

## INVESTIGATION OUTCOMES

The outcome of any investigation can be:

- **FOUNDED:** Evidence was able to prove that what was alleged did happen
- **UNSUBSTANTIATED:** There is insufficient evidence to prove that the allegation did or did not happen
- **UNFOUNDED:** Evidence was available to prove that what was alleged didn't happen or couldn't have happened or information has been misinterpreted
- **MALICIOUS:** A deliberate act to deceive. For an allegation to be classified as malicious, it will be necessary to have evidence which proves this intention

If the allegation is substantiated and you are dismissed, you resign before your are dismissed or your contract is not renewed due to the allegation, your employer is legally obliged conclude the investigation.

They are also legally obliged to refer the matter to the Disclosure and Barring Service if the outcome is Founded (DBS).

The DBS will decide whether you should be barred, or have conditions imposed regarding you working with children and young people in the future.

## RECORD KEEPING

Employers must keep records, which will detail the allegation, how it was investigated, the outcome and the action taken. This information will be kept on file for a period between 10 years or until the alleged person is 100 years depending on the outcome

These records are stored within accordance with the North West Local Authority Designated Officer (LADO) Regional Data Retention Policy. All records will be shared with the Disclosure and Barring Service (DBS) if requested.

Employers must disclose information in references when an allegation is Substantiated or Unsubstantiated

## FURTHER INFORMATION

You can find Wirral Safeguarding Children Board's procedure for managing allegations at:  
[http://wirralscb.proceduresonline.com/chapters/p\\_man\\_alleg\\_vol.html](http://wirralscb.proceduresonline.com/chapters/p_man_alleg_vol.html)

These procedures implement the statutory guidance for the management of allegations, which can be found in Working Together 2015:  
<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

## INFORMATION FOR EMPLOYEES

# What happens when an allegation has been made about you?



## WHAT HAPPENS IF AN ALLEGATION IS MADE AGAINST YOU?

The majority of people who work with children or young people act professionally and aim to provide a safe and supportive environment for them. However, sometimes the behaviour of adults who work or volunteer with children and young people can result in allegations of harm being made against them.

It is never acceptable for an adult in a position of trust to harm a child or young person and therefore allegations or concerns regarding behaviour raised about staff, workers or volunteers in relation to children and young people are taken seriously.

If an allegation has been made or a concern raised about your behaviour in relation to children or young people, further information is needed to understand what has happened.

An allegation can apply to the workplace, community or apply to your personal life.

**We understand this may be a difficult time for you and this leaflet aims to explain the process of managing allegations.**

When allegations are made which raise safeguarding concerns, compromise agreements cannot be considered.

Report of allegation or concern

Designated Senior Manager considers allegation and consults with the Local Authority Designated Officer (LADO) to address any immediate safeguarding concerns

Consideration whether the adult has:

1. Behaved in a way that has harmed or may have harmed a child
2. Possibly committed a criminal offence against or related to a child
3. Behaved towards a child in a way that indicates they may pose a risk of harm to children or young people

The LADO will consider whether a managing allegations strategy meeting is required and if interim safeguarding measures are required

If it is necessary to investigate further, a decision will be made whether this investigation will be led by the Police, Social Care or your employer or a combination of agencies

Following the investigation a decision will be made to conclude the outcome as: Substantiated, Unsubstantiated, Unfounded or Malicious (see overleaf)

## WHAT HAPPENS NEXT?

The discussion or meeting will decide:

- What is required to safeguard the children or young people involved or other children and young people with whom you have contact in your professional or personal life.
- Whether a police and/or social care investigation is required or if disciplinary procedures should be followed.
- What information can be shared with you and by whom. Whilst all parties will endeavour to share as much information with you in a timely and transparent manner, certain agency processes are beyond the control of the Local Authority Designated Officer (LADO).
- What support should be provided to you and others who may be affected and by whom. This support is in addition to that offered by your Union Representative, your GP any Employee Assist Programmes available and will be allocated a nominated individual in your organisation to support you. Your employer has a duty to provide you with timely updates regarding the investigation.

**All investigations will be carried out by the most appropriate agencies as identified at the strategy discussion/meeting who will feed back to the Local Authority Designated Officer (LADO).**

**A further meeting may be held to decide what action is needed ensure all children are safeguarded.**