Marlfields Primary Academy
Managing Allegations of Abuse against a Person Who Works with Children Policy (V2)

The Managing allegations of abuse against a person who works with children policy in respect of the Children First Learning Partnership has been discussed and adopted by the Directors Board March 2026	
Chair of Board:	*Mrs N Chell*
Responsible Officer:	*CEO – Mrs A Rourke*
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ALLEGATIONS OF ABUSE MADE AGAINST A PERSON WHO WORKS WITH CHILDREN

1. These procedures are intended to provide guidance relevant to a wide range of situations in which an allegation or concern arises about the conduct of a person who 'works' with children. Reference to children within this document is intended to include anyone who has not yet reached their 18th Birthday.

   For the purposes of these procedures the definition of 'work' is significantly widened and intended to include the following:

   - Those in paid employment, including temporary, casual, and agency staff.
   - Individuals undertaking unpaid voluntary work.
   - Individuals who are self-employed and work directly, or are contracted to work, in the provision of services to children.
   - Prospective adopters, or adult members of their household (standard 22 Adoption: national minimum standards July 2014)

   A useful test for deciding upon the applicability of these procedures is to consider whether the individual subject to the allegation or concern occupies a position of trust – in that sense this potentially includes a broad range of scenarios whereby children may be abused by adults who seek, through work activity, to exploit their position of power and trust.

2. These procedures are principally underpinned by the following key documents:

   - Working Together to Safeguard Children (2023),
   - Keeping Children Safe in Education (KCSE) – Statutory guidance for schools and colleges (September 2025)
   - Fostering Services: National Minimum Standards - standard 22 (2011)
   - Adoption: national minimum standards - standard 22 (2014)

   Relevant additional regional guidance, applicable where there are Cross-Border issues, also informs these procedures.

3. The statutory guidance contained within Working Together to Safeguard Children (2023) mandates local authority children's services to provide a Designated Officer (DO) who should be involved in the management and oversight of individual cases and undertake other complimentary activity to ensure that cases are dealt with as quickly as possible, consistent with a thorough and fair process. The Local Authority Designated Officer (LADO) has been retained. The Local Authority Designated Officer (LADO) must be consulted when there are concerns or an allegation that a person in a position of trust working 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.

   (Working Together to Safeguard Children 2023)

   The issues in regard to the third bullet point, whether a person has behaved in a way that indicates they may pose a risk of harm to children, may relate to a specific act, or an accumulation of concerns, including behaviours

occurring outside of the workplace which invite a judgement in respect of the compatibility of such behaviours with their 'work' role.

4. If the person in a position of trust works with children in a different local authority, the referrer must contact the Designated Officer for allegations in that authority. In case of difficulty, the Local Authority Designated Officer (LADO) should be able to provide contact details.

5. The role of a Local Authority Designated Officer (LADO) is critical to these procedures, as are other designated roles referred to below, and as such there is an increasing tendency to refer to the management of allegations against people who work with children as the 'LADO process'. This should not, however, distract from the critical responsibility for all agencies to establish their own robust procedures and systems which are consistent with the requirements and guidance provided within this document.

6. Concerns or allegations about the behaviour of an adult in the children's workforce may arise in a number of different ways. For example:

   - An allegation made directly by a child or parent/carer.
   - An allegation made by a colleague or member of staff.
   - Information from the police or children's social care e.g. information arising from child protection enquiries about a worker's own children (see para.69).
   - Information from a third party or member of the public.
   - Information disclosed anonymously or online.
   - Concerns generated through an employment relationship.

7. For the purposes of this guidance, reference to 'employer' is intended to relate to any individual, organisation or agency that has a 'working' relationship with the person against whom the allegation is made. This is an intentionally broad use of the term, intended to include organisations that use the services of volunteers or people who are self-employed, as well as service providers, voluntary organisations, employment agencies or businesses, contractors, fostering and adoption services and agencies, regulatory bodies such as Ofsted in the case of child-minders, and others that may not have a direct employment relationship with the individual, but will need to consider whether to continue to use the person's services, or to provide the person for work with children in future, or to de-register the individual. All subsequent references to 'employer' in this guidance should be interpreted in the above manner.

