



Date: Wednesday, 9 November 2022

Time: 10.30 am

Venue: Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

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## CABINET

### TO FOLLOW REPORT (S)

#### **11 Annual Report of the Local Authority Designated Officer (Pages 1 - 12)**

**Lead member:** Portfolio Holder for Children and Education

**Contact:** Tanya Miles, Executive Director - People

Report to follow

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## Committee and Date

Cabinet

9 November 2022

## Item

Public

## **ANNUAL REPORT OF THE LOCAL AUTHORITY DESIGNATED OFFICER**

### **Responsible Officer**

Tanya Miles

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## **1. Synopsis**

- 1.1. This report outlines the work of the Local Authority Designated Officer (LADO), a statutory role overseeing complaints and enquiries as to concerns raised about individuals who pose a risk or are a risk to children in roles which are a position of trust.

## **2. Executive Summary**

- 2.1. The total number of contacts and referrals received for the period 2021/22 is 407 in comparison to 342 for the previous year.
- 2.2. This year, referrals have increased by 62, putting figures on a par with those seen in previous years, indicating that the post-covid re-opening of clubs, schools and sports centres has returned stats to a more 'usual' figure.
- 2.3. The majority of referrals to the LADO, continue to be from children's homes - 51%, which has been consistent for several years. Shropshire has a large number of children's homes in the area and children placed from other areas.
- 2.4. Referrals from education this year are 24% compared to 20% last year which is low considering schools were largely closed the previous year.

- 2.5. The percentage of referrals from foster care is 8% compared to 9% last year and the small percentage of referrals from other sources (17%) is also unchanged compared to previous years.
- 2.6. There remains a culture across the board with residential care that they will 'run things by' the LADO rather than making an organisational decision whether the criteria is met or not. All contacts to the LADO are recorded and if they do not meet the criteria will result in NFA. Work is being undertaken with residential organisations to prevent inappropriate contacts.
- 2.7. Of all referrals to the LADO between 2021-2022, 178 allegations resulted in "No Further Action", 59 were found to be substantiated, 78 unsubstantiated, 12 were false accusations, 0 malicious and 80 contact were still open at the end of the financial year.
- 2.8. Good communication has remained with partner agencies including monthly meetings with the main care home providers and training for new Shropshire Children's Services Council Staff monthly. We have listened to feedback from our partner agencies and as a result will be reviewing the LADO referral pathway to ensure that it is clear.

### **3. Recommendations**

- 3.1 Recommend that Members note the content of the Annual Report.

## **REPORT**

### **4. Risk Assessment and Opportunities Appraisal**

*(NB This will include the following: Impact on Children and Vulnerable Adults, Risk Management, Human Rights, Equalities, Community and other Consultation)*

- 4.1. The Local Authority is required to provide a Local Authority Designated Officer, which is a statutory service. The risk in not providing this service is that that Local Authority would fail in its statutory duties.

- 4.2. Assurance about the impact and effectiveness of the LADO role in Shropshire was gained during the OFSTED inspection, it was looked at in depth and found to be robust and effective.

## 5. Financial Implications

There are no financial implications in the 2021-2022 financial year

## 6. Climate Change Appraisal

- 6.1. There are no identified implications for climate change.

## 7. Background

- 7.1. N/A

## 8. Additional Information

- 8.1. N/A

## 9. Conclusions

- 9.1 Cabinet is asked to note the content of the report as a key statutory function of the Local Authority in Safeguarding Children.

