

## **Managing allegations of abuse against adults who work with children or live on the premises in a homebased setting**

### **Guidance for registered childminders**

*January 2012*

The Local Authority Designated Officer (LADO) Unit has responsibility for ensuring that all allegations against adults working with children in Cambridgeshire are managed in accordance with Appendix 5, Working Together to Safeguard Children 2010 and Cambridgeshire LSCB Procedures.

#### **Defining allegations**

This guidance relates to all cases in which it is alleged that an adult who works with children in any capacity (paid or voluntary) has

- behaved in a way that has harmed, 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 s/he is unsuitable to work with children.

#### **Whistle-blowing**

All homebased childcarers should ensure that all adults in their setting and household members are informed of their responsibilities to report suspicions of abuse.

#### **What should be referred to the LADO Unit?**

Careful thought should be given to the criteria in the box above as to whether the allegation falls into one or more of the three categories of 'harm', 'crime' or 'unsuitability'.

Initially it is often far from clear how serious the allegation is. If there is any doubt whether an allegation reaches the threshold for referral, in line with the criteria outlined above, the LADO should be contacted.

#### **What action should I take on hearing an allegation against an adult who works with children?**

There are likely to be two parallel processes, one relating to the management of the allegation against the adult(s), and the other focusing on the child(ren).

**Follow the procedure on the flowchart poster sent to all childcare settings: 'Allegations against adults who work with children or live on the premises in a homebased setting...what to do'.**

It is equally important to ensure the safety of the child(ren) concerned, to ensure a medical assessment/intervention, as needed, and to secure any forensic evidence. All actions and discussions should be accurately recorded. At this stage the welfare and safeguarding of the child(ren) are paramount.

It is important that the person to whom the allegation is disclosed listens carefully and accurately records what has been said. **There must be no discussion, particularly not with the alleged perpetrator(s) and no attempts to investigate the matter.** Any such action may potentially undermine future formal investigations.

### How do I refer an allegation?

- Inform Ofsted
- Inform the Local Authority Designated Officer (LADO)
- Inform your Childminding Support and Development Officer (CSDO) who will signpost you to a contact point for support and advice.

### How your referral will be taken forward

There may be up to three strands in the consideration of an allegation:

- A police investigation of a possible criminal offence
- Enquiries and assessment by children's social care about whether a child is in need of protection or services
- Consideration by an employer of disciplinary action in respect of the individual.

### Guidance about information sharing

The LADO Unit will give guidance about what the adult should be told, at what stage and by whom.

It is important to give due consideration to the confidentiality of the adult and therefore details of the matter should not be disclosed or discussed with colleagues or outside agencies.

The LADO Unit will advise what information should be disclosed to the child(ren)'s family.

It is important not to compromise any formal investigation or breach confidentiality by staff disclosing information in an unplanned way without due consideration under allegations procedures.

### What happens next?

If the allegation leads to a police investigation, the LADO Unit will chair a series of Complex Strategy Meetings (CSM). The focus of a CSM is on the adult(s) against whom the allegation has been made. Depending on the circumstances of the case, the LADO Unit will decide who is to attend the meeting, probably including: the employer, The Early Years Named Senior Officer, Ofsted, police and Children's Social Care. Alleged perpetrators do not attend CSMs. The full meeting notes must **never** be shared with the alleged perpetrator. The LADO unit will prepare a redacted summary with third party information removed, if this is required.

It is important that as much information as possible about the adult is available to the CSM. This is essential in order to assess risk appropriately. The LADO Unit therefore needs details in writing, prior to a CSM, of the accounts of the allegation taken at the time, of the adults records in terms of any previous allegations or concerns (if known), and how these were dealt with, of any training undertaken and when, of any other issues with the child or person making the allegation, and so on.

The adult may be suspended from working or volunteering in their setting, pending the outcome of police or internal enquiries and it will be agreed during the CSM how and by whom the adult is offered appropriate support during the process.

### **What happens following the investigation?**

The outcome of a police investigation may be a prosecution.

If there is no further action resulting from the police investigation, or a police investigation was not required, then the employer of the adult will undertake an internal investigation. This will identify what disciplinary action, if any, is required. Decisions may include, for example, immediate re-instatement of the adult, additional training, management advice and support, a formal warning or dismissal and de-registration (if applicable). Support and advice can be obtained if required from your Childminding Support and Development Officer (CSDO).

If the outcome of the internal investigation is that the adult is dismissed then a referral must be made to the Independent Safeguarding Authority which manages the lists barring adults from working with children.

The LADO Unit will retain records of the entire process. Childminders should retain records of **all** allegations of abuse made against themselves, household members or other adults.

### **Contact numbers for Cambridgeshire Local Authority Designated Officer (LADO) Unit**

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