

Local Authority Designated Officer Annual Report – April 2020 – March 2021

Purpose of this report

This report analyses allegations reported to the Local Authority Designated Officer (LADO) service for the year 1 April 2020 – 31 March 2021. It also provides information regarding contacts with the LADO that did not meet the threshold for formal LADO intervention but did require guidance, monitoring and on occasion, challenge.

The role of the Local Designated Officer

The LADO must be contacted without delay and within one day in respect of all cases in which it is alleged that a person who works with children 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.
- behaved or may have behaved in a way that indicates they may not be suitable to work with children

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 in need of services; and
- consideration by an employer of disciplinary action in respect of the individual.

The LADO is responsible for:

- Providing advice, information and guidance to employers and voluntary organisations around allegations and concerns regarding paid and unpaid workers;
- Managing and overseeing individual cases from all partner agencies, chairing managing allegation meetings;
- Ensuring the child's voice is heard and that they are safeguarded;
- Ensuring there is a consistent, fair and thorough process for all adults working with children and young people against whom an allegation is made;
- Monitoring the progress of cases to ensure they are dealt with fairly, robustly and as quickly as possible;

- Recommending a referral to Children’s Social Care and attending any subsequent Sec 47 strategy meeting in cases where the allegation requires investigation by police and/or social care.
- Provide training, leaflets and information to the wider workforce to be confident that agencies are working efficiently in reporting allegations and managing the immediate concern to ensure the safety of children, as well as considering their duty of care to their employee.

The role of the LADO was best defined in the statutory guidance *Working Together to Safeguarding Children (HM Govt) in 2010* and is referenced in subsequent revisions. All Local Authorities should have designated officer(s) new appointments should be Social Worker qualified as of 2018. The MK Together (Safeguarding Board arrangement for Milton Keynes, of which the Local Authority is a key statutory partner) displays LADO guidance in the multi-agency safeguarding procedures chapter on *Managing Allegations against Staff, Carers and Volunteers*. Local multi-agency practice guidance *Managing Allegations and Concerns about Adults who work with Children: practice guidance for cases involving the LADO* can be found on the MKSCB website.

Activity Data

Data is categorised into three different areas: -

3.1 Information and advice

This is contact with the LADO which, after consideration, is deemed **not** to meet the definition of an allegation (as above) or there is not enough information to determine the alleged perpetrator or an allegation.

Examples could include the following although this is not an exhaustive list:

- the subject of the allegation/concern cannot be considered to be ‘a person who works with children’
- there is no identifiable safeguarding children concern
- where the worker concerned cannot be identified, despite further enquiries
- the allegation/concern is more appropriately described as a practice issue and should be dealt with by the employer

In these situations, the LADO will only record that the contact has taken place, the name of the professional and agency making the contact and brief details of the circumstances including the name of the child and adult involved. However, this is a vital service for all the agencies in the childcare arena and ensures employers are advised of best practice and remain alert to concerns. This also demonstrates how agencies address lower level concerns and provides external evidence of the matter should it be required at a future date. It has been shown time and time again that the LADO service hold more robust records of concerns about position of trust workers than do many employers.

3.2 Consultation

This is where the referral **does** meet the definition of an allegation and therefore, for statistical purposes, is recorded as a consultation. The strategy required for dealing with a case at this level may be less complex than a referral – where the police may not take an active role and typically needs less ‘active’ management by the LADO or other agencies. In such cases the employer is best placed to manage the matter to its conclusion with an agreed safeguarding outcome with the LADO service.

- The LADO is however available and actively monitors timescales and quality assures the safeguarding outcome.

Examples coming within this category could be:

- a nursery worker has handled a child in a rough manner – the child is 3 years old - it is alleged he was pulled by his arm and shouted at. He did not sustain an injury. There have been no previous concerns about the worker and there are no other factors which require the case to be escalated.
- a professional, who works with children, is the victim of domestic abuse and their own children are currently subject to an assessment by children’s social care.

All consultations will be closed with a defined safeguarding outcome.

3.3 Referral

The referral clearly meets the definition of an allegation under the Managing Allegations procedures and requires active management by the LADO and other agencies, as appropriate.

Cases of physical, sexual, emotional harm or neglect (as defined by Working Together 2018) or concerns about the potential risk of harm a person may pose to children, or their on-going suitability will be considered at the referral stage, requiring a Managing Allegations Meeting. There may be occasions where apparently less complex or serious cases are managed at referral stage. For example, when a pattern of allegations is emerging or there is an additional complicating factor which requires active management, such as a manager-less organisation.

