

LADO ANNUAL REPORT 2022 - 2023

Managing Allegations Against Staff within the Kent Childrens Workforce

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1. INTRODUCTION

- **1.1** The annual report for the County LADO Service (CLS) provides the statistical data regarding Local Authority Designated Officer (LADO) activity during the period 1 April 2022 to 31 March 2023 for the KSCMP and partner agencies on the number, nature, investigation processes and outcomes of allegations. Following the analysis of the data there is a narrative and further analysis regarding Local Authority Designated Officer (LADO) activity during the same period, challenges and recommendations for future development of the service.
- 1.2 The CLS is underpinned by statutory guidance Working Together to Safeguard Children, 2018. This guidance sets out that Local Authorities should have a Designated Officer (LADO) to be involved in the management and oversight of allegations against staff working within the Children's Workforce. Following the publication of the Child Safeguarding Practice Review Panel (2023) (Hesley Report) the National LADO Network (NLN) is working closely with the DfE revising the current Working Together guidance. The National Review recommended a LADO Handbook providing further LADO guidance. This will possibly take the form of an appendix to any Working Together updates.
- 1.3 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. The LADO remit was traditionally person specific but as the role has evolved and learning taken from various reviews, it is now expected LADOs are conscious of the wider safeguarding measures employers have in place.
- **1.4** It is a requirement nationally for all employers within the children's workforce to have clear and robust safeguarding procedures in place when responding to allegations against staff, whether they are paid or voluntary. Working Together, 2018 provides the Harm Threshold applied when an allegation is made against a member of the children's workforce and it is believed the individual 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.
 - Behaved towards a child or children in a way that indicates they may pose a risk of harm to children.
 - Behaved in a way that indicates they may not be suitable to work with children.
- **1.5** The CLS within Kent accepts referrals related to the LADO Harm threshold and progresses these as allegations. The service also undertakes consultations supporting employers to assess staff practice, which may sit just outside of this threshold, around areas such as quality of care, professional conduct and practice.

2. Overview of the County LADO Service

2.1 The staffing structure within the CLS from the 1 April 2022 was 5.8 LADOs out of an agreed establishment of 6 full time LADOs. During this reporting year, one full time LADO was on maternity

leave and returned October 2022 part time (0.6). Maternity leave was covered by a LADO who was part time (0.4). A LADO, who was on secondment, was made permanent full time and a further LADO was recruited to a fixed term contract for 15 months (0.6). In addition, there are posts for two Contact and Referral Officers (CRO) (vacancy for a CRO from October 2022 until June 2023) and an Apprentice CRO (April 2022), who undertakes a combined role of screening and business support. The service is overseen by a full time County LADO Manager.

- **2.2** There was a high level of sickness in the CLS during this reporting period. This sickness was across both administrative support and LADOs. The County LADO Manager implemented various contingency plans across this 12-month period and all staff took on extra duties to their mainstream roles. This often required a high capacity to learn on the job, manage systems, processes, and practice simultaneously whilst at stages, often daily, re-prioritising demands and being under pressure. The service is comparatively small to others and support from other parts of Integrated Childrens Services to increase capacity proved challenging due to CLS' confidentiality requirements and specialism.
- 2.3 Contingency planning involved meetings with the Business Support lead for ICS and the Safeguarding Unit Business Support lead. A request was made to the Front Door Service for assistance from their business support, but this was not viable. Assistance was offered from the Safeguarding Unit and two members of the team were trained to assist in specific tasks for the CLS. Alongside this, the County LADO Manager advertised and recruited two Relief Support Workers to work in the evenings on inputting referrals onto the Liberi system. An existing Relief Support Worker employed for 8 hours a week (evenings and weekends) to complete uploads to Liberi, (case recording system), of historic records was asked to assist with the training of the new workers. This worker was also reassigned to help with completing Safeguarding and Fostering Checks for the service. During this period, the Apprentice CRO was regularly stepping away from his duties to help with the day-to-day progression of referrals and responses to various requests. All CLS staff were subject to KCC's Attendance and Sickness procedure.
- 2.4 Key messaging was given throughout both to strategic managers and external stakeholders about the contingency planning. These messages were across answer phone messaging, automated emails and in various meetings or on the KSCMP website. It was important to amend these regularly in response to contingency planning e.g., some days there was a reduction in the time the phone lines were open and or the Enquiries process was suspended for a short time encouraging employers to email or refer. This strategy worked well to keep the core business running. The impact of sickness across the service impacted performance. Subsequently, the CLS is subject to an evaluation due to be completed by 16th of January 2024.
- **2.5** The staff are regularly supported through monthly supervision and monthly team meetings. There are several wellbeing initiatives in place and staff are working a hybrid model between home and office. Individual plans for staff around health matters were progressed to ensure they were supported, management understood needs and the potential impact on delivery of the service, ultimately to aid a smooth return to full time working. This included regular performance management and plans to address large caseloads and catching up on recording.
- **2.6** Core business for the CLS continued to be met during this reporting period. The CLS continued responding to allegation referrals, overseeing allegation management and other

workstreams in the service but there were some delays in LADO responses. The contingency planning regarding covering the lack of business support via the Contact & Referral Officer roles was varied and inconsistent leading to the quality and amount of data recording being below expectation. The service still collates statistics manually from the in-house spreadsheets manually inputted and counted as there were delays in the implementation of the LADO module in the case recording and reporting system.

The CLS continues to demonstrate strong professional relationships between workers and external partners. Despite the challenges faced over these 12 months there was progression against the recommendations from the last annual report. Whilst recording of data for reporting purposes was impacted producing a backlog of data input, cases received allegation management oversight and were progressed to clear outcomes. LADOs continued to provide robust advice, safeguarding and challenge where appropriate. This included a continued review of any practice or lessons to be learnt and regular feedback to stakeholders to encourage development and support for employers. The pressures, however, in the service meant the capacity to convene Position of Trust meetings was compromised. From January 2022 to April 2023 the LADOs completed 52 Position of Trust meetings compared to 64 from the previous year. Position of Trust (POT) meetings are not a performance indicator or a duty for the LADO role. These are in place to assist with learning and at times to assist when cases are complex. Whilst the number is lower than the previous year it should be recognised that LADOs held meetings and recorded them during this difficult period. There may have been other referrals where a POT meeting may have been convened but LADOs were able to articulate clearly and support employers during this time through telephone and email communication to avoid any unnecessary delay in the progression of allegation management.

