



DARLINGTON

Safeguarding Children Board

Annual Report 2016 - 2017

**Managing allegations and concerns against
staff, carers or volunteers**



1. Introduction

- 1.1. This report is presented to members of the Darlington Safeguarding Children Board to provide information regarding Designated Officer (DO) activity covering 1st April 2016 to 31st March 2017 with regard to managing allegations against staff, carers and volunteers who work with children.
- 1.2. The data included within this report provides an overview of the work of the DO, including timescales and outcomes of cases when allegations are made. The data and information in the report will highlight any trends or gaps and evidence will be provided to show how these issues are being addressed by the DO. The report also includes performance information and identifies areas for future development.

2. The Role of the Designated Officer(s)

- 2.1. Working Together to Safeguard Children 2015 requires Local Authorities to have in place a Designated Officer to be involved in the management and oversight of allegations against people that work with children. The threshold for DO intervention is when there are concerns that an individual who works with children in a professional or voluntary capacity:
 - 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.
- 2.2. The procedures apply equally to situations where the concerns raised are in relation to the care and support provided by the individual to his/ her own children, or those within his/her extended family. In all cases, whether the concerns relate to behaviours at home or within the work place consideration needs to be given to the risk posed to connected children and the need to safeguard them.
- 2.3. It is also essential that concerns for vulnerable adults identified through the allegations management process are shared with Safeguarding Adults Managers.
- 2.4. Darlington Borough Council has two Designated Officers who are based with the Safeguarding Boards business unit, they also undertake the role of Development Officer supporting the work of the Boards. A key benefit of this arrangement has been the greater flexibility and improved accessibility of agencies to liaise with the DO, as either one or both are available on a daily basis. The post is an independent role within the authority, which ensures the DO remains impartial.
- 2.5. Whilst the Local Authority and the Police are charged with particular responsibility for addressing allegations against staff, the process is essentially multi-agency. All agencies are required to follow the DSCB multi-agency procedure and practice guidance for managing allegations against staff and volunteers. The DO is only able to offer advice and guidance to other agencies and not compel them to act in any particular way.
- 2.6. The role of the DO is to provide management and oversight of individual cases where there are allegations against staff, carers or volunteers who work with children from all sectors. Both officers work to ensure advice and information is shared appropriately and consistently

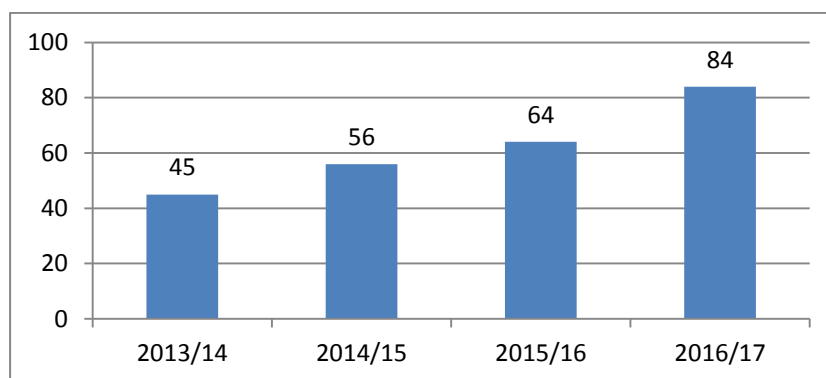
in line with policy and procedure and liaise with any relevant parties, for example, Police, Senior Management within organisations, Human Resources and Ofsted or other Regulatory Bodies. Progress of cases is monitored to ensure they are dealt with as quickly as possible, using a consistent, thorough and fair process.

- 2.7 Both Officers have access to an internal secure database and information is held in line with Information Governance and Confidentiality Requirements and relevant Retention Guidelines.
- 2.8 Clear arrangements are in place to ensure robust oversight and monitoring of the LADO function. This is provided through regular supervision with the Boards' Business Manager to ensure policies are applied consistently and fairly and that all cases are progressed in a timely manner.

3. Key information, trends and analysis of DO activity 1st April 2016 – 31st March 2017

- 3.1 Charts 1, 2 and 3 below provide an overview of the number of referrals received over the last 4 years, in a yearly, monthly and quarterly illustration.

