



Sutton LSCP
Local Safeguarding
Children Partnership

**LSCP LOCAL AUTHORITY
DESIGNATED OFFICER
(LADO) PROTOCOL**
for **MANAGING ALLEGATIONS
AGAINST STAFF AND VOLUNTEERS**

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Version: February 2022
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1. INTRODUCTION

The intention of this protocol is to clearly set out the multi-agency arrangements in place in Sutton to manage child protection allegations and concerns that are made against staff and volunteers who work with children and young people.

The role of the London Borough of Sutton is to monitor and evaluate the effectiveness of investigations carried out through a dedicated Local Authority Designated Officer (LADO). It is based on statutory guidance and procedures relating to the duty to manage allegations and concerns about any person who works with children and young people.

This protocol should be read alongside the [LSCP Multi-Agency Threshold Guidance](#) (which incorporates the [London Child Protection Threshold Document](#)), [Chapter 7 of the London Child Protection Procedures](#), [Working Together to Safeguard Children \(2018\)](#), and [Keeping Children Safe in Education \(2021\)](#).

2. LEGAL AND POLICY CONTEXT

Working Together to Safeguard Children (2018) sets out the core statutory requirements, making it clear what individuals and organisations should do to keep children safe from harm. This includes the need to promote effective multi-agency partnerships to safeguard children and young people.

Chapter 7 of the London Child Protection Procedures contains specific details about the role of the LADO and outlines how allegations made against staff and volunteers should be managed.

Part 4 of Keeping Children Safe in Education (2021) sets out guidance which relates to members of staff who are currently working in any school or college regardless of whether the school or college is where the alleged abuse took place.

The [DfE \(2013\) Use of reasonable force](#) gives guidance about the use of physical restraint in schools for governing bodies, head teachers, and school staff.

Additionally, new statutory guidance has been issued '[Disqualification under the Childcare Act 2006](#)' which replaces the supplementary advice that was issued by the DfE in October 2014.

The Government's website provides advice on [making a referral to the Disclosure and Barring Service \(DBS\)](#) and the [legal duty and power to refer to the DBS](#).

3. GOVERNANCE AND ACCOUNTABILITY

The Local Safeguarding Children Partnership (LSCP) must have assurance that each member organisation has identified a named senior officer with overall responsibility for ensuring that the organisation responds to allegations in accordance with the London Child Protection Procedures which make it clear that managing allegations against staff and volunteers is not just the responsibility of the LADO, but is a shared, multi-agency responsibility.

Agencies should send representatives to quarterly meetings of the LADO Steering Group, which will report into the LSCP QA Subgroup. Quarterly reports of LADO activity will be discussed at the LADO Steering Group. The LSCP escalation policy and procedure will be applied to circumstances where there is professional disagreement about the outcome of an investigation.

The annual report of the LADO will be scrutinised by the LSCP QA subgroup. In operational terms, the LADO is line-managed within the Quality and Performance service of the Local Authority's Commissioning Unit.

4. ROLES AND RESPONSIBILITIES

This protocol covers two different types of roles and responsibilities; first the role and responsibility of all staff to identify issues and concerns and discuss these with the agency safeguarding lead or senior manager to make a decision to contact the LADO; and secondly, Sutton has a LADO role, whose responsibility it is to deal with allegations against staff from all agencies working with children, whether in a professional or voluntary capacity.

4.1 Local Authority Designated Officer (LADO)

The Local Authority has lead responsibility and must appoint a LADO. The LADO is responsible for overseeing and co-ordinating child protection allegations made against staff and volunteers who work with children. Allegations made against staff and volunteers who work with adults need to be reported to Adult Services within the People Directorate.

The LADO must:

- Receive referrals about allegations and be involved in the coordination and oversight of individual cases;
- Provide advice and guidance to employers and voluntary organisations;
- Liaise with police and other agencies;
- Monitor the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process;
- Provide advice and guidance to employers in relation to making referrals to the Disclosure and Barring Service (DBS) and regulatory bodies such as Ofsted, the General Council (GMC);
- When referrals are made to the LADO, part of the process will be to check whether there is ongoing or historic information, and the necessary agencies will be included in the dialogue.