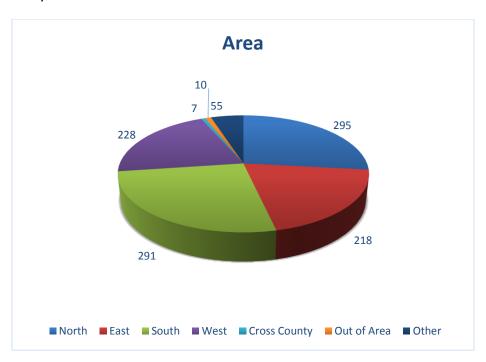
3. OVERVIEW – statistical report

- **3.1**. The CLS received 1270 referrals 26% less than 2021-2022 (1731) reporting year. The Service progressed 1104 referrals from 1st April 2022 31st March 2023. This was a slight decrease of 11% (144) from the previous reporting year (1248). 13% (166) of the referrals did not meet the LADO Harm Threshold. The CLS managed 686 formal allegations against the children's workforce in Kent. This represents a decrease from the previous year by 3% (26). Education was the most active sector to refer staff into the service at 37%.
- **3.2** Kent records allegations against staff who met the Harm Threshold. In addition, the CLS records consultations which mainly relate to staff conduct issues. These tend to be passed back to employers to manage as practice or competence issues. Some of these consultations will have an internal investigation or disciplinary process. There were 342 consultations showing a decrease of 29%. In addition, there were 76 'for information only' cases, an increase of 55%.
- **3.3** The CLS, during this reporting period, recorded 817 formal LADO Enquiries which shows an increase of 171 (26%). Of those 32% (259) were advised to submit a referral to the Service. It is also relevant to note the service still only receives a negligible number of referrals from the public/parents this year figures remained consistent with a total of 8, and of those, 5 met the allegation Harm threshold.

- **3.4** The number of new allegations referred to the LADOs each year does not provide a full and accurate picture of LADO caseloads as there are always cases remaining open from the previous year(s) which the LADO monitors and continues to work on. This is more often due to lengthy / complex criminal investigations and waiting for court slots. A high caseload would be in excess of 90, this does fluctuate but should be possible to reduce within suitable timeframes. For this reporting period the average caseload per month was 92 which is in line with the previous reporting year with fluctuations depicting a heavy caseload for LADOs.
- **3.5** Statistically, based on these figures, the CLS was managing an average of 21.2 new referrals per week, a decrease of approximately 8%. This on average breaks down to 13.2 allegations, 6.6 consultations and 1.5 for information only cases per week. Although a decrease there was little change from the previous reporting year.

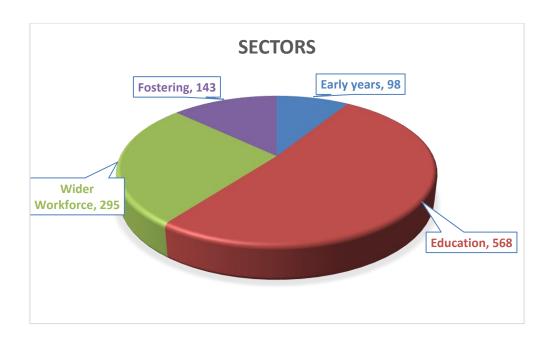
3. ALLEGATIONS DEMOGRAPHICS





4.1 Historically, referrals received into the CLS derived mainly from the East where there is a high concentration of both residential children's homes and independent fostering agencies (IFA's). The figures remain consistent within the past three years with the North of the county (Sevenoaks, Dartford, Gravesham, and Swale) having slightly higher referrals at 48% (523). The East (includes the South) reached 46% (509) which demonstrates stakeholders are continuing to apply consistent thresholds to make enquiries with the service.

Table 2 Referrals by Sector



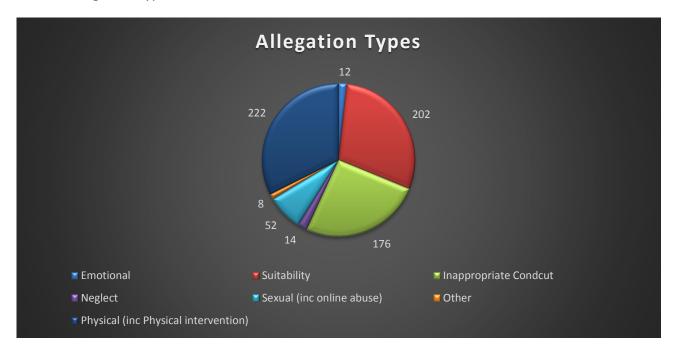
4.2 Recording the wider source of referrals to the CLS comes under four broad headings – Education, Early Years, Wider Workforce and Fostering. The statistical distribution of these allegations remains unchanged this year. Education remains at 51% and being the highest sector referring into the Service. This is the second year the wider workforce was almost half of the number referred under Education. The Wider Workforce increased by 1% so stayed in line with last year's data.

Table 3 Key Data with regards to Child and Young Person involved in the Allegation

Reason	Number	Percentage
Child in Care Kent	161	23%
Child in Care OLA	115	17%
Historical/no longer CIC	42	6%
SEN/disabled children	302	44%

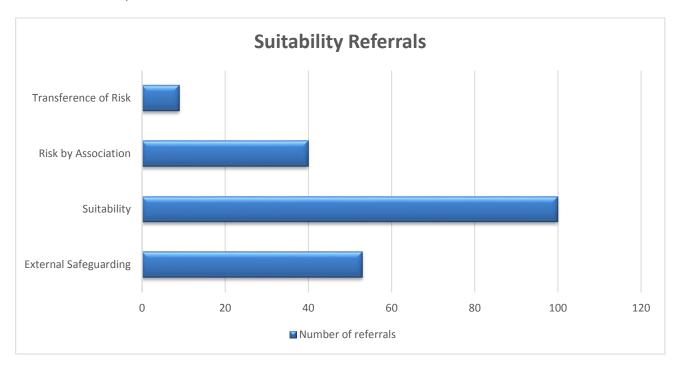
4.3 Children and Young People. Whilst the CLS primarily records information about the member of staff it also records key data about the child and young person, (if known), involved in the allegation. As seen from the figures above – there were almost double the number of historical allegations made and SEN/disabled children remain the highest category which is a concern given their increased vulnerabilities. Data currently relating to CP/CIN/EH categories are not recorded consistently. The ability to report on this child level data is part of the CLS workstream.

Table 4 Allegation Type



4.4 The highest categories changed slightly this year, however, physical abuse, which includes both authorised and unauthorised physical interventions, remains the highest category (32%). Last year this was followed by inappropriate conduct but there was a reduction in these types of referrals by 23% (54). This reporting year we saw suitability referrals increase by 71% (84) as predicted with the introduction of the fourth harm threshold. This is the second year the category was included in the data and the Harm threshold. Suitability is broken down into sub sections which is depicted below for reference.

Table 5 Suitability breakdown



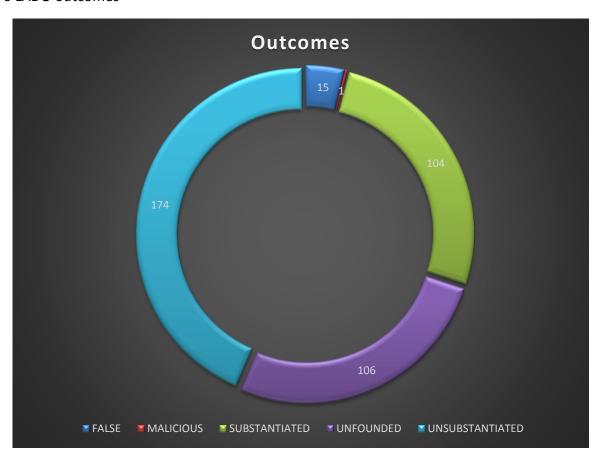
4.5 The CLS continues to recognise staff most likely to have allegations made against them will be those working with children directly and often for significant periods of the day. For these staff, the need to understand and work within the basic rules of professional safe working practice which is crucial to protect both children and staff. Staff understanding and responses to challenges presented by children suffering trauma needs to be reinforced by positive behaviour management techniques and organisational cultures. Kent's Practice framework supports this and is referred to regularly by the LADOs.

