Cambridgeshire County Council

early years childcare and school readiness service

Guidance for Registered Childminders

Managing an allegation against a childminder, assistant and volunteer who works with children, or a person aged 16 years or older in a home-based setting.

Defining allegations:
This guidance relates to all cases in which it is alleged that an adult who works with children in any capacity, paid or voluntary, have:

- Behaved in a way that has harmed, or may have harmed, a child.
- Possibly committed a criminal offence against, or related to, a child, or behaved towards a child or children in a way that indicates they 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.

The Local Authority Designated Officer (LADO) has responsibility for ensuring that all allegations against adults working with children in Cambridgeshire are managed in accordance with Working Together to Safeguard Children 2023 and Cambridgeshire and Peterborough Safeguarding Children Partnership Board guidance.

When should the LADO be contacted?

The Childminder should think carefully about the criteria in the box above and whether the allegation falls into one or more of the four categories of 'harm', 'crime', 'posing a risk' or unsuitable behaviour. If there is any doubt, the Coram PACEY Childminding Support and Development Officer (CSDO) should always be contacted for advice as it is often unclear initially how serious an allegation might be. If the allegation has been made about an assistant or member of the household, the childminder can contact LADO directly.

Action to take upon hearing an allegation against an adult who works with children.

There are likely to be two parallel processes, one relating to the management of the allegation against the adult(s), and the other focusing on the child(ren).

Follow the procedure on the flowchart poster: 'Allegation against a person who works or volunteers with children in a home-based setting… What to do.'

It is equally important to ensure the safety of the child(ren) concerned, to ensure a medical assessment/intervention is implemented, as needed, and to secure any forensic evidence. All actions and discussions should be accurately recorded. At this stage the welfare and safeguarding of the child(ren) is paramount.

It is important that the person to whom the allegation is disclosed listens carefully and accurately records what has been said.

There must be no discussion, particularly not with the alleged perpetrator(s) and no attempts to investigate the matter.

Any such action may potentially undermine future formal investigations.

How do I refer an allegation?

- If you become aware of an allegation made about yourself, you must contact your Coram PACEY CSDO, who will refer to the Early Years Safeguarding Team (EYST). The EYST will liaise with LADO about next steps to be taken.
- If the allegation is against an assistant or a person who resides on the premises, the childminder must immediately contact the LADO directly.
- Childminder notifies Ofsted to report a serious childcare incident - GOV.UK.

There may be up to three strands in the consideration of an allegation:

- A police investigation of a possible criminal offence.
- Enquiries and assessment by children's social care about whether a child needs protection or services.
- Consideration by an employer of disciplinary action in respect of the individual.

Guidance about information sharing.

If the LADO decides that the matter has met the allegations threshold, the EYST will provide the childminder with a copy of the LADO referral form to complete and return directly to the LADO as a priority. The form will enable the LADO to ensure all the essential information is recorded.

The LADO will give guidance about what the adult should be told, at what stage and by whom. It is important to give due consideration to the confidentiality of the adult and therefore details of the matter should not be disclosed or discussed with colleagues or outside agencies.

The LADO will advise what information should be disclosed to the child(ren)'s family.
It is important not to compromise any formal investigation or breach confidentiality by staff disclosing information in an unplanned way without due consideration under allegations procedures.

What happens next?

If the allegation leads to a police investigation, the LADO will chair an Allegation Management Meeting (AMM). The focus of an AMM is on the adult(s) against whom the allegation has been made. Depending on the circumstances of the case, the LADO will decide who is to attend the meeting, this will probably include: the employer, where the allegation is made against an assistant, The Early Years Safeguarding Team, Ofsted, Police and Children's Social Care. Alleged perpetrators do not attend AMMs. The full meeting notes must never be shared with the alleged perpetrator, the LADO will prepare a redacted summary with third party information removed if this is required.

It is important that as much information as possible about the adult is available to the AMM. This is essential to assess risk appropriately. The LADO therefore needs details in writing, prior to an AMM, of the accounts of the allegation taken at the time, of the adults' records in terms of any previous allegations or concerns, if known, and how these were dealt with, of any training undertaken and when, of any other issues with the child or person making the allegation, and so on.

If the allegation is made against an assistant, they may need to be suspended from working or volunteering in their setting, pending the outcome of police or internal inquiries and it will be agreed during the AMM how and by whom the adult is offered appropriate support during the process.

What happens following the investigation?

If there is no further action resulting from the police investigation, or a police investigation was not required, then the employer of the adult will be required to undertake an internal investigation. This will identify what disciplinary action, if any, is required. Decisions may include, for example, immediate re-instatement of the adult, additional training, management advice and support, a formal warning or dismissal and de-registration, if applicable. Support and advice for the employer can be obtained if required from the Early Years Service or Coram PACEY.

If the outcome of the internal investigation is that the adult is dismissed, then a referral must be made to the Disclosure and Barring Service (DBS). The LADO will retain records of the entire process.

If the allegation has been made directly about the childminder and therefore, not possible for an internal investigation to take place, Ofsted may make further enquiries.

Contact

Coram PACEY: 07483 514 672
Cambridgeshire LADO: 01223 727 967

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