All Agencies' Responsibilities

Differentiating between allegations, complaints and concerns:

8. Complaints are generally expressions of dissatisfaction or concern that might relate to the care of the child(ren), the interactions of adults in the organisation with family, or aspects of the adult's conduct which do not reach a threshold of 'harm' to a child. Often complaints can be resolved informally by people coming together and sorting things out. These situations will most likely sit at the less serious 'expression of concern' e.g. matters relating to appropriate discipline such as a detention in a school, or a foster carer / residential worker imposing particular sanctions (such as withholding pocket money).

   More serious complaints that cannot be resolved informally may need to be responded to according to the organisations own Complaints Policy.

When a child or young person is allegedly not being adequately cared for or is being harmed by an identified adult who is working in a position of trust, then the matter will need to be treated as an allegation of abuse or neglect and the referral process referred to in this document must be followed.

9. All employers should have a specific procedure in place for dealing with any concern relating to a person who 'works' with children. The procedure should be clearly understood by all those who are 'employed' and it should feature prominently in staff induction, training, and commissioning arrangements. It should also reflect core principles which evidence a commitment to:

    - maintain the interests of the child as paramount;
    - be appropriately supportive to the worker who is subject to the allegation/concern;
    - seek as early a resolution as is possible, subject to a thorough and fair process;
    - maintain and promote a safer recruitment and safer care culture.

10. As organisations will need to take professional judgments to differentiate between concerns, complaints and allegations, it is recommended that every organisation has separate internal procedures for dealing with the lower-level concerns. Advice can always be sought from the organisation's senior allegations manager (see below) and/or Local Authority Designated Officer (LADO) when it is unclear whether the concern being expressed reaches a threshold of 'harm' or 'risk of 'harm' to children.

11. A key element of an organisation's allegations procedure should be the identification of a named Senior Manager (SM) to whom all allegations should be reported. This role is referred to as Case Manager in statutory guidance for schools and Further Education (FE) colleges (Keeping Children Safe in Education 2024).

    Where the responsibilities of the Service Manager (SM) are to be delegated then this should be clearly detailed in the organisation's internal procedures both in terms of arrangements and identity of relevant individuals. The procedure should also provide guidance to cover situations whereby an allegation is made, or concern arises, in respect of the Service Manager (SM).

12. The procedure MUST emphasise that allegations that potentially satisfy the criteria set out in para. 3 should be notified to the duty Local Authority Designated Officer (LADO) by the Senior Manager (SM) within 24 hours so that an initial discussion maybe undertaken.

13. It is to be noted that for Her Majesty's Youth Offending Institute HMYOI Werrington these procedures are supported by an additional operational protocol reflecting the specific nature of that establishment in terms of the powers and responsibilities of Prison Officers.

The role of Cheshire East Local Authority Designated Officer (LADO)

14. Cheshire East Safeguarding Children Partnership are responsible for meeting the statutory requirements in relation to the function of the Designated Officer for Allegations. The Local Authority Designated Officer (LADO) should be informed when the subject of the allegation works within Cheshire East Local Authority borders. If the subject of the allegation lives in Cheshire but works within another local authority, the lead Local Authority Designated Officer (LADO) would normally be the Local Authority Designated Officer (LADO) in the authority where the subject works – see cross border issues section 70. The Local Authority Designated Officer (LADO)

does not have investigative powers. The core expectations of the Local Authority Designated Officer (LADO) are to :

- provide advice and guidance to employers and facilitate an initial discussion.
- liaise with the police and other relevant agencies.
- monitor the progress of cases to ensure they are dealt with as quickly as possible, consistent with a thorough and fair process.
- seek to resolve any inter-agency issues.
- collect strategic data for the purposes of periodic reporting to the SSSCB and Department of Education (DfE).

15. In terms of the Local Authority Designated Officer's (LADO's) contribution to the allegations management process they may, where appropriate:

- attend, or provide other appropriate contribution to section 47 strategy meetings.
- convene a Position of Trust (POT) meeting (other local authorities may refer to this as a joint evaluation meeting) with the employer and other relevant parties in circumstances whereby a strategy meeting is not appropriate but concerns still need to be considered fully.
- agree an internal course of action to be followed when appropriate e.g. disciplinary investigation.
- facilitate communication with relevant regulatory bodies, e.g. Ofsted, Health Care Professions Council (HCPC), National College of Teaching and Leadership (NCTL), Disclosure and Barring Service (DBS).
- bring about the involvement of other key individuals/agencies, e.g. sports sector governing bodies.
- undertake liaison with other Local Authority Designated Officer (LADO's) where cross border issues exist.
- seek to ensure that the appropriate actions have been taken following the conclusion of an investigation, e.g. referral to the Disclosure and Barring Service.