Cases which cross borough boundaries

Generally the responsibility for the oversight and co-ordination of the LADO investigation is the LADO service in the borough where the member of staff or volunteer works. However decisions about which LADO should lead an investigation are complex and any decision should consider which agency holds the most risk and has the most to learn from an investigation.

4.2 All agencies

All agencies have a responsibility to identify:

- A safeguarding lead who is also a senior manager to whom allegations or concerns should be reported;
- A deputy to whom reports should be made in the absence of the safeguarding lead or senior manager;
- All agencies should report allegations of harm or suspected harm to the LADO;

Each agency is responsible for ensuring that their staff have been trained to understand their roles and responsibilities for referring and managing allegations and concerns that come under this protocol. The LSCP provides multi-agency awareness raising training through its basic child protection (level 1 and level 2) and refresher training courses that are available to

all staff and volunteers in the Borough; further information can be found here: <https://suttontraining.event-booking.org>.

4.3 Children's Services

The Local Authority Children's Social Care service will refer directly to the LADO if their case meets the threshold for a referral.

4.4 Police CAIT team

The Police Detective Inspector from the CAIT (Child Abuse Investigation) team will:

- Have strategic oversight of the local police arrangements for managing allegations against staff and volunteers;
- Liaise with the LSCP on the issue;
- Ensure compliance.

The Police CAIT team should designate an officer to liaise with the LADO:

- Take part in allegations against staff and volunteers meetings / discussions as agreed with the LADO;
- Review the progress of the case when there is a police investigation;
- Share information as appropriate on completion of an investigation or related prosecution.

4.5 The Borough Police

It is the role and responsibility of the Borough Police to ensure that any LADO related allegations or concerns are identified and reported to the LADO. Through the contact and referral process outlined in this protocol.

4.6 Safeguarding Manager (Cognus)

It is the role and responsibility of the Safeguarding Manager to:

- Have strategic oversight of the local school arrangements for managing allegations against staff;
- Ensure compliance of schools with procedures for reporting allegations;
- Liaise with the LADO and take part in ASV meetings/ discussions when required;
- Ensure that there is scrutiny of follow up actions for schools. This will include where concerns for teacher practice have been highlighted;
- Ensure training is in place for school staff.

4.7 Schools

It is the responsibility of the individual school to ensure that any LADO related allegations or concerns are identified through the contact and referral process covered in this protocol. The lead person/ contact within the school will be the Head Teacher and if the referral relates to the Head Teacher then it will be the chair of governors.

4.8 Childminders and early years settings

Childminders are regulated by Ofsted; should they become subject of an allegation they can contact the LADO service directly for advice and they should notify Ofsted.

The manager of the early years settings is the lead person/ contact and should be notified if there is an allegation made against a member of staff. The manager as the lead person/ contact has the responsibility to notify Ofsted and make a referral to the LADO. Should a concern about a member of staff be raised directly with the Ofsted regulatory team they will make a referral directly to the LADO.

4.9 Sutton Clinical Commissioning Group (CCG)

It is the role and responsibility of Sutton CCG to seek assurance that LADO concerns or allegations are managed by health providers in accordance with the London Child Protection Procedures and this local protocol. This is monitored under Section 11 of the Children Act 2004, contractual arrangements and through the Safeguarding Assurance report submitted to the LSCP six monthly.

4.10 Health providers (including Community Health, Acute Health, and Mental Health)

It is the role and responsibility of each health provider to designate a safeguarding lead for the particular agency and to liaise with the executive safeguarding lead within their organisation. The Named Professional has the responsibility to ensure that:

- They have policies and procedures in place and available to all staff on the local arrangements for managing allegations against staff;
- Ensure they are compliant with procedures for reporting allegations;
- Liaise with LADO and take part in strategy meetings when required;
- Support Line Managers and Human Resources officers where necessary;
- Follows up actions with human resources representative/ line for own organisation
- Ensure training is in place for all staff.

4.11 Voluntary and community services

Where there are allegations made against staff working with children in the voluntary sector, it is the responsibility of those organisations within the sector to cooperate with LADO and Police investigations and to ensure that their staff are appropriately made subject to capability or disciplinary procedures during enquiries.

