

## **CHILDREN AND YOUNG PEOPLE SCRUTINY**

**23<sup>rd</sup> October 2023**

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### **DESIGNATED OFFICER ANNUAL REPORT 2022/23**

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#### **SUMMARY REPORT**

##### **Purpose of the Report**

1. The purpose of this report is to update Members of the Children and Young People Scrutiny Committee on the progress and performance of the Designated Officers' (DO) response to all contacts received relating to allegations/concerns of abuse by those who work with children for the period April 2022 to March 2023 and to highlight the required actions for the period April 2023 to March 2024.

##### **Summary**

2. In line with national guidance, the Designated Officer function is to ensure that:
  - a) advice and guidance are provided to partner agencies and staff where an allegation is made against a person who works with children (paid or voluntary capacity).
  - b) the Designated Officer will facilitate and oversee this process. The Designated Officer does not investigate. Investigation is the role of the employer or the police where a criminal offence has been committed.
  - c) an agreed outcome of the investigation is established.
  - d) allegations are appropriately managed by employers to protect not only the welfare of children but also staff.
  - e) support actions are taken without delay to protect children.
  - f) all learning is effectively disseminated.
3. All organisations working with children in Darlington are required to have policies and procedures in place in relation to what their organisation should do when an allegation is made against an employee/volunteer who has contact with children. These policies and procedures should be in line with Darlington Safeguarding Partnership multi-agency procedures.
4. The allegation can be in connection with:
  - a) employment
  - b) voluntary activity

- c) work placement
- d) the individual’s own children
- e) related to the community or private life of a partner, member of the family or other household member.

**Recommendations**

5. It is recommended that:
- a) the contents of the report and the work undertaken during 2022/23 and the priorities of the Designated Officer service for 2023/24 be noted.
  - b) the annual report be agreed.
  - c) all agencies consider how to promote the role of the Designated Officer within their own organisation.

**Chris Bell**  
**Assistant Director of Childrens Services**

**Background Papers**

None

Marian Garland: Extension 6451

S17 Crime and Disorder	This report has no implications for Crime and Disorder
Health and Wellbeing	The work of the Designated Officer can have a positive impact on the health and well-being of children and young people
Carbon Impact and Climate Change	There are no issues which this report needs to address
Diversity	There are no issues relating to diversity which this report needs to address
Wards Affected	All wards
Groups Affected	All Children and Young People
Budget and Policy Framework	This report does not represent a change to the budget and policy framework
Key Decision	Not a key decision
Urgent Decision	Not an urgent decision
Corporate Plan	This report has no implications for the Corporate Plan

Efficiency	The outcome of this report does not impact on the Council efficiency agenda
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

## MAIN REPORT

### Designated Officer Annual Report 2022/23

#### Managing Allegations and Concerns against Staff, Carers or Volunteers

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## **Designated Officer Annual Report 2022/23**

### **Managing Allegations and Concerns against Staff, Carers or Volunteers**

#### **1.0 Purpose of report**

- 1.1 The purpose of this report is to update Members of Scrutiny on the progress and performance of the Designated Officer (DO) service, (previously known as the Local Authority Designated Officer LADO) for all contacts received relating to allegations/concerns of abuse by those who work with children for the period April 2022 to March 2023 and to highlight the required actions for the period April 2023 to March 2024.

#### **2.0 Introduction / National Context**

- 2.1 The framework for the management of allegations of abuse is set out in [Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children \(July 2018\)](#) and [Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges September 2018 \(Revised 2022\)](#).

In line with the guidance, the Designated Officer function is required to ensure that:

- advice and guidance are provided to partner agencies and staff
  - any allegation made against a person who works with children in either a paid or a voluntary capacity is investigated. The Designated Officer will facilitate and oversee this process to conclusion. The Designated Officer does not investigate. That is the role of the employer or if a criminal allegation, the police
  - Designated Officer meetings are chaired effectively, and an agreed outcome of the investigation is established
  - allegations are appropriately managed by employers to protect not only the welfare of children but also staff
  - support actions are taken without delay to protect children
  - learning from Designated Officer referrals is effectively disseminated
- 2.2 All organisations within Darlington are required to have clear policies and procedures in place which outline how and what their organisation should do when an allegation is made against an employee/volunteer who has contact with

children. These policies and procedures should be in line with Darlington Safeguarding Partnership procedures.

**2.3** The criteria for a Designated Officer referral are when a person is alleged to have:

- behaved in a way that has harmed or may harm a child
- has possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates that he or she may pose a risk of harm if they work regularly or closely with children
- behaved in a way or may have behaved in a way that indicates they may not be suitable to work with children

The allegation can be in connection with employment / voluntary activity / work placement, regarding individual's own children or related to the community or private life of a partner / member of the family / household member.

### **3.0 Local Arrangements**

**3.1** Darlington Borough Council currently has one Designated Officer who is based within the Independent Review and Darlington Safeguarding Partnership Service. Between April 2022 and November 2022, the Designated Officer role was undertaken by a Darlington Borough Council employee, however due to a change in working arrangements, for the period December 2022 and March 2023, the role was undertaken by an Agency Designated Officer.

**3.2** Clear arrangements are in place to ensure robust oversight and monitoring of the Designated Officer function. This has been provided through supervision with a Service Manager to ensure that policies are applied consistently and fairly and that all enquiries are progressed in a timely manner.