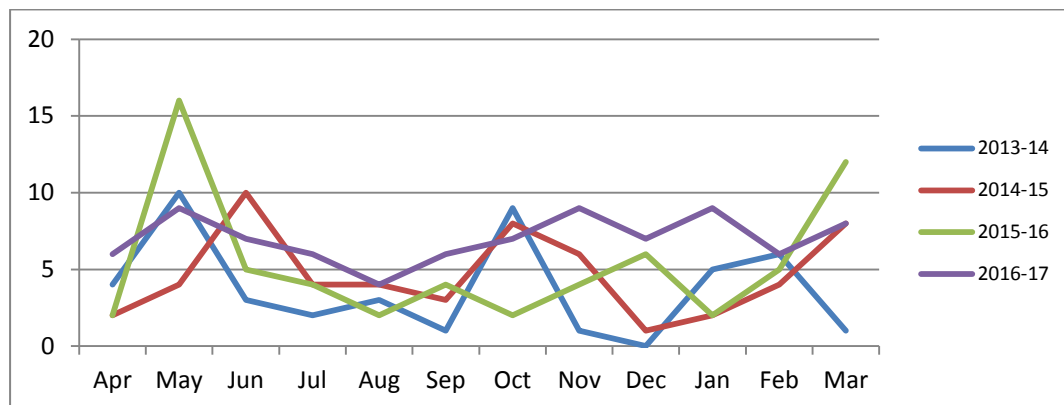
Chart 1: Number of Allegations 2013-2017



- 3.2 Chart 1 above shows the data for the number of referrals received by the DO in the four-year period 1st April 2013 to 31st March 2017. The number of referrals received in this period is 84 this is an increase of 32% on the previous year when 64 referrals were received. There has been a consistent increase in the number of referrals since 2013/14. Of the 84 referrals received about 40% resulted in Initial Evaluation meetings taking place. Meetings take place when it is clear that information sharing would benefit by holding a meeting with relevant agencies, i.e. employer, HR, Children's services and Police, this can be after a strategy meeting has been held or be a standalone meeting. In some circumstances it is appropriate to share information over the phone without the need to convene an initial evaluation meeting.
- 3.3 Whilst it is difficult to precisely identify reasons for the overall increase, it is considered that this is likely to relate to a better understanding as to what is required in respect of reporting, rather than an increase reflecting more instances of abuse and inappropriate behaviour. Training and awareness of the role across different settings has increased over recent years as well as full engagement from settings. Training undertaken has included many of the Children's Residential homes in Darlington and Early Years settings. There has also been an increased awareness following the revisions of Keeping Children Safe in Education, published in September 2016, which highlights responsibility for education settings to report allegations

to the DO. There is also continuous training undertaken by the Education Safeguarding Officer employed by the local authority and the DSCB Multi-agency trainer at the Designated Leads training sessions. Level 3 Safeguarding Children training undertaken by the Multi-agency trainer includes an oversight of managing allegations and when to report.

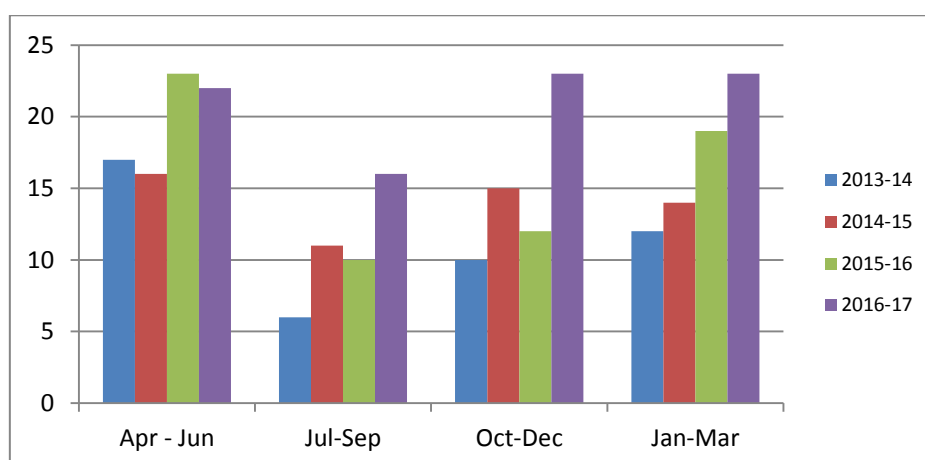
Chart 2: Annual Comparison 2013 to 2017 – Referrals by Month



	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
2013/14	4	10	3	2	3	1	9	1	0	5	6	1
2014/15	2	4	10	4	4	3	8	6	1	2	4	8
2015/16	2	16	5	4	2	4	2	4	6	2	5	12
2016/17	6	9	7	6	4	6	7	9	7	9	6	8

3.4 The figures in chart 2 show that in previous years there were months when there were high number of referrals (May and March), however this year the number of referrals have been consistent across the 12 month period with only August being low, this being the usual trend across all years as it is the summer holiday period.

