LADO: Risk Assessment Framework – Managing allegations

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[**Line Manager/DSL for the adult concerned:** 10](#_Toc180676199)

[**Human Resources Advisor:** 10](#_Toc180676200)

[**LADO:** 10](#_Toc180676201)

[**Member of staff:** 10](#_Toc180676202)

[**Name, Date and Signature of the person who is completing this Risk Assessment:** 10](#_Toc180676203)

[**Name, Date and Signature of the adult who is the subject of the Risk Assessment:** 10](#_Toc180676204)

This assessment has been designed to provide Tower Hamlets organisations and employers with a framework to help them think about and then reach decisions about whether adjustments need to be made to the working arrangements of a member of staff/volunteer whilst there is a pending investigation following a safeguarding disclosure. This is also a formal record of the decision-making process.

**Melanie Benzie; Tower Hamlets Local Authority Designated Officer (LADO)**

# Managing Allegations Against Staff or Volunteers (People in Positions of Trust), who Work with Children

# Risk Assessment Framework

This assessment has been designed to provide employers with a framework to think about and then reach decisions about whether adjustments need to be made to the working arrangements of a member of staff/volunteer whilst there is a pending investigation following a disclosure. This is also a formal record of the decision-making process.

The assessment should take account of the context of the allegation, background information in relation to the individual concerned and in cases concerning allegations of abuse, any strategy discussion outcomes. A copy of the assessment should be retained on file by the employer.

The statutory guidance relates to all adults working with children and young people, whether in a paid or voluntary position. It should be used in respect of all cases in which it is alleged that a member of staff (including volunteers) has: about once of the following:

* 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 he or she would pose a risk of harm to children.
* Inappropriate Relationships
* Behaviour in Private Life
* Behaved or may have behaved in a way that indicates they may not be suitable to work with children.
* Low level safeguarding concerns (paragraph 426 KCSiE 202)

When managing any allegation of misconduct against a member of staff, you must have regard to the disciplinary procedure, any relevant code of conduct and allegation management procedure adopted by the organisation.

In accordance with the statutory guidance *Keeping Children Safe in Education (2024) Part four: Allegations of abuse made against teachers and other staff and Chapter 7 of the Pan London Safeguarding Children Procedures 2022; Allegations against staff or volunteers who work with children* an individual should only be suspended if there is no reasonable alternative. Suspending a member of staff may, however, be an appropriate course of action to take if allegations against the member of staff involve gross misconduct where, if they were upheld at a disciplinary hearing, the employer would be entitled to dismiss the member of staff without notice. However, suspending a member of staff is a serious step to take and without due consideration it can amount to a breach of trust and confidence by the employer, entitling a member of staff to claim constructive dismissal. Therefore, thought needs to be given as to whether it can be avoided, and a member of staff should only be suspended if it is reasonable to do so in the circumstances.

Careful consideration should be given to the facts, the seriousness of the allegation and any alternatives available, before suspending an member of staff. Suspension must not be a ‘knee-jerk’ reaction to an allegation and should not imply any assumption that the individual is guilty of any misconduct. Suspension does not constitute disciplinary action and, for member of staffs, will be on full pay. A period of suspension should be kept under review and be as short as possible, while allowing the employer to carry out a reasonable investigation. If suspension is deemed appropriate, the reasons and justification should be recorded, and the individual notified in writing of the reasons.

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| --- | --- |
| **Name of adult who is the subject of the risk assessment** |  |
| **Age & Date of Birth** |  |
| **Place of employment; employer’s name and address** |  |
| **Job Title /Role** |  |
| **How long have they been post?** |  |
| **What contact does the person have with children in that role?** |  |
| **Name and job title of person completing assessment:**  **Date:** |  |

Part 1: Suspension should only be considered if one or more of the following apply

|  |  |  |  |
| --- | --- | --- | --- |
| **Question** | **Yes** | **No** | **Notes/Considerations** |
| Is there is a strong likelihood that if the allegations are substantiated then the matter will amount to gross misconduct? |  |  |  |
| Is there a threat or risk of harm to the member of staff? |  |  |  |
| Is it possible to fully investigate the allegation if the member of staff remains at work (e.g. is the member of staff likely to destroy evidence or attempt to influence/intimidate witnesses?) |  |  |  |
| Have relationships at work broken down? |  |  |  |
| Is there likely to be a detrimental impact on the employer/organisation if the member of staff remains in work or continues to interact with children, parents, or other member of staff? |  |  |  |
| Is there a risk of harm to a child/children or, is the allegation related to safeguarding matter concerning the personal life of the member of staff? |  |  |  |

## Part 2: Safeguarding

Additional considerations for allegations made against a member of staff/volunteer:

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| --- | --- |
| **Area for Consideration** | **Notes and Considerations** |
| Information about the allegation: please include the nature of the allegation, duration and frequency of allegation, extent of pre-meditation, degree and nature of alleged harm or risk to a specific child/children |  |
| Information about the member of staff; please include any previous concerns, previous allegations, disciplinary record, length of service and contact with child concerned |  |
| Health and Safety; please consider any potential risks to the health and safety of the member of staff/volunteer should they remain in their place of work (impact of threats from parents/carers/potential press interest). |  |

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| --- | --- | --- | --- |
| **Alternatives to Suspension; explore and assess any alternatives e.g. redeployment, supervision, working from home etc.** |  |  |  |
| **Identified and Potential Risks:** *what are you worried about?* | **Mitigating Actions:** *what can be done to reduce what you are worried about?* | **Who is Responsible?** | **By When?** |
|  |  |  |  |
|  |  |  |  |

## Part 3: Supporting the Adult

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| --- | --- |
| **Particular Views of those Concerned in the risk assessment process:** |  |
| **Line Manager/DSL for the adult concerned:** |  |
| **Human Resources Advisor:** |  |
| **LADO:** |  |
| **Member of staff:** |  |

## Part 3: Supporting the Adult

As soon as possible after an allegation has been received, the named adult should be advised to contact their union or professional association. Human resources should be consulted at the earliest opportunity in order that appropriate support can be provided via the organisations occupational health or employee welfare arrangements. The member of staff should:

* Be treated fairly and honestly and helped to understand the concerns expressed and processes involved;
* Be kept informed of the progress and outcome of any investigation and the implications for any disciplinary or related process
* If suspended, be kept up to date about events in the workplace.

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| --- | --- | --- | --- |
| **Do you have any concerns about the impact and subsequent well-being of the member of staff:** | **Mitigating Actions:** *what can be done to reduce what you are worried about?* | **Who is Responsible?** | **Review date?** |
|  |  |  |  |
|  |  |  |  |
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| --- | --- |
| **Particular Views of those Concerned in the safety plan process:** |  |
| **Line Manager/DSL for the adult concerned:** |  |
| **Human Resources Advisor:** |  |
| **LADO:** |  |
| **Member of staff:** |  |
| **Name, Date and Signature of the person who is completing this Risk Assessment:** |  |
| **Name, Date and Signature of the adult who is the subject of the Risk Assessment:** |  |