### **4.0 Cross Boundary Issues**

**4.1** Where a child from the Darlington Local Authority area makes an allegation in a setting or placement which is outside the Darlington Borough Council jurisdiction, the lead responsibility for action lies with the Designated Officer in the local authority for the area where the alleged abuse occurred.

**4.2** In these circumstances, the relevant Designated Officer, and where appropriate, the child's Social Worker, will liaise with the relevant local authority and agree a joint strategy.

**4.3** Checks should be made as to whether there are any other children in the placement.

If so, the child's Social Worker and Team Manager must be informed, and the Designated Officer should consult them about the action required.

**4.4** Interviews of children from Darlington Local Authority living out of area will usually be undertaken by their own local children's social care services in conjunction with the police as appropriate.

**4.5** Where the referral relates to a child from another Local Authority temporarily placed in an establishment located within the Darlington Local Authority area, the Darlington Designated Officer should liaise with the child's home authority about the roles and responsibilities in carrying out this procedure.

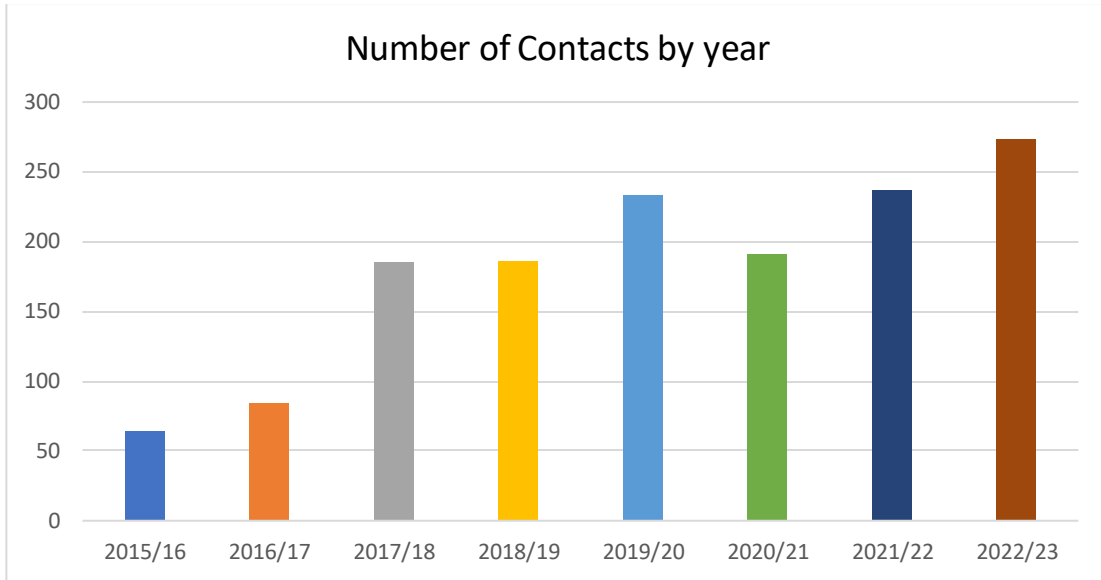
## **5.0 Contact made with the Designated Officer**

**5.1** It should be noted that two Designated Officers have carried out the role at different times throughout 2022/23 and their recording practices and thresholds may have differed slightly. All percentages have been rounded to the nearest whole number.

**5.2** In 2022/23 the Designated Officer service received a total of 273 contacts in respect of potential allegations. This was a 15% increase on the number of contacts received in 2021/22 and is the highest number of yearly contacts ever recorded. Of the total number of contacts received, 60 allegations progressed to an Initial Evaluation Meeting (IEM) or a strategy meeting which the Designated Officer attended, (all of which were conducted via Microsoft Teams). This was 22% of all contacts, which is a slight decrease on the 2021/22 figure.

