

School Investigations

Under the LADO process

KCSIE

part 4

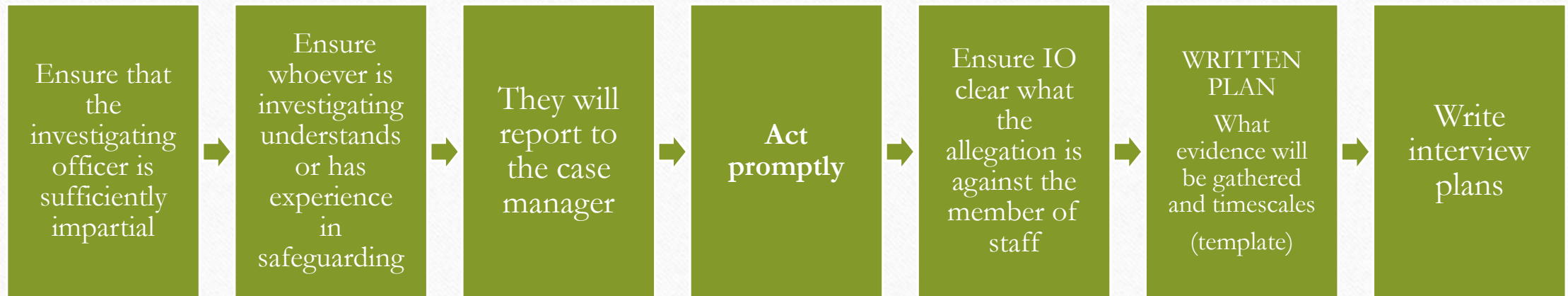
- A “case manager” will lead any investigation. This will be either the headteacher or principal, or, where the headteacher is the subject of an allegation, the chair of governors or chair of the management committee and in an independent school it will be the proprietor.
- The role of the LADO is not to investigate the allegation, but to ensure that an appropriate investigation is carried out (police, social care, employer etc).
- In straightforward cases, the investigation should normally be undertaken by a senior member of the school or college’s staff.
- Where there is a lack of appropriate resource or the nature or complexity of the allegation requires it, the allegation will require an independent investigator.
- When to inform the individual of the allegation should be considered carefully on a case-by-case basis, with guidance as required from the LADO
- The case manager should monitor the progress of cases to ensure that they are dealt with as quickly as possible in a thorough and fair process

Agency / supply / contracted staff

- In no circumstances should schools just cease to use a supply teacher due to safeguarding concerns
- Must find out the facts and liaise with the LADO to determine a suitable outcome.
- Governing bodies and proprietors should discuss with the supply agency whether it is appropriate to suspend the supply teacher or redeploy them to another part of the school or college, whilst they carry out their investigation.
- The school will usually take the lead because agencies do not have direct access to children or other school or college staff, so they will not be able to collect the facts, nor do they have all the relevant information required by the LADO as part of the referral process.



Investigation guidance – PLANNING



Investigation

1

Seek evidence to support AND disprove the allegation (i.e. not biased)

2

Refer to the member of staff's contractual obligations and code of conduct

3

Policies – what do they set out (or not) about what should have happened
Consider wider statutory guidance

4

Training, experience and qualifications

5

Ensure the child's voice and lived experience is included (even children with disabilities).

6

Be clear on member of staff's voice, insight and understanding of risk and professional conduct.

7

Where there has been a criminal or CSC investigation - The IO should take into account: Information; the outcome, The different standard of proof

Conducting Interviews



1. Building Rapport



2. Free Narrative Account
(TED prompts)



3. Questioning



4. Closing (summary, anything else to add?)

Clear written record/summary



ALL investigations should be clearly written up including evidence gathered/not gathered



Be specific on language/what was said/what people were informed of



Follow investigation template/Trust/ACAS/LADO



Evaluate the evidence (Consider on balance of probabilities)
Including he said/she said scenarios (what account is preferred)

LADO outcomes

Substantiated allegations

There is sufficient evidence to prove the allegation that a child has been harmed or there is a risk of harm.

Malicious

There is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive.

False allegations

There is sufficient evidence to disprove the allegation.

There is no evidence to suggest that there was a deliberate intention to deceive.

Unsubstantiated allegations

There is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

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.

Record keeping

Malicious or false outcomes should be removed from personnel records unless the individual gives their consent for retention of the information. However, for all other allegations, i.e. substantiated, unfounded and unsubstantiated it is important that the following information is kept on the file of the person accused:

- a clear and comprehensive summary of the allegation
- details of how the allegation was followed up and resolved
- a note of any action taken, decisions reached and the outcome
- a copy provided to the person concerned, where agreed by local authority children's social care or the police, and
- a declaration on whether the information will be referred to in any future reference.

Useful Links

- [LADO - Hillingdon Safeguarding Children Partnership Arrangements \(Hillingdon LSCB\)](http://hillingdonsafeguardingpartnership.org.uk)
(hillingdonsafeguardingpartnership.org.uk)
- [Allegations Against Staff or Volunteers \(People in Positions of Trust\), who Work with Children](http://londoncp.co.uk) (londoncp.co.uk)
- [Acas guide to conducting workplace investigations | Acas](#)
- [Investigations in schools – top tips and problem areas](http://farrer.co.uk) (farrer.co.uk)