

From: Sue Chandler, Cabinet Member for Integrated Children's Services

Sarah Hammond, Corporate Director of Children, Young People and Education

To: Children's Young People and Education Cabinet Committee – 29 November 2022

Subject: Lado Annual Report 2021-2022

Classification: Unrestricted

Past Pathway of report: N/A

Future Pathway of report: N/A

Electoral Division: All

Summary:

The report is the Annual Local Authorities Designated Office (LADO) Report and is a report in respect of managing allegations against staff within the Kent Children's workforce April 2021 – March 2022

Recommendation(s):

The Committee is asked to note the report

1. Introduction

- 1.1 Every Council has a statutory responsibility to have a Local Authority Designated Officer who is responsible for co-ordinating the response to concerns that an adult who works with children may have caused them or could cause them harm.
- 1.2 The managing allegations and concerns procedure applies to a wider range of allegations than those in which there is reasonable cause to believe a child is suffering, or likely to suffer, significant harm. It caters for cases where the allegation or concern relates to behaviour towards a child indicating an adult may pose a risk of harm or may not be suitable to work with children.
- 1.3 The Keeping Children Safe in Education (2020) and Working Together to Safeguard Children 2018 (amended in 2020) statutory guidance provide the statutory framework for the Local Authority Designated Officer (LADO) and outline the following criteria to be applied in terms of allegations and concerns about an individual are those that indicate that an individual may have:
 - 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

- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children
 - Behaved or may behave in a way that indicates they may not be suitable to work with children.
- 1.4 These concerns may relate to either a person's work/volunteering or to their behaviour outside of the work setting. The response to these allegations or concerns will involve one or more processes and procedures:
- Child protection
 - Criminal investigation
 - Disciplinary procedures/HR processes.
- 1.5 This process applies to all individuals working or volunteering with children regardless of setting.
- 1.6 The County LADO Service (CLS) works within Children's Services and provides advice and guidance to employers, organisations and other individuals who have safeguarding concerns about the behaviour of an adult within the wider children's workforce. Included in this group are volunteers, agency staff and foster carers as well as people who may be in a position of authority/oversight within religious, education or volunteering settings and have regular contact with children.
- 1.7 The CLS sits within the Quality Assurance, Safeguarding and Professional Standards Service. It has increasingly broad demands in relation to its role and functions regarding safeguarding practice in organisations and leading on an array of complex safeguarding matters. There was 4.8 FTE LADOs in post during this reporting period overseen by a County LADO manager.

2 The report

- 2.1 This report provides details of allegations and LADO activity notified within Kent during the period 1 April 2021 to 31 March 2022. It provides statistical data for the KSCMP and partner agencies on the number, nature, investigation processes and outcomes of allegations. It also identifies trends and issues affecting the Kent children's workforce relating to the management of such allegations as well as matters pertinent to inter-agency working arrangements.
- 2.2 The definition of 'working with' children is an adult who is working or volunteering with children (anyone under the age of 18 years old) or in contact with children through work on a regular basis and would be seen as being in a position of trust over them. In addition, this would also apply to someone under eighteen in the same position e.g., a seventeen-year-old teaching a musical instrument or instructing a group.
- 2.3 The highest categories of referral have remained in line with previous reporting years around inappropriate conduct and physical abuse, which includes physical intervention. These are the highest categories across the allegations received into the CLS for all the sectors. However, in this reporting year we have seen an increase of 78% for inappropriate conduct and an

increase of 105% for physical abuse. The increase in part is due to the introduction of a fourth harm threshold. The increase in physical abuse relate to some extent to pressures on the adults working with children, such as mental health, level of support available for staff due to pandemic.