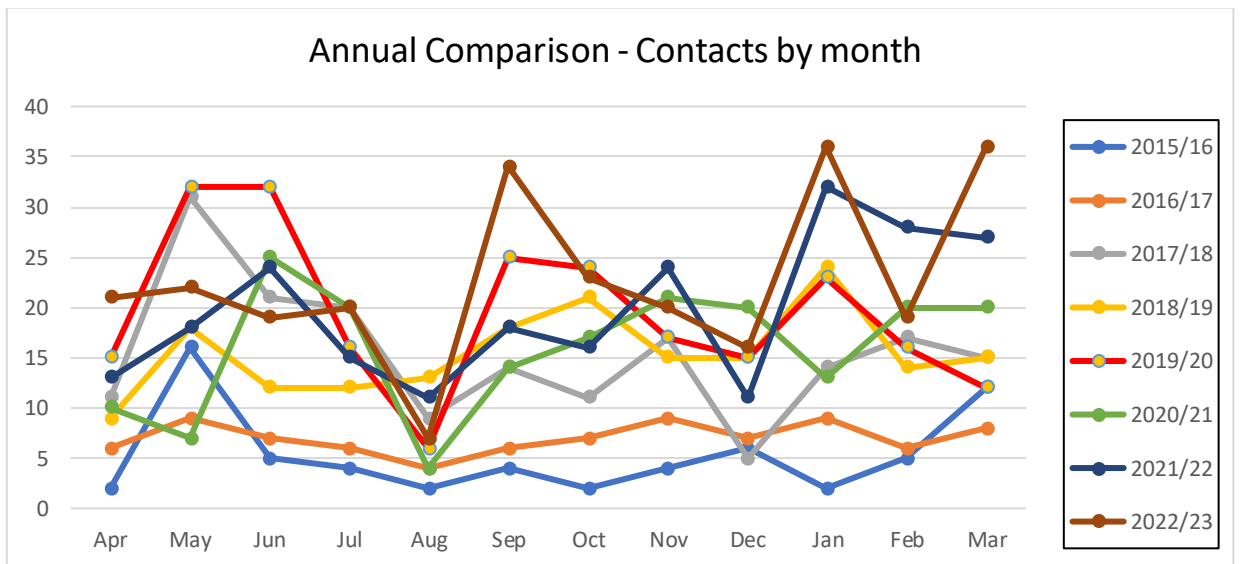
**5.3** Initial Evaluation Meetings take place when information sharing is beneficial between agencies involved, for example, Designated Safeguarding Leads within the referring organisation, Human Resources, Police and Children's Services. This can follow a Strategy Meeting held by Children's Services, or it may be a stand-alone meeting. In some circumstances, it is appropriate to share information via telephone without the need of convening an Initial Evaluation Meeting, for example, when the allegation is not of a serious nature, there is no involvement with other agencies, or there is limited information to share with the employer. These allegations are still monitored by the Designated Officer.

5.4 CHART 1



5.5 The figures in **Chart 1** show that the rate of contacts in 2022/23 increased by 15% (an increase of 36 contacts) in comparison to the previous reporting year.

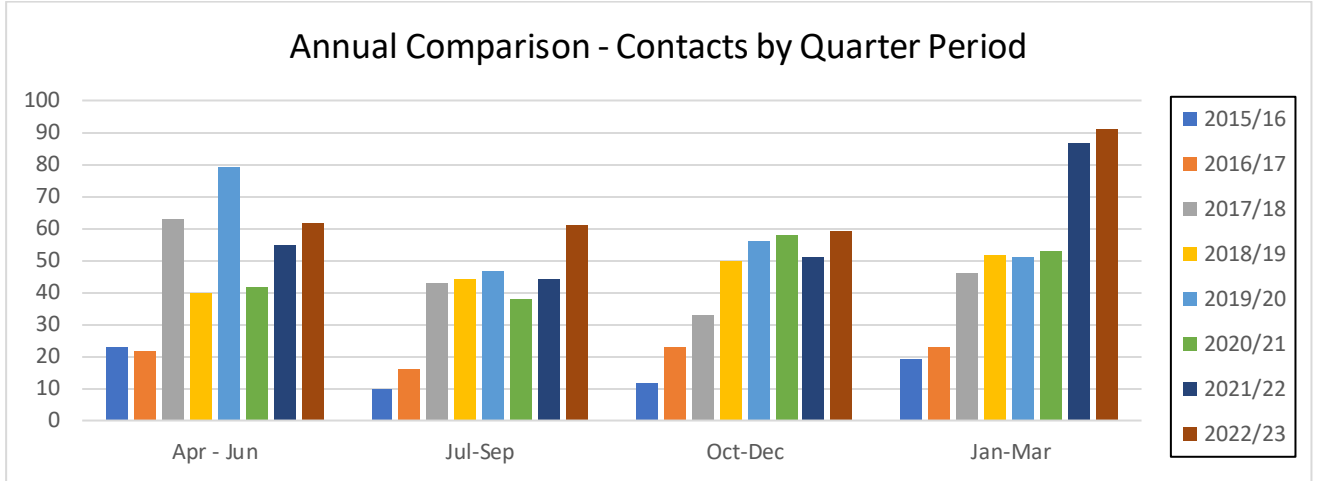
5.6 CHART 2



5.7 Analysis of the breakdown of monthly data reflects the fact that the majority of contacts with the Designated Officer relate to schools and the number of contacts tends to fall significantly in the month of August during the summer break and falls to a lesser extent during other months when schools are closed.