Examples of Referral cases could include the following, although this is not an exhaustive list:

- Allegations which require the involvement of other agencies such as the Police and/or Children’s Social Care
- An allegation which is complicated by the number of victims/perpetrators/or roles held and will include those situations that relate to any possible breach of a position of trust.
- A pattern of allegations/concerns is emerging.

In referral cases, a Managing Allegations Meeting will be convened and chaired by the LADO. This meeting should be held as soon as is reasonably practicable ensuring all the relevant parties are able to contribute. There is an expectation that referrals to the LADO

service are made within one day of acknowledgement/awareness by the referrer and that the LADO responds to all referrals within one day of receipt.

The LADO service introduced a managing allegations database in September 2017 – allowing all the information for referrals and consultations, to be recorded on this secure Liquid Logic database. A policy detailing the use of this database and access rights has been produced in conjunction with the MKC LCS team. Continual reviews are considered in respect of the LCS database and local adjustments are made accordingly to ensure robust capture of information.

All advice and information is securely filed electronically. Record keeping is clear, with the introduction of a list of adults concerned to allow quick access to relevant files and information. In 2018 the LADO service submitted the LADO Information Asset Register as required by GDPR to ensure we are compliant with legislative obligations.

Allegations resulting in referrals

These are cases that are referred to the LADO which meet the criteria for LADO involvement in accordance with *Working Together*, as outlined in 2 above. Between 01 April 2020 and 31 March 2021, a total of 827 contacts were received by the LADO service, 39 were deemed to fall within the threshold of a referral, requiring a multi-disciplinary Managing Allegations Meeting and managed by the LADO.

This is a decrease of 24 from the year before but the number of contacts to the service were reduced and this represents 5% of all contacts, where the percentage was 7% last year. There was effectively a 9% drop in contacts last year, but this would be expected due to the many restrictions placed on the children workforce due to the Corona pandemic, with settings operating for only a small proportion of time over the year. The anomalies of last year are discussed later in this report, providing greater context to the statistics and the patterns of work.

In April 2020 there were no cases that met the threshold of a referral, the country had just experienced the first national lockdown, closing of schools, all clubs and activities, etc. possibly accounting for the lack of allegations referred at this time.

The number of cases reaching the threshold of a referral appear to have been reflective of the current climate of the country during 2020 and whether there were restriction in place, in the first quarter there were only 6 cases reaching the threshold of a referral but as the restrictions lifted in quarter 2 the numbers rose to 10. However, in the 4th quarter there was a significant rise to 16 despite lockdown measures being in place. An analysis of these referrals highlights that 3 were in relation to private life matters and 2 were historic matters that met the thresholds rather than actions of a person through their work during this period. 7 referrals were as a result of previsions that have continued to care for children throughout the pandemic (STC, fostering and residential).

Quarter	2019/20	2020/21
1	18	6
2	14	10
3	16	7
4	12	16

Of the 39 referrals this year, the number of allegations of physical harm (18) remains the highest category, which continues to be the trend. The next highest category is that of conduct/suitability with 12 cases. The following three categories had the following referrals neglect 0, sexual harm 9 and emotional abuse 0. The sexual harm number was proportionately higher than previous years, however there was an increased number of historic reports of sexual harm accounting for 6 of these matters.

The outcomes of the referrals were as follows 22 Substantiated, 12 unsubstantiated, 3 unfounded and 1 false. One matter remains outstanding awaiting further police information.

Category of referral	2019/20	2020/21
Physical harm	34	18
Conduct/suitability	16	12
Neglect	3	0
Sexual	5	9
Emotional	3	0

Allegations resulting in consultations

Consultations **have met** the safeguarding threshold but do not require a multi-agency Managing Allegations Meeting but will require an employer investigating into the safeguarding concern and an agreed safeguarding outcome. A total of 131 contacts met the threshold for LADO involvement and oversight in the form of consultation.

This is a slight decrease in the proportions from the last annual period (2019-20) from 17% to 16% of the overall contacts.

Of the 131 consultations for this year 47 were substantiated, 34 unsubstantiated, 33 unfounded, 8 false, 3 remain outstanding (awaiting a conclusion) and 6 were downgraded to standards of care, when scrutinised further.

