



WOKINGHAM
BOROUGH COUNCIL

Allegations against adults who work or volunteer with children

Designated Officer (LADO) Annual Report

2021-2022

Report completed by:

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Date of this report: May 2022

Date for next report: May 2023

Executive summary

Purpose of this report

This report provides a summary of the activity relating to the management of allegations against adults who work and volunteer with children in Wokingham Borough for 2021-2022. This report also provides analysis of the data and highlights the themes identified by the Designated Officer (LADO).

Highlights:

Volume of work:

- There has been an increase in the number of enquiries and allegations in 2021-2022 compared to 2020-2021, which reflects the ending of lockdown restrictions and social distancing measure in schools, nurseries, sports clubs and other settings.
- The number of enquiries increased from 167 to 199, a 19% increase in enquiries when compared to 2020-21. The number of allegations increased from 38 to 44, which is a 15% increase when compared to the previous year.
- The types of enquires and allegations and the outcomes relating to them, also appear to be in line with pre-pandemic activity and this report has included the statistics for the last three years to show the impact of Covid-19 on the workload.

Capacity of the service:

- Over the course of 2021-2022 there have been personnel changes and a period of vacancy from October 2021 – March 2022 due to recruitment issues. Although the core business and day to day management of allegations was maintained, the service was stretched. A permanent LADO was recruited and came into post on 04.04.22. Having a permanent LADO in post will provide full capacity going forward and will be in a position to undertake further service development.
- Inter-agency working arrangements remain strong with Thames Valley Police and the LADO has regular interactions with the MASH, the social care duty team, the early year advisory team, Wokingham Brough Council (WBC) schools HR, and the WBC school improvement team.

Origin of referrals:

- It is evident from the data that those agencies who maintained a service throughout the Covid-19 period, such as social care and the police, generated a consistent volume of enquires and referrals to the LADO, when other settings were closed.
- In 2021-2022, the highest volume of referrals in the last year have come from schools. Whilst this has doubled since last year, it is comparable with pre-pandemic levels.
- In 2021-2022, the volume of referrals from residential units that care for our most vulnerable young people dropped significantly, and this indicates that some training to raise awareness about allegations and the referral procedure might be required for this sector.

The adult subject of allegations/concerns:

- The highest volume of enquires which did not meet the threshold for an allegation related to staff in education settings where there were low level concerns about conduct and behaviour management and were dealt with by the school's internal procedures.
- Whilst the highest number of allegations where the threshold of harm was met, related to staff in early years settings and often led to disciplinary investigations and action.
- Allegations against foster carers and residential care home staff have remained at similar levels to 2019-2020 but higher than before the pandemic.

- Allegations against adults working in faith groups and sports associations returned to pre - COVID-19 pandemic levels.

Nature of concerns:

- The enquiries/allegations relating to staff in Education and Early Years sectors have been predominantly related to suitability issues and concerns outside of the workplace, such as concerns about the mental health of staff, or about their own children being subject to Child Protection Plans and there being a transferrable risk to children in their work setting. Within this category, there was also a high level of “Code of Conduct issues”, where staff did not necessarily cause harm to a child, but they did not adhere to the settings policies or processes.
- The second highest category of enquiries/allegations, related to physical abuse, in particular concerns around pushing, pulling and throwing objects in schools and for smacking in early years settings. The volume of enquiries/allegations that related to physical contact between adults and children has remained consistent throughout the last three years and continues to emphasise the need for clear codes of conduct and behaviour management policies all settings.
- The main concern for allegations which reach the criminal threshold was sexual abuse or online sexual offences relating to the downloading of indecent images of children.