Referring an allegation

16. Some allegations are so serious as to require immediate referral to the police and/or Cheshire East Safeguarding Partnership. In other cases, 'Working Together to Safeguard Children' (2023) states that the Local Authority Designated Officer (LADO) must be informed within one working day of the allegation/concern being raised. (paras. 55/56).

17. Contact details for Cheshire Police, Cheshire East Safeguarding Partnership and duty LADO are:
    - Cheshire East Consultation Service (CHECS): 0300 123 5012 (Option 3, Option 2)
    - Emergency Duty Team (Out of Hours): 0300 123 5022
    - Family Help Front Door: 0300 123 5012 (Option 3, Option 1)
    - Local Authority Designated Officer (LADO): 01270 685904 / 01606 288931
    - Cheshire Police - 101

18. Cheshire social workers undertaking section 47 enquiries about parents who themselves are also working in a position of trust with children, or completing social work assessments on an open case, can contact the duty LADO directly.

Cheshire East Fostering Teams may also use the same process. The supervising social worker for the foster carer(s) must ensure that the social workers for the children in the placement are advised about the concerns and inform the Local Authority Designated Officer (LADO) of the identity of the relevant social workers.

19. For referrals which require a response outside of normal working hours (including week-ends and Bank Holidays), then advice should be sought from:

    - Emergency Duty Team (Out of Hours): 0300 123 5022

20. It is important that, at the point of referring an allegation or concern, all available information relevant to the matter is provided so that appropriate evaluation can be undertaken. This will include name, address and date of birth of the adult subject of concern, and, when identified, the child.

21. The police have a responsibility to designate officers who will:
    - liaise with the Local Authority Designated Officer (LADO).
    - take part in strategy meetings/discussions.
    - review the progress of cases in which there is a police investigation.
    - share information as appropriate, on completion of an investigation or prosecution.

The Initial Discussion

22. The purpose of the initial discussion is for the duty Local Authority Designated Officer (LADO) and the senior manager for allegations/case manager (or delegated referrer) to consider the nature, content, and context of the allegation, and to agree an appropriate course of action. This should take place without delay and in any event within 24 hours of the allegation/concern arising.

23. The senior manager/case manager/referrer should ensure they have sufficient detail about the circumstances of the allegation and have relevant additional information such as any previous history of allegations/concerns relating to both the child and the adult.

24. This initial sharing of information may conclude that the specific criteria set out in para. 3 are not met. In these circumstances the organisation will need to deal with the matter as per their 'concerns' or 'complaints' procedures as appropriate. There will be no further involvement by the Local Authority Designated Officer (LADO).

25. In all situations where the initial discussion concludes that one or more of the relevant thresholds are potentially met, then there will be three possible scenarios:

    a) a police investigation of a possible criminal offence.
    b) enquiries and assessment by children's social care about whether a child or young person is in need of protection or in need of services.
    c) consideration by an employer of disciplinary action in respect of the individual.

    These scenarios are not mutually exclusive and may exist singularly or in combination.

    In planning and deciding upon the specific actions which will require undertaking, the duty Local Authority Designated Officer (LADO) will also provide advice in respect of a range of additional considerations which will require careful judgment. For example:

    - the use of suspension.

- possible risks to other children (e.g. the individuals own children or other children accessing activities which are linked with the individual in other settings such as scout leader or sports coach).
- advice about informing the parents/carers of the child making the allegation and for establishing appropriate levels of support.
- arrangements for informing the individual who is the subject of the allegation/concern and establishing appropriate levels of support.
- the anticipation of any media interest and managing confidentiality issues.
- setting timescales (where possible) for key actions.

Where the initial discussion establishes that there is cause to suspect that a child is suffering, or is likely to suffer significant harm (s47 threshold – Children Act 1989), then the referral will be processed through Cheshire East Safeguarding Children Partnership and an inter-agency investigation and assessment will be initiated.

Inter-Agency Investigation and Assessment

26. Where the initial discussion concludes that the s47 threshold (significant harm) may have been met, then the initial management of any allegation/concern will be driven by the agreed planning and recommendations arising from a Strategy Discussion which may take the form of a meeting or series of meetings (see Cheshire East Safeguarding Children Partnership Inter-Agency Procedures).

