



Essex County Council

# **Are you concerned about an adult working or volunteering with children?**

For advice please contact:

**Essex duty LADO  
(Local Authority Designated Officer)  
Telephone: 03330 139 797**

Updated: 21 October 2019 (v.3)

## 1. What does the Essex LADO do?

The role of the Local Authority Designated Officer (LADO) was initially introduced within 'Working Together to Safeguard Children' guidance in 2006, and has been developed over time to meet changing national guidance. Statutory requirements are incorporated into the SET Child Protection & Safeguarding procedures ([www.escb.gov.uk](http://www.escb.gov.uk)).

The Essex LADO is specifically involved in cases where there is a concern or allegation that someone working or volunteering with children:

- has or may have harmed a child
- may have committed a criminal offence related to a child
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children

They give advice and guidance on how concerns or allegations should be investigated against **adults** working with children. This should not be confused with allegations made by children against other children, which is not the remit of the LADO.

They do not investigate but must ensure that an appropriate investigation is carried out, whether that is by the police, children's social care or the employer or a combination of these.

The employer or, in the case of a sole trader (e.g. a childminder), may also have a duty to inform an Inspectorate, such as Ofsted, or a regulatory body, about an allegation.

## 2. Referring to Essex LADO

If your workplace has a Designated Senior Manager who deals with allegations, advise him/her of your concerns. If, after professional consideration by the manager, the allegation or concerns appear to meet the criteria he/she must contact the Duty LADO within 1 working day of any situation arising (see contact details below).

If you are a sole trader, or do not have a designated senior manager for allegations, you should still contact the Duty LADO directly with the concerns; including if an allegation has been made about you directly by a parent or child.

It is important that you take advice from the LADO before commencing an internal investigation. For instance, it may not be appropriate to immediately inform an employee or volunteer that there has been an allegation or that there are safeguarding concerns. Such action could prejudice a criminal investigation.

Concerns may not be solely in connection with what happens in the working environment. The actions of an individual in their personal life may indicate that their behaviour could be a risk of harm to children they work with e.g. perpetrators of domestic violence, neglect of their own children.

### **3. What will happen when I refer?**

The Duty LADO will ask you for key details, such as:

- Your details;
- Identity of any identified child(ren) including address and date of birth;
- Identity, date of birth and address of the adult(s) about whom the concerns relate
- A brief summary of the allegation(s) or concern(s)
- Details of any previous concerns about conduct of the adult

You may be asked to complete a referral form, when necessary. The Duty LADO will advise on the next steps, which may include discussing setting a date for a Strategy/Management Planning Meeting.

The Essex LADO has a responsibility to review and monitor cases with the aim of achieving a thorough, fair and timely investigation. They also have a statutory responsibility to retain accurate records about the allegation, including those involved, how the matter has been investigated, and the outcome as being:

- False – sufficient evidence to disprove the allegation;
- Malicious – clear evidence that the allegation was entirely false and made in order to cause deception;
- Unfounded – no evidence to support the allegation being made (possibly due to a lack of or misunderstanding of circumstances);
- Unsubstantiated – insufficient evidence to prove or disprove the allegation (i.e. does not imply guilt or innocence);
- Substantiated – sufficient evidence to prove the allegation

The LADO will give advice on the conclusion of a case about whether a referral to the Disclosure and Barring Service is required – this is an employer's legal responsibility.

### **4. What to bring to a Strategy/Management Planning Meeting**

If you are a Senior Manager for Allegations, you may be invited to a Strategy/Management Planning Meeting as a result of the concerns. If so, you should ensure you have the following information:

- Initial incident/concern report including date, time, what happened or what was disclosed, what was said and by whom
- Name, address and date of birth of the member of staff
- Employment record including details of any previous allegations or concerns of a safeguarding nature, and outcome of investigations
- Details of staff member's employment or volunteering activity with any other organisation that works with children
- Details of any identified child(ren) if known



- Any information on training undertaken by the member of staff such as safeguarding induction and training, health and safety training, safer working practice guidance
- The code of conduct/staff behaviour policy for your organisation
- Work context and role of the member of Staff
- Details of any action already undertaken in regards to the allegation
- Names of possible witnesses with contact details
- Information about the child's behaviour, family background or special needs which may be pertinent to the allegation
- Details of any previous allegations against staff made by the child
- Any language and communication difficulties of child or adult

## **5. Whistleblowing**

Organisations must ensure that they have an effective allegations policy and procedure which is understood by staff, parents and children, for raising concerns about the behaviours of employees/volunteers who are in a position of trust, working with children. In addition, there should also be a safeguarding 'whistleblowing' policy so that staff can always raise concerns of this nature, even if they are unable, for some reason, to follow the organisation's allegations against staff policy. If an organisation is situated in Essex, their Whistleblowing Policy must state the LADO service contact details as a referral route for staff to follow in these circumstances.

## **6. Duty of care**

The welfare of a child is paramount, and this will be the prime concern in terms of investigating an allegation against a person in a position of trust. However, when an allegation or safeguarding concern is being investigated it is likely to be a very stressful experience for the adult subject of the investigation, and for their family members. It is important that an employer offers appropriate welfare support at such times, and recognises the sensitivity of the situation. Information is confidential and should not be shared with other staff, children or parents who are not directly involved in the investigation.

## **7. Key points**

Regardless of the nature of allegations and who receives the allegation, it must be reported to the Duty LADO. This must include situations where the worker resigns. Settlement agreements (used to be called compromise agreements) are not acceptable in such circumstances and may put others at risk in the future.

Complaints procedures are separate to the allegations process and just because someone does not wish to make a complaint, this does not mean the allegation should not be considered and investigated.

## 8. Contacting the Essex Duty LADO

The Essex Duty LADO telephone line is open from Monday to Friday (during office hours, excluding public holidays). All calls are managed by an IT system, so when the Duty LADO is engaged in a telephone call you will receive an automated voice message asking you to leave your contact details. Due to the high number of referrals we receive you are strongly advised to leave a message if you do not get an immediate response, as the system places all incoming calls in a queue.

It is also important to note that the Essex LADO does not cover areas located under Southend-on-Sea Borough Council or Thurrock Council.

**Essex Duty LADO number: 03330 139 797**

The above duty line is for allegations made against those who work with children only and is not a general line of enquiry for children's safeguarding.

For child protection enquiries that are not related to an allegation about a professional, please call 0345 603 7627.

For information about Education Safeguards you can go to the [Essex Schools Infolink](#) website.

For allegations relating to the abuse of vulnerable adults, please call 0345 603 7630.