5. OUTCOMES

- **5.1** There are a variety of routes an allegation might take after it is referred to the CLS. There may be a Section 47 enquiry if there is a risk the child involved might have suffered or be at risk of suffering serious harm, and/or police investigation if the alleged perpetrator may have committed a criminal offence, internal safeguarding investigation and/or disciplinary procedures instigated by the organisation for which the alleged perpetrator works.
- **5.2** It is a requirement the LADO involved in a case is informed of the outcome of the allegation (by the police and/or employer) and an agreement reached on how this will be recorded. Final outcomes are recorded as:
 - **Substantiated** there is sufficient identifiable information to prove the allegation this did happen. Employer to refer to DBS.
 - **False** there is sufficient evidence to disprove the allegation.
 - Malicious there is clear evidence to prove there was a deliberate act to deceive and the allegation was entirely false.

- Unfounded there is no evidence or proper basis which supports the allegation being made. It might indicate 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** An unsubstantiated allegation is not the same as a false allegation. It means there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

Table 6 LADO outcomes



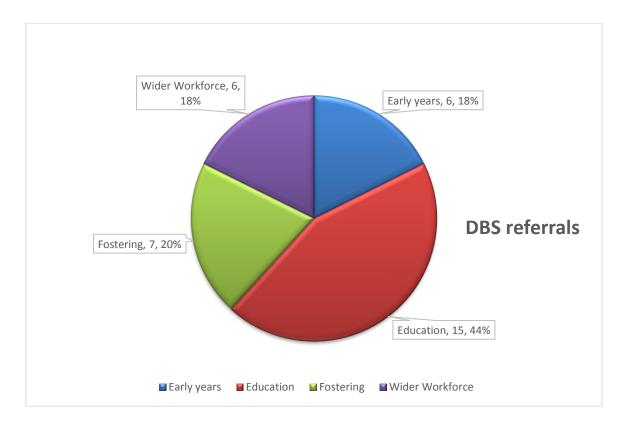
5.3 There were 400 allegation outcomes in this reporting period compared to the previous year of 388. There continues to be a delay in Police investigations when waiting for court dates and or return of forensics. Out of the 400 allegations, 104 were substantiated which is a decrease of 14%. Unsubstantiated was the highest category (174) which mirrors last year's outcomes. Unsubstantiated outcomes tend to present a dilemma for the LADO, the employer and the member of staff, as it does not imply guilt or innocence. Unsubstantiated leaves unanswered questions and possibly an on-going level of risk to be monitored over time. The CLS works hard with stakeholders to address this to provide a clearer pathway, when appropriate and possible, for all.

Table 7 Substantiated Outcomes



5.4 Education had the highest disciplinary processes again and 11 resignations which was significantly higher than the other sectors and the highest number of management actions (24) following a substantiated outcome. Management action usually entails reviewing risk assessments, monitoring and possible retraining elements or safeguarding refreshers. In this reporting year there were 34 staff referred to the Disclosure and Barring Service (DBS) for consideration of on-going professional suitability, the same number as the previous year. This process is mandatory and the responsibility of the employer with a duty to refer where staff were either dismissed or resigned because of allegations which concluded risk to children. The disparity between figures of actual referral and staff who either resigned or were dismissed is best explained by the fact some members of staff who resigned would not have been dismissed had disciplinary hearings completed. Allegations may not have been so significant as to conclude dismissal for gross misconduct, even though elements of allegations were proven.

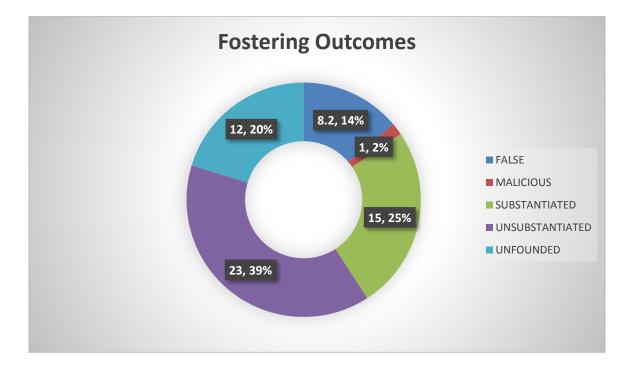
Table 8 DBS referrals



6. SECTORS

- **6.1** Fostering Kent continues to experience high volumes of children placed in the county from other Local Authorities. This is largely due to the high numbers of independent fostering agencies within the county. As identified in previous reports, the CLS receives referrals in this category regarding children who are vulnerable and unsettled. This increased contact with children increases the susceptibility of allegations against professionals who are there to care for them. It is also known staff experience difficulties with managing challenging behaviours with increased escalation occurring within the homes. De-escalation and positive handling of children is often identified as a skill vulnerability within the staffing group.
- **6.2** The CLS received 143 referrals in this category with the Independent Fostering Agency's (IFA) holding the biggest proportion at 62% (89) which follows similar patterns to last year's data (149). Of these 63% (90) related to allegations: 37 are KCC fostering and 53 IFA. Data shows this year that allegations relating to physical harm or intervention are the highest 41% (37) returning to numbers seen in previous reporting years. Last year did see a change where inappropriate conduct was the highest at 25% compared to this year at 23%.

Table 9 Fostering Outcomes

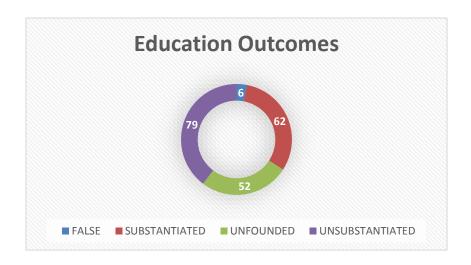


- **6.3** The CLS continues to work closely with KCC Fostering and maintained joint oversight to the allegations and processes to ensure foster carers are providing consistent standards of care and work within clear safeguarding expectations. Out of the allegations made against Kent Foster Carers, seven were substantiated resulting in one resigning and one carer being dismissed/deregistered, none were referred to the DBS. It is a very similar picture with the IFA data 8 cases substantiated which resulted in two resignations and seven referred to the DBS.
- **6.4** As highlighted in the above data, Education have the highest referrals into the service (51%). This decreased by 8% over the past 12 months with 36% of the education referrals falling under Primary school education (reduction of 4%). There were 568 referrals of which 62% (352) were allegations reported against education staff including staff covering transport services on behalf of the Education Department, school volunteers and site staff. It is expected Education would provide a vast majority of the referrals into the CLS as Kent has 791 schools, of which 462 are primary, 102 secondary, 20 Free schools, 121 Special/SEN and 5 Pupil Referral Units. Of these, 273 are academies and 304 are maintained by the LA. In addition, there are 62 Independent Schools.
- **6.5** Primary school referrals was the highest in this sector now for the past four years. Many of the referrals relate to teaching assistants and midday supervisors but we also oversaw allegations against members of Primary senior leadership teams (SLT).



