

Allegations against Staff and Volunteers

Guidance

Allegations Against Staff and Volunteers

This guidance supports youth work organisations in responding appropriately to allegations involving staff or volunteers. It ensures compliance with legal duties under the Children Act 2004, Working Together to Safeguard Children (2023), and the Safeguarding Vulnerable Groups Act 2006.

Any allegation or concern that an employee or volunteer has behaved or may have behaved - in a way that has harmed or could potentially harm a child or young person must be taken seriously and handled sensitively and promptly, regardless of where the alleged incident occurred.

In line with Working Together to Safeguard Children (2023), every local authority must appoint a designated officer commonly known as the Local Authority Designated Officer (LADO) to manage and oversee allegations involving individuals who work with children. The LADO provides guidance, coordinates multi-agency responses, and monitors the management of these allegations. The LADO will assess whether the allegation meets the threshold for harm and determine if further investigation or multi-agency involvement is required.

What Constitutes an Allegation

An allegation may involve a staff member or volunteer who has:

- Behaved in a way that has harmed or may have harmed a child or young person.
- Possibly committed a criminal offence against, or related to, a child.
- Behaved in a way that suggests they may pose a risk of harm to children or young people they work with.

This includes concerns arising from their personal life or online activity — not just their professional conduct.

Reporting to the LADO

Any allegation meeting the above criteria must be reported to the LADO within 24 hours by the Designated Safeguarding Officer (DSO) or a senior manager.

The LADO will:

- Provide advice and guidance.
- Coordinate the involvement of relevant agencies.
- Decide whether the allegation meets the threshold for formal investigation.
- Advise when the organisation may begin internal procedures.

Note: Do not start an internal investigation or speak to any of the parties involved until you have received advice from the LADO.

Possible Outcomes Following LADO Referral

Based on the LADO's assessment, next steps may include:

- Police investigation into a potential criminal offence.
- Children's social care undertaking enquiries or assessments.
- Your organisation initiating disciplinary procedures — but only after consultation with the LADO and, where relevant, the police.

Important: Do not take a statement from the child, young person, or the staff member unless explicitly instructed by the LADO or police.

The LADO will remain involved until the case is resolved.

Organisational Responsibilities

- Record Keeping: Make a clear, dated, and signed record of any disclosure or observation.
- Safeguarding Support: Ensure the child or young person receives appropriate support.
- Separation: Prevent contact between the staff member and any affected young person or parties during the investigation. Consider what support might be available for the young person or the referrer if necessary.
- Risk Assessment: If concerns arise from outside work, complete a transference of risk assessment.

If external agencies decide to take no further action, your organisation must still evaluate whether any internal policies or codes of conduct have been breached.

Internal Investigation and Disciplinary Procedures

If authorised by the LADO, your organisation must:

- Follow fair and timely disciplinary procedures.
- Complete appropriate safeguarding risk assessments.
- Determine outcomes - which may include retraining, suspension, or dismissal.

The LADO may also convene a review meeting to consider internal findings and implications for the individual's future role.

Referral to the Disclosure and Barring Service (DBS)

You have a legal duty to refer an individual to the DBS if:

- They are dismissed or removed from regulated activity due to safeguarding concerns.
- They would have been removed had they not resigned.

This duty applies even if there is no police investigation or criminal conviction.

Outcomes of Allegations

- Substantiated: There is sufficient identifiable evidence to prove the allegation.
- Malicious: There is clear evidence to prove there has been a deliberate act to deceive, and the allegation is entirely false.
- Unfounded: There is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of all the circumstances.
- Unsubstantiated: This is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.
- False: There is sufficient evidence to disprove the allegation.

Managing Allegations Involving Adults – People in Positions of Trust (PiPoT)

In addition to safeguarding children, organisations must address concerns about adults in positions of trust who work with adults with care and support needs. A PiPoT is someone in a role that holds authority or influence over vulnerable adults.

When concerns arise that a PiPoT has behaved in a way that may pose a risk, organisations must:

- Report the Concern Promptly: Alert the relevant safeguarding lead in your organisation without delay.
- Refer to the Local Authority: Send the concern to the adult safeguarding team for assessment.
- Cooperate with Investigations: Fully support any enquiries conducted by the local authority or other relevant agencies.
- Conduct Risk Assessments: Assess whether the PiPoT should be suspended or have duties modified during the investigation to protect adults at risk.
- Follow Disciplinary Procedures: If the allegation is substantiated, apply your organisation's disciplinary measures, which may include retraining, suspension, or dismissal.

These procedures are governed by the Care Act 2014 and differ from those involving children. For more information, contact your Local Safeguarding Partnership.