Allegations according to agency

The table below highlights the sources of concern in respect of where workers are based and provides a two-year comparison of when the threshold has been reached (Referral/Consultation). The figures demonstrate the provisions that may have had less allegations due to the restrictions on working arrangements due to Government Covid legislation and advice. Although Oakhill Secure Training Centre continued to have children either remanded or sentenced within the provision, the establishment was on a very restricted regime and was also a Covid hotspot, necessitating further restrictions. This meant that there were few incidents due to low mixing of children and the high staff to child ratios when they were out of their room. The population of the centre has also been low throughout, with often less than 60 children (maximum capacity is 80). This all culminated in an unprecedentedly low number of contacts made to the LADO service by Oakhill or other agencies in respect of Oakhill, where ordinarily this establishment is markedly the highest single provision for contacts made and thresholds being met.

There was a significant increase of care providers being referred into the service and meeting the threshold of an allegation – there has been some management changes within the Children with Disabilities Team within MKC and the majority of the referrals have been submitted by this team. There has been a strengthening of working relationships between the two services and this has produced more robust scrutiny of concerns raised for our most vulnerable young people. The care providers have also continued to work throughout the pandemic and possible been relied on more to support children who may not be able to access schooling or any additional activities that might have been available prior to the lockdowns. Another workforce that has continued to accommodate children throughout are foster carers and this is reflected in the number of referrals, the same figure as last year but proportionately higher due to the decrease in overall contacts made to the LADO service. Challenge and scrutiny of fostering processes within the local authority continue when dealing with allegations and the LADO service continues to work collaboratively with the fostering service to drive up standards, as addressed later in this report. The other service that produced a high number of referrals is from the residential sector, this includes semi-independent provisions and children’s homes and again these establishments have continues to accommodate children throughout the year and have had the additional pressures of sporadic access to education and other activities, causing the children to be restricted within the provisions for many weeks and months.

It is difficult to analyse the figures for the other provisions due to the restrictions that have been imposed and the lack of face-to-face activity that has occurred.

Provider type	2019/20	2020/21
Care provider	2	10
Child minder	8	1
CSC/YOT	2	4
Faith Groups	2	0
Foster Carers	24	24
Health	12	7
Higher education	1	0
Other	4	1
Nursery/early years	17	9
Residential	19	32
School - other	2	9
School - Primary	39	27
School - Secondary	17	11
Secure Estates	46	25
Sports/Leisure	3	5
Transport	7	2
Youth Organisation	2	4

Outcomes of allegations

Of the 170 cases referred into the service that met the threshold the categories of harm were as follows: -

Conduct/Suitability: 53

Physical: 67
Emotional: 11
Sexual: 16
Neglect: 23

The final outcomes were as follows: -

Substantiated: 69
Unsubstantiated: 46
Unfounded: 36
False/malicious: 9
Still awaiting conclusion: 4
Standards of care determination: 6

Categories of abuse

In respect of outcomes from Referrals, necessitating a Managing Allegations Meeting, the table below illustrates that just over half, 56%, of allegations were found to be substantiated (22). Substantiated outcomes were the highest category of the overall findings of the concluded cases, which remains the case year on year, demonstrating that the correct thresholds have been met before proceeding to a referral and holding a Managing Allegations Meeting.

Outcome	2019/20	2020/21
Substantiated	35	22
Unsubstantiated	14	12
Unfounded	8	3
False	0	1
Malicious	0	0
Outstanding	5	1

12 cases were found to be unsubstantiated (i.e. there is insufficient evidence to either prove or disprove the allegation). Unsubstantiated outcomes represent 31% of the findings; this reflects that it is often one person's word against the other and no other corroborating evidence exists. Overall, only 10% of cases resulted in a 'not found' outcome (unfounded or false). Only 1 case is yet to be concluded at the time of writing this report.

Training and awareness raising

The LADO and Milton Keynes Fostering Service again delivered bespoke training to Foster Carers about allegations in respect of Milton Keynes foster carers which was well attended. Unfortunately, the second training session that was scheduled for later in the year was postponed due to staff availability. The LADO service has provided training to the Fostering Team, alongside the Fostering Network about how to deal with allegation. This was successful training as the Fostering Network were able to deliver the perspective of a foster carer as well as highlight the fostering regulations and the expectations on the Fostering

Team in how matters are addressed and progressed. The LADO was due to attend the Fostering Team day to also provide further advice and support, but this day had to be postponed. The offer from the LADO service remains to offer on-going support and advice as required.

The LADO service continues run checks on prospective foster carers to ensure there are no safeguarding concerns known to the service prior to fostering embarking on their assessments, and the LADO service receives regular requests for this pivotal information.

The LADO service continues to screen prospective children's chaperones ensuring there are no known safeguarding risks that may have not met the criminal threshold of a DBS check.