27. While initial strategy discussions will inevitably take place within 24 hours of the referral being received by children's social care, the convening of any subsequent strategy meeting should take place as soon as practicable (within 7 working days of the referral) whether or not immediate action is necessary to protect a child and to secure evidence. The relevant Safeguarding Team Manager in children's social care should ordinarily take primary responsibility for convening and co-ordinating established arrangements for the strategy discussion/meeting. Where there are specific additional concerns, e.g. around complexity and/or seniority of the adult who is subject to the allegation/concern, then the relevant head of service may be required to make a judgment about who should chair the discussion/meeting.

28. In circumstances in which a strategy discussion/meeting is convened it will be necessary to recognise that the primary focus of concern is the child. However, it also necessary to recognise that in these situations information will need to be considered and judgements made, in respect of the adult who is the subject of the allegation/concern. It will therefore be important that invites are also extended to all the relevant individuals and organisations appropriate to the management of the allegation (e.g. HR, Ofsted).

29. It is recommended that as far as is practicable, the strategy meeting/discussion separates out discussion so that the contribution of individual attendees is relevant to their role and responsibilities, and so that the parameters to confidentiality are maintained. For example, where the 'line manager', Human Resources (HR) representative, or similarly responsible individual is not connected with the provision of services to the child, then it is likely to be inappropriate for them to be privy to the sensitive and personal information which other agencies may need to share and discuss. However, they will almost certainly be required to make contribution to the discussion of information which will inform the recommendations and actions relating to the adult. The minutes of these meetings should clearly record how confidentiality issues were discussed and resolved where relevant.

30. Where possible and practicable, and where there exists clear added benefit, a Local Authority Designated Officer (LADO) should either attend or make other appropriate contribution to the strategy discussion/meeting (e.g. advice to the Chair).

31. It is also important that any outstanding considerations which were not confirmed during the initial discussion are further discussed and appropriate actions agreed.

32. Minutes of strategy meetings should be structured to reflect the clear separation between the concerns and actions in regard to safeguarding the child, and the personal details and issues pertaining to the adult in a position of trust and their work with children. Minutes should therefore have a Part A and Part B – with Part B pertaining to the adult who is in a position of trust. Only Part A should be retained on the child's record. There should be a cross reference on the child's file to the Local Authority Designated Officer (LADO) records where Part B will be retained (see Record Keeping para 47).

33. Where the matter requires a police investigation, it is recommended that the police seek to obtain consent at the outset from the individuals concerned to share their statements and evidence they obtain with the employer for disciplinary purposes. A similar recommendation is made in respect of information that may be obtained by children's social care in the course of their enquiries so that the time required establishing any disciplinary case can be minimised.

34. Employers must consider carefully whether the circumstances of a case warrant a person being suspended from contact with children or whether alternative arrangements can be put in place until the allegation or concern is resolved e.g. duties where they do not come into contact with children. There are cases when the decision to suspend without appropriate consultation with other agencies may impede a police investigation (e.g. by providing an early alert to an individual who may then have opportunity to destroy evidence). Therefore, the employing organisation should, when possible, seek Local Authority Designated Officer (LADO) advice before suspending an individual about whom there is to be a criminal investigation. The Local Authority Designated Officer (LADO) must always be informed if a person in a position of trust working with children is suspended from duty for safeguarding reasons.

    Suspension from duty should be considered in any case where:

    - there is cause to suspect a child is at risk of significant harm; or
    - the allegation warrants investigation by the police; or
    - is so serious that it might be grounds for dismissal.

    A potentially useful risk assessment tool to assist employers in making judgments about suspension is included within the appendices.

35. If the decision is made to suspend the worker, even as a 'neutral act' to protect all parties, it should be done with a recognition of the need to establish appropriate arrangements to support the individual while the case remains on-going. The worker should be advised to contact their trade union or professional association where this is relevant, and in all cases the employer should strive to ensure updates about progress and likely timescales for investigation and other actions are provided regularly. It is recommended that a named contact person is provided wherever possible to facilitate an effective communication arrangement.