<b>List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)</b>
<b>Cabinet Member (Portfolio Holder)</b>
<b>Local Member</b>
<b>Appendices</b> Appendix A - LADO Annual Report 2021-2022 FINAL

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# LADO Annual Report

## Introduction

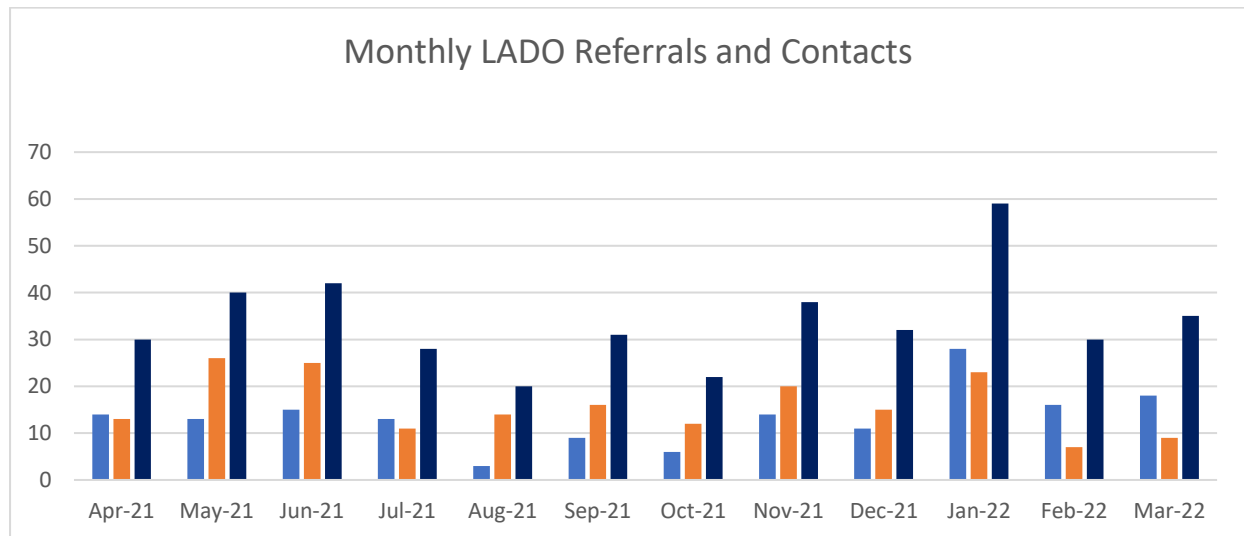
**This is the annual report of LADO activity between April 2021 until March 2022.**

## **Background**

“Local authorities should put in place arrangements to provide advice and guidance to employers and voluntary organisations and agencies on how to deal with allegations against people who work with children.”