Themes/lessons arising from the activity in 2021-22:

- **Impact of COVID-19:** The level of enquiries and referrals received in 2021-22 when compared with the previous two years, shows the clear impact of lockdown restrictions and either the closing of services/activities or a move over to virtual services and social distancing measures. Careful monitoring will be required over the next two years to determine if there are longer term impacts of COVID-19 in relation to the type and level of referrals that are received.
- **Settings that refer more frequently:** There are schools for whom we receive higher levels of referrals than others due to having an open ethos of referring all incidents and concerns to the LADO which might benefit from LADO oversight. Although this contributes to a high volume of enquiries, the LADO feels it is useful to have oversight of the low level incidents schools and dealing with which may prevent the occurrence of more serious incidents.
- **Referrals by residential care homes and foster carers:** There has been a significant reduction in referrals from both residential care home settings and foster carers. This data suggests these groups are a training priority.
- **Allegations relating to staff from sports groups:** Allegations against adults working in sports groups and associations returned to pre -COVID-19 pandemic levels. Now that a new permanent LADO is in post, there is an opportunity to build and strengthen relationships between the LADO and the full range of sports groups in the Borough and the ‘Get Berkshire Active’ umbrella body which maintains links with the designated leads for a variety of sport clubs. This will ensure that there are open lines of communication and assistance, and advice can be provided.

- **Handling of foster carer allegations:** Over the last year, the LADO service has noticed that there has been improvement in how managers in the family placement team are responding to allegations and using the foster carer allegations policy. They are undertaking standards of care investigations, concluding the process with the fostering panel, and sending a letter to the foster carer stating the outcome.
- **Broadening of allegations criteria:** There has continued to be a rise in referrals relating to the personal lives of adults who work and volunteer with children and transferrable risks to their workplace which require involvement of the LADO. Analysis of the work undertaken on fourth suitability criteria this year indicates that 'suitability' can at times be mis-interpreted to mean code of conduct issues within school that have not caused a child harm, and care needs to be taken to ensure our threshold is being correctly applied. These referrals require careful consideration, so that proportionate action is taken to address transferrable risk. Ongoing and careful monitoring of allegations under the fourth suitability criteria will be needed in the coming year.
- **Inter-agency working** arrangements remain strong with Thames Valley Police and the LADO has regular interactions with the MASH, the social care duty team, the early year advisors, WBC schools HR, and the school improvement team. There has been an identified need for an education safeguarding lead within WBC who could provide training and respond to some of the issues about conduct and behaviour which are being identified in educational settings.

Key priorities of the service for the coming year:

1. To maintain core business, providing a robust process for managing and reporting on allegations and other safeguarding concerns which require the involvement of the LADO, and to retain the option of virtual meetings, as they are efficient and working well.
2. To raise awareness and deliver training to promote and educate organisations, employers and carers across the children's workforce about how to report and manage allegations.
3. To continue to attend the Berkshire LADO Network, the South East Regional LADO Group and link in with the National LADO group to keep up to date and share good practice.

1. Purpose

- 1.1 This report provides a summary of the management of allegations against adults who work and volunteer with children in Wokingham Borough, specifically including the activity and outcomes for 2021-22.

2. Background and context

- 2.1 Section 11 of the Children Act 2004 requires all organisations that provide services for children or employ staff, contractors or volunteers who work with children to have a procedure for handling allegations against staff. More detailed guidance is set out in Working Together to Safeguard Children and Keeping Children Safe in Education.
- 2.2 Local Authorities are required to *'have designated a particular officer, or team of officers to be involved in the management and oversight of allegations against people that work with children'*. The 2015 guidance changed the title from Local Authority Designated Officer (LADO) to Designated Officer, but there has been no change to the overall function. In line with most Local Authorities in the South East, Wokingham has continued using the title of 'LADO' as it is a well-established and understood term.
- 2.3 The LADO has the responsibility to oversee the allegations management process, to ensure it remains effective and meets the dual demands of both protecting children and ensuring staff subject to allegations are treated fairly. The LADO is also responsible for ensuring that the investigative response is consistent, reasonable and proportionate.
- 2.4 In Wokingham, the LADO function is situated within the Quality Assurance and Safeguarding Service. The role is carried out by a named designated officer. There is one full time LADO who also chairs child protection conferences two days per week. Over the course of 2021-2022 there have been personnel changes and a period of vacancy from October 2021 – March 2022 due to recruitment issues. Although the core business and day to day management of allegations was maintained, the service was stretched. A permanent LADO was recruited and came into post on 04.04.22.
- 2.5 Allegations Criteria: The Allegations procedure applies whenever it is alleged that a person who works with children has, in any connection with her/his employment or voluntary activity has:
1. Behaved in a way that has or may have harmed a child.
 2. Possibly committed a criminal offence against or related to a child.
 3. Behaved towards a child or children in a way that indicates that he or she would pose a risk of harm to children.
 4. Behaved or may have behaved in a way that indicates they may not be suitable to work with children.
- 2.6 The fourth point in the criteria (above) which was added to the 'Working Together' guidance in 2020 provides a framework for managing concerns arising about a person's behaviour within their own family. In addition to criminal activity outside of the workplace which could pose a risk of harm to children in their care or workplace.
- 2.7 Meetings: If the criteria for an allegation, as set out above in 2.5, is met, the LADO would convene an Allegations Against Staff and Volunteers (ASV) Meeting in order to gather information, evaluate risk and decide on actions required going forward. This meeting was

