

Lincolnshire Police

Policy Document



Allegations Against Police Personnel: Child Safeguarding (LADO) Referral Policy

Policy document information

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Policy sponsor:	DCC
Policy owner:	Head of PSD
Author:	DCI - PSD
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Version history

Version	Date	Reason for issue
1	22/04/2024	New policy
2	28.05.2026	Bi-Annual Review

Code of Ethics

All staff involved in carrying out functions under this policy and associated procedures and appendices will do so in accordance with the principles of the Code of Ethics. The aim of the Code of Ethics is to support each member of the policing profession to deliver the highest professional standards in their service to the public.

Legislative compliance

This document has been drafted to comply with the principles of the Human Rights Act. Proportionality has been identified as the key to Human Rights compliance, this means striking a fair balance between the rights of the staff and those of the rest of the community. There must be a reasonable relationship between the aim to be achieved and the means used.

Equality and Diversity issues have also been considered to ensure compliance with the Equality Act 2010 and meet our legal obligation in relation to the equality duty. In addition, Data Protection, Freedom of Information and Health and Safety Issues have been considered. Adherence to this policy or procedure will therefore ensure compliance with all relevant legislation and internal policies.

Other legislation/law which this policy has been drafted to comply with:

- [Human Rights Act 1998 \(in particular A.14 – Prohibition of discrimination\)](#)
- [Equality Act 2010](#)
- [Crime and Disorder Act 1998](#)
- [H&S legislation](#)
- [Data Protection Act 2018](#)

- [Freedom Of Information Act 2000](#)

Security classification

Policy to be published on Intranet: Yes

Policy to be published on Force Website: Yes

Authorised Professional Practice (APP)

This policy has been checked against APP. Lincolnshire Police has adopted the APP provisions with supplementary information contained herein, which reflects the updated Working Together 2018, local practice and the needs of the communities served by Lincolnshire Police.

[Police response to investigating child abuse | College of Policing](#)

<https://www.college.police.uk/app/major-investigation-and-public-protection/investigating-child-abuse-and-safeguarding-children/police-response-investigating-child-abuse>

1. Policy aims (Purpose)

- 1.1. Working Together 2018 states that organisations and agencies working with children and families should have clear policies for dealing with allegations, against people who work with children.

Section 11 of the Children's Act 2004 places duties on a range of organisations, agencies and individuals, to ensure their functions and any service that they contract out to others are discharged having regard to the need to safeguard and promote the welfare of children.

Under Section 1 (8)(h) of the Police Reform and Social Responsibility Act 2011 the Police and Crime Commissioner must hold the Chief Constable to account for the exercise of the latter's duties in relation to safeguarding children under Section 10 and 11 of the Children's Act 2004.

This policy outlines what action Lincolnshire Police, officers and staff need to take when such an allegation is made.

For the purposes of this policy 'Lincolnshire Police Employee' will include Police Officers, Police Staff (inc PCSOs) and any other agency, sub-contracted or voluntary staff that come under the direction of the Chief Constable of Lincolnshire Police.

2. Policy statement (Key information)

2.1. What is an allegation / reported incident?

- The allegation could be about physical, sexual, online abuse, neglect and emotional harm.
- The allegation can be recent and / or historical.
- In addition to those listed above other forms of behaviours and attitudes either at or outside of the workplace may also be the subject of an allegation and investigation.
- This may include values in relation to the standard or principles that govern employee / volunteer, personal behaviour, and / or area of work.

2.2. Position of trust principles

- The children's welfare is paramount.
- It covers the whole of Lincolnshire Police workforce, including police officers, special constables, police staff and volunteers.
- Adults about whom there are concerns should be treated fairly and honestly and should be provided with support from their employer.
- It is the responsibility of all adults to promote the welfare of children and young people.
- This responsibility extends to a duty of care for those adults employed, commissioned or contracted, to work with children and young people.

- It is important to note that situations relating to an adult's personal life are considered in the wider context of safeguarding children.

2.3 Managing allegations

- Lincolnshire Police will treat all allegations against its workforce by children seriously.
- All investigations will be undertaken in a diligent and professional manner and will adhere to corporate standards.
- Lincolnshire Police will investigate all allegations impartially and with an open mind to establish the facts.
- There will be a consistent approach to dealing with such allegations across the force area.
- Managing allegations should be fair, balanced, and proportionate.
- Lincolnshire Police will work closely with safeguarding partners to ensure that it adheres to multi-agency safeguarding procedures.
- Lincolnshire Police will share information in line with the Data Protection Act 2018 (General Data Protection Regulation) requirements.
- Lincolnshire Police will report any allegations against its employees which meet the LADO criteria to the Local Authority Designated Officer (LADO). The criteria for such being any allegation which suggests that the employee has:
 - Behaved in a way that has harmed a child, or may have harmed a child
 - Possibly committed a criminal offence against or related to a child
 - Behaved towards a child or children in a way that indicates they may pose a risk of harm to children
 - Behaved or may have behaved in a way that indicates they may not be suitable to work with children.
- The determination to refer will be made by the Police Appropriate Authority (AA) at the point of initial assessment under Regulation

14 of the Police Conduct Regulations, Regulation 16 of the Police Complaints and Misconduct Regulations or in accordance with the Police Staff Disciplinary Procedure. (This being the point at which there is sufficient information following fact finding to support a potential cause for concern)