6.6 The two highest allegation types remain consistent with previous reporting years, physical (including interventions) came in at 33%. As with previous years allegations tend to increase towards the end of school terms and it was noted the context around many education referrals were pressures and or stress experienced by staff.

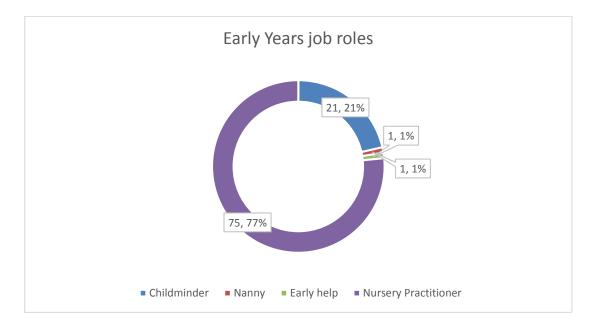
Table 11 Education Outcomes



- **6.7** The highest outcome remained Unsubstantiated followed as in previous years with Substantiated. 34 staff either resigned or were dismissed, with 16 going through disciplinary action which is very similar to the previous year.
- **6.8** The CLS continues to manage allegations mainly against classroom/teaching staff 40% (reduction of 1%) (225) and 30% (reduction of 8%) (159) are linked to Teaching Assistants & Support Staff within education. These allegations also feature both Head Teachers, 7% (38) and school Governors 1% (6) both showing an increase from last year's data. The CLS continues to work closely with our colleagues in education ensuring safer recruitment practices, role modelling and allegation management is consistently on the agenda and modelled throughout the education provisions from the top down. As seen with other roles, some of the allegations against Head Teachers came under the fourth harm threshold involving external safeguarding matters and transference of risk.

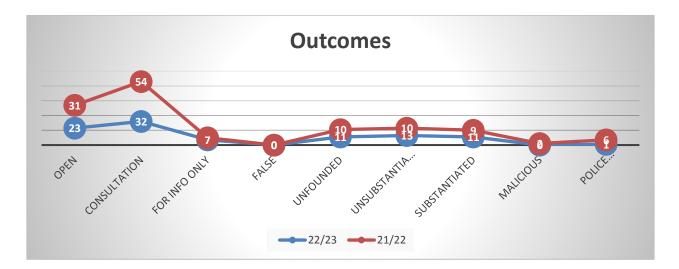
6.9 The Early Years sector does not include those employed within schools working with reception aged children. The data represents those in pre-school employment. Across Kent there are 607 private, voluntary, and independent settings, 103 out of school settings and 96 maintained, academy, school run or colleges with a nursery. In addition, there are 743 Ofsted Registered for Early Years childminders (under 5yrs), 53 Ofsted registered for childcare childminders (5-8yrs) and 50 childminders registered with an agency.

Table 12 Early Years Job Roles



6.10 98 referrals were received regarding Early Years practitioners which is a decrease on the previous year of 21% (27). 75 (77%) of the referrals related to Nursery practitioners which is an increase of 6% on last year's patterns and Childminders are the next largest role in this sector referred with a slight decrease of 6. 50% (54) of the referrals were recorded as allegations with 53% (29) relating to the fourth harm threshold and 20% (11) regarding inappropriate conduct. This is the same pattern as the previous year's data.

Table 13 Early Years Outcomes



- **6.11** The data shows in total eight members of staff resigned or were dismissed from their roles and one was referred to the DBS.
- **6.12** In relation to the Wider Workforce category, this year there was a slight decrease in referrals for this sector from 315 to 295 of which 71% (211) were allegations reported against staff holding positions within the wider children's workforce. This is an increase of 10%. This sector ranges from grass root sports clubs through to residential/care sectors, Police, Health and ICS amongst others. The wider workforce, however, dropped in referrals from previous years. It makes up 27% of the overall referrals into the CLS which is 1% higher than last year.
- **6.13** The highest category in the wider workforce was Physical abuse 30% (60, reduction of 1) followed by Suitability 29% (58, increase of 9). This year Unsubstantiated was the highest outcome for this sector increasing by 38 and substantiated decreasing by 4%.

Table 14 Wider Workforce outcomes

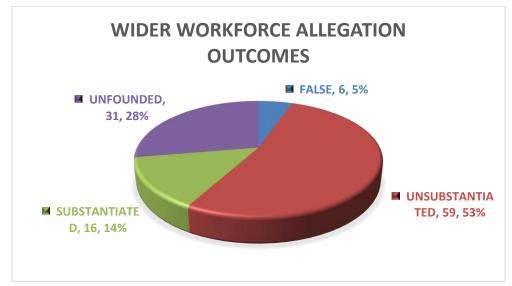
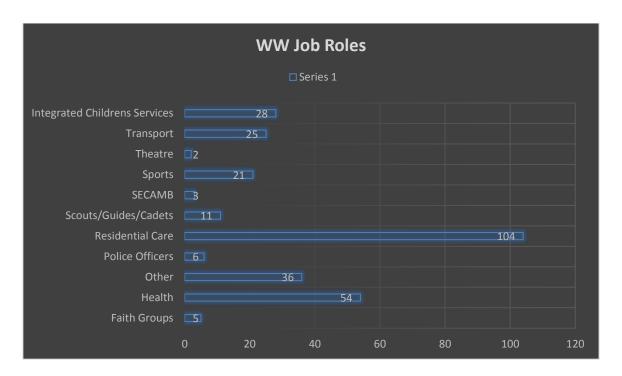
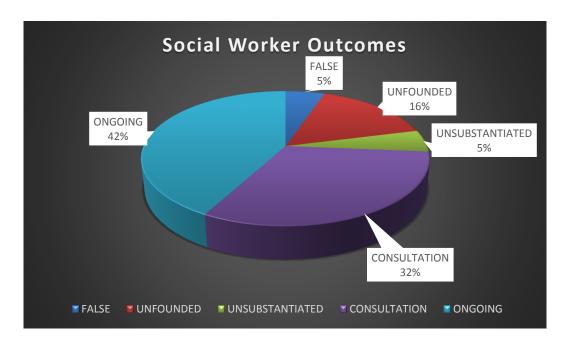


Table 15 Wider Workforce settings



6.14 During this reporting period, the CLS received 19 referrals relating to KCC Social Workers, an increase of 8. Six related to Suitability concerns, one inappropriate conduct, one sexual, one neglect, one emotional and one physical. The remaining eight did not meet the allegation harm threshold and were recorded under consultation.

Table 16 KCC Social Workers/KCC staff



6.15 Kent Police Force - The CLS tracks both referrals made in relation to serving Kent police officers and those referred from Police in relation to members of staff within the children's workforce. There were 6 referrals regarding serving police officers in the Kent Police Force which is a decrease of 3 from last year. Three met the allegation harm threshold and are ongoing. 71 referrals were received from Police teams across the Kent police force, a decrease of 27% (27). Partnership working with the Police Professional Standards team is still ongoing. Alongside this, work was undertaken to introduce a protocol between the CLS and Kent Police Force around allegations. This will set out expectations and timescales relating to both allegations and those relating directly to serving police officers and or personnel. It is encouraging to see an increase is referrals.