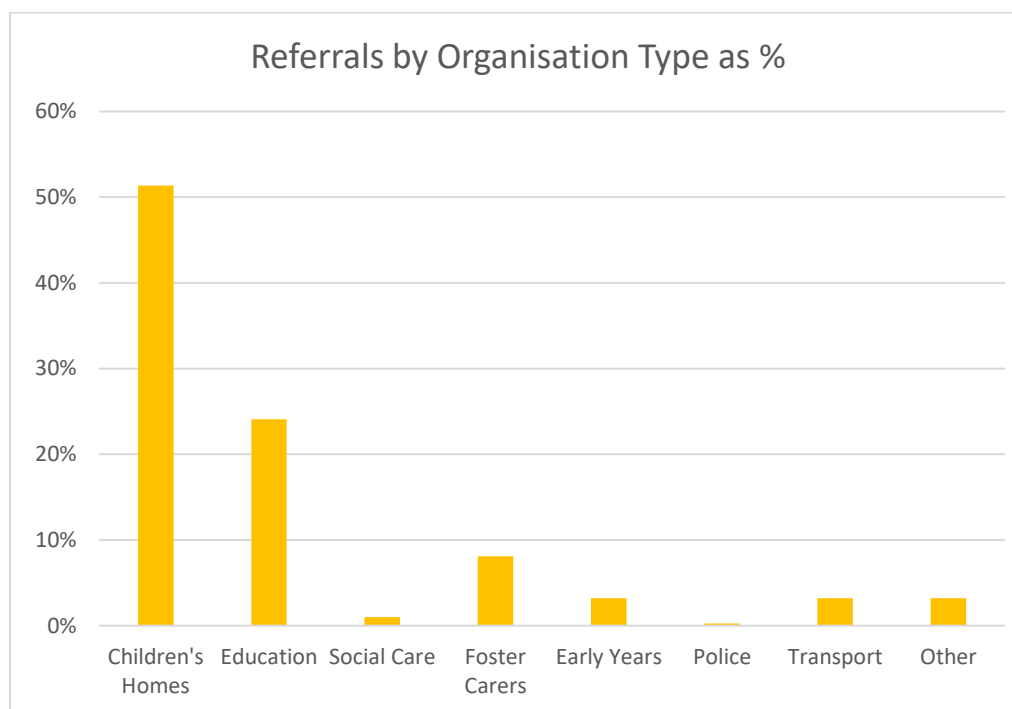
*Working Together, 2018*

## Overall Figures



The total number of contacts and referrals received for the period 2021/22 is 407 in comparison to 342 for the previous year. However, the previous year was exceptional due to the Coronavirus pandemic, which had resulted in a number of prolonged lockdowns across the country and regionally, meaning that a large number of organisations weren't operational during this period. For much of the year, most schools were only open for the children of keyworkers or those with specific needs, sports organisations were not running and many voluntary organisations, such as Scouting, could not open. Given the above, it would have been expected that the number of LADO referrals received during this period would have been considerably lower. This year, the 62 more referrals puts the figures back on a par with those seen in the years previous, indicating that the re-opening of clubs/schools/sports etc has returned to the stats to the 'usual' expected figure.

## Referral by Organisation Type

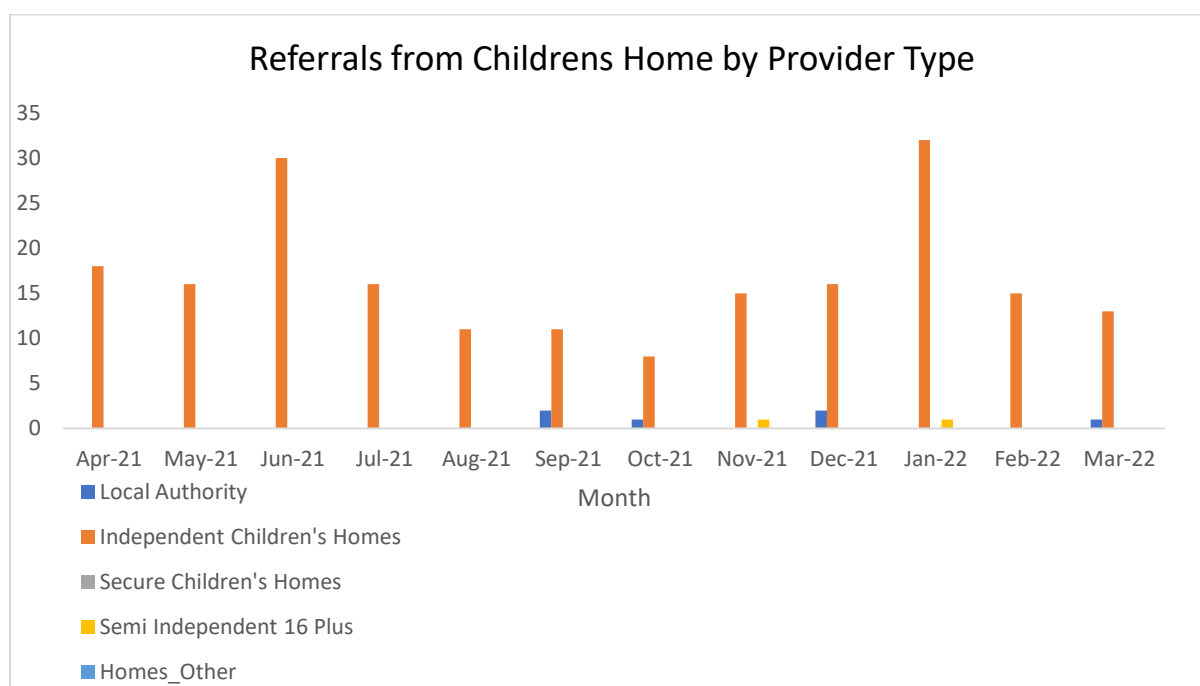


The graph shows that Children's homes remain the largest referral type at 51% which is the same as for the 2020/21 year as well as roughly the same for previous years. This has always been considered to be the most frequent reason for referral due to the large number of children's homes in the region.