5. REFERRAL PROCESS

5.1 Threshold for referral/ when to make a referral

These procedures should be applied when there is an allegation or concern that any person who works with children, in connection with their employment or voluntary activity, 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 he or she would pose a risk of harm to children.

The [LSCP Multi-Agency Threshold Guidance](#) can be located on the [Sutton LSCP website](#). The threshold guidance is based on the London Child Protection procedures and should be followed by all staff and volunteers in the London Borough of Sutton.

The difference between an allegation and a concern

The following comes from the [London Child Protection Procedures](#).

- 7.2.9 It might not be clear whether an incident constitutes an 'allegation'. It is important to remember that to be an allegation the alleged incident has to be sufficiently serious as to suggest that harm has or may have been caused to a child/ren or that the alleged behaviour indicates the individual may pose a risk of harm to children (or otherwise meet the criteria above). Issues that do not meet this threshold may constitute conduct or disciplinary issues and should be addressed by employers using the appropriate organisational procedures.
- 7.2.10 If it is difficult to determine the level of risk associated with an incident the following should be considered:
- Was the incident a disproportionate or inappropriate response in the context of a challenging situation?
 - Where the incident involved an inappropriate response to challenging behaviour, had the member of staff had training in managing this?
 - Does the member of staff understand that their behaviour was inappropriate and express a wish to behave differently in the future? For example, are they willing to undergo training?
 - Does the child or family want to report the incident to the police or would they prefer the matter to be dealt with by the employer?
 - Have similar allegations been made against the employee – is there a pattern developing?
- 7.2.11 Incidents which fall short of the threshold could include an accusation that is made second or third hand and the facts are not clear, or the member of staff alleged to have done this was not there at the time; or there is confusion about the account.

Allegations can be made about physical chastisement and restraint, neglect, and emotional abuse but can also relate to inappropriate relationships between members of staff and young people.

Some examples of inappropriate relationships are:

- Having a sexual relationship with a child under the age of 18 if in a position of trust in respect of that child even if consensual (Sexual Offences Act 2003);
- 'Grooming' i.e. meeting a child under 16 with intent to commit a relevant offence (Sexual Offences Act 2003);
- Other "grooming" behaviours such as inappropriate use of social media, socialising and providing gifts;
- Possession of indecent images of children.

This protocol should also be applied if there are safeguarding concerns in the personal life of a member of staff or volunteer who works with children and young people, such as, if a member of staff or volunteer has parental responsibility for a child who is subject to a child protection plan. Under the [2018 regulations](#), disqualification by association is only relevant where childcare is provided in domestic settings.

This protocol also applies when there are allegations made against 16 and 17 year olds who have been put in a position of trust by an organisation in relation to anyone under the age of 18.

5.2 Reporting responsibilities

It is the responsibility of the staff member who is aware of the concern to report their concerns to the employer who is responsible for receiving reports in their agency. The employer makes a decision as to whether a referral to the LADO service should be made.

Consultation with the LADO prior to making a referral

LADO referrals are not always clear cut; if there is uncertainty, the employer should contact the LADO service for consultation to help inform the decision as to whether the concerns meet the criteria for a referral. The LADO can provide non case-specific consultation if required. This will not be recorded, as no formal referral will have been made.

The LADO will only provide a record of the advice to the referrer if a [LADO referral form](#) is completed.

5.3 How to make a referral

The employer from the agency where the person works should complete a LADO referral form within one working day of the allegation. The LADO referral form is provided as a template at the end of this protocol and is also available to download from the [London Borough of Sutton website](#).

The LADO service is available from Monday to Friday between 09:00 and 17:00. If there is a need to make a referral outside of these times, the out of hours service can be contacted.

LADO contact details

- [LADO referral form](#)
- Email address: lado@sutton.gov.uk
- Telephone: 0208 770 4776
- Out of hours: 0208 770 5000 ext. 9

5.4 Outcome of referral

On receipt of the referral, the employer should seek advice from the LADO as to how much information should be disclosed to the subject of the allegation. The LADO will also provide advice about what information to give to parents/ carers.

