



Redbridge Safeguarding Adults



Framework for Managing Allegations against People in Positions of Trust (PiPOT)

This document provides a protocol and practice guidance for the approach and process to follow when responding to allegations made against people who work in a Position of Trust with adults who have care and support needs. This relates to instances where a relevant agency is alerted to information that may affect the suitability of a professional, or volunteer to work with an adult(s) at risk, where such information has originated from an activity outside their professional or volunteer role and place of work. The alleged victim, in such circumstances, does not have to be an adult at risk, for example, it could be their partner or a child.

Document Control

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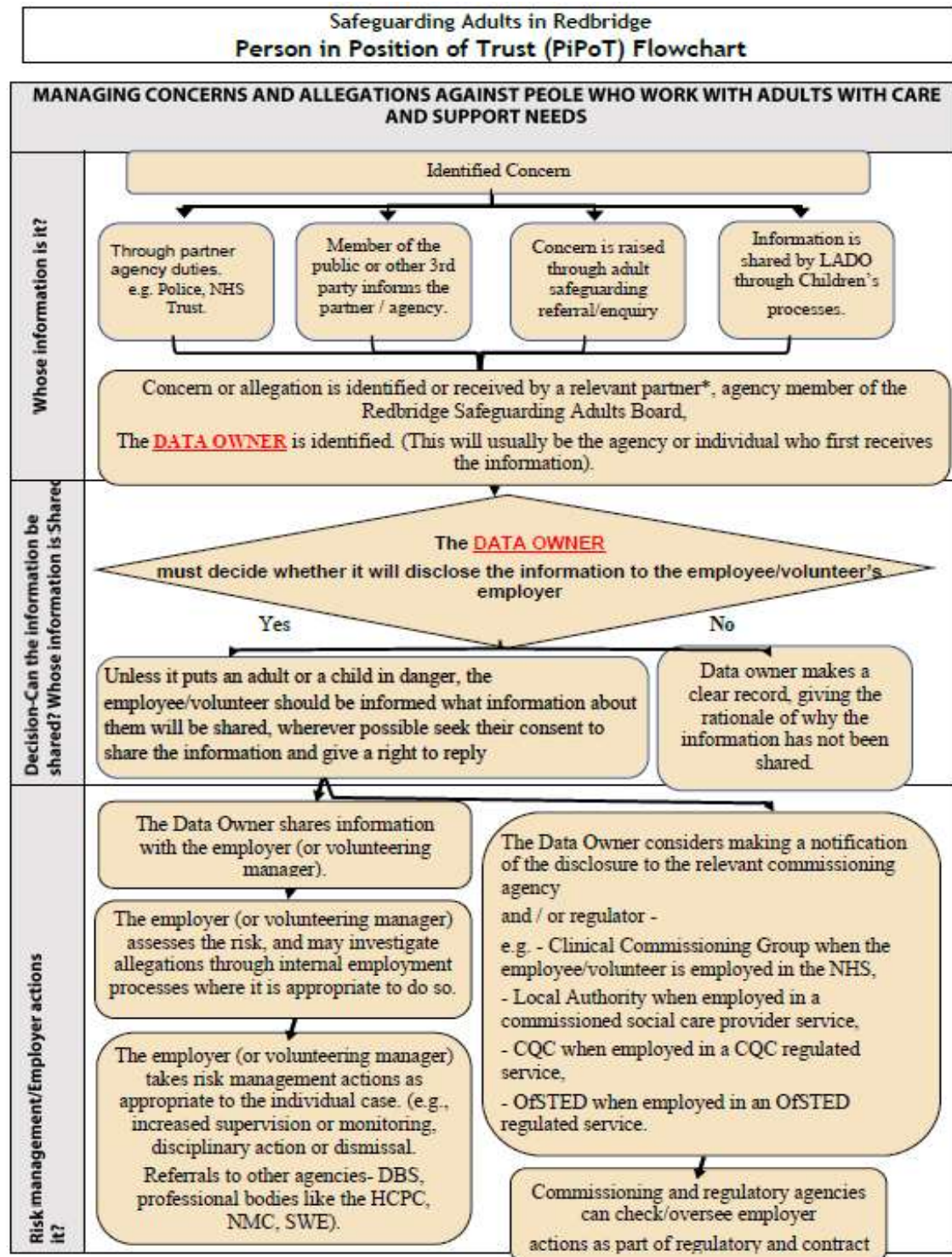
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1. Glossary

