

Allegation Management and Keeping Children Safe In Education Updates

Amanda Sheen

Local Authority Designated
Officer

Scope of the LADO

- Working Together 2018 sets out that Local Authorities should have a Designated Officer (LADO) to be involved in the management and oversight of allegations against a person who works or volunteers 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

Role of the LADO

- The LADO is involved from the initial phase of the allegation through to the conclusion of the case. They will provide **advice and guidance** and help determine that the allegation sits within the scope of the procedures. Within the role the LADO helps co-ordinate information sharing with the right people.

Role of the LADO

- LADO's **do not** undertake investigations
- It is their role to ensure consistent and fair process is followed, that children are safe and that any staff member where a point of concern has been raised is treated fairly and proportionately.
- Quality Assure Investigations and record Outcomes

Allegations Against Staff

- Organisations should have clear policies in line with line from the IOWSCP for dealing with allegations against people who work with children. Such polices should make a clear distinction between and allegation, a complaint, or a concern about the quality of care or practice.

(Working together to safeguard children 2018)

Allegations against Staff

- Do not delay accessing HR advice and commencing with departmental policies and procedures as you **do not** require authorisation of the LADO
- Do not delay in referring to children's services or Police
- A referral to the LADO **should not** prevent commencing with any formal complaints procedure in place by the setting

Data

- In 2018/19 there were 146 referrals to the LADO service.
- 72 (**49%**) were regarding staff or volunteers working within Schools

Themes

- Incidents that happen during non working hours.
 - Failure to respond to concerns in a timely way.
 - Failure to report concerns at the earliest opportunity.
 - Pushing and use of physical intervention
 - Inappropriate language
-

What is an allegation?

Allegation, Complaint or Concern?

1. Librarian provides 13 year old gifted student with a copy of *50 Shades of Grey* for them to read and then discuss afterwards
2. Teacher grabs hold of the bag of a student who is running in the corridor. Student loses their footing and falls over. There are no injuries
3. Teacher gives a pupil a cigarette at lunchtime to calm them down
4. The children of a member of staff are being assessed for child protection concerns by social care (S47 investigation)

Allegation Threshold

- 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

Concerns & Complaints

- A 'concern' may be treated as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.
- A complaint may be generally recognised as 'an expression or statement of dissatisfaction however made, about actions taken or a lack of action' (DfE 2019)

What is a Concern

- Inappropriate use of language, shouting or swearing
- Discussing personal or sexual relationships with, or in the presence, of pupils
- Making (or encouraging others to make) unprofessional comments which scapegoat, demean or humiliate children, or might be interpreted as such.

What is a Complaint?

- Breaches of the Code of Conduct
- Failure to follow policy, procedure or guidance
- Any breach of data protection or confidentiality
- Poor behaviour management
- Inappropriate use of social media
- Misadministration of medication

Section 128

*Why? Schools should also carry out a Section 128 check for school governors, because a person subject to one is **disqualified** from being a governor.*

How? Use the free Employer Secure Access sign-in portal on the TRA Teacher Services web page.

Areas for Consideration

- All staff need to be clear about how to contact the Chair of Governors if there is an allegation against the Head teacher or Proprietor.
- The nominated governor for allegations against the Head teacher must be independent and impartial
- All staff need to be clear about the purpose of the whistle blowing policy and how it sits separately from allegations against staff procedures

Areas for Consideration

- Policies and procedures need to be regularly reviewed and website information kept up to date.
- Review the leadership of safeguarding to consider it as a subject area with the same management oversight and improvement cycle of auditing, prioritising, planning, monitoring, evaluating and reporting
- Governing bodies need to be clear about their roles and responsibilities for “evaluating effectiveness.” This is much better developed in schools and colleges where there is a robust action plan coming from the audit process.
- Ensure governors have a clear and accurate view of all aspects of safeguarding and the impact of policies/procedures through a formal monitoring programme

Training

- Online training level one - overview
- Termly direct training
- Bespoke

KCSiE 2019

- Released in working draft form on 26 June '19
 - Addition of Up-skirting and Serious Violence as safeguarding issues
 - Clarity around Section 128 checks for governors.

-
- Note of updated guidance for [Relationships and Sex Education](#); [Ofsted framework](#) & [Teaching On-line Safety](#)

Supervision

- Principles and standards for supervision [\(link\)](#)
 - Four approaches
 - Planned 1:1
 - Responsive supervision
 - Peer Group
 - Unplanned / ad hoc
 - A set of standards for supervision

National changes

- Ofsted inspection framework (from Sept 19)
 - More focus on Peer on Peer and criminal exploitation and the use of technology in that
 - Move from 'Staff have an understanding' to 'Staff understand'
 - Poor behaviour can indicate current or past abuse

National changes

- Ofsted inspection framework (from Sept 19)
 - Staff have been trained in how to handle reports of sexual violence and/or harassment – in and out of school
 - learners know what a healthy relationship is
 - Learners are support to keep themselves safe (rather than know how to)

Other guidance from DfE

- Schools complaints process – good practice guidance (Jan 19)
- Safeguarding children and protecting professionals in early years settings: online safety guidance for practitioners (draft only – but section 7 useful)

Section 7 – staff awareness

- 7.1 Know your setting's policy and procedures
- 7.2 Protect your online reputation (Ask yourself when posting pictures or comments online; “would I say or do this in a face to face situation?” and “would it be appropriate for a child, their parents/carers or my manager to see this?)
- 7.3 Manage online relationships

Be Ready

- **Update** your safeguarding policies and other materials to reflect you are working to the September 2019 guidance
 - **Consider s128 checks** on governors, mandatory if you are a maintained school
 - **Ensure your staff understand** the seriousness of **upskirting** and take proper action if they suspect this has happened.
-

Be ready

- **Start planning** for September to ensure staff have **read, understood and can apply** the new guidance.



ISLE *of*
WIGHT
C O U N C I L