In consultation with the employer the LADO will make a decision as to which of the following needs to happen:

- An Initial Evaluation Meeting (this is normally a telephone discussion between the referrer and the LADO, and can sometimes involve the Police CAIT team);
- A LADO process (an allegations against staff and volunteers meeting/discussion);
- A joint or single-agency investigation;
- Advice regarding potential capability or disciplinary procedures to be used by the employer;
- A referral to another agency, such as Ofsted;
- A complaints investigation;
- Further enquiries to be made;
- No further action.

Ofsted should be informed of any allegation or concern against a member of staff in a day care establishment for children under 8 or against a registered childminder. They should also

be invited to attend an ASV meeting. Children's Services should inform Ofsted of all allegations made against a foster carer, prospective adopter, or a member of staff in a residential child care facility.

6. LADO PROCESS

The LADO provides advice and guidance and will coordinate the multi-agency (ASV) process. The lead agency responsibilities are set out below. See Appendix B for the basic process flowchart.

6.1 Police process

If a decision is made to convene an ASV meeting, a referral (form 87A) will be made to Sutton Police CAIT team by the LADO. This should happen on the same day that the LADO receives the referral. If the case is open to Children's Services and meets the S47 threshold, the Children's Services team should complete the 87a referral and have a strategy discussion with the police. Where the child is not known to Children's Services, the LADO will complete the referral and have a LADO discussion with the police.

If a police officer receives a referral from another agency they must make an immediate referral to the LADO.

On receipt of the referral the Police will complete Police National Computer (PNC) checks to find out if there have been any previous child protection referrals made to the Police.

The LADO will invite the Police to attend the ASV meeting. The Police may decide that they do not need to attend the ASV meeting as the allegation does not meet the threshold for a criminal investigation. This is decided and clarified jointly with the LADO.

6.2 LADO responsibilities

The LADO will complete background checks via the Local Authority database on the child who is subject to the referral and the employee or volunteer who is the subject of the allegation, and will also check as to whether there is an open social care case.

6.3 Allegations against staff and volunteers (ASV) meetings

The ASV meeting/ discussion takes place when it has been decided that the threshold for harm/risk of harm has been met. The ASV meeting will decide the strategy for managing the allegation where necessary this will be a face to face meeting. Meetings will not be used to further investigate concerns about inappropriate behaviour or conduct where there are not clear indications that a child or young person has been harmed. The LADO is responsible for managing all aspects of the ASV meeting process.

ASV meetings are chaired by the LADO and should be convened within five working days of receiving the referral except in the following circumstances:

- For allegations/concerns indicating a serious risk of harm to a child (e.g. serious physical injury or serious neglect), the ASV meeting should be held within one working day of receiving the referral;
- For allegations of sexual abuse whereby there has been penetrative sexual abuse, the ASV meeting should be held on the same day as the receipt of the referral;
- Where concerns are particularly complex (e.g. organised abuse), the ASV meeting should be held within seven working days;

- Where there are concerns about complex abuse, the ASV meeting should be held within one working day of receiving the referral.

All investigations should be investigated as a priority to avoid delay, although the time taken to investigate individual cases will depend on the complexity of the case.

The areas that are covered in the ASV meeting are set out in the meeting record template at the end of this protocol.

The purpose of the ASV meeting

The purpose of the ASV meeting is broadly to plan the investigation, ensure that children are safe whilst any investigation is taking place and to make decisions around whether any management action will need to be taken.

The ASV meeting will make following decisions:

- Whether there should be a child protection enquiry (Section 47 Children Act 1989) and or police investigation;
- If a decision is made to complete S.47 enquiries, whether these enquiries should be investigated jointly by the police and social work team or solely by the social work team (a single agency investigation);
- Plan interviews with any children or young people who are subject to child protection allegations. (All children/ young people who are the subject of child protection allegations should be interviewed by a social worker if they are able to communicate their thoughts and feelings. If the child protection concerns meet the criteria for a criminal investigation, they should be interviewed by a police officer and a social worker). If the child/young person does not have an allocated social worker they will be allocated a social worker within the Referral and Assessment Team;
- Plan who will interview the alleged perpetrator. This interview should take place after the child/young person and any witnesses have been interviewed;
- Whether the child/ren need to have a child protection medical examination;
- Plan parallel capability/disciplinary investigations and agree what information can be shared and at what stage of the enquiries;
- Alert senior management to cases that may require a media strategy, extra resources or have implications for practice improvement;
- Ensure that there is a safety plan in place to protect the child/ren involved;
- Consider whether their needs to be an updated risk assessment to inform the organisations safeguarding arrangements;
- Plan support for children and young people who may be affected by the allegation;
- Plan support for the member of staff or volunteer whilst the investigation is ongoing;
- Make recommendations regarding suspension or alternatives to suspension (the ASV meeting can make recommendations but the decision to suspend is the employer's decision).