Education referrals this year is 24% compared to 20% last year which is low considering school were largely closed the previous year. One possible explanation for this is that the KCSIE document was updated during the recent period to include a section giving Heads and DSL's the discretion to consider LADO matters on a case by case basis. This has been discussed with schools HR and LADO and Shropshire Council have agreed not to amend their policy on LADO contacts being made. This does however, not include academies who may opt to use this new 'discretionary' clause when considering whether to refer or not.

The percentage of referrals from foster care is 8% compared to 9% last year and the small percentage of referrals from other sources (17%) is also unchanged compared to previous years.

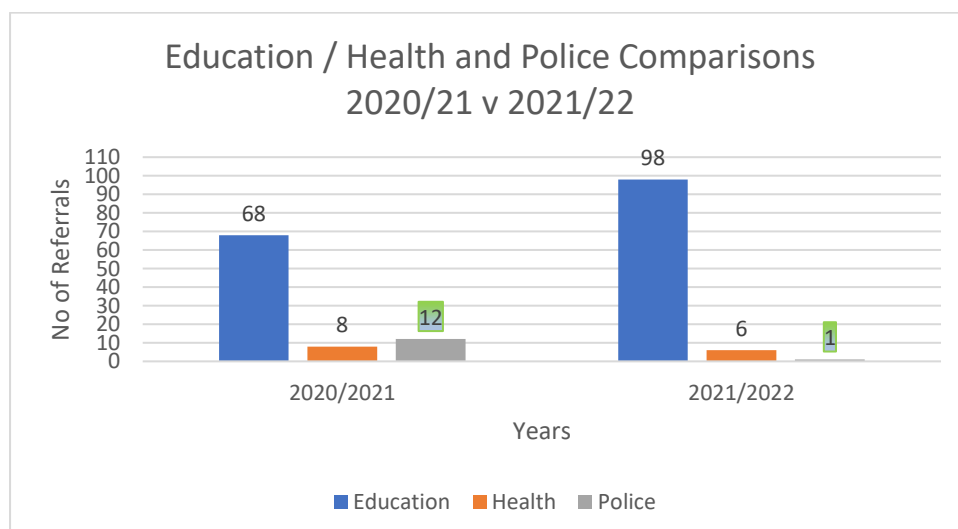
## Children's Homes



Independent Children's home still remain the most frequent referrers perhaps due to the large number present in Shropshire, but this is also likely to be due to the cautious approach taken by these organisations in ensuring that all concerns are referred even if allegations have subsequently been retracted or there is evidence prior to referral that the allegation is unfounded.

There remains a culture across the board with residential care that they will 'run things by' the LADO rather than making an organisational decision whether the criteria is met or not. This results in a lot of immediate NFA contacts. There have been a few changes within residential care following the pandemic – OFSTED were completing virtual inspections during lockdowns but after April 2021, they began to undertake full inspections of numerous homes. This undoubtedly caused a lot of anxiety for managers and numerous homes were either restricted or closed by the care companies or OFSTED themselves