Table 17 Allegation Types from Police referrals

	External Safeguardin g Issue	Suitabilit y	Inappropriat e Conduct	Onlin e safety & abuse	Physica I	Risk by Associatio n	Sexua I	Tota I
Police	5	8	6	5	2	4	5	47
POLIT	1	1	0	6	0	6	0	21
VIT	0	0	0	0	0	0	0	0
PROFESSIONA L STANDARDS	0	0	0	1	0	0	0	1
VISOR	0	0	0	0	0	2	0	2
Total	6	9	6	12	2	12	5	71

6.16 In comparing the data with other Local Authority safeguarding partnerships, Hampshire a statistical neighbour, reflects similar patterns to Kent recording this year 771 allegations. Out of the allegations 14% (110) were recorded as substantiated and the highest category was 25% (190) recorded as unsubstantiated. Like Kent, the predominant category was physical abuse/interventions.

7. PERFORMANCE

7.1 The timescales for completion of referrals is a fundamental part of the LADO role. The CLS aims to meet the original Working Together guidance around length of time LADOs were encouraged to be open and challenging with stakeholders on length of investigations. The guidance is 80% of cases should be resolved within one month, 90% within three months and all but the most exceptional cases should be completed within 12 months. It must be recognised most LADO services do not report against these timeframes as they do not reflect current working practices.

Table 18 Key Performance indicators (KPI) for timescales

Year	1 month (80%)	3 months (90%)	12 months plus	ongoing
2020-2021	187 (31%)	104 (17%)	598	210
2021-2022	432 (35%)	712 (57%)	756	397
2022-2023	454 (41%)	134 (12%)	0	324

Table 19 KPI comparison with other LA

Hampshire	1 month (80%)	3 months (90%)	12 months plus	ongoing
2020-2021	271	81	44	55
2021-2022	366 (49%)	137 (18%)	2	161
2022-2023	289	140	5	225

- **7.2** This is the second annual report the service calculated and reported on timescales. These are completed manually and this year we observed an increase in referrals closed within a month. The Service closed 137 (12%) within 12 months during this period and has 29% of referrals still open and under allegation management. For the closure of cases, as with previous years, some are delayed due to two main causes. The first relates to police investigations and delays with forensics, CPS and or the courts. The second often relates to delays with regulatory bodies such as GMC, SW England, TRA or Sports governing bodies can take time for investigations to conclude. The other factor LADOs contend with around delays in progressing cases is the clash with HR processes and some employers wishing to conclude disciplinary action prior to reporting on the safeguarding risk. The latter is regularly challenged.
- **7.3** However, it is suspected the way in which the CLS records and progresses referrals will have an impact on the 1-month target of 80%. If Kent CLS were to include the contacts to the LADO Enquiries the 1-month completion rate is highly likely to be significantly increased. Discussions with other LADO services highlighted again how the difference in recording and the interpretation of guidance varies immensely across England and Wales.

8. What is the Data Telling Us?

- **8.1** This period of reporting for the CLS was a challenging time due to the issues with staffing and capacity matters. The number of contacts and referrals into the Service have, over these months, felt at times overwhelming. However, on reflection it is thought the feeling was mainly down to workers covering for absences and taking on additional roles/tasks alongside allegation management. Juggling different processes in the Service undoubtedly impacted on the ability to consistently progress referrals and the ability to offer additional practice measures, such as Position of Trust meetings reliably.
- **8.2** The 26% reduction in referrals is considered to be expected after such a dramatic increase the previous year when stakeholders were recovering from the pandemic. It is pleasing to see the referrals have come from all areas across Kent and figures overall remained stable. LADOs continued to manage heavy caseloads and the number of referrals each week did not vary significantly just demonstrating there has not really been a 'quiet' period. LADO enquiries are always plentiful, and stakeholders again do not appear to drop away significantly during periods such as school holidays. The only sector this can be related to is Education, who returned to being the highest referrer and highest referred sector. They equally use the Enquiries process the most out of the sectors. Whilst not being disproportionately over and above other sectors this should be considered around influencing factors. Some staff referred through to the Service from Education were due to factors outside of their teaching roles. For example, the teacher was well regarded in relation to their ability to teach but their conduct or suitability relating to mental health was raised as a safeguarding concern.
- **8.3** The data on outcomes during this period demonstrates an increase in the use of unfounded and false outcomes. Unsubstantiated returned to the highest outcome. This is an interesting trend in so far as LADOs work hard with employers to find the most appropriate outcome to allegation management, often highlighting the predicament with an unsubstantiated conclusion. It is possible the unfounded and false outcomes are being used to compensate for the level of unknown risk unsubstantiated leaves. Whilst this may be strongly linked with the fourth harm threshold being in relation to transferrable risk, this is something the Service will consider moving forward and audit the unfounded and false allegation outcomes. The fourth harm threshold of Suitability increased as predicted and in line with the increase of mental health and external safeguarding concerns being raised. The reduction in childminders being referred, and an increase in nursery practitioners under allegation management, is a result of early years settings returning to full capacity.
- **8.4** The length of time a referral is open in the CLS was impacted as stated above by HR and Police processes. It was impacted by LADO capacity during this period to progress recording and updates through to closure. However, staff subject to allegations using the Subject Access Request (SAR) process, Occupational Health (OH) and at times the employer's complaints process, also increased the length of time a case is under allegation management. Staff who suffered with their mental health and anxiety provided challenges for employers to investigate.

9. 2021-2022 recommendations

To remind the reader, the table below provides a summary and update as to the 2021 - 22 LADO report.

	RECOMMENDATIONS	PURPOSE	TIMESCALES	UPDATE	RAG
1.	CLS workstream to work towards completion and outlining improvements by September 2022. Reporting facilities — Power BI and Liberi Update of fields within electronic recording system (Liberi) Referral forms via Childrens Portal.	Bring the fields in line with Kent's Practice framework and enable LADOs to record rationales, guidance, escalation, adjudication and learning coherently in various fields to enable reporting in the future and assist with auditing whilst increasing reporting capacity.	December 2023	Updates were made to the recording system Liberi by December 2022. The referral went live on the Children's Portal January 2023. Due to Staffing challenges within MIU this has led to a delay in the development of the CLS Power Bi. This part has not been met	
2.	CLS Escalation Process to be embed and have a clear tracking and reporting system. (Escalations are for practice issues such as Timescales Not following LADO advice and guidance Inaction or decisions have not addressed risk Practice could place children at risk Not adhering to legislation)	Evidence of LADO oversight and challenge. Evidence that good practice and practice needing improvement is acknowledged with stakeholders and the CLS.	December 2023	The escalation form is now in the allegations tab in Liberi – however, it cannot be used as it does not transport between the locked allegations section and the rest of the Liberi system. It is currently not possible to use with external parties. It is planned that this will be possible by the end of 2023.	
3.	Improvement in attendance to the	CLS to continue with the promotion of the service	December 2023	3 KSCMP LADO Need to Know sessions were	

	'KSCMP LADO need to	and reaching out to Faith		hosted with good overall	
	know' sessions from	groups to develop robust		multi agency attendance.	
	all Faith Groups.	allegation safeguarding		However, no increase	
		knowledge.		from the Faith Groups.	
				Therefore, need to	
				continue with Lead role to	
				promote and link in with	
				the sector.	
4.	Continue to develop and	A joined up and	August	Provider Sanctions	
	work with commissioning	contextual approach to	2023	Meetings are in place.	
	about wider	wider or cultural			
	safeguarding concerns	safeguarding matters or		The provider hub can	
	linked to settings.	concerns/patterns.		record against settings.	
				Placements, Purposeful	
				Visiting and	
				Understanding the Childs	
				Lived experiences	
				guidance has been	
				updated. These were	
				then relaunched via a	
				Communities of Practice.	