historically known as a LADO Strategy Discussion, but the term was changed in 2019 to distinguish it from a child strategy meeting.

2.8 There are three strands to the management of an allegation:

- A police investigation of a possible criminal offence;
- Enquiries and assessment by children's social care about whether a child is in need of protection or services;
- Investigation and consideration of disciplinary action by the employer or regulator in respect of the individual.

2.9 There is one full time Designated officer (LADO) who manages the allegations process and provides advice and training. The post holder also chair child protection conferences. Over the course of 2021-2022, the LADO role has been covered by two locum workers; one longstanding locum who was in post from 2019 to October 2021 and a short-term locum providing cover in quarter four. The Service Manager of the Quality Assurance and Safeguarding Team who is an experienced LADO, also provided cover for four months while recruitment took place. A permanent LADO was recruited and came into post on 04.04.22. Although the day to day management of allegations has been covered and some induction and training was provided during 2021-22, having a permanent LADO in post will provide stability going forward and facilitate further service development.

3. Statistical data: April 2021-March 2022

3.1 This report provides statistical data on the number, nature, and outcomes of allegations. It also provides analysis on themes and trends relating to the children's workforce who operate within Wokingham Borough and the effectiveness of inter-agency working arrangements.

3.2 The report provides historical statistics for the last 3 years, so that data can be compared to both before and after the COVID-19 pandemic. What can be seen is that referral and enquiry levels are returning to pre COVID-19 pandemic levels and through comparing the figures from the last three years, the impact of periods of lockdown and social distancing is evident.

Table 1: Number of Enquiries/Referrals:

Total number of enquiries and allegations passed on to LADO	2021-22	2020-21	2019-20
	199	167	220
Allegations which progressed under allegations process	44	38	41

3.3 In 2021-2022, 199 total enquiries were received. This represented a 19% increase in enquiries when compared to the figures for 2020-21, when 167 were received. The number of enquiries that progressed to ASV meetings increased to 44, which represented a 15% increase when compared to the figures for 2020-21.

3.4 During the year 2021-2022 there were 44 initial ASV Meetings and in addition 11 Review Meetings convened to manage and review allegations which met the threshold for LADO

involvement. In addition, there were three Freedom of Information Requests, and 12 Early Years checks from Ofsted.

- 3.5 At the start of 2021, there remained 11 active criminal investigation cases carried over from previous years that through the year remained part of the LADO's work, in terms of chasing, reviewing and in some instances attending meetings to consider any press communications. There were three new criminal cases started through the year.