Due to specific issues becoming apparent, the LADO has met with a variety of services to share information, offered advice and look at procedures for managing allegations, these have included: -

- A Semi-independent provision
- The MKC Human Resources Team
- The MKC Fostering Team
- A secondary school within the north of Milton Keynes

The LADO has been filmed as part of a MKC initiative to have short briefing videos of key services for schools to access, as an interim measure whilst there is a short fall in available training. There is a brief video describing the basics in respect of schools' responsibilities in addressing allegations – this will be released soon and the response to the videos generally will be assessed to see what further resources might be needed in awareness raising.

It is increasingly evident that there needs to be a considered and coordinate approach in promoting the LADO service and services responsibilities when dealing with concerns in relation to staff. There should be a proactive, rather than reactive, programme considered and implemented, this might be beneficial to establish alongside other key services, e.g. MK Together, the Principle Social Worker, etc. to ensure the resources are targeted at the correct services and that there is continual, periodic liaison to keep allegations on the agenda and promote safe working practice.

Training and awareness raising by the LADO service will be set out in the LADO service plan which has been drafted and will be authorised within the next financial year.

Scrutiny and reporting

The LADO attends regular meetings at and in relation to Oakhill Secure Training Centre. The regular commitments currently undertaken include; Quarterly multi-agency safeguarding meetings - Professional Forum Meetings chaired by Oakhill STC; occasional attendance at the weekly Use of Force Meetings (now renamed restraint minimisation meeting) to review the use of restraints that have occurred each week. Last year the National Youth Custody Service (YCS) Safeguarding Team organised quarterly meetings chaired by them to include all the LADOs from the 7 Local Authorities that have a secure estate within their area. This is a useful meeting to establish a national oversight of the children's secure estates, LADO

practice and also to be briefed by the YCS on the trends, guidance, useful information from the youth justice arena. The LADO service has a good working relationship with Oakhill STC and regular communication with the Safeguarding Team and departments within the wider setting. There is also collaborative working and communication between the LADO service and the YCS monitors present at the Training Centre.

The LADO continues to attend quarterly regional LADO network meetings to share information, policy and practice developments. These arenas also allow communication with the National LADO Network to consider LADO practice issues, develop national guidelines, liaise with relevant bodies, e.g. Ofsted, and consider future developments of the LADO role and services. The LADO also attends a regional quarterly South East Safeguarding Network Group, where guest speaker's present information and legislation, policy and best practice is discussed.

Milton Keynes Council had a three-week Ofsted inspection of Children's Social Care in September 2020, which was positive. The LADO joined the Safeguarding Manager and an Independent Chair in meeting with the inspectors, although there were no direct questions or queries of the LADO service, the previous Ofsted inspection from 2016 recommended: Ensure that allegations or concerns about staff or volunteers working with children who have disabilities are tracked and evaluated, to identify themes and learning.

In response, recording processes have been changed to capture this information. Although the children with disabilities do not necessarily have a high representation amongst the figures from the wider community, there is often a concern during LADO reviews that children may be showing signs of struggling that might suggest additional needs. There also continues to be a concern when there are referrals in respect of children with significant communication difficulties, as to how much we are able to understand the experience of the child and whether we have the relevant information to make a safe determination on an allegation. Ideally the services that deal with children who are unable to express their needs, should be provided additional training in respect of recognising any poor worker practice, understanding how to raise concerns and also how to be additionally alert to the child's presentation and demeanour to be confident in raising any concerns to ensure information is captured in a timely and appropriate manner. The latest figures from last year demonstrate that more referrals are being made from this section, which is a positive development. The children at Oakhill STC often have been out of main stream society prior to being incarcerated, many have had traumatic and disruptive childhoods and may have accessed services to that have enabled diagnosis, however some have not but again show some signs of concerns about development, or underlying conditions. Oakhill STC have strengthened their psychology services, are accessing CAMHs as required and some of these children are now accessing the assessments and supports, they require.

The latest version of Keeping Children Safe in Education 2020 has introduced another threshold of concern and LADOs nationally have added this to their documentation and processes. It refers to suitability and whether someone has behaved in a way that may suggest they are unsuitable to work with children, this is a welcome addition as most LADO have created an additional category of suitability to cover this short fall, as the 4 child in need/protection categories do not necessarily cover other behaviour, attitudes etc. of adults working with children when there is a concern.

The National LADO Network has issued the final version of National Standards that all LADOs will be able to refer to. This should guide practice and encourage a greater consistency nationally in standards of work and provides practitioners with a structure to work to.

Local policies and procedures will be drawn up to ensure clarity of expectations and operation of the LADO service in Milton Keynes over the next 12 months.