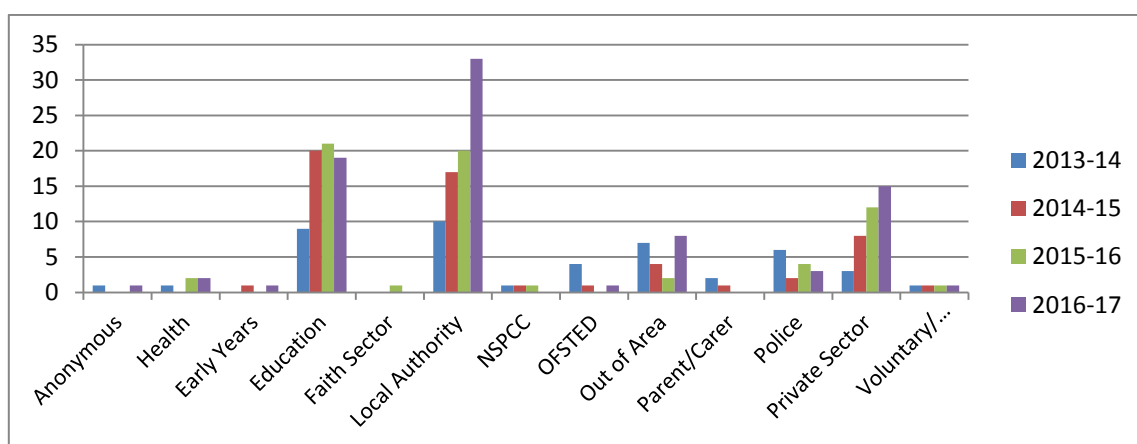
Chart 3: Annual Comparison 2013 to 2017 – Referrals by Quarter



	Apr - Jun	Jul-Sep	Oct-Dec	Jan-Mar
2012/13	7	5	9	9
2013/14	17	6	10	12
2014/15	16	11	15	14
2015/16	23	10	12	19
2016-17	22	16	23	23

3.5 Chart 3 above identifies the number of referrals per quarter. Again quarter 2 (period July to September) is when the lowest number of referrals are received and indicates this coincides with the summer holiday period, the same trend evident in previous years.

Chart 4: Source of Referral 2013-2017



	Anonymous	Health	Early Years	Education	Faith Sector	Local Authority	NSPCC	OFSTED	Out of Area	Parent/Carer	Police	Private Sector	Voluntary/Charitable Sector
2013/14	1	1	0	9	0	10	1	4	7	2	6	3	1
2014/15	0	0	1	20	0	17	1	1	4	1	2	8	1
2015/16	0	2	0	21	1	20	1	0	2	0	4	12	1
2016-17	1	2	1	19	0	33	0	1	8	0	3	15	1

3.6 Chart 4 shows the range and variety of settings/organisations that have made referrals into the DO. The range of settings which have submitted concerns offers some assurance that organisations are aware of their responsibilities to refer to the DO.

