

## **Community Pre-schools LADO Policy and Procedure**

Community Pre-schools will respond when an allegation, concern or disclosure is made about an adult who works with, volunteers with, is employed by, or otherwise has responsibility for children in our setting. It applies to all trustees, committee members, managers, employees, agency staff, students, volunteers, contractors, visitors and anyone acting on behalf of the pre-school.

The policy is written for settings operating across Leicestershire County Council and Derbyshire County Council areas. Where a child lives, attends, or an allegation arises in one of these areas, the setting will follow the relevant Local Authority Designated Officer (LADO) referral arrangements and safeguarding partnership procedures.

### **Policy statement**

Community Pre-schools is committed to safeguarding and promoting the welfare of children. All allegations against adults in positions of trust will be taken seriously, responded to promptly, recorded accurately and managed in a way that protects children, supports fair treatment of staff and maintains public confidence in the setting.

No member of staff or volunteer should investigate an allegation themselves, question the child in detail, promise confidentiality, speak to the person of concern before advice has been sought, or delay reporting while gathering further information.

### **What must be referred to the LADO**

A referral or consultation with the LADO must be made when there is reasonable cause to believe that an adult who works with or has responsibility for children 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 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, including transferable risk from conduct outside work, at home or online.

Examples may include physical harm, inappropriate restraint, sexual misconduct, emotional abuse, neglect, grooming, inappropriate communication, serious boundary breaches, online conduct, domestic abuse concerns, criminal behaviour, or repeated low-level concerns that together indicate a possible safeguarding risk.

### **Immediate actions when an allegation is received**

1. Ensure the child is safe and, if needed, seek urgent medical attention or emergency assistance.

2. If a child is at immediate risk of significant harm, call 999 and contact children's social care without delay.
3. Report the allegation immediately to the Designated Safeguarding Lead (DSL), manager, or chair of committee if the allegation concerns the manager.
4. Record the concern factually, using the child's or referrer's own words where possible, including date, time, location, witnesses and immediate actions taken.
5. Do not investigate, interview the child repeatedly, contact the alleged adult for an explanation, or discuss the matter with anyone who does not need to know.
6. The manager or nominated senior person must contact the relevant LADO within one working day, and sooner if the matter is urgent.

### Referral routes and local authority contacts

| Area                          | When to use                                                                                                                       | Referral route                                                                                                                                                                                                                                                                                                                                                               |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Leicestershire County Council | Use where the allegation relates to a setting, child, staff member or incident within Leicestershire County Council arrangements. | Complete the online LADO report form via Leicestershire County Council. Follow up current open matters by emailing <a href="mailto:cfs-lado@leics.gov.uk">cfs-lado@leics.gov.uk</a> . The LADO service states that allegations meeting the criteria should be reported within one working day and that reports should not be delayed while further information is collected. |
| Derbyshire County Council     | Use where the allegation relates to a setting, child, staff member or incident within Derbyshire County Council arrangements.     | Complete the Derby and Derbyshire LADO form and send securely to <a href="mailto:professional.allegations@derbyshire.gov.uk">professional.allegations@derbyshire.gov.uk</a> for Derbyshire County matters. The Derby and Derbyshire Safeguarding Children Partnership states that managers should complete the LADO form immediately where the criteria are met.             |
|                               |                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                              |

### Roles and responsibilities

**All staff and volunteers** must report concerns immediately, keep accurate records, maintain confidentiality and cooperate with safeguarding, LADO, police, social care, Ofsted and internal processes.

**The Designated Safeguarding Lead** will advise staff, ensure the child is safeguarded, support accurate recording, make or support referrals to children's social care where required, and liaise with the manager and LADO.

The manager or DSL will contact the LADO, follow LADO advice, consider immediate risk management arrangements, ensure the alleged adult is treated fairly, maintain records, notify Ofsted where required and keep the chair or provider informed as appropriate.

A nominated person or DSL will manage allegations involving the manager, ensure independence where required, support compliance with safer recruitment and disciplinary procedures, and make referrals to the Disclosure and Barring Service where the legal criteria are met.

### **Low-level concerns**

A low-level concern is any concern about an adult's behaviour that does not appear to meet the LADO allegation threshold but is inconsistent with the staff code of conduct, safeguarding expectations or professional boundaries. Examples may include over-familiar behaviour, inappropriate language, favouritism, poor professional judgement, or minor boundary breaches.

Low-level concerns must be shared with the manager or DSL, recorded confidentially and reviewed for patterns. If a low-level concern, or a series of concerns, may meet the LADO threshold, the manager must seek LADO advice promptly.

### **Suspension and risk management**

Suspension is not automatic and must not be used as a default response. The manager, and DSL will consider, in consultation with the LADO and any relevant agencies, whether temporary redeployment, increased supervision, adjustment of duties, working away from children, or suspension is necessary to protect children, protect the integrity of enquiries, or safeguard the interests of the alleged adult.

### **Confidentiality, information sharing and support**

Information will be shared only with those who need to know in order to safeguard children, manage the allegation, comply with legal duties or follow LADO advice. Parents and carers will usually be informed as soon as appropriate, unless doing so may place a child at risk, prejudice a police investigation, or conflict with advice from children's social care, police or the LADO.

The child and family will be offered appropriate support. The adult who is the subject of the allegation will also be treated fairly, informed at the appropriate time, advised to seek support from a trade union or professional association where relevant, and kept updated as far as possible without compromising enquiries.

### **Ofsted notification**

Community Pre-schools will notify Ofsted of any allegation of serious harm or abuse by any person living, working or looking after children at the premises, and of the action taken in response, as required by the Early Years Foundation Stage statutory framework. Notifications will be made as soon as reasonably practicable and within the required timescale.

## **Record keeping**

Records will be clear, factual, dated and signed. They will include the allegation, how it was followed up, decisions made, advice received, actions taken, outcomes, notifications and any learning. Records will be stored securely and retained in line with statutory guidance, data protection requirements and the setting's retention schedule.

Where an allegation is found to be malicious, false, unsubstantiated or substantiated, the outcome and rationale will be recorded. Substantiated concerns may require disciplinary action, safer recruitment review, DBS referral, regulatory notification and changes to practice.

## **Managing outcomes and learning**

At the conclusion of the process, Community Pre-schools will review any learning from the case. This may include updates to policies, staff training, supervision, recruitment checks, induction, safer working practice, site arrangements, communication with parents, whistleblowing procedures or management oversight.

## **Related policies and guidance**

- Safeguarding and Child Protection Policy
- Staff Code of Conduct
- Whistleblowing Policy
- Safer Recruitment Policy
- Data Protection and Confidentiality Policy
- Early Years Foundation Stage statutory framework
- Keeping Children Safe in Education, where applicable
- Working Together to Safeguard Children
- Leicestershire and Rutland Safeguarding Children Partnership procedures
- Derby and Derbyshire Safeguarding Children Partnership procedures