Table 2: Outcomes of Initial Evaluations:

Outcomes of Initial Evaluation	2021-22	2020-21	2019-20
Allegations which met the threshold required to progress under the allegations process.	44	38	41
Enquiries relating to standards of care or conduct concerns which required evaluation by the LADO and liaison with other agencies but were referred back to the employer for internal investigation of a practice or conduct issue.	71	42	91
Enquiries which did not require involvement from the Wokingham LADO service and were referred to LADOs in other local authority areas; to children's services or adult safeguarding; requests for information from regulatory bodies such as Ofsted and the DBS.	83	77	90
Total Enquiries/Allegations	199		
Ofsted checks on Early Years applicants.	12	14	26
Freedom of Information requests (not included in total enquiries)	3	2	1

- 3.6 The table above shows the breakdown of enquiries and allegations compared to the previous years.

- 3.7 There was a notable increase in the last year compared to 2020-21, in enquiries that were referred back to the employer for investigation, that did not result in harm to a child but related to conduct concerns or standards of care. The increase in these types of incidents is reflective of the increase of in-person teaching. The figures for 2019-2020 have been included, so that comparison can be drawn between the year in which Wokingham had the highest restrictions in terms of social distancing/ online meetings or lessons, and the years either side when restrictions were lower.

Table 3: Comparator data – Other Berkshire Local Authorities and Trusts. *(*to be added when date becomes available)*

Area	Total Enquiries 2021-22	Total Allegations 2021-22	Total Enquiries 2019-20
Wokingham	199	44	220

Bracknell	271	35	206
Achieving for Children (RBWM)	Not received *		
Positive Futures for Children (Reading)	Not received		216
West Berkshire	Not received		237
Slough Children's Trust	219	15	208

3.8 Having met with the LADOs for each of the above areas it is clear that there are differences between how they each process referrals. Despite previous agreements made between the LADOs, it appears that some hold "evaluation meetings" in the first instance, only progressing to an allegation after this if required.

The workload generated by those referrals remains the same, however the statistics for ASV meetings will be lower than in the Wokingham area where any referral that leads to a multi-agency meeting is referred to as an allegation.

4 Source of all enquiries and allegations by referring agency

Table 4: Source of all enquiries/referrals

Agency referring	2021-2022	2020-21	2019-20
	Total	Total	Total
Cafcass	0	0	0
Early years/pre school	23	15	19
Education	80	43	68
Faith group	2	1	4
Foster carer	0	11	8
Health	2	14	2
NSPCC	1	1	6
Ofsted	8	2	9
Other	27	11	20
Police	6	12	10
Probation	0	0	1
Residential Unit	9	18	30
Social Care	36	32	36
Sports organisation	5	2	2
Voluntary organisation	0	5	5
Youth Offending Service	0	0	0
Total	199	167	220

- 4.8 The above statistics suggest that during the COVID-19 pandemic, those settings that offered a similar service throughout, such as Police and Social Care, continued to refer at similar rates over the last three years.

The increase in referrals from both Education and Early Years settings in 2021-22, reflected the increase of in-person care, lessons and teaching. The ongoing referral trends will need to be monitored to consider whether they are attributable to the longer-term impact of the COVID-19 pandemic.

- 4.9 The referrals received from the category “Other” predominantly relate to agencies requesting information and from parents, who raised concerns for the standards of their children’s care, emotional abuse and incidents of physical abuse.
- 4.10 The volume of referrals from residential care homes and foster carers has dropped significantly in the last year, and both of these groups will be focused on for targeted training over the coming year.

5 Subject of referrals across all enquiries/referrals that have progressed to allegations (by workforce)

Table 5: Adult subjects of allegations by profession

Role/profession of person subject of an allegation	2021-2022	2020-21	2019-20
Education staff	12	11	24
Early years staff	15	8	4
Foster carers /Residential care staff	9	10	5
Health staff	1	7	2
Social Care Staff	1	0	0
Police	1	0	0
Other including vol sector, sport and faith groups	5	2	6
Total	44	38	41

- 5.8 The number of adults subject to allegations increased on the previous year and was comparable to the increase in referrals.
- 5.9 It is significant to note that the rate of Early Years referrals that led to allegations was higher than those for Education but came out of a lower proportion of enquiries/referrals. This might reflect that Early Years settings were not referring lower-level concerns. This needs to be kept under review and Early Years settings will need to be targeted when trainings are listed.

