

Managing Allegations in Adoptive Families



Northamptonshire
County Council

At the time of a child's placement, adopters will be provided with detailed information in respect of a child's background and in particular the context of any abusive experiences of and/or previous allegations made by the child. All adopters will receive preparation and guidance to help them provide a safe environment for the child and all members of the adoptive family. All adopters will have received information about this procedure and the Northamptonshire Safeguarding Children Board's Inter Agency Procedures.

All children are entitled to the same level and standard of protection from harm including those receiving services from statutory or other agencies. For this reason, enquiries and investigations relating to children in receipt of such services must be dealt with under the principles, policies and procedures of the Local Safeguarding Children Board

Definitions

- **Complaint:** a grievance or dissatisfaction communicated to children's services or the fostering service by the child or anyone connected to them about any aspect of the care provided.
- **Standards of care concern:** a concern raised by children's services or fostering service about any aspect of the care provided which may be falling below the standards required.
- **Allegation:** an assertion from any person that the adopter or household member has or may have behaved in a way that has harmed a child or may have harmed a child, possibly committed a criminal offence against a child, or behaved towards a child in a way that indicates that they are unsuitable to work with children.

In addition, in relation to the Adoption Service, it is an expectation of the Adoption National Minimum Standards 2011 that:

- A senior manager within the Adoption Service is identified to be the designated allegations manager who liaises with the Designated Officer (formerly LADO) in all cases to which this procedure applies and manages the allegations process;

Initial Action

Any person who receives information or suspects that a child has suffered or is suffering Significant



Harm in an adoptive placement or during introductions to an adoptive placement must immediately inform the child's social worker.

On receipt of any such information, the child's social worker must immediately:

- Inform his or her line manager and Service Manager;
- Inform the adopter's link worker and his or her manager;
- Inform the Designated Officer (formerly LADO) who will follow the required procedure to decide whether the criteria for convening a Joint Evaluation Meeting are met and the Designated Senior Manager so that a decision can be made as to whether the matter should be treated as a child protection matter and referred for a Strategy Meeting or a concern about standards of care, in which case the convening of an urgent Placement Planning Review Meeting or an urgent review of the adoptive placement should be considered.

If there are serious and/or multiple referrals about standards of care, it may still be appropriate to refer the matter for a Strategy Meeting for a full investigation.

The adopter's link worker will:

- Inform the designated allegations manager within the Adoption Service and, in consultation with the designated allegations manager
- Inform the social workers for any other child in the placement
- Inform any other local authority with an involvement with the adoptive placement
- Provide support to the prospective adopter(s).

Where it is appropriate to treat the allegation/suspicion as a child protection concern, the child's social worker will be responsible for initiating the Northamptonshire Safeguarding Children Board Inter Agency Procedures in relation to the allegation/suspicion, unless the prospective adopter (s) lives in another local authority area, in which case the child's social worker will make a referral to the relevant local authority and that local authority will be responsible for implementing their own Safeguarding Procedures. The child's social worker

and the adopters' link worker as well as professionals involved with the family will be invited to the Strategy Meeting.

In either case, a Strategy Meeting and/or Joint Evaluation Meeting will be convened as soon as possible after concerns have been identified and within a maximum of 2 working days of the referral.

Any action to protect the child in question or any other children in need of protection should not be delayed because of the Strategy Meeting or Joint Evaluation Meeting.



Where a child who has already been adopted but is still in receipt of adoption support services makes an allegation of abuse, including where the allegation is of historical abuse, this must be referred to the child's social worker/adoption support worker, who will take the appropriate action and make a referral to Children's Social Care Services for the area where the child lives in order that the relevant LSCB procedures can be followed.

Strategy Meeting

The purpose of the meeting will be to plan the investigation of the allegation/suspicion.

The following people will be invited:

- a. The Designated Officer and the Designated Senior Manager
- b. The child's social worker and his or her manager
- c. The manager of the social work team undertaking the investigation, if different
- d. The dopter's link worker (who will liaise as necessary with the designated allegations manager within the Adoption Service)
- e. The Police Child Abuse Investigation Team
- f. Any other agency involved with the child or adoptive family
- g. A representative of the Regulatory Authority

- h. A minute taker
- i. The child's Independent Reviewing Officer

The Strategy Meeting must consider:

- The current allegation and how it is to be investigated;
- Whether there should be a concurrent police investigation;
- Any previous allegations or concerns about the adopter (s) and the outcome of previous investigations;
- Any previous allegations made by the child in question, or anyone else making the allegation and the outcome of previous investigations;
- The safety and well being of other children living with, or having contact with the adopter (s)
- Support to be offered to the children in the family during the investigation;

Any allegation made against a adopter or a member of the household and how it was dealt with and decisions made should be recorded on the adopter's file and retained for 100 years after the Adoption Order is made or if no Adoption Order is made in accordance with local Policy: Adoption support agencies should have written procedures for dealing with allegations of historical abuse which may be made by service users during the course of service provision.

All relevant documents in relation to the investigation, whatever the outcome, must be retained on the child's file and the adopter's file, and their respective Adoption Case Records.

National Minimum Standard 22.12 states that councils must provide independent support available to persons subject to allegations.

National Minimum Standard 22.5 requires councils to keep the subject of an allegation informed of progress during and after the investigation

Whether or not the Strategy or Joint Evaluation Meetings consider that the allegation or suspicion has any foundation, the matter should be investigated unless there are exceptional circumstances, and the Regulatory Authority must always be kept informed.