Position of Trust Meeting

36. In situations where the threshold for s47 child protection enquiries are not met, it may be appropriate for the Local Authority Designated Officer (LADO) to convene a 'position of trust' meeting and invite the employer and other relevant agencies, which could include police and children's social care. This would be in cases such as there being no identified child but considerable concerns about the conduct of the adult in a position of trust e.g. allegations about downloading indecent images of children, historical abuse allegation, adult being the perpetrator of violence towards other adults, high level substance misuse, significant mental health issues having a potential impact on fitness to practice, multiple employers. The purpose of the meeting will be to evaluate the level of concern and to decide whether further disciplinary investigation is required and if any additional actions (eg. suspension if not already considered) are necessary. The decision to convene such a meeting should be in recognition of the clear added value in doing so.

37. Minutes from these meetings will be retained by the Local Authority Designated Officer (LADO) service. Other agencies must retain copies of such minutes in a confidential manner, and they should not be appended without permission to an electronic record of a child's file (also see para 33).

38. Evaluating the level of concern emanating from any allegation is an important precursor to determining whether a person poses a risk of harm if they continue working with children. This issue can be complex and is considered further in paras 50-53.

Timescales

39. It is in everyone's interest to resolve cases as quickly as possible consistent with a fair and thorough investigation.

40. Where the initial consideration decides that the allegation does not appear to involve a possible criminal offence, it will be for the employer to deal with it, although guidance from Local Authority Designated Officer (LADO) should be taken. If the nature of the allegation does not require formal disciplinary action, the employer should institute appropriate action within three working days (e.g. 'expectations meeting', arrangements for additional training, etc).

41. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 15 working days.

42. Local Authority Designated Officer The (Local Authority Designated Officer) LADO should review all cases at not less than 4 weekly intervals, and more frequently where there exists particular complexity. It is an expectation that where applicable the police officer provides the Local Authority Designated Officer (LADO) with regular updates in respect of any on-going police investigation.

43. If the strategy discussion or initial assessment decides that a police investigation is required, the police should also set a target date for reviewing the progress of the investigation and consulting the Crown Prosecution Service (CPS) about whether to:

- charge the individual;
- continue to investigate; or
- close the investigation

Record Keeping

44. Record keeping by agencies is an integral part of all safeguarding processes. It is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is retained, usually on the personnel file. However, organisations must have regard to sector guidance when keeping records about allegations.

45. Records should be kept and maintained at every stage of the process thus ensuring decisions are made on full, accurate and up to-date information and the rationale for those decisions can be traced, scrutinised and justified where necessary. Records should be secured in a confidential manner.

46. Clear and comprehensive records will:

I. enable accurate information to be given in response to any future request for an employment reference (employers must have regard to sector guidance and Human Resources (HR) advice in this regard);
II. provide clarification in cases where a future Disclosure and Barring Service (DBS) disclosure reveals information from the police that an allegation was made but did not result in a prosecution or conviction;
III. prevent unnecessary re-investigation if an allegation resurfaces after a period of time; and
IV. be an essential part of any necessary referral to the Disclosure and Barring Service (DBS) or other regulatory bodies.

47. Irrespective of sector requirements, the Local Authority Designated Officer (LADO) will retain a record to show how the allegation had been investigated, and the rationale for the recorded outcome. Accurate record keeping and retention allows for patterns of behaviour which may pose a risk to children to be identified. The retention of these records has regard to the statutory guidance and the Cheshire East County Council (SCC) record retention schedules.

48. Cheshire Local Authority Designated Officer (LADO) service is additionally required to provide periodic data returns to Cheshire East Safeguarding Children's Partnership and the Department for Education.

49. Requests from the subject of concern for the minutes of a position of trust or strategy meeting must be referred to the chairperson of the strategy and/or position of trust meeting. Certain redaction may be required in order to protect children or other vulnerable parties. Advice will be taken from the Information Governance department when appropriate.

50. Requests from employing organisations to share the minutes of strategy and / or position of trust meetings within formal disciplinary or review procedures must be referred to the chairperson of the relevant meetings for discussion and agreement about what may be shared in this forum.