10. Activity

- **10.1** The LADO's role is the management and oversight of individual allegations and concerns. Allegation management should be seen in the wider context of safer employment practices with 3 essential elements:
 - 1. Safer recruitment and selection practices
 - 2. Safer working practices
 - 3. Management of allegations or concerns
- 10.2 The CLS provides consistent and appropriate scrutiny across diverse workforces and voluntary bodies including affording adjudication of outcomes and escalation of practice learning both good and requiring improvement. This includes quality assuring referrals and subsequent activity in relation to the Kent Practice Framework having regard to trauma informed practice, systemic and contextual safeguarding. To support this during the reporting year, the escalation process for the service was updated and included in awareness training/presentations. The escalation form is built into Liberi to assist with future reporting. This is on hold currently due to technical issues, however, by the next annual report, figures should be available alongside an analysis of rationale for initiating the escalation process. The reasons for escalations for 2022-2023 were mainly due to two strands, 1) the employer choosing to follow HR employment processes and overriding allegation management and 2) suitability of investigators and timescales taken to complete reports.

- 10.3 Whilst traditionally the LADO role was defined as being person specific, Kent LADOs also considered the wider context and safeguarding afforded by a provision. Strong links are held between the CLS, the Total Placement Service and Commissioning around information sharing specifically around provision concerns through the Provider Sanctions Group. This may include lack of understanding of safeguarding, compliance failures or unsafe recruitment processes. In turn this process feeds into the Council's policy and guidance on <u>Placements, Purposeful Visiting and Understanding the Childs Lived experiences.</u> Currently there is no reporting data around the number of provisions raised within this group, but it is hoped this could be planned for future reports.
- **10.4** The CLS is already on the journey to meeting Recommendation 8 of the Hesley Report: 'Systems for the early identification of safeguarding risks in residential settings should be strengthened through an enhanced role for host local authorities and ICBs in the oversight of residential settings in their area'. The main residential provision in Kent for children with disabilities and complex health needs receive a bespoke service from the CLS. In addition, the LADOs will identify if there is a need to inform other placing authorities of concerns in any setting which is underpinned by the Provider Sanctions Group.
- **10.5** The LADOs continue to play a vital and expanding role in ensuring safeguarding standards across the county in several other areas of work including:

Responding to Ofsted requests		
Ofsted Inspections	54	
Ofsted Category 2 48		
Ofsted Information requests	51	

Freedom of information	Independent Schools Inspectorate (ISI)	Subject Access Requests	Safeguarding and Fostering checks	LADO Enquiries
oacion	Inspection requests	nequests	rostering enecks	Linguines
5	35	23	633	868
Up 2 1	Up 1	20%	6% 1	34%

10.6 The CLS has always offered development opportunities for the LADOs to lead on an area of interest or challenge within the service. This helps build on knowledge and partnerships with our stakeholders. These roles are not a requirement or a performance indicator but do enhance knowledge and partnership working.

Current Lead roles	Updates
Early Years	Continues links with Education Early Years workers to review cases and settings of concern. Continued presentation of LADO at the EYs safeguarding forums. Continued attendance at the Ofsted Early years meeting.
Sport	Sharing of national information around sports and allegations with CLS, links with GET (KCC) and Sports England. Recent attendance at NLN subgroup on Sports to share practice and advice on various sports e.g., karate. Continued partnership working with England FA, Cricket, and Sport England.
Strengthening Independence Service (including link LADO with Bradstow Residential School)	Continue to provide bespoke service to Bradstow alongside Wandsworth. LADO challenge on allegation management investigations undertaken by SIS and overall guidance provided.
Mental Health	Links with leads in MH to help advise and guide LADOs on specific cases.
Faith Groups	Reached out to Police Faith group lead and Kent Faith lead for contacts. Approached KSCMP and requested to host a subgroup on Faith Groups in the partnership that may address linking in with faith sectors/leaders addressing safeguarding across the board (e.g. allegations, Prevent). Agreed in principle
HR matters	Regular meetings with Education HR lead and Cantium HR managers to address conflict in allegation management process. Presentation to HR colleagues on LADO need to know.
Independent Schools	New lead yet to be explored
Front Door Service	Links in with Service Meetings and continued LADO updates provided.

- 10.7 As previously recorded, challenges to LADO capacity brought about by sickness, absence and vacancy has meant business processes were prioritised over the lead roles. However, despite this, there have been various meetings across the board to develop knowledge and partnerships. The most important element to raise is that practice challenge continued across these 12 months in relation to all these areas. This has often been alongside live case work and LADOs identifying 'lessons learnt' or concern that needed to be appropriately challenged. A good example is the HR lead and regular meetings with Cantium (KCC), Education and other HR providers within the children's workforce to navigate through the complex world of employment law versus children's safeguarding.
- **10.8** The service continued being represented at both the Southeast Regional LADO Meetings and the National LADO Network meetings and subgroups. This enabled the service to remain up to date with current practice issues, national direction and future changes on the horizon. One clear example being the recommendation for a LADO Handbook following the National Review/Hesley Report and updates to Working Together by the end of 2023.
- **10.9** The service is linked in with the Child Outcome Analysis (COA) process. This ensures the CLS is aware of practice in districts, sees how the Kent Practice Framework is used and helps to keep them up to date and visible across Integrated Children's Services. Feedback and outcomes from the COAs are discussed at team meetings and considered alongside practice afforded by the LADOs and any trends identified.
- **10.10** The County LADO Manager over the past 12 months been part of the Nuffield Foundation Project Advisory Group on Outcomes for children's social care and worked with Lancashire LA around redeveloping their LADO service. Lancashire LADO consulted with CLS following the ILACS Ofsted Outstanding grade as they wanted to emulate a similar service in their LA which they recently launched. Lancashire and Kent LADO services planned a two-day peer review of each other in autumn 2023 to share updated knowledge and inform practice issues for both parties. The LADO evaluation will include an analysis of how other Local Authorities resource and organise their LADO services.

