

Top Tips for Directors on dealing with allegations against people in a position of trust (PiPoT)

1. This advice sheet is intended to equip Directors with the information and advice they need to assure themselves that allegations against people in a position of trust are dealt with effectively and that adults at risk of abuse or neglect are safeguarded.
2. The Care Act 2014 states that local authorities and their partners should have clear policies, in line with Safeguarding Adults Board policies, for dealing with allegations against people who work, either in a paid or unpaid capacity, with adults with care and support needs:
3. Safeguarding Adults Boards need to establish and agree a framework and process for how allegations against people working with adults with care and support needs (for example, those in positions of trust) should be notified and responded to. Whilst the focus of safeguarding adults work is to safeguard one or more identified adults with care and support needs, there are occasions when incidents are reported that do not involve an adult at risk, but indicate, nevertheless, that a risk may be posed to adults at risk by a person in a position of trust (Care Act Guidance 2014, 14.121).
4. Each partner agency needs to provide assurance to the Safeguarding Adults Board that arrangements within their organisations to deal with allegations against people in a position of trust are functioning effectively.
5. Examples of concerns could include allegations that relate to a person who works with adults with care and support needs who has:
 - Behaved in a way that has harmed, or may have harmed, an adult with care and support needs or a child
 - Possibly committed a criminal offence against, or related to, an adult with care and support needs or a child
 - Behaved towards an adult or child in a way that indicates they may pose a risk of harm to an adult with care and support needs.
6. The NHS document *safeguarding Children, Young People and Adults at Risk in the NHS: safeguarding accountability framework (2013; updated 2019)* states that the designated professional for safeguarding adults should be informed where there is an allegation that a member of staff in a Clinical Commissioning Group or primary care service has abused or neglected an adult in their personal life.
7. How to deal with allegations against people who work with children is clearly defined in *Working Together to safeguard Children*, with the clearly defined and commonly understood role of the Local Authority Designated Officer being central to this process.

8. The Designated Adult Safeguarding Manager role was removed as a requirement from the original Care Act draft guidance following consultation: an equivalent role is considered best practice.
9. The term 'person/ people in a position of trust', which is in common use by Safeguarding Adults Boards, has no clear, legal definition within the Care Act or any other legislation; the Disclosure and Barring Scheme does not recognise this term, but considers the parties with legitimate interest test for disclosure of information.
10. A 'person alleged to have caused harm' may also be a PiPoT in safeguarding concerns.
11. Clarity is needed about how referrals should be made and how they are dealt with, including who should inform the PiPoT that an allegation(s) have been made and how and when this should be undertaken; GDPR issues in relation to PiPoT referral information need to be clarified.

Please see the operational flowchart from the Manchester policy (p.3) as an example of how a process would work (please note that references to professional regulation bodies are illustrative and Social Work England now regulates social workers).

Content from the *North West Policy for Managing Concerns around People in Positions of Trust with Adults who have Care and Support Needs* is acknowledged with thanks.