ADASS	Association of Directors of Adult Social Services
DBS	Disclosure & Barring Service
Data Controller	A person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal data are, or are to be, processed.
Data Subject	An individual who is the subject of personal data.
Data Processor	In relation to personal data any person (other than an employee of the data controller), who processes the data on behalf of the data controller.
PiPoT	Person in a position of trust
SAB	Safeguarding Adults Board
DASM	Designated Safeguarding Adults Manager

2 PiPoT Flowchart



3 Introduction

This protocol relates to those instances where a relevant agency is alerted to information that may affect the suitability of a professional, or volunteer to work with an adult(s) at risk, where such information has originated from activity outside their professional or volunteer role and place of work.

3.1 The alleged victim, in such circumstances, does not have to be an adult at risk, for example, it could be their partner or a child. Therefore, take note that this document refers to when there is an allegation which does not necessarily directly involve an adult at risk but may have risk implications in relation to the employment or volunteer work of a person in a position of trust (PIPOT).

3.2 Examples of such concerns could include allegations that relate to a person who works with adults with care and support needs who has:

3.2.1 behaved in a way that has harmed or may have harmed an adult or child.

3.2.2 possibly committed a criminal offence against, or related to, an adult or child.

3.2.3 behaved towards an adult or child in a way that indicates they may pose a risk of harm to adults with care and support needs.

4 Principles

This framework builds upon existing relevant statutory provision. There is no primary statutory duty associated with the position of trust framework so any actions taken must be in line with other relevant statutory provisions, e.g. Data Protection Act 1998, Human Rights Act 2018 and employment legislation. Any actions and interventions must be lawful and proportionate in line with statutory provision.

As with all adult safeguarding work the following six principles should inform this area of activity:

<u>Empowerment:</u>	People being supported and encouraged to make their own decisions and informed consent.
<u>Prevention:</u>	It is better to take action before harm occurs.
<u>Proportionality:</u>	The least intrusive response appropriate to the risk presented.
<u>Protection:</u>	Support and representation for those in greatest need.
<u>Partnership:</u>	Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
<u>Accountability:</u>	Accountability and transparency in safeguarding practice.

5 Scope

This framework and process applies to concerns and allegations about:

- a person who works with adults with care and support needs in a position of trust, whether an employee, volunteer or student (paid or unpaid); and,
- where those concerns or allegations indicate the person in a position of trust poses a risk of harm to adults with care and support needs.

These concerns or allegations could include, for example, that the person in a position of trust has:

- behaved in a way that has harmed or may have harmed an adult or child;
- possibly committed a criminal offence against, or related to, an adult or child;
- behaved towards an adult or child in a way that indicates they may pose a risk of harm to adults with care and support needs.

This Framework applies whether the allegation relates to a current or historical concern. Where the allegation or concern is historical, it is also important to ascertain if the person is currently working with adults with care and support needs or children and if that is the case, to consider whether information should be shared with the current employer.

5.1 Out of Scope

The policy does not cover complaints or concerns raised about the quality of care or professional practice provided by the person in a Position of Trust (PoT). Concerns or complaints about the quality of care or practice should be dealt with under the relevant agency or individual complaint, competence or representations processes.

If an allegation is made that does concern the actions of a professional, or volunteer which relates to alleged abuse or neglect of a person with care and support needs and this amounts to a safeguarding enquiry, then such an allegation should be dealt with by following the local adult safeguarding policies and procedures.

6 Care Act Statutory Guidance

The Care Act 2014 introduced a single new statute to replace most existing adult social care law. The [Care And Support Statutory Guidance](#) formalised the expectations on local Safeguarding Adults Boards to establish and agree on a framework and process for how allegations against people working with adults, in either a paid or an unpaid capacity, with care and support needs (i.e. those in a position of trust) should be notified and responded to. **14.120 The local authority's** relevant partners, as set out in section 6 (7) of the Care Act, and those providing universal care and support services, should have clear policies in line with those from the safeguarding adults board for dealing with allegations against people who work, in either a paid or unpaid capacity, with adults with care and support needs. Such

policies should make a clear distinction between an allegation, a concern about the quality of care or practice or a complaint.