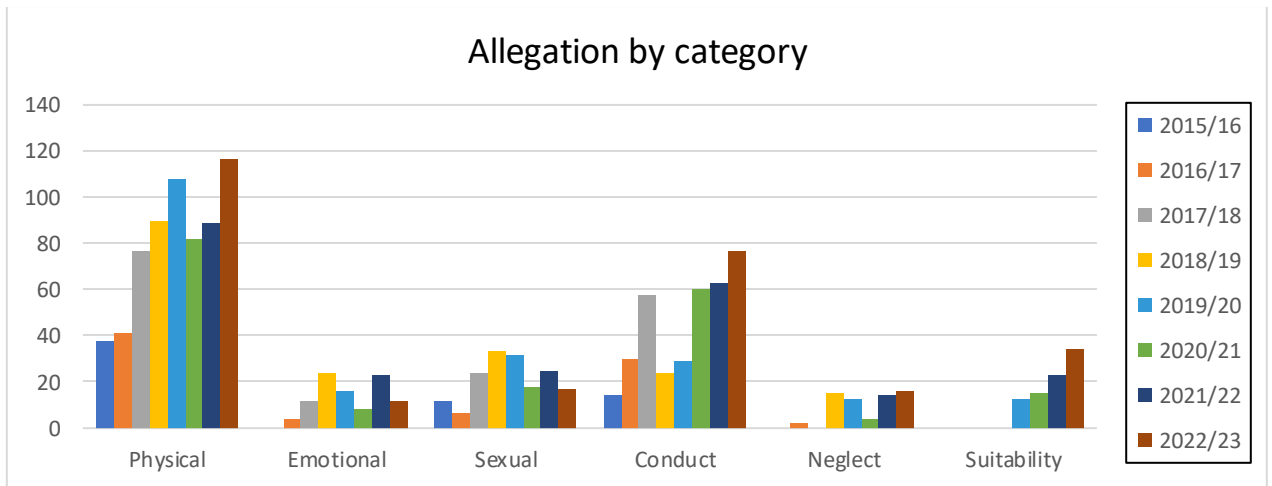
**CHART 3**



**5.8** Chart 3 provides an annual comparison of the rate of contacts by quarter and shows the significant increase in the rate of contacts in Quarter 4. A similar pattern has previously been noted by Designated Officers throughout the North-East.

**6. Categories of Concern**

**CHART 4**



**6.1** Of the 273 contacts in 2022/23, the main category for referral was allegations of physical abuse. This is in line with the data from previous years.

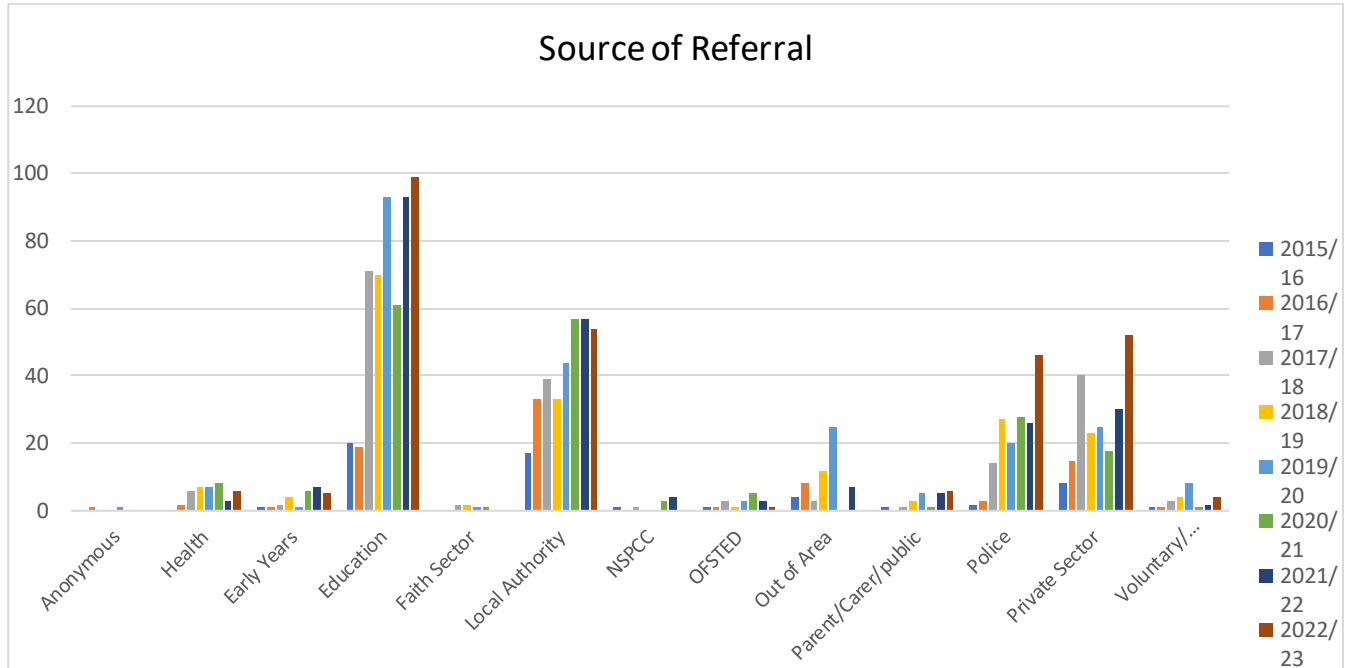
**6.2.** In 2022/23, 117 (43%) contacts were in relation to physical abuse which represents an increase of 5% on last year’s figures within this category. This is probably explained by

allegations of physical assault within education settings and complaints about the use of Restrictive Physical Intervention (RPI) in schools with SEN provision. There is more detailed information on this in paragraph 8.5.

