegations' process in the borough is generally sound. There is evidence of agencies contacting the LADO to talk issues through appropriately, and, evidence of matters being progressed in a timely way.
- 8.2 The responsibility for the LADO function remains with Simon Stubbs – Head of Safeguards within Children's Services. He is supported on a day to day basis by the Independent Reviewing Officers (IROs) within the Child Protection and Review Unit.

- 8.3 Board members are asked to continue to ensure that their staff members are aware of the arrangements in relation to allegations that are made against adults who work with children ie:

**LADO - Simon Stubbs – supported by IROs in CPRU**

*The preferred method of referral is via the central points listed below.*

**Telephone: 0121 788 4310**

**Secure email: [lado@solihull.gov.uk](mailto:lado@solihull.gov.uk) Please put 'LADO issue' in the subject heading**

## **9. Background Papers**

### **9.1 Working Together 2018**

**Report Author: Simon Stubbs**

**Title: LADO/Head of Safeguards**

(Presented at LSCP Assurance and Review Group 17 Sept 2019)

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