ASV meetings concerning allegations against staff and volunteers in their personal lives

If an allegation that a member of staff or volunteer has harmed or is likely to harm a child in their personal lives then an ASV meeting/ discussion should be held in order to determine whether the concern justifies approaching the member of staff/ volunteer's employer for further information in order to assess the level of risk/ harm.

In regards to a member of staff's or volunteer's personal life, under the [2018 regulations](#), disqualification by association is now only relevant where childcare is provided in domestic settings.

Timeliness of the investigation

All investigations should be investigated as a priority to avoid delay, although the time taken to investigate individual cases will depend on the complexity of the case.

It is expected that:

- 80% of cases are resolved within one month;
- 90% of cases are resolved within three months;
- All but the most exceptional of cases should be completed within 12 months.

The LADO will monitor and record the progress of each case on a fortnightly or monthly basis depending on the complexity. Where target timescales cannot be met the LADO should record the reasons for the delay.

Review ASV meetings

The review meeting will:

- Review the decisions that were made at the initial ASV meeting;
- Decide whether the investigation is false, malicious, substantiated, unsubstantiated or unfounded;
- If the allegation is substantiated, the employer will need to consider whether or not the professional or volunteer should be referred to the Disclosure and Barring Service for barring;
- Consider what lessons can be learned from the investigation and whether the organisation concerned needs to make an improvement to their safeguarding arrangements.

Sometimes during more complex investigations there will be a need to convene more than two ASV meetings before any final decisions can be made. In addition, there will be times when there will only be a need for an initial ASV meeting.

Attendance at ASV meetings

Attendees for an ASV meeting will normally include:

- The LADO (Chair);
- Team Manager or Assistant Team Manager, Referral and Assessment Team (RAS);
- Allocated social worker or social worker who will be undertaking the investigation;
- Police CAIT team;
- Education Safeguarding Manager, when required;
- Employer of the employee;
- Human Resources representative;
- Senior representative of the employment or voluntary agency if appropriate. In the case of allegations made against Head Teachers the Chair of Governors must attend;
- Manager of fostering service/ agency when an allegation is made against a foster carer;
- Supervising social worker when an allegation is made against a foster carer;
- The regulatory inspector (Ofsted or CSC), where applicable;
- Where a child is placed in Sutton by another authority, representatives from the placing authority must attend

- Consultant paediatrician, if appropriate.

Business support arrangements and recording

- The decisions/ minutes from the ASV meeting will be circulated within five working days of the meeting;
- The employer is responsible for communicating the outcome/ advice from of the meeting/ process to the employee;
- All agency records should be held in secure files that have restricted access;
- The Local Authority casework database will be used to record and report LADO work;
- The LADO will keep records of all LADO referrals;
- If allegations are found to be malicious then they should be removed from personnel records;
- If allegations are found to be unsubstantiated, unfounded or false, records will need to be clear and contain: a comprehensive summary of the allegation; details of how the allegation was followed up and resolved; and a note of any action and decisions reached. This record should be kept on the confidential personnel file of the subject of the allegation and a copy provided to the person concerned;
- Business Support for the LADO will track all referrals via the Local Authority database;
- There will be a monthly LADO meeting whereby all LADO referrals will be monitored and learning will be shared;
- The LADO will provide quarterly reports to the LADO Steering Group for monitoring, learning lessons, and improving interagency working;
- The LADO will provide an annual report to the LSCP QA Subgroup.