## Health, Police and Education referrals – comparison to last year

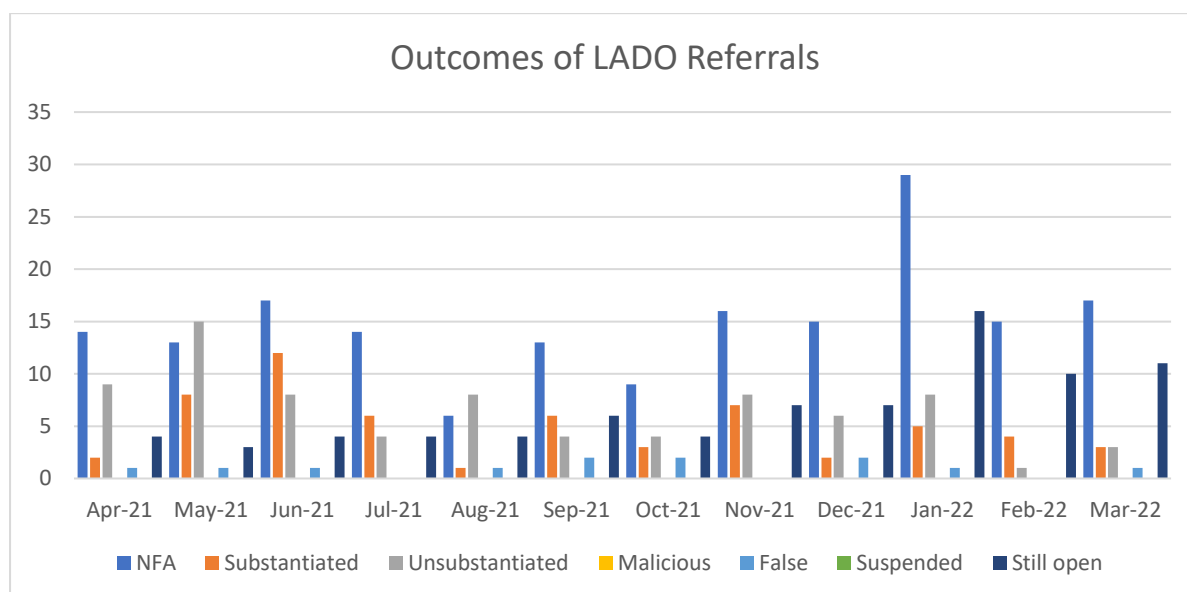


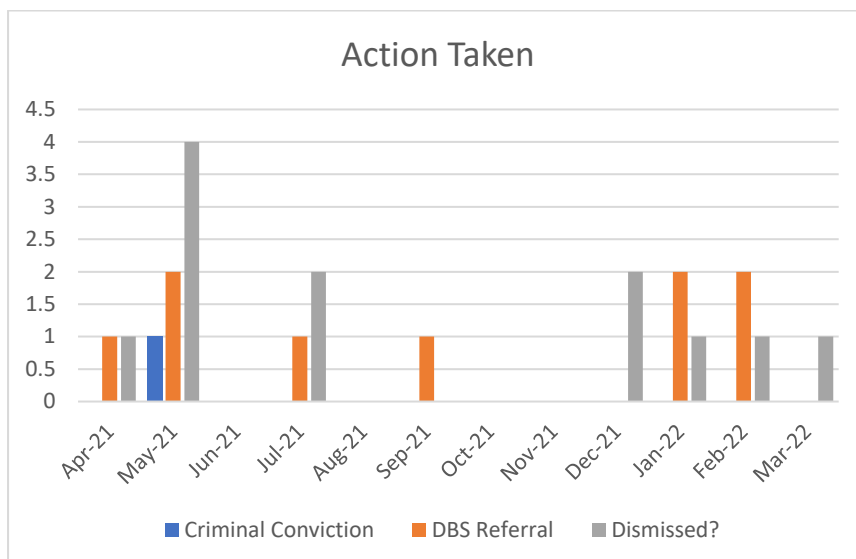
The statistics show that the number of Education and health referrals has increased considerably during the period. The covid pandemic would largely account for the lower figure in education in 20/21 given that schools were closed for the most part except for the children of keyworkers.

