



Local Authority Designated Officer (LADO)

Guide for Foster Carers

April 2021

Together for Families



What is a LADO?

The Local Authority Designated Officer (LADO) is a statutory role. The role and responsibilities are set out in Working Together 2018 and the process is set out in the South West Child Protection Procedures endorsed by Our Safeguarding Children's Partnership (OSCP).

The LADO's primary function is to oversee and co-ordinate any investigation into an incident where an allegation of abuse or harm has been made against a foster carer and/or member of the foster carer's household

The LADO Service sits within Together for Families in Cornwall Council.

We recognise that this may be a difficult and distressing time for you and your family. We understand that the impact of an allegation of abuse or harm can have far reaching implications for you, your family and your career as well as for the child concerned.

We are committed to over-seeing a fair, thorough and timely investigation and a proportionate outcome for all those affected by this process.

What is an Allegation?

An allegation or concern is that a person who works 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
- Behaved in a way that indicates he or she 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

An allegation can arise in connection with your conduct, your own children or foster children, and can relate to current or historic concerns.

It can be made:

- Directly or indirectly by a child
- By a complaint or a concern being expressed to your fostering agency/ Headteacher/ children's social care/ the police
- A report from a colleague or another agency
- Anonymously
- Via the NSPCC, Ofsted or other regulatory body

What you can expect

You will be notified early on whether the allegation satisfies the LADO threshold of harm (**para 2.0**) or whether it is being treated solely under standards of care which will be addressed separately

If it satisfies the Professional Allegation threshold of harm, the process is managed by the LADO Service and you will be notified and kept informed by your fostering agency of developments as soon as is reasonable depending on the extent and nature of the investigation.

Any allegation and resulting investigation which meets the threshold of harm or risk of harm to children will be reported to children's social care and the police which can result in:

- A police investigation into a possible offence
- Enquiries and risk assessment by children's social care and the police
- A fostering agency investigation to determine suitability to foster

The process will be conducted in a fair and timely manner to ensure that it is thorough and all parties' views including your own are represented and shared as part of the investigation undertaken by the police, social care and your fostering agency.

On completion a recommendation can be made on whether or not the allegation is substantiated.

Depending on the severity of the allegation and extent of the investigation you may not receive full details of the investigation until a decision is made by the police as to whether you will be interviewed.

Disciplinary Process

Whilst the investigation is proceeding, this may affect your fostering status and if the risk is unmanageable, you may be suspended, or your duties varied to ensure that any identified risks are minimised.

Who will help me?

You can expect to be supported by the fostering agency supervising social worker who will keep you informed of developments where appropriate and the payment of allowances while investigations are ongoing.

You may be advised to contact an independent support worker where appropriate and/or professional organisation.

Who will be notified about the allegation / investigation?

Every effort is made to keep the process as confidential as possible and guard against any publicity whilst an allegation is being investigated. However, it is usual to keep a small number of people informed that an allegation has been made and the likely course of action including:

- The child and their family/carers and any party making the allegation
- You, at the appropriate time
- Your fostering agency
- Potentially Ofsted and/or your regulatory body
- DBS
- Your immediate adult family members if a Social Work Assessment is required

It may be necessary if it's in the public interest for a short press statement to be issued where the allegation has become common knowledge or subject to speculation.

What are the possible outcomes of the allegation?

Substantiated – Supported by evidence or where on the balance of probability abuse or harm is confirmed e.g. poor handling despite advice; assault; locking out child; controlling behaviour; no effort to de-escalate and verbal abuse.

Unsubstantiated – There is insufficient identifiable evidence to prove or disprove the allegation e.g. incident occurred but not as described; one word against another; child's perception; several reasonable explanations.

Unfounded – No evidence which supports the allegation being made or there is evidence to prove that the allegation was untrue or was mistaken e.g. no evidence, witness changes or contradicts story, misinterpreted or malicious.

False – there is sufficient evidence to disprove the allegation

Malicious – deliberately invented

Will I be informed of the outcome?

Depending on the scope and scale of the investigation, it may be necessary to hold more than one strategy discussion and/or Professional Allegations Oversight Meeting. At the end of the process a recommendation will be made in conjunction with your fostering agency, social care and the police to determine, if on the balance of probabilities, you pose a risk to children and your suitability to work with children.

The LADO Service will coordinate in conjunction with your fostering agency, Social Care and the Police a draft Case Summary for you to agree or to provide a rationale on any points where you are not able to agree a summary of the concerns and the action plan.

Where an allegation is substantiated this may not always result in your dismissal, but other disposals in line with the Fostering Handbook may be recommended; for example, additional training/monitoring.

What if I am dismissed or decide to resign?

If you are dismissed because of a safeguarding concern, your fostering agency has a statutory duty to refer you to the DBS for consideration as to whether barring you from working with children is appropriate.

If you resign during the process, your fostering agency is still obliged to complete the internal investigation and if found substantiated, to refer you to the DBS.

If you are a member of a professional regulatory body, a referral will also be made to them in respect of all substantiated allegations.

What will be recorded about me?

Information will be recorded in multi-agency discussions and Professional Allegations Meeting minutes.

Information will be recorded where a Police National Computer (PNC) record is made even if the allegation against you did not result in a caution or conviction. This information may appear on an enhanced DBS check at the discretion of the Disclosure Officer, who is employed by the police.

The details will remain on your personnel file and be reflected, if substantiated, in a reference.

A clear record will be held by the LADO Service until your retirement age or for 10 years if that is longer.

What if the allegation is unsubstantiated, unfounded or false?

The fostering agency will ensure that your suitability is reviewed and provide support to assist you to reflect on the process.

If the allegation is false or malicious, details should not be retained on your personnel file unless you request in writing for these to remain.

Key Information

- LADO: General Guide
- Family Placement Fostering Handbook
- Working Together 2018
- Fostering Services: National Minimum Standards
- Disclosure and Barring Service guidance

Need more help?

Please speak to your supervising social worker or Family Placement Team Manager who will be your main contact points during this process.

This General Guide does not replace any specialist advice that you may require from independent support workers / HR / Legal Adviser.

Other bitesize guides in this series

- Guide for Employers and Voluntary Agencies Working with Children

What should I do if I have a concern about a child?

- Contact the MARU: 0300 1231 116 or out of hours: 01208 251300 or website <https://ciossafeguarding.org.uk/scp>

If you would like this information in another format please contact:

Cornwall Council, County Hall
Treyew Road, Truro TR1 3AY

Telephone: 0300 1234 101

Email: equality@cornwall.gov.uk

www.cornwall.gov.uk/togetherforfamilies