



SOLIHULL LOCAL SAFEGUARDING CHILDREN PARTNERSHIP

REPORT OF Simon Stubbs and Naseema Ahmad

Local Authority Designated Officer (LADO) Annual Report 01 April 2020 to 31 March 2021

1. Purpose of report

- 1.1 To update the Local Safeguarding Children Partnership (LSCP) in relation to work undertaken by the LADO during 2020/2021. 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 that there is good awareness and understanding of the 'managing allegations' process in the borough.
- (ii) Despite the context of the challenges faced by professionals during the COVID pandemic, there is clear evidence of agencies contacting the LADO to talk issues through appropriately, evidence of matters being progressed in a timely way, and, evidence of the process supporting learning within settings.
- (iii) 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 Since September 2020, Naseema Ahmad has been employed in the Principal Officer role within the service and she has taken the operational lead for progressing the majority of the LADO referrals (with a smaller number managed by the wider group of CPRU officers)
- 3.4 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 and Keeping Children Safe in Education 2019 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.

Keeping Children Safe in Education 2020 came into force in September 2020 and this included an additional element to the threshold

- behaved or may have behaved in a way that indicates they may not be suitable to work with 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*

Table 1 - Total number of allegations referred to the LADO 2020/21			
Year	2018/19	2019/20	2020/21 01 Apr 2020 – 31 Mar 2021
Number of allegations	79	47	49

- 5.3 The number of contacts leading to formal referrals during the reporting year 2020/21 represents stability against the previously reported 12 month period. The figure is a reduction from the referral rate shown in 2018/19.
- 5.4 In terms of other contact activity, there were **a further 112 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 or required referral onwards to the appropriate Local Authority area. Quality assurance activity was undertaken by the LADO on 49 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 It might have been anticipated that the rate of referral to the LADO would have reduced due to the impact of the COVID pandemic but this has not been the case – and is reassuring to see that agencies continue to recognise issues of concern and have prioritised the conversation with the LADO as a safeguarding matter.
- 5.9 Looking at the nature of the referrals, we have not seen any obvious shift in referrals being based on incidents occurring away from the place of work, or, any patterns of peaks and troughs in referral rates

mirroring COVID lockdown periods (which again might have been expected).

5.10 **Table 2** *total number of referrals from agencies over the last 3 years.*

Table 2 - Total number of referrals by referring agency 2020/21			
Agency	2018/19	2019/20	2020/21
Social Care	14	20	14
Health	1	2	-
Education	28	6	12
Police	9	9	10
Youth Offending	-	-	-
Probation (NPS & CRC)	1	-	-
CAFCASS	-	-	2
NSPCC	1	1	1
Voluntary Youth Org	2	1	1
Faith groups	-	1	-
Fostering	2	2	1
Care agency/ Residential home	-	-	2
Nursery/Child minder	10	3	5
Other	11	2	1
TOTAL	79	47	49

5.11 The **majority of referrals** to the LADO have been via Social Care, Education and Police (totalling 73%).

5.12 Whilst some of 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.

5.13 **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).

Table 3 - Total number of referrals by employment sector 2020/21			
Agency	2018/19	2019/20	2020/21
Social Care	6	4	1
Health	2	7	3
Education	35	14	19
Police	1	-	-
Youth Offending	-	-	-
Probation(NPS & CRC)	-	-	-
CAFCASS	-	-	-
NSPCC	-	-	-
Voluntary Youth Org	2	1	1
Faith groups	3	2	2
Fostering	6	11	8
Care agency	2	1	2
Nursery/Child minder	9	4	6
Other	13	3	7
TOTAL	79	47	49

- 5.14 Data in **table 3** shows that the agency grouping where **staff members are more likely to be the subject of referrals** of concern is **Education** (this equates to 39% of referrals). This is a consistent position year on year and is, perhaps, unsurprising given the number of education professionals within settings and given the substantive amount of time spent directly with children.
- 5.15 Agencies/roles listed as 'Other' comprise 1 x Interpreting services, 2 x sport club staff, 4 x taxi drivers.

5.16 **Table 4** *total number of referrals by abuse category*

Table 4 – Total number of referrals by abuse category during 2019/20			
Abuse Category	2018/19	2019/20	2020/21
Physical	38 (48%)	23 (49%)	15 (31%)
Sexual	18 (23%)	13 (28%)	12 (24%)
Neglect	8 (10%)	8 (17%)	14 (29%)
Emotional	15 (19%)	3 (6%)	8 (16%)
TOTAL	79	47	49

5.17 The smaller total number of cases referred meeting the threshold for LADO process means that percentage rate can be significantly affected by a few cases.

5.18 **Table 5** *number and percentage of cases resolved within the year and associated timeliness of resolution.*

Table 5. Of those cases concluded during the year 2019/20, the number that were resolved within the relevant timeframes (and comparison with previous years)									
Time period in months	Actual number			Percentage of the total completed			Rolling Percentage of total completed		
	18/19	19/20	20/21	18/19	19/20	20/21	18/19	19/20	20/21
Within 1 month	33	15	29	36%	30%	51%	36%	30%	51%
Within 3 months	44	26	17	49%	52%	30%	85%	82%	81%
Within 12 months	12	7	9	13%	14%	16%	98%	96%	97%
More than 12 months	2	2	2	2%	4%	3%	100%	100%	100%
Total concluded	91	50	57						

5.19 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 and all but the most exceptional cases should be completed within 12 months. This

timescale target is also confirmed in Keeping Children Safe in Education 2020.