10.11 The service continued to provide training/presentations to the Kent Social Work teams, Kent stakeholders and via the KSCMP regarding allegation management:

TRAINING DELIVERED TO:	DATES OF TRAINING		
Swale District CSWS	01 April 2022		
Sevenoaks/Tunbridge Wells District	12 April 2022		
Leadership business Meeting			
Cantium HR advisors/managers	12 April 2022		
Margate CWST District Meeting	14 April 2022		
Child Protection Chairs Team Meeting	28 April 2022		
East CIC District Meeting	04 May 2022		
Maidstone District CSWS	06 May 2022		
IFA Forum	9 June 2022		

Ofsted Early Years Service	15 June 2022
KSCMP LADO Need to Know multi agency	27 June 2022
training	
Kent Fostering Service Meeting	14 September 2022
KSCMP LADO Need to Know multi agency	27 September 2022
training	
KSCMP LADO Need to Know multi agency	15 December 2022
training	
School Designated Safeguarding Leads (DSL)	02 March 2023
meeting Folkestone	
School DSL meeting West Primary	03 March 2023
School DSL meeting Ashford	06 March 2023
School DSL meeting North Primary	06 March 2023
School DSL meeting Dover	13 March 2023
KSCMP LADO Need to Know multi agency	14 March 2023
training	
School DSL meeting Canterbury	15 March 2023
School DSL meeting North Secondary	21 March 2023
School DSL meeting Folkestone/Hythe	22 March 2023
School DSL meeting West Secondary	22 March 2023
School DSL meeting Swale	23 March 2023
School DSL meeting Thanet	24 March 2023

10.12 KSCMP LADO Need to Know training sessions continue to receive high praise from stakeholders and multi-agency attendance. KSCMP only offer the course online for a maximum of 25 candidates per session and four are booked across the reporting year. All four were held and the total number of attendees were 94/100. These were traditionally run by the County LADO Manager but two during this reporting year were delivered by one of the LADOs.

'Very informative, trainer was knowledgeable'.

'Informative and operationally useful'.

District or setting presentations sample of feedback comments:

'All enjoyed this and felt stimulated by it. Lots of discussions emerged from it. Excellent'

10.14 Safeguarding Alerts. 'The importance of sharing information and decision-making, where there are cases of concern, should not be underestimated. It is fundamental for cases of concern to be reported to senior managers at the earliest opportunity when it becomes clear that the case constitutes a level of concern that needs to be reported. Case alerting ensures a level of shared accountability as well as enabling other processes to be put into place where actions are required.' Need to Know notifications and Alerts procedure (November 2022). The process is for an alert to be submitted into the safeguarding unit.



- **10.15** The CLS does not submit significant numbers of safeguarding alerts. LADO cases are usually in relation to an individual staff member and does not impact on the overall safeguarding provided by stakeholders. The current criteria used by the County LADO Manager is:
- Likelihood of social media or press interest either presented through the community or via the court processes.
- Serious incidents such as child death, NAI, staff self-harm
- Reputational risk for KCC and possible commissioned services
- Interest from key governing bodies such as Ofsted, Social Work England
- Cases being raised with KSCMP under Rapid Review

- 10.16 Whilst the LADO role is person specific there are occasions where the CLS became increasingly concerned about a provision or setting. A safeguarding alert may be submitted to raise that a scoping meeting may be required and risk assessments undertaken for all children placed at the named provision. LADOs will frequently raise contextual safeguarding matters when they are seen in allegation management with the named provision and the relevant network which may involve the regulator. In this reporting period the CLS submitted 2 alerts due to media interest.
- **10.17** In relation to complaints, the CLS received six complaints in total, two which progressed to Stage 2 in the Councils complaint process. All complaints were not upheld. The majority related to members of staff who were referred and who were frustrated with the allegation management process.
- **10.18** Prior to the COVID 19 pandemic LADO Caseloads would have been between 75 80. For this reporting year there was an increase and LADOs frequently saw their caseloads rising above 100. The current average is 85. The increase is down to two main strands an increase in time referrals took to resolve, due to HR matters, delays in police investigations and criminal courts and absence of staffing in the service. The CLS has, during this reporting period, hosted a maternity leave and several sickness episodes from both LADOs and the CRO's. This meant there was transfer of cases to temporary workers and the remaining staff absorbing additional work.

11. Feedback

11.1 Feedback continues to be very positive from stakeholders but remains low having received only thirteen online Microsoft forms during this period (reduction of 12). It is unclear why the feedback forms are not being actively used other than time being stated as a factor, although the form is very short and, on average, takes 7 minutes to complete. The feedback request is promoted all through the allegation management process and the link is provided in service emails and on KSCMP website. The apprentice completed a project contacting a list of referrers asking for feedback and raising questions on the process. This was poorly responded to and did not result in an increase with feedback. One theory is the LADOs have frequent contact with referrers and receive anecdotal feedback or comments within emails. If a Position of Trust Meetings is held it also explores what worked well and what needs improvement across the board. All presentations and training reiterate the importance of feedback to help improve service delivery. The majority scores across the service were between 8 and 10 out of 10. Please see some comments received:

LADO officers are always very helpful and advise clearly and direct as necessary.

Excellent support provided throughout the process.

Excellent support/partnership from both this LADO and the previous advising LADO in 2022 in a linked manner. I deal with LADO's across the country and whilst I shouldn't



11.2 Feedback from Senior Ofsted Officer – Early Years, Southeast region Mandy Mooney:

Felt that there was a very strong positive working relationship with Kent CLS. Noting that this is not replicated across the country, and it was great given the size of Kent. There is great communication and information sharing and she is keen to develop our relationship with them in the future. Mandy was impressed at how we are mindful of staff welfare/wellbeing needs and how we signpost etc. Mandy specifically mentioned LADO Alexa Andrews as being great and lovely. (7.6.22)

11.3 Feedback from IFA Forum:

Kent is very clear on process and policies. All LADOs provide measured and clear advice and guidance. We are seen as an approachable service, and all loved the LEO process. (9.6.22)

11.4 Compliment from a member of staff subject to an allegation:

I have just received a data subject access request from Kent County Council that I had requested.

Although I was a part of a Disciplinary investigation by my school (My employer). Despite the only knowledge Alexia Hosker (LADO service) had of myself being a series of police reports, followed by a safeguarding risk assessment report deeming me to be some sort of danger to society. She still had persistent care for my welfare and pursued my employer that welfare plans or welfare checks were made for me without any judgement and/or any need on occasions to pursue or check that my employer had done this for me. It really touched me to the point that I still have tears running down my face as I write this.

I fully appreciate that a part of Alexia's job is to advise an employer that welfare support is put in place when needed. She went far beyond what was needed in the pursuit to make sure that I had adequate support. This can only show what a kind human being she is and a very unique individual.'