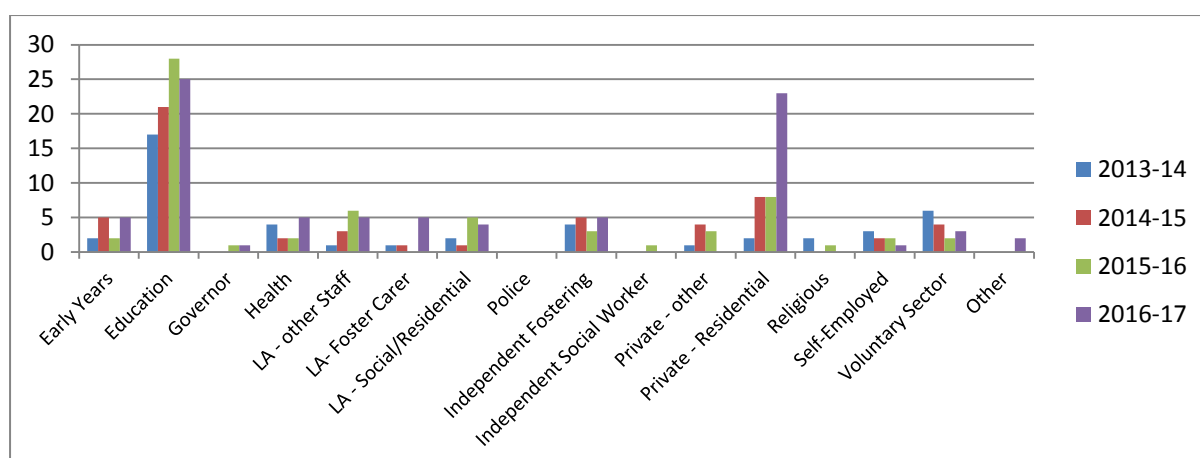
3.7 The highest number received, were from the Local Authority and Education settings who together account for 62% of all referrals received in the reporting period 2016/2017. The next highest being the private sector which covers referrals made by private children’s homes and private fostering agencies (18%). As reflected in previous years the number of referrals for both Police and Health is low, this is likely that the initial safeguarding referral is made direct to the Children’s Access Point (CAP) in the first instance with the Local Authority then informing the DO of the referral.

3.8 Referrals from Education settings remained consistent over the past three reporting periods. This can be attributed to the fact that awareness is ongoing within schools (as identified in paragraph 3.3 above) with support from the Local Authority Education Safeguarding Officer

who continues to deliver training to designated safeguarding leads within education settings. There are also strong links between the Safeguarding Education Officer and the Safeguarding Boards' Multi-Agency Trainer who also works to make sure key messages/themes and awareness about the responsibilities for the management of allegations is embedded in this training.

- 3.9 Referrals from Out of Area continue to be a mix coming direct from Local Authority Children's Services and other Local authority DO's.
- 3.10 Referrals from faith settings continue to remain low, the DO has now established links with a number of Christian faith settings across Darlington and is currently raising awareness. In addition following the announcement from Government that it will be undertaking an Independent Enquiry into Child Sexual Abuse to investigate whether public bodies and other non-state institutions have taken seriously their responsibility to protect children from sexual abuse both the Catholic and Church of England faiths have indicated they will fully engage with the enquiry.
- 3.11 In addition during the reporting period the DO officer was invited to a meeting of the North East Ecumenical Safeguarding Group, where a number of Christian faith settings from across the north east come together, the meeting was arranged to allow interaction and engagement between the different churches and the local DO's to share an understanding of the safeguarding roles and responsibilities within each church and the cross border issues faced as well as to raise awareness of the DO role. It was agreed a booklet will be developed explaining the safeguarding roles within each of the churches along with the relevant safeguarding contact details. It is anticipated this will be on an annual basis to continue the engagement and increase awareness.
- 3.12 In the next reporting period the DSCB will be undertaking the Section 11 audit (Section 11 of the Children Act 2004), which is undertaken to seek assurance from its key statutory partners that they have robust safeguarding arrangements in place and it has been agreed this year to extend this to voluntary and faith groups. The findings from the audit will be reported back into DSCB.
- 3.13 Discussions continue regionally with other DO's around establishing links with groups such as local Muslim societies are much harder to forge, creative and innovative ways need to be found to make such links possible.

