



Hampshire Safeguarding Children Board

Response to the Recommendations from the
Breaching a Position of Trust Learning Summary

Towards the end of 2012, a referral was made by an educational establishment in Hampshire to Hampshire County Council's Local Authority Designated Officer (LADO) Team regarding a member of staff who was employed by them. The referral related to what appeared to be a potentially over familiar, but not sexual, relationship between that staff member and an older student.

As a result of on-going public interest in the case, the Independent Chair of Hampshire Safeguarding Children Board (HSCB) agreed that a review of this case should be undertaken. The purpose of the review was to seek assurance that the actions of the respective organisations involved in the investigation were appropriate and robust, and to identify if there were any lessons to learn about the protection of children in Hampshire.

This document provides the response from the Board on any identified learning points made to them.

Learning Points:

- 1) Hampshire County Council should consider escalating matters to the Assistant Director of Children's Services and Head of Public Protection where the Police decide not to undertake a joint investigation in cases where all of the available evidence has not been reviewed.
- 2) Hampshire Children's Services and Hampshire Constabulary should consider putting in place a formal protocol that allows for escalation of concerns where Police do not agree to joint investigations.
- 3) Hampshire County Council could have challenged the Police view on two occasions that a joint investigation was not required as the Police judgement was based on limited information.

Hampshire Safeguarding Children Board has commissioned a task and finish group consisting of Children's Services and Hampshire Constabulary. The group will develop a formal escalation protocol, in addition to the current Conflict Resolution/Escalation Policy, where Police do not agree to joint investigations. Members will ensure that the policy reflects learning points from this review in conjunction with the 4LSCB Procedures group. The protocol will sit within the multi-agency safeguarding procedures and be disseminated to staff and promoted by Hampshire Safeguarding Children Board across its partner agencies.

- 4) All contacts regarding LADO referrals and decisions reached should be recorded on the Constabulary's record management system, including cross border cases.
- 5) Local and national safeguarding procedures should be consistently followed and the full facts of a case always established prior to concluding whether a position of trust allegation should be single agency and if a criminal investigation is required.

- 6) Detailed rationale for when no further action is taken needs to be consistently applied by Hampshire Constabulary to assist in understanding the future risks posed by persons who are suspects in investigations and to ensure external agency internal disciplinary procedures are well informed.
- 7) Where permitted under relevant legislation, Police investigators should view personnel files to identify potential evidential opportunities and lines of enquiry.
- 8) A Police investigation should determine whether there are offences to investigate or there is insufficient evidence to progress further prior to deferring for a single agency investigation.

Hampshire Constabulary undertook an audit of 'position of trust' referrals relating to educational establishments that resulted in No Further Action or a Single Agency investigation. The purpose was to consider whether the responses of Hampshire Constabulary in these cases was appropriate and in line with safeguarding procedures. The audit focused on:

- **The grading and allocation by Hampshire Constabulary's Central Referral Unit (CRU) and the initial decision-making regarding joint or single agency investigations.**
- **The timeliness of investigations.**
- **The criming, or not, of allegations.**
- **The standard of investigations.**
- **The decision-making regarding the outcome of the investigations.**

From the audit of the position of trust referrals, it can be evidenced that the response of Hampshire Constabulary in these cases was appropriate and in line with the relevant national and local safeguarding procedures and guidance.

Further to the outcome of the audit, Hampshire Constabulary have made changes to their central referral unit manual of guidance and practice to specifically state that LADO referrals where offences are disclosed that sit outside the force area should be recorded and tasked to the relevant Police team. These changes will ensure that the Police are fully compliant with national and local safeguarding procedures and LADO referrals are appropriately investigated. This will result in robust decisions about where the responsibility should lie in taking an inquiry forward and what role the Police will play in this.