Summary

Although there has been a decrease in the number of contacts made to the LADO service, there was only a 9% decrease which was surprising given the significant decrease in children's workforce activities. This figure still represents a 14% increase in workload from the year 2018/19, and the service has continued to feel busy, alongside the requirement to adapt working practice to remote and home working, etc. The table below demonstrates the continual growth in the use and access of the LADO service.

Due to the continual increase in the demands on the LADO service, there was agreement last year, also following a business plan setting out the numbers and comparisons to other LADO services, that another full time LADO was required to meet the service needs. From November 2020 until April 2021 an interim agency worker held the position as a LADO whilst there was a recruitment drive to employ another full-time permanent LADO. The team will now consist of 2 full-time LADOs and a full-time Customer Liaison Officer. The LADO team continues to be located within the Safeguarding Team alongside the Independent Chairs with the Safeguarding Manager overseeing both service areas. There has been a restructure to the hierarchy, where the Head of Safeguarding left last year and at that juncture there were no plans to refill this post, the demands of all the services within this area have lead to the post being re-advertised.

Year	Number of contacts
2016/17	278
2017/18	362
2018/19	711
2019/20	911
2020/21	829

The Customer Liaison Officer has also had a change in management via the business support team.

The whole of Children's Social Care and the Corporate Parenting Service have experienced significant changes in team structures and management personnel, alongside the uncertainty of working practice due to the pandemic. Milton Keynes Council offices have remained open to practitioners throughout the pandemic, with safety measure in place the LADO service has continued to work on-site as well as home working.

As the service continued to receive higher and higher numbers of contacts and there was no consistent support for the LADO service until November 2020 there still has not been the capacity to complete structured preventative work alongside responding to allegations, or a development of the service as required and the capacity to work more collaboratively with

partner departments and agencies. The LADO service will benefit from the appointment of the addition full-time dedicated practitioner and it is hoped that this will be reflected in next year's annual report. It is notable that the planned actions from the last few years, detailed in the LADO Annual Reports, that all remain unfulfilled due to the issues around capacity. Therefore, the actions remain listed on this report with the confidence that there will be the opportunity now to progress these matters.

The current LADO also undertakes additional roles within the Safeguarding Team and currently holds two cases as an IRO. The LADO also undertakes monthly case audits and practice observations.

Actions for 2020 to 2021

Work more closely with different service areas throughout Milton Keynes Council (including HR, Customer Services, Children Missing Education, etc.) to raise awareness of the LADO function so as to ensure that all services recognise when the threshold of an allegation has been met and make appropriate referrals. Continue to attend team meetings to provide regular briefings to keep allegations on the agenda for all working with children and young people.

- Continue to work with Oakhill STC, the YCS and MK Together (Local Safeguarding Partnership) to assess the safeguarding issues within the secure estate, ensuring the correct agencies are actively scrutinising and challenging the use of force and care of the children within the establishment. Continue to raise awareness and offer support to Oakhill STC to ensure the young people are adequately safeguarded within the secure estate.
- In conjunction with MK Together, review training, awareness raising and promotional activity and materials to ensure that allegations management processes are understood by all relevant professionals in the children's workforce including the wider community. Develop and disseminate information to ensure regulated activity that occurs in the locality is scrutinised by establishments offering venues for hire and the parents/carers of children accessing the activity.
- Develop localised policies and procedures for the LADO service in Milton Keynes to formalise practice expectations and standards.
- Work with the Safeguarding Partnership and Thames Valley Police to ensure information sharing occurs from TVP when the criteria set out in *Working Together* is met for a serving officer and that there is liaison between Professional Standards and the LADO service. Also, to develop closer working relationships with the DBS department locally to ensure the appropriate exchange of data.
- Build in more capacity into the LADO service, support the business plan for an additional full-time practitioner/LADO for the team to enable the management of the incoming work, support proactive engagement with all agencies that work with children and young people. Deliver additional training, provide support and advice to promote safer working to the wider workforce and to enable workers to recognise their responsibilities to work safely and report concerns about safeguarding concerns. Work in partnership with services within MKC that hold responsibility for elevating good practice and promoting safeguarding, e.g. MK Together, the Principle

Social Worker, etc. This would also allow for the thorough analysis of the community need, allowing targeting of areas/establishments that are identified as needing assistance.

The aim of the proposals above is to continue to robustly challenge and address poor and damaging practice. Maintain the current credibility of the service by employing a committed and passionate practitioner to build capacity within the team and work towards a proactive service that provides assistance, support, education, etc. to nurture good practice and safer conditions for the children accessing the services.

For further information:

LADO

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