

We can give you this information in any other way, style or language that will help you access it. Please contact us on: 01332 642376

Polish

Aby ułatwić Państwu dostęp do tych informacji, możemy je Państwu przekazać w innym formacie, stylu lub języku.

Prosimy o kontakt: 01332 642376 Tel. tekstowy: 01332

Punjabi

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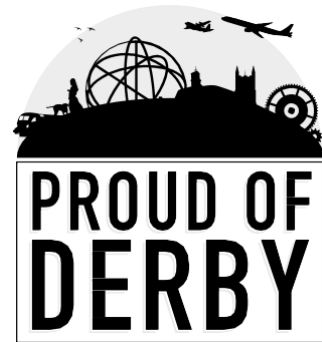
Slovakian

Túto informáciu vám môžeme poskytnúť iným spôsobom, štýlom alebo v inom jazyku, ktorý vám pomôže k jej sprístupneniu. Skontaktujte nás prosím na tel.č: 01332 642376 Minicom 01332 640666.

Urdu

01332 642376 یہ معلومات ہم آپ کو کسی دیگر ایسے طریقے، انداز اور زبان میں مہیا کر سکتے ہیں جو اس تک رسائی میں آپ کی مدد کرے۔ براہ کلام
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V3 September 2020



Derby City Council The Council House Corporation Street Derby DE1 2FS
www.derby.gov.uk

Information for Subjects

Managing abuse allegations against adults who work with children



www.derby.gov.uk



Introduction

We have been informed that an allegation has been made about you.

This is a brief guide for you about the procedures in place in Derby for managing allegations of abuse made against a person who works in a paid or unpaid/voluntary capacity with children. The aim is to ensure that children are kept safe.

These procedures are applied when there is an allegation or concern that any person who works with children, in connection with his/her employment or voluntary activity, 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 s/he would pose a risk of harm if they work regularly or closely with children
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

There are three considerations in investigating allegations like this:

- Has a child been harmed? Social Care will usually investigate this.
- Has a crime been committed? This will be looked into by the Police.
- Is this a conduct or disciplinary matter? The employer looks into this.

The process and investigations are co-ordinated by the Local Authority Designated Officer (LADO). The LADO may call professional meetings to bring together information and enable the above decisions to be made.

Your employers and organisation's duties and responsibilities

Your employer should inform you about the allegation as soon as possible after consulting the LADO. If there is to be a Police investigation, your employer may not be able to give you all the specific details of the allegation.

Your employer is responsible for making decisions about what happens about you at work, including how or whether you remain in post during any investigation. Your employer will usually conduct an internal investigation; in some cases they may commission an independent investigator to do this. Your employer may seek a written account from you outlining your perspective of events around the allegation. If you wish, this account may be shared at the professional meeting, though you need to be aware that the Police will be present and may then use this account as evidence, if there is a criminal investigation.

Regulatory bodies such as Ofsted and the Care Quality Commission will need to be informed of any allegations made against members of staff who work in specific sectors.

Your employers have a duty of care to you and should act to manage and minimise the stress involved. They should identify someone (not the investigating officer), to keep you informed of the progress of the case and consider what other support you may need, such as welfare counselling or medical advice.

You are advised to also contact your trade union representative if you have one, or other source of professional support. If you are suspended, your employer should identify a contact to ensure you are kept informed of both progress of the case and current work issues.

If you are self-employed, the LADO and any key agency will agree who is best placed to do all this with you, so that you are supported and kept informed.

Immediate consideration for the employer/organisation

Your employer will need to consider what action to take to reduce any possible risks or harm to children and to also to protect; any action taken the employer's decision. Most individuals are not suspended although their working arrangements may be adjusted while the allegation is investigated.

Confidentiality

You and your employer must make every effort to maintain confidentiality and guard against unwanted publicity while the allegation is being investigated or considered.

LADO Strategy meetings

These are held when it is agreed that the threshold for safeguarding has been met and agencies need to formally bring together information and agree a course of action. They are chaired independently by the LADO and will always involve your employer or organisation. The Police, Children's Social Care and other relevant agencies that you work or volunteer for, e.g. sports groups or scouts, may be involved if necessary.

You are not invited to attend the strategy meeting, but if you wish a written submission can be considered. You are encouraged in any case to make your views clearly known to your employer. Your employer will feed back to you as agreed from the meeting, including any decisions made. Notes from the meeting cannot be shared with you at this stage, although when concluded you may apply for access to your file in the usual way if you wish.

What are the possible outcomes?

The outcome of the investigation will be one of the following:

- **Substantiated:** there is sufficient identifiable evidence to prove the allegation; this is on "the balance of probability" independent of any potential prosecution by the Police.
- **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;
- **Unsubstantiated:** this is not the same as a false allegation. It means that there is insufficient evidence to prove or disapprove the allegation. The term therefore does not imply guilt or innocence.

- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation made

The outcome and conclusion of any investigation will be communicated in writing by the LADO to your employer, who is then responsible for communicating this to you, along with any actions agreed within the investigation. Notes from the meeting cannot be shared with you at this stage, although when concluded you may apply for subject access to your file if you wish via the Local Authority.

If you are self-employed, it will be agreed who will feedback to you and ensure the agreed action is put in place.

What happens next?

Most staff return to the workplace and support should be offered to enable this. Your employer may also consider action such as increased supervision, mentoring, training, or agreed transfer to alternative duties.

Any decision regarding disciplinary action or dismissal is the responsibility of your employer and you will have the usual right of appeal under employment law. In reaching this decision your employer will take into account any relevant information from the Police and/or Children's Social Care, and the result of any investigations.

If as a result of a safeguarding concern, you are dismissed or your employer or organisation ceases to use your services, or you resign or otherwise cease to provide your services, your employer must refer you to the Disclosure and Barring Service for consideration of inclusion on the barred lists. They must also refer to any relevant professional body.

If you have any further questions or concerns, please discuss with your employer or Trade Union.

Disputed outcomes

If you dispute the outcome of the allegation process, you should raise this with your employer or organisation, if necessary through relevant personnel or volunteer procedures. If you are self-employed, or if you think the allegations procedures have not been properly followed, please ask about the Local Authority complaints procedure.