12. Evaluation of the CLS

- **12.1** In March 2022, an evaluation of the service was undertaken by the Service Manager and County LADO Manager. The purpose was to highlight what areas of the service could improve productivity whilst reducing further demands on LADO and CRO's, identify any blocks and offer solution focussed recommendations. It highlighted four primary areas of improvements required to support the LADO and the CRO's in fulfilling the County LADO Service duties efficiently and effectively, enabling the reintroduction of wider LADO responsibilities, paused, or undertaken by the County LADO Manager.
- 12.2 Increasing the establishment within the service was deemed necessary but highlighted it 'would not mitigate the underlying problems of processing the work, which will continue to create pressure points in the service. CRO's will be further stretched by accommodating more LADOs and overseeing an apprenticeship. Updating the Liberi allegations section, adding the fourth harm threshold, relating the recordings to reporting, pulled through to Power BI, including KPI's, would enable the service to cease using one of the time-consuming trackers and prevent several duplications in the workflows'. The report was accompanied with an action plan feeding into the actions/recommendations outlined in this annual report. The 2023 Re-evaluation of LADO will assess whether the actions identified from the 2022 evaluation were successfully embedded.
- 12.3 HR and employment issues continues to be a challenge both for the CLS and nationally for The CLS has robust processes in place setting out expectations around allegation management and identifies the cross over with HR processes. The HR lead and the County LADO Manager continue to build relationships and understanding of the challenges with HR representatives across the Kent Childrens Workforce. The challenge comes when employers feel pulled in two directions – disciplinary processes and allegation management. There is no easy answer and the LADOs are proficient at navigating employers through the process. This will often involve holding regular Position of Trust Meetings and where necessary undertaking appropriate escalation. Examples of when the challenge is not overcome observed LADO outcomes overridden by disciplinary processes, opening an unassessed risk in the children's workforce and a conflict in recording of outcomes. Delay was a factor in some cases where employers follow HR and will not provide a LADO outcome until conclusion and lastly the settlement agreement. This latter practice is generally not supported by LADO but regularly highlighted by HR representatives. LADOs often do not approve of settlement agreements as they tend to result in omitting details around safeguarding concerns and therefore the risk level. Employees then leave and there is no guarantee future employers will be aware of concerns presenting a risk to children in the future.
- **12.4** Mental health and new diagnosis of anxiety, ADHD and or autism this is a theme continuing from the pandemic. An emerging theme is staff are now being referred for welfare or mental health matters. This reporting year saw a pattern in delay of investigations due to staff ill health and or referrals for Occupational health assessments. The CLS has links with workers in adult and adolescent mental health services supported by the Lead LADO in this area. Understanding impacts of mental health is key in being able to provide effective allegation management. LADOs are not mental health practitioners but do link in wherever possible with experts to help measure risk.

12.5 The CLS were included in the ILACS inspection in May 2022 and provided status as Outstanding. Inspectors feedback included thorough management oversight through to outcome and next steps for employees, alongside robust critical challenge. It did recognise the rise and fall of caseloads within the service and the challenges that led to the inconsistency in maintaining reasonable caseloads. 2022-2023 was a challenging year for the service purely due to capacity and systems. This report demonstrates that against these difficulties the CLS was active and continued to play a key part in ensuring the children's workforce is safe for children and young people across Kent.

13. Conclusion

The data and the analysis evidence the LADO remains a busy and well-respected service continuing to provide a quality service. There were significant challenges over the past year. These challenges relate to two specific themes. The first relates to staffing. The KCC LADO service is a small team, and as such, with limited capacity to offset or cope when there is long term sickness. To further complicate matters it proved challenging to recruit to the CRO posts. The second theme relates to business systems and processes which continue to experience delays in transferring manual activities to the LADO Module in Liberi. These issues along with a review of the 2022 action plan will be tested in the evaluation of the LADO service due to be completed in January 2024.

14. Next steps

	RECOMMENDATIONS	PURPOSE	TIMESCALES
1.	Evaluation of CLS	To test whether the March 2022	
		action plan was successfully	
		achieved and in timescales.	January 2024.
		To improve working capacity.	
		To consider the role of systems and administration.	
2.	Resilience in the CLS	Strengthen resilience across the	
		service to withstand adversity and	
	Work with HR on sickness	deliver the business to a high	September 2023
	levels and individual plans	standard.	
	Strengthen the business		August 2023
	support offer in the service		
	and realign with BSO		
	management akin to ICS.		
	Continue to provide both		Ongoing with monthly,
	individual and group		quarterly, and annual set
	oversight, meetings and		meetings
	wellbeing initiatives.		

3.	Streamlining processes and recording facilities re Power Bi and Liberi. Ongoing workstreams with MIU and regular meetings are in place to track progress. Liberi changes are timely.	Ability to analysis data	November 2023 Next meeting 7 August 2023
4.	Escalation Process to be live on Liberi for both internal and external staff.	Effective tracking process that holds timescales and can be directly reported on.	October 2023 Testing of built form on Liberi going ahead September 2023.
4.	Clear recording of the impact on the child/young person to be further developed — including evidence of LADOs ensuring feedback of outcome of investigations are made direct to the CYPE. Reporting function to be built into Liberi for LADOs to complete when recording outcomes.	Evidence that child remains central to the work and that impact is considered.	March 2024
5.	Embed the Provider Sanctions Group and explore the reporting possibilities. Meetings are now in place and the Provider Hub is active.	Good understanding of the provision across Kent and links with regulators and commissioning services. Aim to ensure provisions used are the safest can be for our children and young people.	March 2024 Monthly meetings
6.	Lead Roles HR – continuation of meetings with Cantium HR and bespoke HR services to address themes and patterns arising from live case work.	Enhance knowledge and build on professional working partnerships	Ongoing

Complete the draft joint	
training package.	April 2024
Faith Groups - CLS to	Ongoing
continue with the promotion	
of the service and reaching	
out to Faith groups to	
develop robust allegation	
safeguarding knowledge.	
Progress the KSCMP request	March 2024
to host a multi-agency	
subgroup on Faith to begin	
mapping out contacts and	
reaching out to various Faith	
Sectors.	
Fail and Carlly allala	0 - 4 - 4 1
Early years - Continue links	Quarterly meetings
with Education Early Years	
workers to review cases and	
settings of concern.	
Continued presentation of	Dates yet to be set
LADO at the EYs safeguarding	Dates yet to be set.
forums.	
Continued attendance at the	15 November 2023
Ofsted Early years meeting	13 NOVEITIBET 2023
and provide report.	
	Bespoke training to be
Strengthening Independence	delivered to service:
Service (including link LADO	21 September 2023 East
with Bradstow Residential	TBC West
School) – follow up from	TDC West
findings from Child Outcome	Bradstow meetings to
<u>Analysis</u>	continue quarterly (next
	in September) and to
	involve when required
	Wandsworth to keep
	agreement up to date and
	reviewed.
	i Cvicvvcu.
	On going involvement
Sport – networking and	with the NLN subgroup on
	the Helt Subgroup off

	discovering links to		sport
	regulators.		
			Links with NLN and RLG to
			share examples and
	Mental health – exploring		advice, knowledge.
	themes around increase		
	anxiety and ASD, ADHD.		Use ability to consult with
			named colleagues.
	Working with colleagues in		Invite to team meeting in
	mental health to develop		autumn 2023
	knowledge.		
7.	Feedback	Establish consistent feedback from	October 2023
		stakeholders on the LADO service	
	Review current feedback	and processes to inform	
	form and relaunch	improvements.	
8.	Audit of Outcomes	Test whether it was proportionate,	Spring 2024
		whether the LADO agreed and	
	Dip Sample referrals that	whether it was chosen over	
	recorded a False or	recording an unsubstantiated	
	Unfounded outcome	allegation	
9.	External Audit	External oversight and feedback	Spring 2024
		into Kent threshold and allegation	
	Progress the offer with the	management to help improve	
	Lancashire CLS to audit each	practice.	
	other's services.	Learning for Service in auditing	
		another CLS.	