

Designated Officer (Local Authority Designated Officer)

City of Wolverhampton Council

1. What is a LADO and what do they do?

All Local Authorities must have a Local Authority Designated Officer (LADO) to be involved in the management and oversight of individual cases for dealing with allegations against people who work with children, whether that is in paid employment or a voluntary capacity.

The Local Authority Designated Officer (LADO) will provide advice and guidance to employers and voluntary organisations, liaising with police and other agencies with regards to allegations against those who work with children and young people, and monitor the progress of cases to ensure they are dealt with as quickly as possible, in a consistent and fair manner.

The LADO for the City of Wolverhampton Council is Kenny Edgar and he can be contacted on 01902 550 477 or alternatively please email LADO@wolverhampton.gov.uk for any advice and to discuss any concerns with regards to allegations for those who work with children and young people.

2. The scope and thresholds to allegations

All Organisations working with Children and Young People should have in place clear policies in line with those from Local Safeguarding Children's Boards for dealing with allegations against people who work with children.

There are the four thresholds to consider for a referral to the LADO – has/have the individual/s:

- 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 have behaved in a way that indicates they may not be suitable to work with children

(Working Together 2018, amended December 2020)
(Keeping Children Safe in Education 2021)

One or more of the above criteria should be met but not all of these must be exclusively met to refer someone to the LADO for their consideration. This can and does relate to any current allegations as well as historical concerns and allegations.

3. Advice

The LADO offers a no named advice service to all agencies, professionals and those who have concerns about a person who is working with children and young people whether that is in a paid or a voluntary capacity and the perceived risks from this person(s) to those children and young people that they are working with.

The LADO will advise those seeking this advice their view with regards to whether this meets the threshold criteria or not for further LADO intervention, what should happen next and the relevant actions that this person/agency/employer should take to manage any potential concerns and allegations.

If the concerns do not meet the threshold criteria, the LADO will offer advice to that person/professional/employer in managing this concern and what the next steps are, and this may be for the employer to complete an investigation into the matter, liaise with their Human Resources provider to see if there are grounds for formal investigations and/or disciplinary investigations or any other relevant means to address the concern.

The subjects of concerns should always be notified that they have been referred to the LADO if the LADO feels that a written referral should be submitted to them and the threshold criteria are met. Alternatively those working in organisations may be clear that the threshold criteria are met for referral to the LADO and if so, they can complete a referral form here: [Managing Allegations](#)

Written referrals should be submitted within 24 hours of the concern becoming evident to the employer/individual/agency. The subject should be kept informed and updated by their employer at each relevant stage within the allegations process so that they are aware they have been referred to the LADO, they are aware of what is happening and that they can seek their own support as part of how the allegation will be managed.

The LADO can also give advice to individuals and employees within any organisations if they have any anonymous and whistleblowing concerns and their identity will be protected. There is further information within the Whistleblowing Section of the Wolverhampton Safeguarding Together Partnership website and most employers and organisations should have clear policies and procedures for their staff to follow if they wish to report any concerns anonymously. On those occasions the LADO will give advice as to the most relevant course of action based on the information that the person is able to discuss with the LADO.

4. Progression of Referrals to the LADO.

When a written referral is received, the LADO will contact the referrer to discuss:

- Any perceived risk to children and young people and how that risk will be managed
- An immediate safeguarding decision in respect of the employee/volunteer
- Agree the next steps to address the concerns and allegations with regards to the subject/employee

If threshold for continued involvement with the LADO is met (See 2 above) and a multi-agency Initial Position of Trust Meeting (POT) is required to address the allegations this should be held within five working days of the referral being received. Currently these meetings are held via Microsoft Teams. This meeting will consider:

- The investigation of any criminal offence and if this is appropriate and required.
- Whether support and liaison is required with Children's Social Care to protect any children and young people from any direct harm and the perceived threat of any harm from an employee/individual/group of individuals who are employed and working for an organisation
- Any perceived need for any investigation and/or disciplinary action by an employer in respect of an employee in relation to the allegation/s and their behaviour and conduct in the workplace

An action plan will be formulated and tasks assigned under the three strands of investigation at the Initial POT Meeting. A Review POT meeting will be held within 28 days to review the progress against the plan. Further Review POT meetings will take place at agreed intervals as required/necessary to address the allegation. The LADO will monitor progress in all cases monthly until they are successfully addressed and completed.