There has been a significant decrease in health staff being referred. This may be reflective of the ongoing nature of virtual health services and the resolution of repeated concerns being raised for one health setting in the previous year.

- 5.10 The rise in allegations against staff in sports or faith-based settings is reflective of those activities having reopened.

6. Nature of concerns

- 6.1 The table below sets out the breakdown of the categories for all enquiries and referrals that have required evaluation by the LADO in 2021-2022. Of the 199 enquiries/referrals received by the LADO for Wokingham Children's Services, 12 were requests for information and a further seven were DBS check requests. The number of enquiries that required evaluation therefore totalled **180**.

Table 6: Category of concern - all enquiries

Type/Category of all enquiries evaluated by LADO	2021-2022	2020-2021	2019-2020
Emotional	6	6	5
Online Sexual Activity Offences	3	8	9
Neglect	11	20	8
Physical	45	45	37
Sexual	20	28	31
Unsuitable Adult Behaviour	95	60	89
TOTAL	180	167	179

Table 7: Categories of concern – all allegations.

Type/category of all Allegations	2021-2022	2020-21	2019-20
Emotional	1	5	3
Online sexual activity offences	2	5	2
Neglect	0	4	1
Physical	14	14	18
Sexual	9	6	9
Unsuitable Adult Behaviour	18	4	8
Total	44	38	41

- 6.2 A high proportion of enquiries last year related to 'unsuitable adult behaviour' which involved the suitability of a person to work with children due to circumstances outside of the work place,

such as their own children being subject to Child Protection processes, mental health difficulties, criminal investigations not related to offences against children, or living with others for whom there might be a risk by association. Included in this category were concerns regarding processes not being followed correctly and code of conduct concerns.

- 6.3 A high level of enquiries raised in respect of physical abuse continued in 2021-22. These occurred most often in education settings and involved the pushing, pulling or grabbing of students or pushing or throwing of equipment that came into contact with a student and at times caused alarm or injury.
- 6.4 The evaluations relating to “emotional harm” related to incidents of shouting, bullying or behaviour which was frightening to a child and concerns of neglect occurred predominantly in Early Years Settings and related to standards of care or children not being appropriately supervised.
- 6.5 Allegations of sexual abuse remained in line with previous years and related to both Education and Early Years settings although there is a year-on-year decrease in allegations of Online Sexual Abuse, by those who work with children in Wokingham.
- 6.6 There were three allegations in 2021-22 which progressed to criminal investigations. These cases related to online sexual abuse images, an allegation of sexual abuse against the subject’s own child, and concerns of grooming and sexualised messages/images being shared by the subject of the allegation who was in a position of trust with young people.

7. Outcomes

- 7.1 Guidance requires that all cases should be tracked to conclusion with a final outcome recorded to show whether the allegation has been substantiated or not. This outcome should then be fed back to the member of staff and the child or parents concerned. The outcome categories are defined in Working Together and Keeping Children Safe in Education guidance.

Table 9: Outcomes for the 44 allegations:

Outcome of allegations following investigation	2021-2022	2020-21
Substantiated	14	9
Unsubstantiated	10	4
False	1	0
Unfounded	3	8
Malicious	0	0
Other - inconclusive or not yet concluded	5	17
No role for LADO	11	Not Recorded
Total	44	38

- 7.1 There was a significant number of allegations that were concluded quickly in 2021-22. This was positive for both the referrer but also for the member of staff, for whom the allegation was dealt with swiftly.
- 7.2 The table above notes some outcomes as ‘no role for LADO.’ This means the concern was evaluated but was not deemed to reach LADO threshold for involvement after the initial ASV meeting. This outcome category has been added for clarity.

7.3 The allegations that were recorded as “other,” included three criminal cases where police investigations were not concluded, and two cases for which updates have been requested but not received.