- Where the Appropriate Authority has determined that there is sufficient information or concern to support an allegation, which meets the LADO criteria (as above), the following actions should be taken initially with an early conversation with LADO.
- The PSD Appropriate Authority (AA) will ensure that a referral is made to LADO with all of the relevant information. As a minimum, this will include the name, date of birth and role of the staff member. Further information may be required, depending on the level and nature of the concern. If it is determined that the concern meets LADO overseen investigation threshold, full details will be provided for the Police employee including address.
- The AA and Criminal SIO will also discuss and consider if there is any transferable risk (e.g. could something that happened in the workplace by the employee happen somewhere else?). LADO need to be involved in this discussion. Consideration needs to be given to safety planning and whether a referral to Children's Services is warranted. If appropriate and proportionate LADO will need details of any children in the Police Employee's care.
- Lado will question what support provision is in place for the Police employee following an allegation being made.
- Consideration will include whether or not the person of concern works outside of their contracted hours with children. (e.g. If they are involved in other employment or voluntary work with children such as tutoring or the scouts).
- Information provided to LADO by the AA will be subject to GDPR. LADO will use this information to carry out any necessary checks but will not further disseminate this information without further consultation with the Police AA.

- PSD will carry out a formal assessment to determine whether or not there is sufficient information to indicate that either a criminal offence or a breach of the Standards of Professional Behaviour has occurred.
- Investigative strategies regarding any On or Off Duty criminal matters will be discussed between the AA and Head of the respective investigating department. (Criminal SIO).
 - For sexual, or child abuse matters this will usually be the PVP.
 - For Domestic Abuse and other crimes, this will usually be the local CID department.
- This will help Children's Services and the Designated Officer to determine the level of intervention needed.
- Where the matter involves a member of Police Staff, the AA will consult with the dedicated HR Representative.

2.4 Duty of care for employee/ volunteer

- The responsibility to keep the Police employee/volunteer informed of the position of trust process from start to finish lies solely with Lincolnshire Police.
- The minimum information that must be shared with the Police employee is that:
 - A safeguarding concern has been raised and needs to be looked into.
 - Any actions/decisions that have been made in respect of the Police employee and why.
 - Any contact with the Designated Officer and whether the Police employee has been made subject to the Designated Officer record.

NB there will be times, in discussion with the Designated Officer that a defensible decision may be made not to inform the Police employee of the allegation or the agency involvement for a number of reasons (e.g.

complexities surrounding the allegations, risk to children increasing, possibility of investigations being compromised; health related concerns for the employee/volunteer etc).

2.5. Designated officer referral process

Where the Appropriate Authority has determined that a referral is required, the following process will take place:

Within one working day telephone or email contact is to be made with the duty LADO for an initial discussion. This is to determine whether there is a need for LADO involvement.

The following telephone number is to be used: 01522 554674.

Once the decision has been made to refer to LADO, the following on-line form should be used, via the link below:

<https://www.lincolnshire.gov.uk/safeguarding/lscp/7>

The duty LADO can also be contacted during office hours Monday to Friday on via the following e mail address: lscp_lado@lincolnshire.gov.uk

Return communications to Lincolnshire PSD should be made using the following e-mail address: PSD.SLT@Lincs.police.uk

The referral will need to be made to the geographical area in which the Person of Concern works.

Initial plans for safety planning and risk assessments to be discussed with the LADO if appropriate and necessary.

LADO are to be kept up to date on significant milestones in the criminal/employer investigation.

If a criminal investigation is concluded with NFA, The AA will review and consider whether or not there is still a concern based on usual conduct test of 'balance of probability'.

The AA will consider the behaviour and intent of the employee in regard to whether the behaviour was or could have been harmful to children. The findings of such will be communicated in writing to the Lado in the form of an employer investigation report.

Once the investigation process has concluded, the Police AA and LADO will discuss and agree an outcome, based on the following 5 possible LADO outcomes:

1. Substantiated: there is sufficient identifiable evidence to prove the allegation.
2. False: there is sufficient evidence to disprove the allegation; (an early help referral to be considered for the child who has made the allegation)
3. Malicious: there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false; (an early help referral to be considered for the child who has made the allegation)
4. 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.
5. 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.

2.6. Outcomes

Dependent on the outcome of the referral process, employers must carry out a risk assessment and risk analysis to determine the plan of action and monitoring in respect of the employee. This will be discussed and Agreed with LADO.

Once the investigation process has been completed a discussion will be had with LADO, regarding whether a referral to DBS or any other regulatory body is necessary.

Where Lincolnshire Police removes a member of staff or officer from the organisation because the employee poses a risk of harm to children a referral will be made to the Disclosure and Barring Service (DBS) to consider whether to add the individual to the barred list.

The letter sent to DBS must also be copied to the Designated Officer Service, who will update their records to reflect the action taken.

3. Other related documents and appendices

3.1. Appendices.

- [Working together to safeguard children - GOV.UK \(www.gov.uk\)](https://www.gov.uk)
- [npcc-mash-advice-to-police-forces-on-information-sharing-for-child-safeguarding.pdf \(proceduresonline.com\)](https://proceduresonline.com/npcc-mash-advice-to-police-forces-on-information-sharing-for-child-safeguarding.pdf)

4. Monitoring and review

4.1 This policy will be subject to an ongoing review by the Head of PSD to ensure that any changes in legislation, guidance or procedures are incorporated as soon as possible. A formal review will be completed biennially.

4.2. Where a decision is made to notify LADO of an officer who may have abused their position of trust it will be responsibility of PSD to maintain contact and update LADO with any decision or outcomes during the entirety of the investigation. The officer or member of police staff if dismissed will automatically be added to the barred list as appropriate.

Quarterly monitoring meetings to take place between a representative from PSD and a LADO for the purpose of case monitoring and tracking, information sharing and policy review.

5. Who to contact about this policy

5.1. This policy is owned by DCI PSD and any questions about this policy can be directed to him.