Chart 5: Allegations by Staff Groups 2013-2017

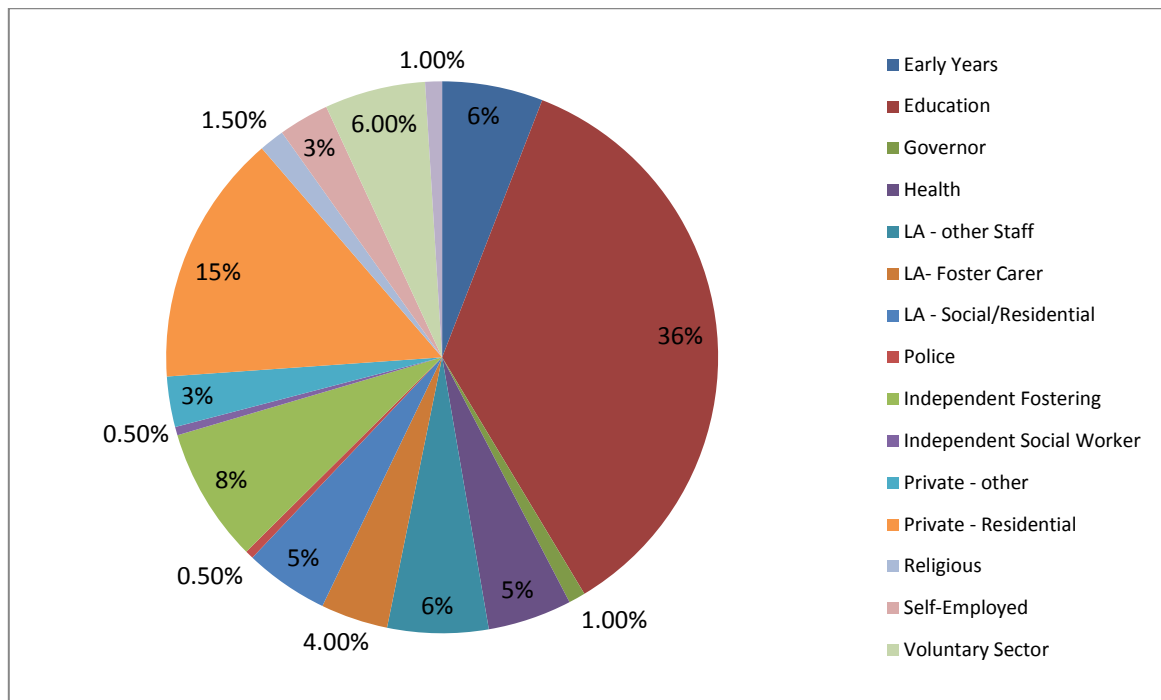


	Early Years	Education	Governor	Health	LA - other Staff	LA- Foster Carer	LA- Social/Residential	Police	Independent Fostering	Independent Social Worker	Private - other	Private - Residential	Religious	Self-Employed	Voluntary Sector	Other
2013/14	2	17	0	4	1	1	2	0	4	0	1	2	2	3	6	0
2014/15	5	21	0	2	3	1	1	0	5	0	4	8	0	2	4	0
2015/16	2	28	1	2	6	0	5	0	3	1	3	8	1	2	2	0
2016/17	5	25	1	5	5	5	4	0	5	0	0	23	0	1	3	2

3.14 Chart 5 illustrates the number of referrals made for the types of staffing groups across the various settings. Some staffing groups are illustrated together for example, Local Authority Social Work and Residential Staff.

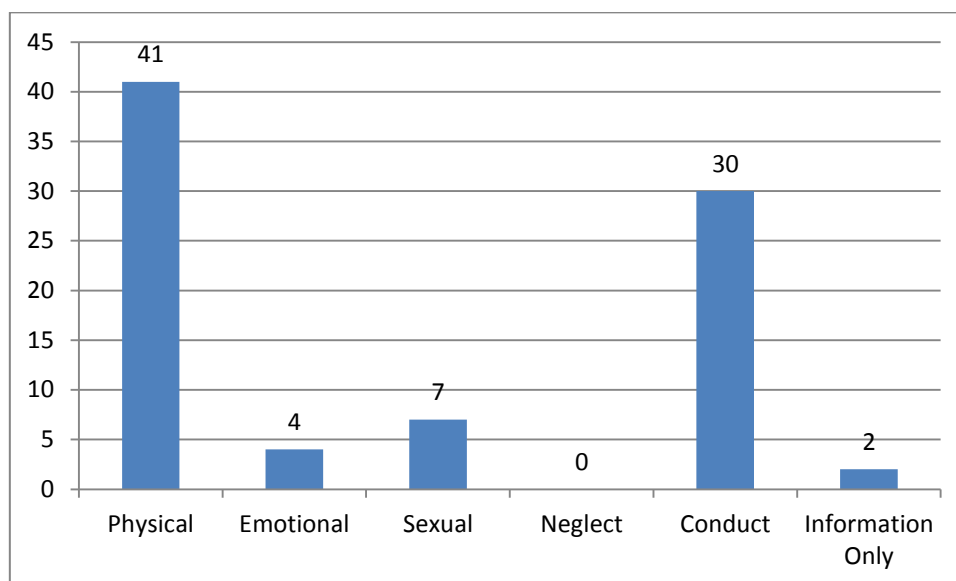
3.15 Some assurance can be offered from the figures shown in chart 5 that referrals are made to the DO across all roles and settings, inclusive of whether paid staff, carers or volunteers as outlined within national guidance.

