



CHILDREN

## Allegations against staff who work or volunteer with children

### GUIDANCE FOR INVESTIGATION REPORTS FOR ALL SETTINGS

This is a suggestion and can be adapted in line with your own internal processes and advice from your HR representatives. This is not a statutory document.

#### GENERAL POINTS TO ADDRESS FOR ALL INVESTIGATIONS:

- Ensure whoever is investigating understands or has experience in safeguarding.
- Ensure that the investigating officer is sufficiently impartial or consider commissioning someone to complete on your behalf.
- Refer to the member of staff's contractual obligations and code of conduct.
- Be mindful of the policy and procedures relevant under safeguarding children.
- Ensure you are clear what the allegation is against the member of staff.
- Are you clear from the LADO what needs to be addressed?
- Ensure the child's voice and lived experience is included.
- Be clear on member of staff's voice, insight and understanding of risk and professional conduct.
- Provide a clear or recommended outcome(s) in line with allegation management.
- Clear timeframe for completion (maximum 20 working days).
- Ensure author of report knows it is acceptable and appropriate to share the content with the LADO.

## INVESTIGATION REPORT TEMPLATE

TITLE e.g. ALLEGATION MANAGEMENT REPORT

| Details of the adult who is subject of the allegation |  |
|---|--|
| Full Name:  |  |
| Role:   |  |
| Employer/Organisation:                                |  |

| Investigating Officer  |  |
|------------------------|--|
| Full Name:             |  |
| Role:                  |  |
| Employer/Organisation: |  |

| Date of allegation | Date Investigation Commenced | Date Concluded |
|--------------------|------------------------------|----------------|
|                    |                              |                |

| OVERVIEW / SUMMARY   |
|--|
| <p><b>Set out what has been alleged, when and by whom, and what is being investigated.</b></p> <p>You will need to ensure that this clearly identifies the focus of the investigation and whether there are one or more allegations that need to be addressed. The investigation may focus on one or more allegation (safeguarding), as well as conduct issues (not safeguarding).</p> <p>Example:</p> <p><i>Allegation 1</i></p> <p><i>An allegation that staff member X has forcefully grabbed child Y and child Y alleges that this caused a bruise to their arm. This is an allegation of physical harm which meets the LADO threshold as described in Working Together to Safeguard Children.</i></p> <p><i>Conduct Issue 1</i></p> <p><i>The staff member did not report the incident to the DSL/manager or complete an incident report. This is a conduct issue to be addressed in line with the organisation's internal policies and procedures.</i></p> <p><i>This report covers the investigation into this safeguarding concern and conduct issue. The investigation was to establish whether the child Y suffered harm and whether staff member X presented and or continues to present a risk to this child and or others. The investigation also assessed whether staff member X breached their professional code of conduct, practice, and policy (list which ones...).</i></p> |

## METHODOLOGY

**Detail here terms of reference, what you did and your sources of information. Also highlight the statutory guidance and any policies and procedures you are investigating under e.g Keeping Children Safe in Education, South West Child Protection Procedures, Organisational Code of Conduct.** In some circumstances it may be useful to record a chronology and attach as an addendum to the report.

Details of witnesses that you have interviewed. If you have not interviewed a witness – explain the rationale behind your decision not to interview them.

Interview with and record/account of member of staff subject to the investigation / allegation must be included and analysed.

Reference to the child's voice and lived experience must be included. If not interviewed as part of this process explain how you have obtained the information. For example, child may have been interviewed by Social Worker and or Police as part of the investigation. Clear acknowledgement of safeguarding concerns and impact on the child is important and must be analysed.

Documents reviewed e.g. training records, incident logs, procedures. These should be attached as appendices.

## BACKGROUND – CONTEXTUAL SAFEGUARDING

Include details of employment / circumstances leading up to the current situation and actions taken in response to the allegation.

This will include details of safer recruitment processes e.g. whether references were requested, clear DBS etc.

Previous allegation management concerns and any relevant disciplinary actions.

## ANALYSIS

**Pull together information gathered, facts and evidence.**

Include summary of interviews with subject, alleged victim and witnesses. Full statements/interviews should not be included in the body of the investigation report but should be attached as appendices.

Consider what evidence supports the allegation(s) and what has been provided as mitigating factors. This may include highlighting areas that are unclear and the reasons why.

Remember that you are considering this against the test of **'balance of probabilities'** (civil threshold) rather than **'beyond reasonable doubt'** (criminal threshold).

## CONCLUSIONS AND RECOMMENDATIONS

**This is where you provide an overall fact-based assessment on a) whether there is evidence to support the allegations and b) the strength of the evidence.**

The conclusions should be clear and concise without stating opinion or assumptions.

A clear rationale must be provided.

Refer to the allegation management outcomes and record clearly which outcome(s) has been reached. Do not leave this blank – you are required to reach an outcome for each allegation. The LADO team will need to quality assure this report in relation to safeguarding allegations prior to it being finalised and may provide recommendations and feedback.

Example:

### *Allegation 1*

*An allegation that staff member X has forcefully grabbed child Y and child Y alleges that this caused a bruise to their arm. This is an allegation of physical harm which meets the LADO threshold as described in Working Together to Safeguard Children. This investigation must meet one of the five LADO Safeguarding Investigation Outcomes as detailed below.*

### *Conduct Issue 1*

*The staff member did not report the incident to the DSL/manager or complete an incident report. This is a conduct issue to be addressed in line with the organisation's internal policies and procedures. The outcome you reach in relation to a conduct issue will depend on your own organisation's policies and procedures.*

## **LADO Safeguarding Investigation Outcomes**

**Substantiated** – there is sufficient identifiable information to prove the allegation – this did happen. Employer to refer to DBS and/or regulatory body if matter is serious enough to warrant dismissal or cessation of role.

**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 has been entirely false

**Unfounded** – there is no evidence or proper basis which supports the allegation being made. It might 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

**Unsubstantiated** - An unsubstantiated allegation is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

**Completed by:**

**Date:**

**Sign and date your report – SHARE with the LADO team and await feedback prior to sharing with the subject or progressing any disciplinary processes.**