- 6.3** Allegations under the category 'conduct' have seen a slight increase accounting for 77 (28%) contacts in 2022/23. This is comparable with the figures for the previous year's reporting figures but demonstrates a continuing upwards trend in this category. Contacts recorded within this category relate to behaviours which do not easily fit into the four main categories.
- 6.4** A total of 34 contacts have been recorded under the category of 'suitability'. This amounts to 12% of the total and an increase when compared to last year and represents a continuing upward trend. This category usually relates to issues in an employee's personal life, such as mental ill-health or 'association' with an offender, or association with proscribed organisations, which may affect their suitability to work with children. Some of these incidents related to mental health and alcohol abuse and self-harm or association with a partner who has committed sexual offences. Improved reporting from Children's Social Care to the Designated Officer (following the structural changes and reporting mechanisms to the Childrens Front Door) in allegations where a parent's employment involves working with children, is likely to be a contributory factor in the continuing upwards trend.
- 6.5** There were 17 contacts regarding allegations of sexual abuse in 2022/23. This is 6% of all contacts and represents a decrease in contacts under this category compared to last year.
- 6.6** There were 16 contacts regarding allegations of neglect in 2022/23. This is 6% of all contacts in this category and is comparable with the previous year's reporting figures.
- 6.7** There has been a total of 12 contacts regarding allegations of emotional abuse in 2022/23. This is 4% of the total contacts which represents a decrease on the previous year's reporting figures.

## 7.0 Source of Referrals by Profession / Employment setting

CHART 5



7.1 As can be seen in **Chart 5** Education settings in 2022/23 continues to be the largest referring group, accounting for 99 (36%) of the 273 contacts with the Designated Officer. This represents an increase on last year’s figures. Most contacts involving schools were because of allegations of physical abuse and correspond to the analysis of ‘category of concern’ data, showing that physical abuse is the most common category of allegation reported to the Designated Officer by education settings. It should be noted that the total number of allegations relating to education establishments in the ‘allegations by staff group’ is slightly higher at 120 and this is because some of the allegations involving an employee in education were referred to the Designated Officer by other agencies.

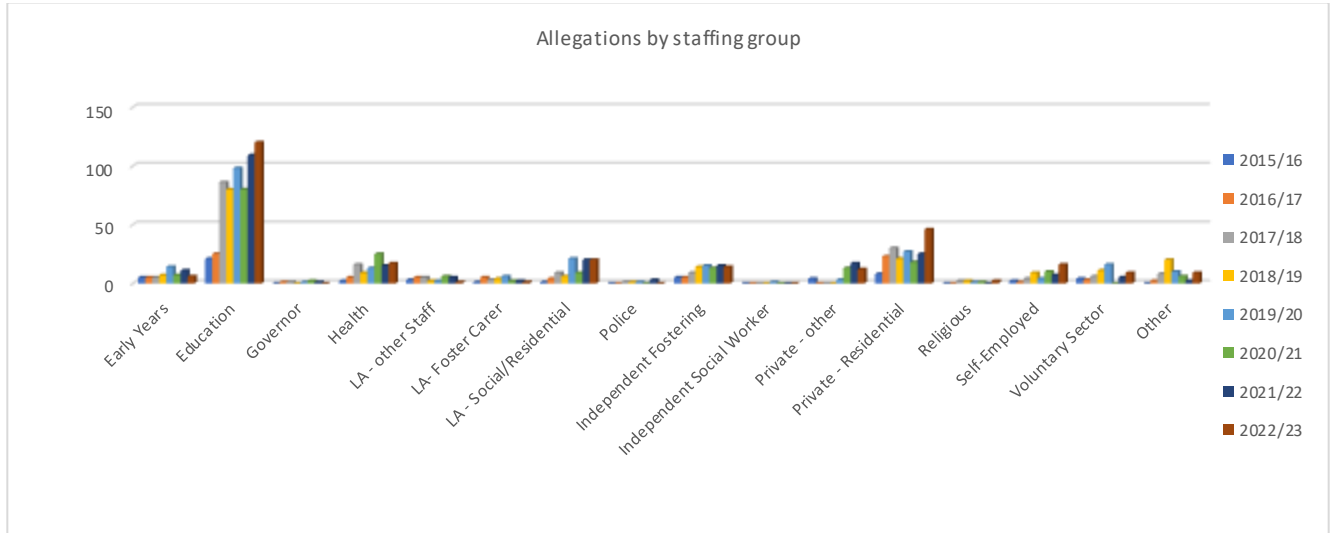
7.2 Contacts have continued to be received from a wide range of professions and organisations. In 2022/23 in addition to Education, there were a total of 54 contacts to the Designated Officer from a Local Authority and 46 from Police, these being the highest referring agencies and commensurate with previous reporting periods.

## 8.0 Allegations by Staff Group

8.1 **Chart 6** shows that referrals are made across a wide range of roles and settings,

whether paid staff or volunteers, as outlined in the national guidelines.

**CHART 6**



**8.2** As expected, and in accordance with previous years, the largest number of allegations by staffing groups is Education, accounting for 120 contacts which is 43% of all allegations referred to the Designated Officer in 2022/23 and the largest number recorded in this reporting category in any reporting year. The [Covid 19 mental health and wellbeing surveillance report \(Chapter 4\)](#) stated in 2021/22 that during the pandemic, girls and young women, 16-24 year olds, disadvantaged children and young people and those with Special Educational Needs and Disability (SEND) were more likely to report difficulties with mental health and wellbeing. Wellbeing scores between March and July 2021 appeared lower than during a similar period of restrictions in the previous year. Some children with SEND and some children in mainstream schools appear to have suffered substantial impacts on their mental health during the pandemic and there is some evidence that the issues have continued into 2022/23, as reported in [Ofsted: Education Recovery in Schools: Spring 2022](#) (published 4 April 2022), and have impacted on the wellbeing of pupils and behaviour. This may explain the increase in contacts involving Education regarding allegations. Equally, increased knowledge and awareness on the part of staff of the requirement to notify the Designated Officer and clear channels of communication may also be a factor. The Education Safeguarding Officer works closely with the Designated Officer and they co-delivered refresher training to Designated Safeguarding Leads in schools throughout 2022/23. The Designated Officer continues to have a good relationship with the Designated Safeguarding Leads in all schools for children with SEND in Darlington and there are clear channels of communication.