Chart 6: Allegations by Staff Groups 2013 to 2017



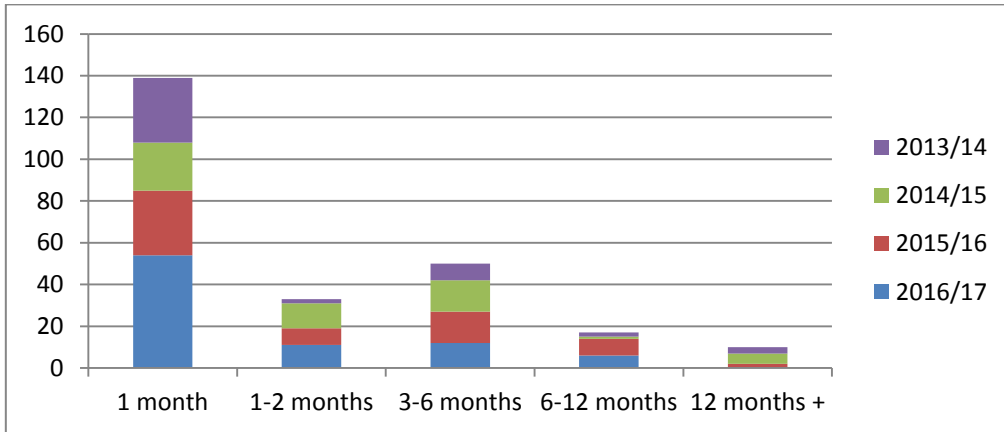
3.16 The highest numbers of reported concerns collectively over the full 4 year period are for Education Settings at 36% as identified in Chart 6, which corresponds with paragraph 3.4 above. Private residential settings account for the next highest at 15%, this is a significant increase of 187.5% over the four year period. This may be attributed to both these sector's undertaking restraints and a high proportion of allegations often follow as a result of a young person being restrained.

Chart 7: Allegations by Category 2016 - 2017



- 3.17 Chart 7 demonstrates the number of allegations received in Darlington by category in 2016/17, the highest being for physical abuse, this accounts for 49%, with conduct at 36% and sexual at 8% of total allegations. There is an 8% increase for allegations relating to physical abuse on the previous year this may be attributed to referrals relating to domestic violence which are included within this category, these incidents occur in their private life as opposed to the work setting. Of the 41 referrals received for physical abuse 17 were from education, 13 from Children’s Residential Homes and the remainder settings such as foster carers and early years’ providers. Of the 17 linked to schools, 2 were substantiated which resulted in either dismissal or other internal disciplinary procedures being applied. Of the remainder, 3 were unfounded and 12 unsubstantiated, these resulted with no further action being taken for the majority, two resignations and one management advice provided. Of the 13 from Children’s residential homes all were either unfounded or unsubstantiated and no further action was taken (see chart 9 for total outcomes for cases).
- 3.18 Allegations relating to conduct has increased by 114% on the previous year and sexual abuse has decreased by 42% on the same period. There appears to be no pattern to these variations, however the increase in allegations relating to conduct may be as a result of engagement with settings and a higher number of contacts to the DO for advice and guidance when social care or police involvement is not required and issue dealt with by internal disciplinary processes.