Additionally, there has been a large emphasis on Police complaints and referrals recently as a result of a serious case within the Metropolitan Police area. West Mercia Police have met with LADO to discuss public information awareness raising in terms of members of the public complaining about Police if they feel they have abused their position of trust. This may not have much impact on LADO statistics as it is likely most of these complaints would come from adults. Those Police LADO contacts we do receive usually pertain to transferable risk or allegations from children in care homes where police have been called to assist. The Police PSD are usually responsible for looking into these allegations and information sharing continues to be categorised by professional constraints.

Health referrals remains low and this is possibly due to the fact that Shrewsbury Hospital remain on a section 31 notice which is an enforcement notice that the CQC can place on an NHS organisation. RSH's notice last year was around not admitting children under 18 who solely had a mental health condition into the Trust as a whole. Children inpatient beds are all at PRH in Telford, the only Children seen at RSH are Emergency Department and Outpatients which might go some way to explain why there are few referrals. Generally, Health organisations use the LADO to discuss cases of staff in Positions of Trust where allegations are made pertaining to incidents occurring in their private life (transferable risk).

### Outcomes of LADO referrals





This year 178 contacts were NFA'd, 59 substantiated, 78 unsubstantiated, 12 false, 0 malicious and 80 are still open.

As mentioned above, 178 cases referred to the LADO did not progress beyond the initial contact. The reasons for this are varied, however in the majority of cases, the LADO criteria was either not met, or following some additional basic factfinding taking place it was identified that the allegations were unfounded. It has continued to be the case that some employers would prefer to make a LADO referral to ensure an independent view on a matter, even if the threshold is not met. Medication errors also account for a number of contacts and usually these are recognised as practice concerns and not a safeguarding LADO matter.

A large number of referrals concluded with the allegations being unsubstantiated (78). Despite investigations having taken place, there was insufficient evidence to confirm whether or not an event had taken place. However in many of these cases, the case summary may provide additional information which would support if there was considered to be any concern about the actions of the professional involved. In addition, despite an allegation concluding as unsubstantiated, further action could still be taken, for example by way of additional training or supervision being provided.

59 cases concluded as being substantiated. In some cases however it was not considered that there was any evidence of intent to cause harm to a child. For example, a child may have sustained some superficial injury from a physical intervention, however the restraint was considered to be reasonable and proportionate in that situation. Some of the cases that were substantiated were considered to be so serious however that further action was taken (12 people in positions of trust were dismissed from their roles and 9 DBS referrals were made. 1 person received police convictions during this time.

80 cases remain open at this time. Some cases are still being investigated by the police, and in other cases, the outcome of further actions by the relevant regulatory bodies is still under consideration. Some organisations were working with severely depleted staff over the pandemic and therefore investigation processes have been more prolonged than would be usually expected. Despite lockdown restrictions no longer being in place, the impact that the pandemic has had on the CPS, the Courts and Police have meant that the backlogs are huge with some cases nearly being open for 3 years and still no outcomes.

For the cases still open, the LADOs have remained in regular contact with those agencies undertaking the investigations, to ensure that the process of investigation is as quick as possible. The impact of protracted investigations on the subject cannot be underestimated and part of the LADO role is to ensure that people who are under investigation are adequately supported. In addition, in cases where there are named children involved, appropriate support also needs to be considered for them during the investigation process.

The LADO picture in Shropshire has not been vastly dissimilar to recent years, despite the pandemic. There has been an increase in the number of referrals compared to the previous year, however the reasons for referral, the sectors represented and the actions taken following a referral have remained fairly consistent. Good communication has remained with partner agencies including monthly meetings with the main care home providers and training for new Shropshire Council Staff monthly.

In addition, the Shropshire LADO's have continued to be represented in the regional West Midlands LADO network, which has remained a good support network both in terms of progressing referrals, as well as sharing information where relevant to ensure appropriate safeguarding responses across different local authorities.

### Recommendations

- Review of the LADO function in line with the national LADO network standards.
- Review of the LADO's role in Strategy meetings in Shropshire.
- Creating of a LADO introduction video at the SSCP to prevent inappropriate referrals.