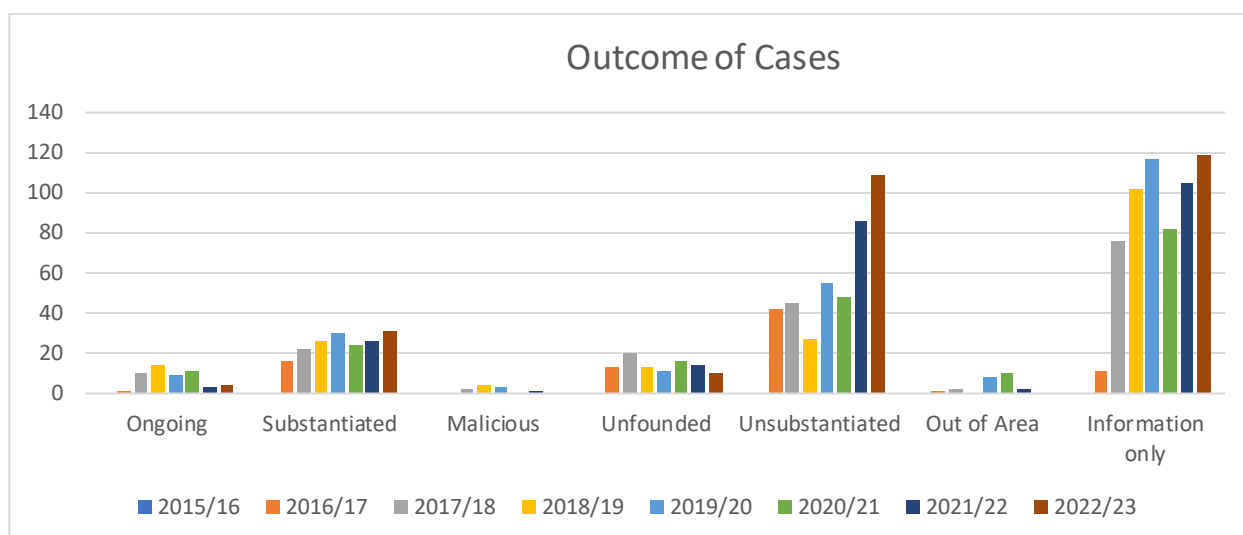
**8.3** Of the 120 contacts relating to allegations received in 2022/23 about employees in

education settings, 26 (22%) were regarding employees from primary schools; 19 (16%) from secondary schools; 4 (3%) from further education settings; 7 (6%) referred to an agency teacher and 1 (1%) from a residential establishment with attached education provision. A total of 63 (53%) were from schools which provide a service for children with Special Educational Needs (both primary and secondary age groups). The percentage breakdown is similar to the previous reporting year, though with an increase for employees in schools with a SEN provision.

- 8.4** There was a total of 74 allegations (61%) in the category of physical abuse relating to the education sector and this represents a 9% increase in the number of contacts within this sub-category in comparison to the previous reporting year. This figure correlates with the presenting contacts by Education, often involving Restrictive Physical Intervention (RPI) being used within educational settings for children with Special Educational Needs and Disability (SEND), for example, Team Teach, which is an approved management model for dealing with children and young people who are posing a risk to themselves or others. The Designated Officer had no concerns regarding the use of RPI in this period.
- 8.5** The number of contacts regarding Independent Foster Carers has slightly decreased with 14 allegations being referred during 2022/23. There has been 1 contact relating to Darlington Borough Council Foster Carers during the recording period, comparable with last year's figures which raises no cause for concern.
- 8.6** The Designated Officer works closely with the Service Manager for the Fostering Team (Darlington Borough Council), for all referrals about foster carers (including Independent Fostering Agencies). This enables the Service Manager to keep a close check on those agencies where the standards of care fall below what is expected of an accredited provider of services. When appropriate, this information is shared with the Commissioning Team.