6.4 Referrals to the Disclosure and Barring Service (DBS)

If an ASV meeting decides that a referral should be made to the DBS, the employer should complete this form with assistance from the LADO. The employer must advise the LADO of the outcome of the referral to DBS.

7. REFERENCES AND SUPPORTING DOCUMENTS

1. HM Government, [Working Together to Safeguard Children, July 2018](#)
2. London Safeguarding Children Partnership, [London Child Protection Procedures](#)
3. Department for Education, [Keeping children safe in education, September 2021](#)
4. Sutton LSCP, [LSCP Multi-Agency Threshold Guidance, November 2021](#)
5. Department for Education, [Childcare \(Disqualification\) and Childcare \(Early Years Provision Free of Charge\) \(Extended Entitlement\) \(Amendment\) Regulations 2018](#)
6. HM Government, [Information sharing advice for practitioners providing safeguarding services to children, young people, parents and carers, July 2018](#)
7. Department for Education, [Use of reasonable force advice for headteachers, staff and governing bodies, July 2013](#)
8. Ofsted, [Sharing concerns and information with Ofsted about children's social care services, September 2018](#)
9. GOV.UK, [Making barring referrals to the DBS](#)
10. GOV.UK, [DBS barring referral guidance](#)

APPENDIX A. LADO CONTACT DETAILS

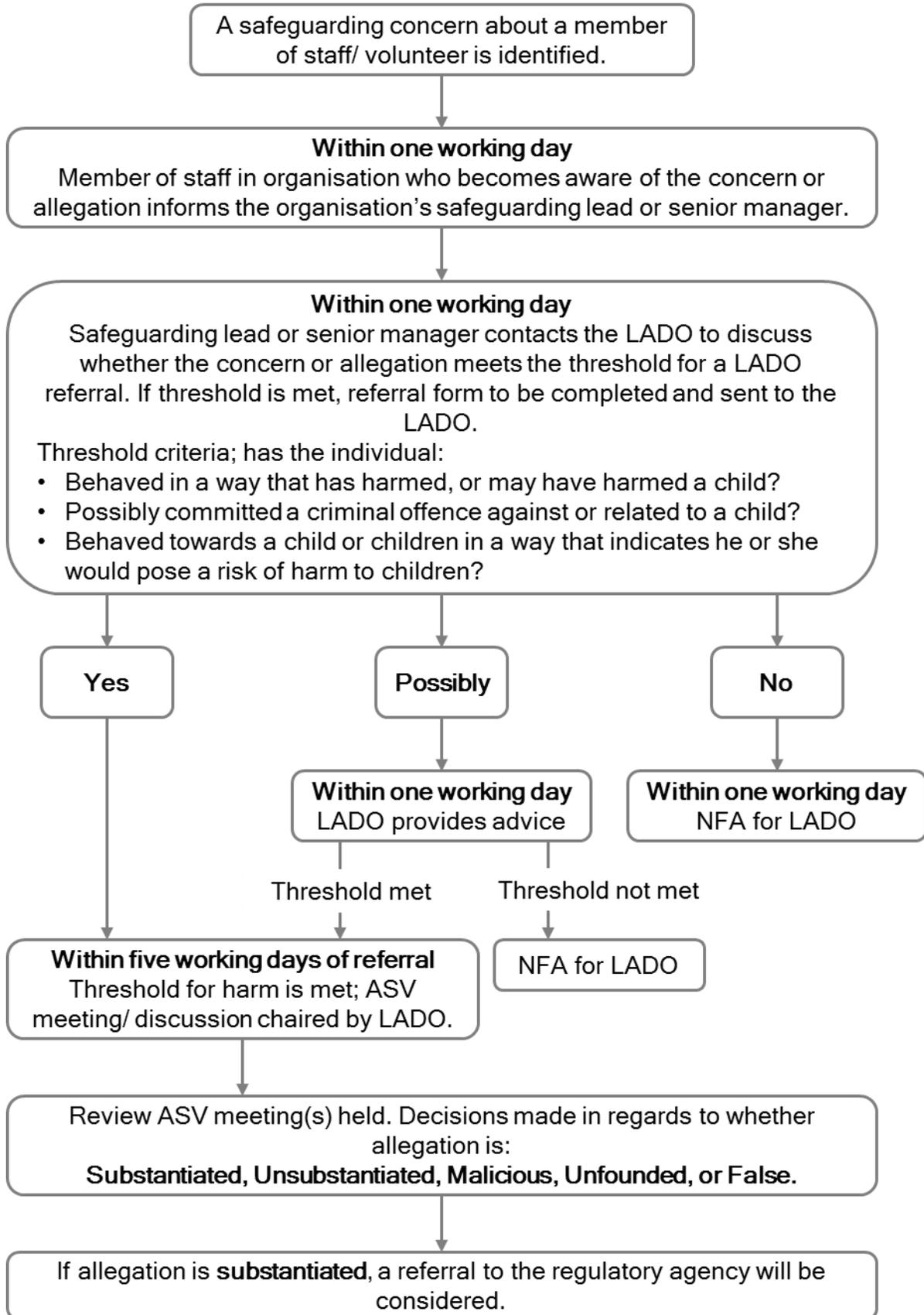
[LADO Referral form](#)