Risk of Harm

51. It will be necessary with some allegations or concerns to make a careful judgment when the concern is that a person has:

- behaved towards a child or children in a way that indicated they may pose a risk of harm to children

52. In the 2010 version of 'Working together to Safeguard Children' guidance, this criterion referred to 'unsuitability' of working with children. This terminology remains in use within standard 22 of the Adoption Minimum Standards (2014) and standard 22 of Fostering Services National Minimum Standards (2011). This allows for consideration of events or concerns which arise outside of the workplace. For example, has a person in a position of trust working with children:

- contravened or has continued to contravene any safe practice guidance given by his/her organisation or regulatory body;
- exploited or abused a position of power;
- acted in an irresponsible manner which any reasonable person would find alarming or questionable given the nature of work undertaken;
- demonstrated a failure to understand or appreciate how his/her own actions or those of others could adversely impact upon the safety and wellbeing of a child;
- demonstrated an inability to make sound professional judgments which safeguard the welfare of children;
- failed to understand or recognise the need for clear personal and professional boundaries in his/her work;
- behaved in a way in his/her personal life which could put children at risk of harm;
- become the subject of criminal proceedings not relating to a child but which may indicate risk to children e.g. assault, domestic violence, sexual offences against adults;
- become subject to enquiries under local child protection procedures; or
- behaved in a way which seriously undermines the trust and confidence placed in him/her by the employer.

52. Where there is no criminal conviction (or caution) then it will be necessary to make judgments on the basis of the 'balance of probabilities'. Great care should be exercised in evaluating all the available information and a specialised assessment of the adult's behaviour should be commissioned by the employer when it is the view of the Local Authority Designated Officer (LADO) and other professionals that this is required or desirable in order to assess any risk posed to children.

Action on Conclusion of a Case

53. Where an allegation or concern has required investigation by the Police and/or children's social care, then it is necessary to ensure that the outcome of these processes appropriately informs subsequent actions.

54. The police should inform the employer and the Local Authority Designated Officer (LADO) as soon as a criminal investigation and any subsequent trial are concluded, or if a decision is taken to close an investigation without charge. The Local Authority Designated Officer (LADO) should then record this decision and discuss with the employer whether any further action is required and, if necessary, how to proceed.

55. Following the conclusion of relevant investigatory activities it will be necessary to decide upon an outcome. Current national guidance relating to terminology and definition is contained within 'Keeping children safe in education' (2023) Para 193. The following definitions will be used when determining the outcome of an allegation.

- Substantiated: there is sufficient evidence to prove the allegation;
- Unsubstantiated: there is insufficient evidence to either to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.
- False: there is sufficient evidence to disprove the allegation

- Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;

56. In the following circumstances, the employer has a statutory duty to make a referral to the barring and vetting section of the Disclosure and Barring Service (DBS).
    - The allegation is substantiated and the person concerned is dismissed for misconduct relating to safeguarding children
    - The employer ceases to use the person's services for the same reason (e.g. in the case of a volunteer or a commissioned service)
    - The subject of concerns resigns during the course of the investigation and the investigation cannot be completed).

    If this person is also subject to registration or regulation by a professional body, e.g. Health Care Professions Council, National College for Teaching and Leadership, General Medical Council, OFSTED etc, the Local Authority Designated Officer (LADO) should consult with the employer on whether a referral to that body is appropriate. It is the employer's responsibility to make a referral. The Local Authority Designated Officer (LADO) would only make such referrals in cases where there was no employer e.g. self-employed.

57. If, however, it is decided upon the conclusion of a case that a person who has been suspended (or otherwise removed from routine duties) can return to normal work duties, then the employer should consider how that might be best facilitated and recognise the likely need for strategies of support and re-integration. Issues associated with renewed or future contact between the worker and child initiating the allegation should also be considered and appropriate steps taken to effectively manage the situation and any potential difficulties.

58. In all situations it will be necessary to ensure that appropriately managed feedback is provided to the child who made the allegation or in any other way was suspected of being harmed. It will be similarly necessary to provide the child's parents/carers with an appropriately structured update at the point an investigation is concluded. In circumstances where a child has an allocated social worker it will be their responsibility to undertake such communication.

59. Upon the conclusion of a case in which an allegation is substantiated, the Local Authority Designated Officer (LADO) should review the circumstances of the case with the senior manager/case manager to determine whether there are any improvements to be made to the organisation's procedures or practice to help prevent similar events in the future.

Resignations and compromise agreements

60. It is important that every effort is made to follow cases through to a conclusion, irrespective of whether the individual submits their resignation or in any way declines to co-operate with the necessary investigation or activities. It may be appropriate, depending on the outcome of the investigatory process, to refer concerns about a worker to the Disclosure Barring Service (DBS) – this responsibility remains with the employer irrespective of the workers resigning, and is an important facet of bringing about a safer children's workforce.