In relation to some cases that are referred to the LADO that do not require a formal Position of Trust Meeting, they may remain open to the LADO who will monitor and provide some oversight of how the concern and allegations are being addressed with the employing organisation, until a safe and successful conclusion can be determined with the employer.

As stated in Section 3, the subject should be kept updated and informed of all developments at each relevant stage by their employer and they should also be notified of the outcome to any investigation and what this means for them as an employee.

It is important to highlight that the LADO does complete the investigation directly, this is done by the employer, and this is a common myth that others feel does happen but the LADO co-ordinates the allegations process.

5. Outcomes

The LADO will remain involved until a satisfactory and conclusion can be determined.

At the final POT meeting, the outcome in respect of the original allegations is considered on a 'balance of probability' basis (based on the presenting information and evidence, the meeting is satisfied that the event more likely than not occurred). Any ongoing risk to children and young people is also considered as part of this and the outcome should be agreed.

There are five Allegation Outcome categories to the management of allegations process and they are:

Substantiated	There is sufficient identifiable evidence to prove the allegation.
False	There is sufficient evidence to disprove the allegation.
Malicious	There is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false.
Unfounded	There is no evidence or proper basis which supports the allegation being made. It might also indicate that 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 and information.
Unsubstantiated	This is not the same as a false allegation and this is more of a neutral outcome. It means that there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence but this is an open-ended outcome.

Consideration will also be given at the outcome stage and conclusion of an employment investigation/disciplinary process if the criteria is met for a referral to the Disclosure and Barring Service to prevent the subject working in regulated activity with children and young people or adults with care and support needs. Further advice and guidance can be located below and there is also information about any frequently asked questions with regards to referrals to the Disclosure and Barring Service:

[\(Making Barring Referrals to the DBS\)](#)
[\(DBS Referral FAQ\)](#)

Depending on the nature of the subject's employment they could also be referred to other regulatory bodies such as the Nursing and Midwifery Council, the General Medical Council, the Teaching Regulation Agency, or Social Work England, amongst others.

The employer should notify the subject of the outcome and if this decision and action is required at the conclusion of the allegations process.

6. Transferable Risk

This relates to events and matters that may occur in an employee's or volunteer's private life that may highlight there is a transferrable "risk" to the children and young people they work with in their professional life. The fourth element to the threshold criteria would often be considered in such cases and this is about the persons suitability to work with children and young people.

The LADO will consider such cases, in liaison with relevant agencies such as the Police, Children's Social Care and the employer to determine the right course of action to address these risks.

Examples may include those who are involved in acts of violence towards others or if there are concerns with regards to Domestic Abuse for the employee/volunteer. If there are issues with regards to the employee/volunteer and their problematic use of alcohol and/or drugs which would make them a risk of harm to children and young people.

There may be instances where the employee/volunteer may have a crisis with regards to their mental health/emotional well-being and this may highlight potential risks of harm to the children and young people that they work with. Of course each case and subject will be considered and reviewed in their own right and we do not want to automatically want to stigmatise anyone who is struggling with their mental health either and there may be occasions when this concern should be addressed as an employee welfare concern rather than a referral to the LADO.

Other examples can also include matters where an employee/volunteer may be in an intimate relationship with or have a close association with a person who is identified as posing a serious risk of harm to children and young people. This may have implications for the subject's employment and risk to the children and young people they work with and consideration needs to be given as to how to manage this and address this with the employer.

7. Minutes from Positions of Trust Meetings

Minutes from Position of Trust Meetings will be shared with the attendees of the relevant meeting and distributed to them accordingly and where required. It is a requirement of those attending the meetings to review the minutes and highlight any discrepancies and factual inaccuracies from the meeting to the LADO within ten working days of receipt of the minutes. This is so the LADO can make alterations as required and ensure all parties have an accurate copy of these minutes.

These minutes should not be photocopied or the contents shared with others outside of the meeting without the prior agreement of the LADO. Minutes should be kept in the **RESTRICTED** or **CONFIDENTIAL** section of agency files and the minutes must not be kept in the child's file, whether paper or electronic.

If further disclosure is requested by another party or an external agency, please refer to the LADO for this and an example of this may be a request for the minutes from the Disclosure and Barring Service. The LADO will address this with those requesting the minutes directly to ensure compliance with GDPR.