## **9.0 Outcome of Cases**

### **CHART 7**

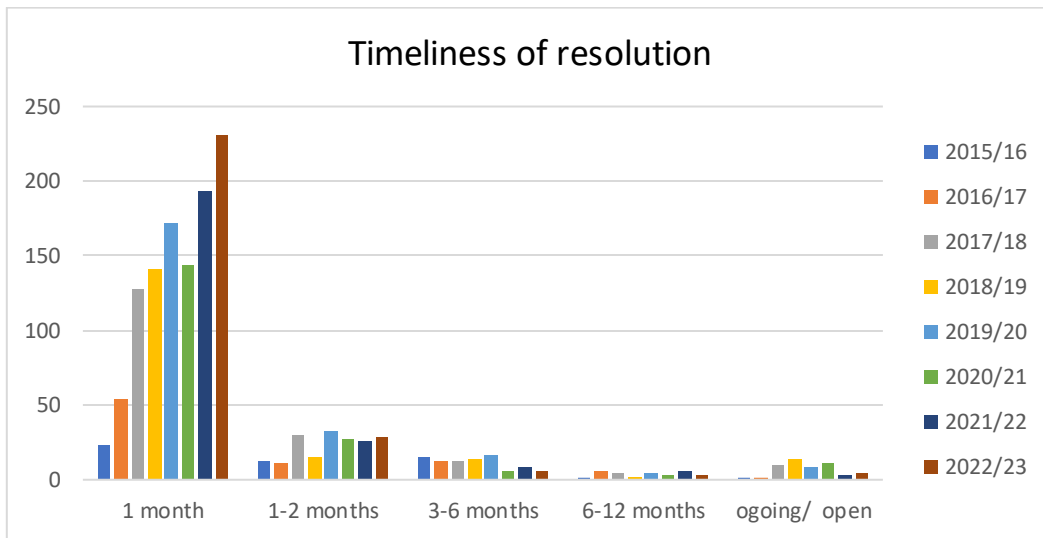


- 9.1** In relation to the 31 substantiated allegations, 5 employees were dismissed (16%), 3 were deregistered (10%), 6 resigned from their position (19%), and 10 staff members were reinstated (32%). No action was taken in respect of 7 allegations (23%), with actions plans or management advice provided.
- 9.2** There were 109 unsubstantiated outcomes and of these, 7 staff were re-instated (6%) and 96 resulted in no further action (88%), 2 staff members were dismissed (2%) and 4 staff members resigned (4%). When an allegation is recorded as unsubstantiated, employers are encouraged to look at whether learning can be derived from the incident to inform future practice and whether additional training or management advice for the employee is required.
- 9.3** There were 10 allegations deemed to be unfounded, in all cases, no further action was taken.
- 9.4** No allegations were recorded under the category ‘malicious’. This outcome is not used by the Designated Officer unless there is overwhelming evidence that the allegation was based on deliberate falsehoods.
- 9.5** In this reporting period, 119 allegations were recorded for ‘information only’. This includes allegations which are ‘out of area’, sometimes this fact is only established after initial enquiries have been carried out by the Designated Officer. Others that are subsequently found not to be in the remit of the Designated Officer procedures and result in advice being given and some enquiries are transferred to the Safeguarding Adult Manager, as they are better dealt with under the Managing Allegations Procedures in accordance with the Care Act 2014. Some allegations can fall within the remit of both the Designated Officer and the Safeguarding Adult Manager, for example, agency employees or employees with two roles. In such enquiries the Designated Officer works closely with the Safeguarding Adult Manager and a joint meeting may take place. At the time of

writing, a total of 4 allegations (1%) remains open.

**10. Performance**

**Chart 8**



**10.1** The Designated Officer continues to work to the professional standards set out in Working Together to Safeguard Children 2010. The performance of the Designated Officer is measured and monitored through supervision with a Service Manager.

**10.2** It is important to manage allegations within timescales to ensure that investigations are dealt with promptly. This ensures that children are protected from employees who may pose a risk of harm, but also ensures a fair and consistent process for employees (who should be supported by the employer throughout the process). Oversight and management of allegations within timescales helps employers to conduct investigations and disciplinary proceedings lawfully and expeditiously, enabling employees to be either

reinstated, disciplined, or dismissed at the earliest opportunity thereby minimising disruption to the employer and employee.

**10.3** There is currently no requirement in legislation for enquires to meet timescales. However, local targets are set in line with an earlier version of Working Together (2010) in that:

- 80% of allegations are resolved within one month
- 90% within are resolved within three months

**10.4** In 2022/23 allegations were resolved in a timely manner with 231 (84%) of the total being resolved in one month and this is a slight improvement on performance data from previous years and exceeds the local target. Resolution timescales can be impeded by the complexity of allegations involving ongoing criminal investigations and internal investigations where the employee has declared themselves unfit for work, therefore delaying disciplinary action.

**10.5** A total of 95% of allegations were resolved within 3 months (exceeding the local target) and 97% within 6 months and 99% within 12 months. The remaining allegations were ongoing and not finalised at the end of this reporting period, all involve ongoing allegations and criminal or internal disciplinary investigations. At the time of writing the report, a total of 3 (1%) investigations originating in 2022/23 were still active.

**10.6** The Designated Officer tracks all open enquiries on a 4 weekly basis to ensure that updates on outcomes of investigations are received and to enable enquiries to be closed in a timely manner. However, it should be noted once a police investigation is involved or a case is referred to an employer for disciplinary procedures to be followed, the Designated Officer is reliant on external process which impact on resolution timescales.

## **11.0 Freedom of Information Requests**

**11.1** Throughout 2022/23, the Designated Officer service has continued to take the lead with regards to Freedom of Information Requests relating to allegations made about employees or volunteers working with children. Over the 12 months reporting period, 1 Freedom of Information request was processed.