61. A "compromise agreement", by which a person agrees to resign on the basis of the employer not pursuing disciplinary action and by both parties agreeing a form of words to be used in any future reference, should <u>not</u> be utilised in such circumstances. A disciplinary process should, as far as practicable, be undertaken and concluded when the circumstances require such a response even in the absence of the worker.

Whistle - blowing

62. All staff should be made aware of the organisation's whistle-blowing policy (Public Interest Disclosure Act 1999) and feel confident to voice concerns about actions or attitudes of colleagues. Therefore, the whistle-blowing policy should specifically reference safeguarding issues. If a member of staff believes that a reported allegation or concern is not being dealt with appropriately by their organisation, then s/he should contact the duty Local Authority Designated Officer (LADO) directly via Cheshire East Safeguarding Children Partnership.

63. It is important that organisations' policies relating to the management of allegations and 'whistle blowing' are cross referenced and accessible to all members of staff. They should be seen as significant components of a Safer Working culture.

The self-employed and commissioning arrangements

64. Allegations or concerns may arise that relate to individuals who are not contractually or directly linked to a line management structure and/or conventional HR arrangements. For example, providers of tuition in the home. It is important that responses to these situations are as robust as they would be for other sectors of the children's workforce. A strategy or position of trust meeting would generally be required in such circumstances.

65. Similarly, there will be an assumption that any organisation which is commissioning the service(s) being provided (e.g. school transport) will assume the responsibilities normally associated with that of 'employer'. The Local Authority Designated Officer (LADO) will take a prominent role in identifying any additional commissioning organisations or other potential children at risk, and bring about the participation of third sector, faith and regulatory bodies where relevant. The Local Authority Designated Officer (LADO) will take further key responsibility in co-ordinating cross border activity (para 70).

Safeguarding Concerns relating to parents/carers who work with Children

66. Section 47 enquiries in intra-familial cases should, wherever possible, identify whether the parent or carer of concern also works with children. Consideration needs to be given whether any actual or potential concerns about significant harm within the family also have implications for the safety of the children in the parent/carer's place of work.

67. As soon as a children's social care team manager becomes aware that a section 47 enquiry involves a parent who works with children, they should discuss the matter with the duty Local Authority Designated Officer (LADO), who will give advice as to whether the procedure for allegations against people who work with children should be followed, and assist in coordinating other activities as required (see para 18 re an alternative referral process)

68. In some situations, an allegation of abuse may be made against a person closely associated with a person who works with children e.g. partner, or son or daughter living in the same home. Consideration will be required as to whether any risks extend to children in the workplace. In these circumstances the Local Authority Designated Officer (LADO) should be informed and will share information, if relevant to role, with the employer and discuss appropriate and proportionate risk assessment and actions.

69. If the individual works in a different local authority area albeit lives in Cheshire East where the case is open to children's social care, the social worker should contact the relevant Local Authority Designated Officer (LADO) to discuss. Cheshire Local Authority Designated Officer (LADO) are able to provide contact details if required.

70. Any subject of an allegation, or partner agency, who wishes to make a formal complaint about the outcome of an allegation, or the manner in which the Local Authority Designated Officer (LADO) has managed the process, should contact the customer service and complaints team who will decide on the most appropriate way of investigating the concern.

Cross Border Issues

71. Some allegations or concerns will reflect circumstances which are not solely located within the boundaries of this local authority. For example, a worker may be employed within one local authority, undertake voluntary work in another, and live with his/her children in a third area.

72. In all cases professional judgments and negotiations will need to take place between the respective Local Authority Designated Officer's (LADO's) in terms of who should take the lead responsibility for coordinating any necessary activities

References and further information:

Working together to Safeguard Children 2023. –
https://assets.publishing.service.gov.uk/media/65803fe31c0c2a000d18cf40/Working_together_to_safeguard_children_2023_-_statutory_guidance.pdf