The Chairs of the Strategy and Joint Evaluation Meetings should ensure that the minutes of both meetings contain clear action points, clear timescales for completion each action, who is responsible for the completion of each action and the date of the next meeting.

Copies of the decision sheet and the minutes from the Strategy Meeting should be held on the child's file and Adoption Case Record and the decision sheet and minutes of the Joint Evaluation Meeting held with the adopter's Adoption Case Record.

Confidentiality

Information about an allegation or concern must be restricted to those who have a need to know in order to:

- protect children
- facilitate enquiries
- avoid victimisation
- safeguard the rights of the person about whom the allegation has been made and others who may be affected
- manage disciplinary/complaints aspects

Support for the person subject of the allegation

- The person should not be informed of the allegation until a discussion with the LADO has taken place as this may impede the investigation. The only circumstances where it is acceptable to inform the accused person of the fact of the allegation only, is where there is a delay in contacting the LADO, in which case the decision to share the allegation should be taken to avoid potentially placing children at further risk.
- The LADO will establish whether the Police and/or Children Services staff involved in any investigation wants to impose restrictions on the information that can be provided.
- Once the decision has been made to inform the person, the employer should keep the subject of the allegation informed of the progress in the case, and arrange to provide appropriate support to the individual while the case is ongoing.

Investigation and Action

All allegations should be managed to achieve one of the following conclusions:

- Allegation substantiated – allegation is supported by evidence
- Allegation unsubstantiated – insufficient evidence to support or refute the allegation (does not imply innocence or guilt)
- Allegation unfounded – evidence disproves the allegation
- Allegation deliberately invented

The actions agreed at the Strategy Meeting and/or the Joint Evaluation Meeting should be implemented by those responsible within the agreed timescales.

If the person raising suspicions or making the allegation wishes to remain anonymous, these wishes should be respected.

Unless there are circumstances when the details or nature of the allegation cannot be shared immediately, the adopter (s) should be advised of the allegation as agreed at the Strategy and Joint Evaluation Meetings and of the process to be followed in the investigation, including the possibility that an Initial Child Protection Conference may be convened in relation to their own children, subject to the outcome of the investigation.

Depending on the level and nature of any concerns and whether they are immediate, the adopter (s) may be given the opportunity to respond to the allegations before any final decision is made about necessary action to protect the child and other children in the household. Such protective action may include asking the person against whom the allegation has been made to leave the household while the investigation is conducted.

Any decision to suspend the approval of the adopter (s) whilst the investigation is being undertaken should be communicated in writing to the adopter (s) by the Adoptive Service Manager.

Those supporting the adopter (s) must contact the adopter (s) as soon as practicable after they are made aware of the allegation, and explain their role. They must make clear their responsibility to report to the local authority, the Police and in some circumstances to the Court if any information relevant to the investigation comes to their attention.

They must provide to the adopter (s):

- a. A copy of this procedure and the relevant Northamptonshire Child Protection Procedures Manual procedures;
- b. Advice about consulting a solicitor and obtaining independent support;
- c. Advice about insurance arrangements for legal expenses.

Where the adopter (s) is in receipt of financial support, they should be informed of any implications for the payment of such support, where placements have been suspended.

If an Initial Child Protection Conference is convened, the Conference Chair must be consulted in advance to discuss whether the adopter (s) should be invited to attend. In any



event, the prospective adopters' views must be obtained for and communicated to the Conference

Concluding the Investigation

A Strategy Meeting may be reconvened to conclude the investigation just as there may be more than one Joint Evaluation Meeting.

The purpose of any further meetings will be to agree on the outcome of the investigation and responsibilities for any further action, including the need to call an urgent review of the adoptive placement and the need to make a referral to the Disclosure and Barring Service for inclusion of the person on the Children's Barred List.

The Strategy or Joint Evaluation Meeting will also have determined, if appropriate, who will contact the adopter (s), informing them of the outcome of the investigation.

The Strategy or Joint Evaluation Meeting will also have made a decision, where appropriate, as to by whom and when the child, the parents, other relevant agencies and the Regulatory Authority (if not in attendance) will also be informed of the decisions made.

A report should be presented to the next available Adoption Panel. As well as the investigation, the report should, if appropriate and relevant, address the ability of the approved adopters to help come to terms with past events and to handle future behaviour, and whether the proposed placement or placement continues to be suitable. The procedure to be followed will be the same as for reviews of adopter's approval.

The social worker preparing the report should consult with the Panel Adviser to the Adoption Panel and the Chair of the Adoption Panel who will advise on who should attend the Panel meeting (usually the child's social worker and the adopter's link worker) and whether or not a special Panel meeting should be convened.

Any allegation made against an adopter or a member of the household and how it was dealt with and decisions made should be recorded on the adopters' file and retained for 100 years after the adoption order is made or if no adoption order is made in accordance with local policy: adoption support agencies should have written procedures for dealing with allegations of historical abuse which may be made by service users during the course of service provision.

All relevant documents in relation to the Strategy Discussion(s) and any subsequent investigation under S47, whatever the outcome, must be retained on the child's file and similarly the full record of all Joint Evaluation Meetings to include all actions should be held on the prospective adopter's file, and their respective Adoption Case Records.

Consideration should be given to holding a debriefing meeting for all involved as to the impact of the allegations and the investigation, whatever the outcome, and any necessary assistance should be made available as necessary.

You can find out more about managing allegations on the [Northamptonshire Procedures website](#).