- 5.20 When considered against previous years' data, the **rate of completion of cases within one month has increased significantly to 51%** - with the overall rate of completion within the three-month timescale falling marginally to 81% from 82%.
- 5.21 Only two cases took longer than 12 months to complete.
- 5.22 Table 6 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.
- 5.23 **Table 6** *breakdown of those cases which took over three months to conclude.*

Table 6 shows the reasons for the individual cases in 2020/21 where the conclusion period was longer than 3 months		
Case number	Months	Reasons for delay in completion
727	20	Multiple roles for subject, Police investigation linked to historic abuse allegations with an international element, disciplinary investigation,
796	13	Police investigation linked to online grooming, criminal court process, social work investigation, Regulatory body enquiries
765	11	Police investigations, disciplinary investigation, criminal court process, Regulatory body enquiries
784	10	Police investigation, social work investigation, court process, disciplinary process,
2020 967	8	Police investigations, Criminal court Process, disciplinary process, liaison with DBS
2020 257	8	Police investigation, Social work investigation, liaison with DBS, criminal court process
2020 697	6	Police investigation, Historic abuse allegations, multiple roles for subject
792	6	Police investigation linked to online offences, social work investigation, disciplinary processes, Regulatory body enquiries
2020 747	5	Police investigation, multiple LAs, social care investigation, international element

799	4	Multiple roles for subject, Police investigation, disciplinary investigations.
2020 320	4	Police investigations, Historic abuse allegation, Multiple roles for subject, Multiple LA area LADO, disciplinary process

5.24 **Table 7** *outcomes for cases in 2020/21*

Table 7 Outcomes for cases in 2020/21. The number of referred cases that resulted in:			
Outcome	2018/19	2019/20	2020/21
No further action after initial consideration	3	8	5
<i>Substantiated</i>	37	19	33
<i>False</i>	0	0	0
<i>Being Unfounded</i>	5	3	1
<i>Being Unsubstantiated</i>	18	20	16
<i>Being Malicious</i>	2	0	2
Suspension	19	8	31
Dismissal	13	7	13
Criminal investigation	33	11	27
Disciplinary procedures	24	10	35
Criminal Prosecution	6	3	6
Caution	1	1	1
Conviction	0	0	1
Acquittal	5	0	0
Referral to DBS	14	7	12
Referral to regulatory body	4	1	5

- 5.25 In relation to outcomes, of the 57 cases concluded during the reporting period, 5 were concluded at a Joint Evaluation Discussion/Meeting where a view was reached that it would not be proportionate to proceed to a Position of Trust meeting.
- 5.26 Of the remaining 52 cases which did move into a Position of Trust meeting, **33 (63%) concluded that the concerns were substantiated**. The percentage rate the previous year was 45%.
- 5.27 It should be noted that one case can be referenced a number of times in **table 7** above, for example, substantiated, 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.

- 5.28 The **frequency of criminal investigation has increased compared with the previous year**: 26 cases (50%) compared to 11 cases (26%).
- 5.29 The information in relation **criminal prosecution and court outcomes is incomplete** as many of the cases were closed to the LADO at an earlier stage – **although at one conviction and one caution** are recorded.
- 5.30 There were two (linked) 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'.

6. Training

- 6.1 The LADO (supported by staff from the Local Authority's Human Resources team) delivers **multi agency training** on behalf of the LSCP on the 'managing allegations' process.
- 6.2 The plans to deliver this training in 2020/21 unfortunately needed to be revised due to the impact of the Covid pandemic. Most agencies were prioritising operational matters, and, holding physical training was paused due to the transmission risk.
- 6.3 As the availability of video meeting platforms developed, work was undertaken to reshape the managing allegation training for delivery via a virtual platform – and this was successfully delivered in March 2021.
- 6.4 The course was well attended and feedback confirmed that delegates felt their knowledge of the issues and the process had increased as a result of the course. Many delegates felt the course gave them a level of assurance when it came to managing allegations within their own setting. One delegate also went on to update their staff handbook to reflect the things they had learnt as part of the course.
- 6.5 There is a **West Midlands Regional LADO Network**. The Solihull LADO has been actively represented within 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.

6.6 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. There is an agreed 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.

7. Lessons Learned from cases

7.1 There has been **learning for agencies/settings arising** from specific cases. This has included ensuring that the internal structures and guidance about reporting and managing concerns about staff are understood and acted upon to ensure referral to the LADO in good time.

7.2 **Specific learning for settings** has also resulted in settings

- Reviewing record keeping practices and guidance
- Reviewing and awareness raising of procedures
- Revisiting training for staff re physical interaction/restraint
- Training/briefings for staff to raise awareness about risk from use of mobile phones. Sharing setting's expectations about this.
- Refreshing safer recruitment processes and practice
- Reviewing and reinforcing processes for internal communication and information sharing
- Understanding the differences between safeguarding processes relating to child protection and those relating to managing allegations against staff

7.3 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.

7.4 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 LSCP needs to know?

- 8.1 The information above suggests that there is appropriate awareness and understanding of the 'managing allegations' process in the borough.
- 8.2 There is clear evidence of agencies contacting the LADO to talk issues through appropriately, evidence of matters being progressed in a timely way, and, evidence of the process supporting learning within settings.
- 8.3 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 Principal Officer and Independent Reviewing Officers (IROs) within the Child Protection and Review Unit.
- 8.4 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 Principal Officer, Naseema Ahmad and the 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 Please put 'LADO issue' in the subject heading

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