14.121 Safeguarding Adults Boards (SABS) 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.

14.122 Where such concerns are raised about someone who works with adults with care and support needs, it will be necessary for the employer (or student body or voluntary organisation) to assess any potential risk to adults with care and support needs who use their services, and, if necessary, to take action to safeguard those adults.

14.123 Examples of such 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 or child
- possibly committed a criminal offence against, or related to, an adult or child
- behaved towards an adult or child in a way that indicates they may pose a risk of harm to adults with care and support needs

14.124 When a person's conduct towards an adult may impact on their suitability to work with or continue to work with children, this must be referred to the local authority's designated officer.

14.125 If a local authority is given information about such concerns, they should give careful consideration to what information should be shared with employers (or student body or voluntary organisation) to enable risk assessment.

14.126 Employers, student bodies and voluntary organisations should have clear procedures in place setting out the process, including timescales, for investigation and what support and advice will be available to individuals against whom allegations have been made. Any allegation against people who work with adults should be reported immediately to a senior manager within the organisation. Employers, student bodies and voluntary organisations should have their own sources of advice (including legal advice) in place for dealing with such concerns.

14.127 If an organisation removes an individual (paid worker or unpaid volunteer) from work with an adult with care and support needs (or would have, had the person not left first) because the person poses a risk of harm to adults, the organisation must make a referral to the Disclosure and Barring Service. It is an offence to fail to make a referral without good reason.

14.128 Allegations against people who work with adults at risk must not be dealt with in isolation. Any corresponding action necessary to address the welfare of adults with care and support needs should be taken without delay and in a coordinated manner, to prevent the need for further safeguarding in future.

14.129 Local authorities should ensure that their safeguarding information and advice services are clear about the responsibilities of employers, student bodies and voluntary organisations, in such cases, and signpost them to their own procedures and legal advice appropriately. Information and advice services should also be equipped to advise on appropriate information sharing and the duty to cooperate under Section 6 of the Care Act.

14.130 Local authorities should ensure that there are appropriate arrangements in place to effectively liaise with the police and other agencies to monitor the progress of cases and ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.

14.131 Decisions on sharing information must be justifiable and proportionate, based on the potential or actual harm to adults or children at risk and the rationale for decision-making should always be recorded.

14.132 When sharing information about adults, children and young people at risk between agencies it should only be shared:

- where relevant and necessary, not simply all the information held
- with the relevant people who need all or some of the information
- when there is a specific need for the information to be shared at that time

This document provides a framework and toolkit for the London Borough of Redbridge on the approach and process to follow when responding to allegations and concerns relating to people who work in a Position of Trust with adults who have care and support needs.

This document should be read in conjunction with the London Multi-Agency Safeguarding Adults Policy & Procedures [2019.04.23-Review-of-the-Multi-Agency-Adult-Safeguarding-policy-and-procedures-2019-final-1-1.pdf \(londonadass.org.uk\)](#) and is directed at agencies and individuals who are “relevant partners” as defined in Section 6 of the [Care Act 2014](#), and/or who are members of the Redbridge Safeguarding Adults Board.

The Care Act 2014 requires that partner agencies and their commissioners of services should have clear recordings and information sharing guidance, set explicit timescales for action and be aware of the need to preserve evidence. This policy builds upon existing relevant statutory provisions. **The guidance for ‘Managing allegations against people in a position of Trust’ is contained within section 14 of the [Care and Support Statutory Guidance](#) of the Care Act 2014.** Other relevant legislation includes Data Protection Act 2018/ European General Data Protection Regulation 2018 [GDPR]; Human Rights Act 1998 and employment legislation.

The Framework is not a substitute for, but may be used in conjunction with, other formal legal processes; for example: Child Protection, the management of allegations against people working with Children (Working Together 2015), Multi- Agency Risk Assessment Conference (MARAC) and Multi-agency public protection arrangements (MAPPA).

7 Information Sharing

Whenever information is shared or disclosed, it must be done in accordance with the law, and in such a way that allows appropriate and proportionate enquiries to be made that ensures adults with care and support needs are protected and public confidence in services is maintained.