7.4 Criminal cases continued to be reviewed by the LADO monthly. There were eleven criminal cases that were brought forward from 2020-2021, with only one criminal case concluded in the year 2021-22. Two further cases that have closed shortly after the year ended, that will be included in the quarter one report.

7.5 The criminal case that concluded resulted in no conviction, was followed up with a review ASV meeting to determine if there were any additional safeguarding concerns remained and a risk assessment was undertaken.

8. Timescales for conclusion

Table 10: Timescales for conclusion

Timescale for conclusion	2021-2022	2020-2021
Within 1 month	175	137
1-3 months	11	16
4-6 months	0	3
6-12 months	0	0
Still ongoing/unresolved	13	11
Total	199	167

8.1 The LADO monitors allegations from the initial referral until a case is concluded, and also checks progress on any actions between ASV meetings. The conclusion of cases has improved in the year 2021-22 from the previous year. A high proportion of enquiries were signposted or referred to other area LADOs or teams. Other enquiries were closed shortly after initial checks were undertaken.

8.2 Many allegations that led to an ASV meeting were usually concluded in one month. Holding ASV meetings virtually has had an impact on the efficiency of the allegations process and may also have contributed to the improved timeliness of closures.

8.3 The matters that took one to three months to resolve related to those cases where internal investigations and cases open longer than three months were allegations lengthy police investigations, criminal proceedings or investigations following criminal outcomes.

9. Themes from the activity in 2021-22

- **Impact of COVID-19:** The level of enquiries and referrals received in 2021-22 when compared with the previous two years, shows the clear impact of lockdown restrictions and either the closing of services/activities or a move over to virtual services and social distancing measures. Careful monitoring will be required over the next two years to determine if there are longer term impacts of COVID-19 in relation to the type and level of referrals that are received.

- **Settings that refer more frequently:** There are schools for whom we receive higher levels of referrals that others due to having an open ethos of referring all incidents and concerns to the LADO which might benefit from LADO oversight. Although this contributes to a high volume of enquiries, the LADO feels it is useful to have oversight of the low level incidents schools and dealing with which may prevent the occurrence of more serious incidents.
- **Referrals by residential care homes and foster carers:** There has been a significant reduction in referrals from both residential care home settings and foster carers. This data suggests these groups are a training priority.
- **Allegations relating to staff from sports groups:** Allegations against adults working in sports groups and associations returned to pre -COVID-19 pandemic levels. Now that a new permanent LADO is in post, there is an opportunity to build and strengthen relationships between the LADO and the full range of sports groups in the Borough and the 'Get Berkshire Active' umbrella body which maintains links with the designated leads for a variety of sport clubs. This will ensure that there are open lines of communication and assistance, and advice can be provided.
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- **Broadening of allegations criteria:** There has continued to be a rise in referrals relating to the personal lives of adults who work and volunteer with children and transferrable risks to their workplace which require involvement of the LADO. Analysis of the work undertaken on fourth suitability criteria this year indicates that 'suitability' can at times be mis-interpreted to mean code of conduct issues within school that have not caused a child harm, and care needs to be taken to ensure our threshold is being correctly applied. These referrals require careful consideration, so that proportionate action is taken to address transferrable risk. Ongoing and careful monitoring of allegations under the fourth suitability criteria will be needed in the coming year.
- **Inter-agency working** arrangements remain strong with Thames Valley Police and the LADO has regular interactions with the MASH, the social care duty team, the early year advisors, WBC schools HR, and the school improvement team. There has been an identified need for an education safeguarding lead within WBC who could provide training and respond to some of the issues about conduct and behaviour which are being identified in education settings.

10. Author's key priorities in 2022-2023:

1. To maintain core business, providing a robust process for managing and reporting on allegations and other safeguarding concerns which require the involvement of the LADO, and to retain the option of virtual meetings, as they are efficient and working well.

2. To raise awareness and deliver training to promote and educate organisations, employers and carers across the children's workforce about how to report and manage allegations.
3. To continue to attend the Berkshire LADO Network, the South East Regional LADO Group and link in with the National LADO group to keep up to date and share good practice.