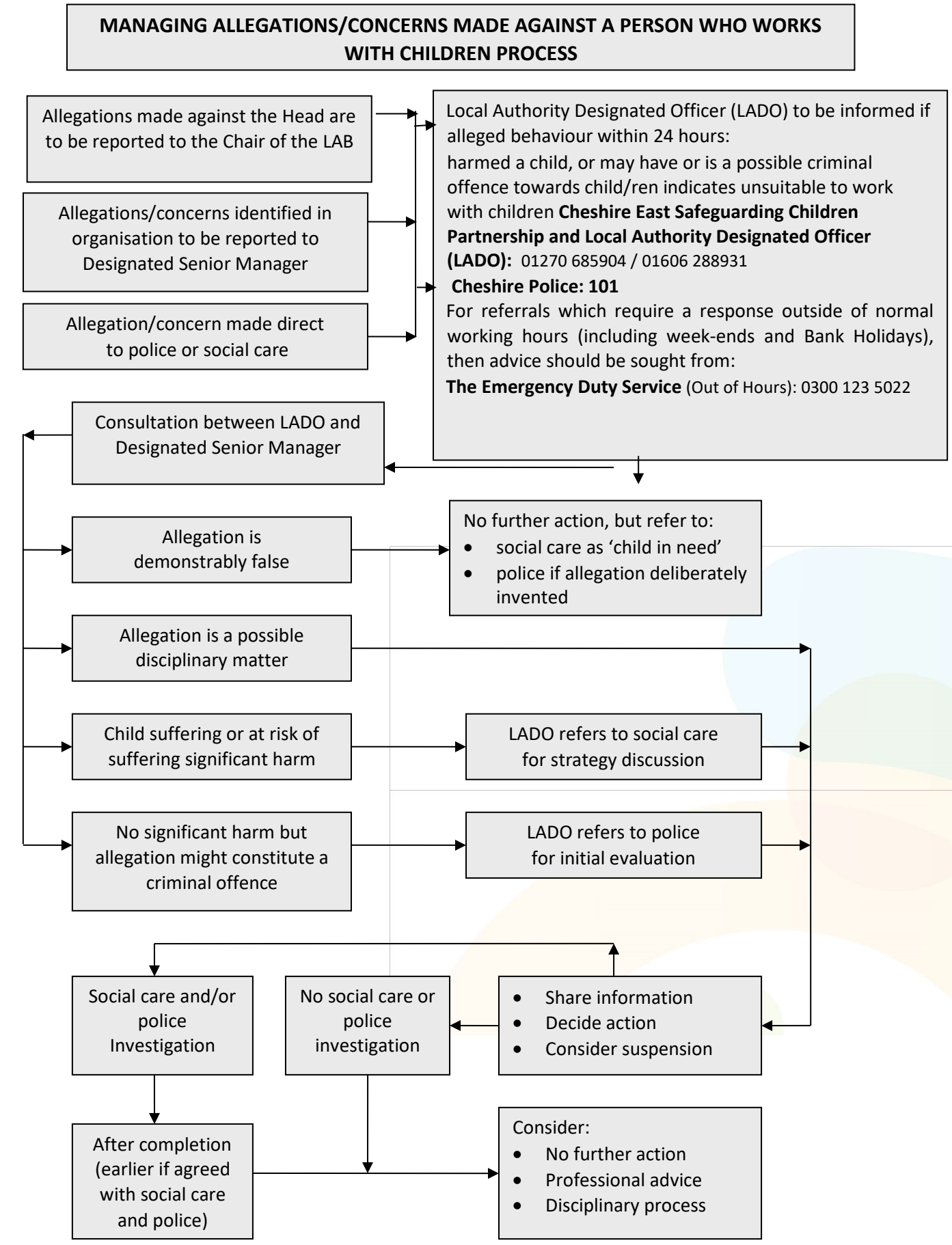
Keeping children safe in education – statutory guidance for schools and colleges
Keeping children safe in education 2025

Adoption national minimum standards July 2014
https://assets.publishing.service.gov.uk/media/5a7dd7e140f0b65d88634bfb/Adoption_NMS_July_2014_for_publication.pdf

Fostering Services : National Minimum Standards 2011
Fostering services: national minimum standards - GOV.UK (www.gov.uk)

Disclosure and Barring Service:
https://www.gov.uk/government/publications/dbs-referrals-form-and-guidance

Disqualification under the Childcare Act 2006 (Updated 2018)
https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006

Version	Review Date	Changes Made
V2	03.02.26	• Hyperlinks updates

Appendix 1 – Flowchart for managing allegations: