

1 minute guide - Allegations of serious harm or abuse by anyone living, working, or looking after children at the premises.

What does the EYFS state?

Group providers (3.8)

Registered providers must inform Ofsted, or the agency with which a provider of CoDP is registered, of any allegations of serious harm or abuse by anyone living, working, or looking after children at the premises. This must happen whether the allegations of harm or abuse are alleged to have been committed on the premises or elsewhere, for example, on a visit. Registered providers must also notify Ofsted/ their CMA of the action they have taken in response to the allegations. Ofsted/the CMA must be notified as soon as is reasonably practicable, but in any event within 14 days of the allegations being made. A registered provider who, without a reasonable excuse, fails to do this, commits an offence.

Childminders (3.11)

Depending on how they are registered, childminders must inform Ofsted or their CMA of any allegations of serious harm or abuse by anyone living, working, or looking after children at the premises. This must happen whether the allegations of harm or abuse are alleged to have been committed on the premises or elsewhere, for example, on a visit. Childminders must also notify Ofsted or their CMA of the action they have taken in response to the allegations. Ofsted/the CMA must be notified as soon as is reasonably practicable, but, in any event, within 14 days of allegations being made. A childminder who without a reasonable excuse fails to do this commits an offence

Local Authority Designated Officer

All Local Authorities must have in place a 'Local Authority Designated Officer' (LADO) to manage and oversee investigations into allegations made against adults who work or volunteer with children and young people either in a position of trust and or in a regulated activity.

What is an allegation?

The Designated Officer is a local authority role responsible for managing and overseeing concerns, allegations or offences relating to staff and volunteers in any organisation across a local authority area. All allegations about people who work with children, in statutory or voluntary organisations, must be referred to the Local Authority Designated Officer (LADO).

A referral to the LADO must be made within 24 working hours if there is information about a person indicating they have:

- 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 or,
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children



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For further advice, information and referrals please email LADO@doncaster.gov.uk. For urgent enquiries telephone 01302 737332

LADO Referral form can be found at

[Allegations against people who work with children - Doncaster Safeguarding Children Partnership](#)

Notifying Ofsted

You must also inform Ofsted within 14 days - [Childcare: significant events to notify Ofsted about - GOV.UK \(www.gov.uk\)](#)

What happens if an allegation is made against anyone living, working, or looking after children at the premises:

- The DSL must report the allegation to the Local Authority Designated Officer (LADO) within 24 hours. Contact LADO on 01302 737332 / LADO@doncaster.gov.uk - complete the online referral form - <https://www.doncaster.gov.uk/doitonline/safeguarding-concern-lado-local-authority-designated-officer-referral-form>
- This applies even if the allegation is about a family member, assistant, lodger, or anyone living or working on the childcare premises.
- The setting must not investigate the allegation themselves until they have sort advice from LADO.
- They should not question the child, the accused, or any witnesses.
- Record the allegation in as much detail as possible, including:
 - Date, time, and location
 - Exact words used (if possible)
 - Names of those present
 - Their own signature and the date
- The setting must ensure that children are protected while the allegation is being investigated.
- This may involve:
 - Suspending the alleged member from contact with children (without prejudice)
 - Or conducting a formal risk assessment, in consultation with the LADO
- Information should be shared only with those who need to know, such as the LADO, parents, and relevant authorities.
- The accused person should not be informed until advised by the LADO
- If LADO criteria is met there will be an initial allegations meeting arranged.
- LADO will co-ordinate this meeting and decide who to invite, this may include Ofsted, Social Care, Police, a Safeguarding and Welfare Officer from the Early Education & Childcare Team. If you have any other roles working with children, they will also be notified of the allegation and invited to the meeting.
- The alleged person will **not** be invited to this meeting.
- Dependent on the nature of the allegation Ofsted may choose to suspend your registration
- Ofsted take these steps if they have reasonable cause to believe children are, or may be, exposed to a risk of harm because the allegation is of a safeguarding nature made against the setting.

LADO Outcomes

After the investigation there will be a final LADO allegation meeting to decide on the LADO outcome. The outcomes are:

- Substantiated: there is sufficient evidence to prove the allegation



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- Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.
- Malicious: there is sufficient evidence to disprove the allegation and there is evidence to prove a deliberate act to deceive or cause harm to the person subject to the allegation
- False: there is sufficient evidence to disprove the allegation

If the person subject to the allegation resigns from their Ofsted registration the investigation process will still continue, and LADO will provide an outcome.

If the outcome is deemed substantiated a decision will be made as to whether a DBS referral is required

Further information and support

DONCASTER SAFEGUARDING CHILDREN PARTNERSHIP – online procedures for Responding to Allegations Against Staff, Carers or Volunteers, can be found at:

https://doncasterscb.proceduresonline.com/p_alleg_against_staff.html

[Early years practitioner wellbeing support - Help for early years providers - GOV.UK \(education.gov.uk\)](https://www.gov.uk/guidance/early-years-practitioner-wellbeing-support)

Helpline - [Education Support helpline - free and confidential emotional support for teachers and education staff](#)

There are services in Doncaster which can provide additional support if required

[YourLifeDoncaster](#)

Your place your family - [Your Place Team - YourLifeDoncaster](#)

[5 steps to mental wellbeing - NHS \(www.nhs.uk\)](https://www.nhs.uk)



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