Email: lado@sutton.gov.uk

Telephone: 0208 770 4776

Out of hours: 0208 770 5000 ext. 9

APPENDIX B. LADO PROCEDURE FLOWCHART



APPENDIX C. LADO REFERRAL FORM

The LADO referral form can be downloaded from the London Borough of Sutton website [here](#).

REFERRAL FORM



AGENCY reporting form for ALLEGATIONS against staff and volunteers working with children and young people in the London Borough of Sutton

Civic Offices
St Nicholas Way
Sutton
SM1 1EA

Tel: 0208 770 4776

Email: LADO@sutton.gov.uk

This form is to be used in cases where it is alleged that an adult who works with children (either paid/ unpaid/ self-employed) has:

- Behaved in a way that has harmed or may have harmed a child;
- Possibly committed a criminal offence against or related to a child;
- Behaved towards a child/ren in a way that indicates s/he is unsuitable to work with children.

If the allegation meets any of the above criteria, the employer should report it to the LADO **within one working day**.

Please complete this form and email it to the LADO service at the secure inbox: LADO@sutton.gov.uk.

The LADO service is made up of child protection conference chairs who also chair ASV meetings and provide LADO advice. The Lead LADO is Sima Hirani.

If you wish to have a consultation before making a referral please contact the Duty LADO on 0208 770 4776.

If immediate action is required to protect a child outside office hours please contact the Children's Emergency Duty Team on 0208 770 5000.

AGENCY reporting form for ALLEGATIONS against staff and volunteers working with children and young people	
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Date of referral	
Referrer's name and job title	
Place of work and address	
Tel. number	
Email	

The subject of the allegation			
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Name		DOB	
Address		Ethnicity	
Job title (please say whether this is a permanent employee, agency member of staff or volunteer)			
Date of alleged incident		Date allegation reported to referrer	
Details of allegation (please also specify if there have been any previous allegations against this individual)			
Action taken by the employer/ voluntary agency			

Details of potential victim/ child			
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Name of child/ young person making the allegation		DOB	
Address			

Name of parent/ carer		Contact number	
Names and DOB of siblings			
Language		Ethnicity	

Additional information				
	Yes	No	N/A	Additional comments if needed
Has there been a delay in the reporting of concerns?				
Are the parents/ carers aware of the allegations?				
Is the child/ young person aware of the referral to the LADO?				
Does the child/ young person have a disability?				
Does the child/ young person have an allocated social worker?				
Is the child subject to a child protection plan or looked after?				
Has the child/ young person made any previous allegations?				

APPENDIX D: ALLEGATIONS AGAINST STAFF AND VOLUNTEERS (ASV) MEETING AGENDA

1. Introductions
2. Details of individual subject to allegations
3. Employer details
4. Employment history
5. Details of allegation
6. Any witness statements
7. Background of individual subject to allegation
8. Family details of individual subject to allegation
9. Child's details (including family details)
10. Background of child concerned
11. Other children/ risk issues
12. Discussions
13. Media issues
14. Support for individual subject to allegation
15. Support for children and family involved in allegation
16. Summary of actions/ decisions
17. Date of future meeting if required