Chart 8: Timeliness of Cases 2013- 2017

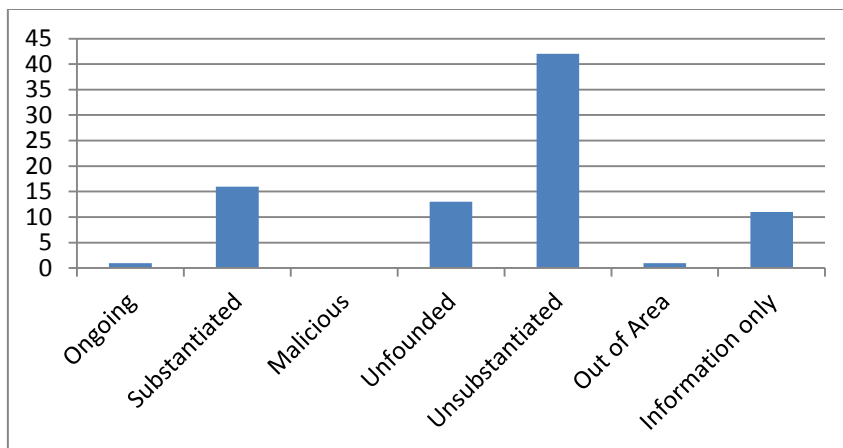


3.19 Chart 8 illustrates the timeliness of cases to be progressed to conclusion. Timelines vary considerably depending on the nature of the allegation, the setting and how effectively any internal investigation can be managed by the setting. It should be noted that timeliness relate in part to a range of involvement and engagement with other agencies, for example, liaison with Employers/Human Resources, Police, etc. In 2016/2017 – 64% of all cases were closed within 4 weeks, in comparison to 48% in 2015/2016.

3.20 A significant amount of the DO role is focussed on following up the progress of cases and following up on outcomes from agreed actions. Some agencies are better at updating the DO than others. There is a lack of consistency in relation to this and efforts are being made through training and information cascades to ensure that agencies have a greater appreciation of this.

3.21 For the reporting period 2016/2017 of the 6 DO referrals which have exceeded 6 months, reason for not closing sooner are due to criminal/internal investigation or disciplinary panel. There is only 1 case from this period which currently remains open as Police investigations are ongoing.

Chart 9: Outcomes for Cases in 2016-2017



3.22 Chart 9 above shows a broad range of outcomes for cases during 2016-17. Of all cases received, a total of 83 (99%) have concluded, 1% are ongoing due to police investigations.

- 3.23 Definitions for determining the outcome of an allegation are taken from DfE Guidance – Keeping Children Safe in Education (September 2016):
- **Substantiated** – there is sufficient evidence to prove the allegation
 - **Malicious** - there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive.
 - **Unfounded** – No evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw, alternatively they may not have been aware of all the circumstances.
 - **Unsubstantiated** – there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.
- 3.24 During the period 2016 – 2017 50% of cases had the outcome of being unsubstantiated with the majority of these being identified as requiring no further action after initial consideration. Those cases identified as substantiated (19%) are where individuals have either been convicted, de-registered or dismissed through disciplinary processes, the role of the DO is to ensure that processes are applied fairly and consistently across all instances. An additional category of information only has been included for cases where it has not met the threshold for DO intervention, however the concerns were of a nature that it was deemed appropriate to share information and discuss action with employer.
- 3.25 In addition to the 84 referrals received, a further 53 contacts were made to the DO in 2016/2017 either by telephone contact or via e-mail, this is a 51% increase on the previous year. For all these 53 instances, the threshold for DO intervention was not reached however, advice and guidance was offered. These cases can often result in extended guidance and support from the DO and may therefore require as much time as a formally investigated case.

Allegations made by young people following the use of restraint

- 3.26 As identified in paragraph 3.15 the DO noted that the numbers of allegations being made by children/young people either following or during a physical intervention has increased, this correlates with the previous year. As a result of this, discussions have taken place with settings and the DO has identified a standard set of recommendations for agencies to follow, it is recommended they should report all interventions to the DO when:
- The young person or a representative is clearly making a complaint about an intervention;
 - There is an injury sustained that is more than minor from a hold (minor would usually refer to reddening of the skin which would disappear after an hour or so). However, it is accepted that children sometimes struggle when restrained and that grazing to areas of the body such as knees may occur, such grazing should again be minor in nature and akin to a friction burn.
 - Where a staff member raises a concern about an intervention.
- 3.27 Settings should also make a referral into the relevant local authority in respect of any allegations hitting the criteria above or advice given to do so and should refrain from undertaking any internal investigation until appropriate advice given (in case of potential police investigations).
- 3.28 The DO monitors the instances of referrals following physical restraint within settings and when the number of allegations within a setting increases the DO analyses the information to

establish whether the use of restraint is proportionate and appropriate. The DO will work directly with the safeguarding lead within the setting to address to establish whether correct procedures have been followed and appropriate de-escalation and positive handling techniques used to reduce the risk of harm to the young person or to other young people and staff within the setting and/or damage to property. The DO will work with the setting on providing advice and guidance to support the setting on reducing the number of allegations following intervention going forward.