## **12.0 Service Improvements & Developments 2022/23**

**12.1** See Appendix 1.



### **13.0 Designated Officer Service Priorities and Plan 2023/24**

- 13.1** In 2023/24, the Designated Officer plans to continue to promote awareness of the service across a range of professions to ensure that appropriate referrals are coming in and to break down any barriers to agencies seeking the advice and support of the Designated Officer. The role of the Designated Officer and the responsibilities of employers are included in multi-agency safeguarding training.
- 13.2** The Designated Officer service will continue to be crucial to frontline practice to safeguard children in Darlington. Working in partnership with the Designated Officer and sharing information effectively ensures that children are protected from people who pose a risk of harm and promotes good practice and challenges unsafe practice. The Designated Officer continues to work with the Darlington Safeguarding Partnership Trainer and the Education Safeguarding Officer to raise awareness of the role of the Designated Officer and the Managing Allegations Procedures to promote good practice and safeguard children.
- 13.3** In 2022/23 the Designated Officer established close links with the Disclosure and Barring Service (DBS) which has provided a single point of contact for professionals. The Designated Officer intends to work with DOs in the North-East region in 2023/24 to promote safer recruitment.
- 13.4** The Designated Officer service has identified 5 key priorities (Appendix 2) to progress in 2023/24 which are pivotal to the on-going development of the service.

### **14.0 Recommendations**

- 14.1** To note the contents of the report and the work undertaken during 2022/23 and to acknowledge the priorities of the Designated Officer service for 2023/24.
- 14.2** To share the Annual Report with Darlington Safeguarding Partnership and Members who will be asked to:
- agree this Annual Report
  - consider how they will continue to promote the role of the DO within their own organisation.

### **15.0 References**

- Working Together to Safeguard Children 2018
- Keeping Children Safe in Education September 2018
- Guidance for staff facing an allegation 2014.

**16.0 Author**

Marian Garland

Designated Officer

Darlington Safeguarding Partnership Business Unit

Date: 31 August 2023

## Appendix 1

## Service Improvements &amp; Developments 2022/23

Actions were identified for development of the Designated Officer function during 2020/21 which would further improve the performance of the service. The progress against these actions in 2022/23 is highlighted below.

	Action	Lead	Timescale	Update
1	To ensure the induction of a newly appointed DO is successful and the appointee is retained	AD	Jan 2024	Review of the role and function to ensure the Designated Officer role is in the appropriate service area. This is ongoing
2	The Designated Officer will continue to monitor the rate of allegations involving the use of Restrictive Physical Intervention (RPI) in schools for pupils with SEN, identify themes and take action where appropriate.	DO	Ongoing	The DO holds regular meetings with one provider regarding allegations involving the use of Restrictive Physical Intervention (RPI) (as a means of monitoring the rate of allegations) and has regular conversations and meetings with head teachers in the schools for children with SEND.
3	DO will continue to raise awareness of the DO role via a range of media throughout the coming year	DO	Completed	All relevant information re the DO service has been updated on the revised Darlington Safeguarding Partnership website (March 2023). Websites and literature to have the name and contact details of the DO. All agencies will have correct details of DO. DO information will be easily accessible and relevant referrals made.
4	DO will continue to engage with the Safeguarding Multi-Agency Trainer and Safeguarding Education Officer in relation to continual roll out of	DO	Ongoing	A new Multi-Agency Trainer has been appointed and this is an on-going process and a top priority.

	designated training to improve practice and reduce referrals across all organisations			
	The DO will continue to maintain accurate records of referrals, decision making and outcomes and identify and monitor any themes which emerge and feed the themes into training sessions	DO	Ongoing	Records are reviewed monthly to ensure that they are accurate and up to date. Regular conversations take place between the DO and the Principals of schools for pupils with SEND to monitor the use of Restrictive Physical Intervention (RPI).
	DO to attend all regional DO meetings to ensure that Darlington's views and opinions are represented.	DO	Ongoing	Meetings are held via Microsoft Teams

**Designated Officer Service Priority Plan 2023/24**

**Priority 1: Training and Awareness Raising in respect of the Designated Officer role and local procedures**

Action	Planned outcome	Lead	Timescale
DO will continue to engage with the Safeguarding Multi-Agency Trainer and Safeguarding Education Officer in relation to continual roll out of designated training and will hold awareness raising sessions with employers as requested.	Increased awareness amongst employers of the DO procedures and their responsibilities in reporting allegations to the DO and improved transparency in reporting allegations. This will potentially increase the number of referrals to the DO service and will improve safeguarding outcomes for children.	DO	March 2024

**Priority 2: To monitor and address the prevalence of allegations involving the use of Restrictive Physical Intervention (RPI) in SEN Education settings in Darlington**

Action	Planned Outcome	Lead	Timescale
Monitor the rate of allegations involving the use of Restrictive Physical Intervention (RPI) in SEN education settings in Darlington in respect of repeat allegations.	To work with Head Teachers and Safeguarding Leads to ensure that the DO is informed when such an allegation is made by a pupil/parent and that staff are using Restrictive Physical Intervention (RPI) appropriately and that any breaches of Restrictive Physical Intervention (RPI) guidelines are dealt with appropriately schools with a view to reducing the annual number of allegations of	DO	March 2024

	Restrictive Physical Intervention (RPI) within this category. This work is ongoing.		
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**Priority 3: The future of the Designated Officer service in Darlington to be agreed and a decision made as to where the service will be placed within the Local Authority**

<b>Action</b>	<b>Planned Outcome</b>	<b>Lead</b>	<b>Timescale</b>
A decision to be made as to where the Designated Officer would be best placed within the Local Authority with regards to workload and taking into consideration resilience for abstraction.	A decision regarding where the DO role should be placed.	Assistant Director	March 2024