- 2.4 It is a requirement the allocated LADO involved in a case is informed of the outcome of the allegation. Substantiated, False, Malicious, Unfounded and Unsubstantiated. Unsubstantiated this year was the highest category which is a change from previous years when substantiated featured as the highest outcome. When the outcome is unsubstantiated the LADO liaises with employers about mitigating against an unknown level of risk and this may involve management action around further training or monitoring. The CLS will continue to monitor unsubstantiated outcomes around patterns and themes particularly when new referrals are submitted about the same member of staff.
- 2.5 Benchmarking with statistical neighbours-Members of the CLS attend the South East Regional Network Meetings and the National LADO Network (NLN) Group to ensure Kent holds the common definition of threshold, roles and responsibilities across borders. To date, nationally, there is no agreed data set or categories for how to record referrals into the LADO services. This makes comparisons with other Local Authorities challenging to undertake. Comparative data with other LAs Hampshire reflects similar patterns to Kent and saw a significant increase in referrals of around 46%. Surrey saw a similar trend with referrals increasing by 63% compared to Kent's increase of 83%.

3 Financial Implications

- 3.1 The service was evaluated early 2022 with a recommendation to increase the establishment by one LADO FTE, funding for the post was internally sourced within the wider Quality Assurance and Safeguarding Service. The post was considered necessary to meet the increased consultations and referrals following the lifting of the restrictions of the pandemic, to ensure continued robust responses and to meet the wider needs of raising safeguarding awareness through specialist LADO leads and delivering workshops.
- 3.2 There are no financial implications to be considered with regards to this report.

4 Legal implications

- 4.1 It is a requirement nationally for all employers within the children's workforce to have clear procedures in place when responding to allegations against staff.
- 4.2 There are no legal implications to be considered in respect of this report, Kent County Council is fulfilling its statutory duties in line with procedures and guidance.
- 4.3 There are currently no legal implications to be considered or shared. Legal advice, if required would be sought through legal services.

5 Equalities implications

- 5.1 The CLS provides consistent and appropriate scrutiny across diverse workforces. The provision of the service is based on need as determined through the LADO referral and consultation protocols and through educating agencies and services working with employee's or volunteers. This need is not explicitly related to formally protected characteristics, any characteristics is and will continue to be respected in compliance with equality principles.

6 Other corporate implications

- 6.1 The LADO function is a bespoke safeguarding service, there are no functions that overlap with any services or impact on other services through exercising its duties, there are at times a requirement to work closely with HR as each service has their own set of requirements and responsibilities.

7 Governance

- 7.1 The Governance Reporting Structure is through the Assistant Director of Quality Assurance, Safeguarding and Professional Standards, reporting to the Interim Director of Integrated Children's Services – East Division (Social Work Lead) who is accountable to the Corporate Director Children, Young People and Education.

8 Conclusions

- 8.1 The year was consistently busy both in referrals and enquiries. The enquiries into the CLS were high across this reporting year and reflected some of the anxiety's stakeholders held because of the impact of the pandemic. This reporting year saw an increase in referrals, significantly under the fourth harm threshold and within education.
- 8.2 LADOs were required to provide a level of support not previously seen before to reassure and guide professionals both through allegation management but safer working environments altogether. This has been reflected upon nationally with LADO services who have all seen an increase in enquiries/contacts and an increase with referrals that hold a level of complexity.
- 8.3 The CLS has continued to evolve and introduce new processes and systems to improve the fluidity of the work. At the start of 2022, a service evaluation was undertaken which has fed into existing workstreams and reinforced the need for areas such as electronic reporting systems and an increase in staffing capacity. Alongside this and following data from last year a relaunch of allegation management and refresher inputs were scheduled to be delivered across KCC integrated children's services.

9 Recommendation(s)

Recommendation(s):

The committee is asked to note the content of the report

10. Background Documents

10.1 LADO Annual Report – 2019-20

https://www.kscmp.org.uk/_data/assets/pdf_file/0007/118699/LADO-Annual-Report-2019-2020.pdf

10.2 LADO Annual Report 2018-19

https://www.kscmp.org.uk/_data/assets/pdf_file/0003/111954/LADO-Annual-Report-2018-2019.pdf

10.3 **LADO Annual Report 2017-2018**

https://www.kscmp.org.uk/_data/assets/pdf_file/0020/116048/Annual-Report-17-2018-Final.pdf

11. Contact details

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