4. Designated Officer Activity 2016-17

- 4.1 The DO has continued to focus on raising awareness across different partnerships and settings about the statutory arrangements for the management of allegations against staff who work with children. Since 2014/15 the DO has undertaken thirteen awareness raising sessions with groups and or settings, four sessions were undertaken during 2016-17 period. Requests for this specific training are on the increase. Training remains a vital part in ensuring referrals are made and advice is sought from the DO when appropriate. This is in addition to the training delivered by the Safeguarding Boards' Multi-Agency Trainer and Education Safeguarding Officer.
- 4.2 The DO is also responsible for responding to requests by the Disclosure and Barring Service, Freedom of Information agencies or individuals requesting DO strategy minutes. Minutes are redacted by the DO and then approved by the Local Authority Solicitor and Information Governance Officer to ensure information shared is in line with Data Protection and information sharing protocols.
- 4.3 The DO is occasionally contacted by Ofsted Regulatory Inspector's when undertaking their statutory reviews within education or residential settings to establish if the DO has any safeguarding concerns that should be addressed. If any issues have arisen this is shared with the Inspector. The DO can also liaise with Ofsted inspectors when there are concerns relating to either a child-minder or an early years provider. During 2016-17, the DO was contacted on seven occasions by Ofsted for information.
- 4.4 The DO has been involved with developing the procedures for managing allegations against people in a position of trust working with adults who have care and support needs, this procedure will be published next year.

Regional LADO Network

- 4.5 The North East Regional DO Group continues to meet on a quarterly basis, this is made up of DO's from Stockton & Hartlepool, Middlesbrough, Redcar and Cleveland, North Yorkshire, Northumberland, Tyne & Wear and Sunderland. This forum provides invaluable support and learning for DO's and discusses developments within the role and share best practice. The group has also increased the strength of local links and sharing of information as promoting good cross border co-operation so that there is joined up working practices. A national LADO conference takes place annually and although the DO has been unable to attend, information is shared amongst the regional group. At the last conference held in March 2017 the conference included workshops on The role of the CPS in the Criminal Justice System, NSPCC Child Protection in Sport, Disclosure and Barring Service, Research in Practice – Risk, resilience and relationships: safeguarding young people; Bail restrictions and impact upon the POT process and a survivor story.

- 4.6 Work is currently ongoing to establish a set of National LADO standards, this is welcomed by the regional LADO group as it is felt there is currently insufficient guidance to support the LADO role and a national standard would support the role providing a minimum standard of practice. The standards will also be provided to Ofsted and the Department for Education and could be used as a set of minimum requirements for Allegations Management process against which LADO's can be inspected.

5. Planned Activities/Developments in 2017/18

- Will continue to raise awareness of the role via a range of media throughout the forthcoming year.
- Will continue to engage with the Safeguarding Boards' Multi-Agency Trainer and Safeguarding Education Officer (Local Authority) in relation to the continual rollout of Designated Safeguarding Lead Training and any subsequent Train the Trainer programmes in place.
- Will continue to work to forge links with faith settings other than Christian across Darlington and the North East.
- Liaise with police in relation to any historical allegations that may come as a result of The Independent Inquiry into Child Sexual Abuse.
- Will continue to maintain accurate records of referrals, decision making and outcomes, monitor data and identify any themes that emerge and feed these into training.
- Will remain informed of local, regional and national practice and any legislative changes.
- Will continue to develop recording practice with systems development for future report outputs
- Develop a safer recruitment guidance to offer further support and guidance to settings.
- Provide feedback on National LADO standards when finalised and seek approval from DSCB and Legal Services.
- Review and update the procedure for Managing Allegations and concerns against staff, carers or volunteers and seek approval via the DSCB Practice Development and Procedures sub group.
- Review and update Guidance for staff facing an allegation.
- Planned training events with Designated Safeguarding Leads within Education Settings, Foster Carers, Residential providers both local authority and private.

6. Recommendations

Members are asked to:

- Agree this annual report;
- Agree its publication on the DSCB website;
- To consider how they will continue to promote the role of the DO within their own organisation.

7. References

[Working Together to Safeguard Children March 2015](#)

[Keeping Children Safe in Education September 2016](#)

[Guidance for Staff facing an allegation 2014](#)

[Guidance for Safer Working Practice October 2015 – Safer Recruitment Consortium](#)

8. Author

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