Dealing with such situations can be complex due to the competing requirements of balancing individual rights to confidentiality against obligations to disclose information to safeguard adults at risk. Partner agencies and the service providers they commission are individually responsible for ensuring that information relating to adult Position of Trust concerns are shared and escalated outside of their organisation where this is required and appropriate. Each case must be dealt with on its own facts and with reference to relevant legislation and Information Sharing Protocols, particularly when deciding to disclose confidential information, in order to demonstrate justification and proportionality.

- Decisions on sharing information must be justifiable and proportionate, based on the potential or actual harm to adults or children at risk and the rationale for decision-making should always be recorded
- When sharing information about adults, children and young people at risk between agencies it should only be shared:
 - i. Where relevant and necessary, not simply all the information held
 - ii. With the relevant people who need all or some of the information.
 - iii. When there is a specific need for the information to be shared at that time
- There is a positive duty to share information and to seek the agreement of the subject about whom the information is being shared where it is appropriate, necessary and safe to do so
- There is a power to share information and a duty to share information. The duty to share information with relevant partners to prevent abuse and crime is contained in the Care Act 2014 and Safeguarding Vulnerable Groups Act 2006. The power to share information is contained in the other Acts, mentioned and not mentioned in this Protocol
- While the Care Act 2014 provides a mechanism for information sharing, the guidance suggests that consent should be obtained where possible. However, if consent is not obtained but judged to be in the public interest to share, then the information can be shared.

Seven golden rules for information-sharing:

- Remember that the Data Protection Act is not a barrier to sharing information but provides a framework to ensure that personal information about living persons is shared appropriately.
- Be open and honest with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be, shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
- Seek advice if you are in any doubt, without disclosing the identity of the person where possible.
- Share with consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, that lack of consent can be overridden in the public interest. You will need to base your judgement on the facts of the case.
- Consider safety and wellbeing: base your information-sharing decisions on considerations of the safety and wellbeing of the person and others who may be affected by their actions.
- Necessary, proportionate, relevant, accurate, timely and secure: ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up to date, is shared in a timely fashion, and is shared securely.
- Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

8 Confidentiality

The rules on confidentiality, privacy and the need to safeguard personal information arise from both legislation and case law. These enshrine the need for fair and ethical treatment of information where there is a duty of confidence, issues of privacy or where personal information is involved.

The common law duty of confidentiality is not a written Act of Parliament. It is “common” law. This means that it has been established over a period of time through the Courts. It recognises that some information has a quality of confidence, which means that the individual or organisation that provided the information has an expectation that it will not be shared with or disclosed to others.

For information to have a quality of confidentiality, it is generally accepted that:

- i. it is not “trivial” in its nature,

- ii. it is not in the public domain or easily available from another source,
- iii. it has a degree of sensitivity,
- iv. it has been communicated for a limited purpose and in circumstances where the individual or organisation is likely to assume an obligation of confidence. For example, information shared between a solicitor/client, health practitioner/patient.

In such circumstances the information should only be disclosed:

- i. with the permission of the provider; or,
- ii. if the confidentiality requirement is overridden by legislation; or,
- iii. **if an effective case ‘that it is the public interest’ can be made.**

9 Key Roles and Responsibilities

9.1 The Redbridge Safeguarding Adults Board (RSAB)

RSAB requires its partner agencies to be individually responsible for ensuring they adopt and implement this framework and toolkit and to maintain clear organisational procedures for dealing with adult Position of Trust concerns. The Framework must be followed in all cases by the organisation which first becomes aware of a relevant concern or allegation, where information (whether current or historical) is identified.

9.1.2 Designated Person

The Redbridge Safeguarding Adults Board will maintain oversight of whether these arrangements are working effectively between and across partner agencies in the Borough. The Redbridge Safeguarding Adults Board requires partner agencies and the service providers they commission to identify a Designated Person to oversee the delivery of responsibilities in their organisation i.e., an Adult PiPoT Lead.

When a person’s conduct towards an adult may impact on their suitability to work with or continue to work with children or vulnerable adults, this must be referred to the Redbridge designated Adult PiPoT Lead.

9.1.3 Assurance to the Redbridge Safeguarding Adults Board

Each partner agency will be required to provide assurance to the Redbridge Safeguarding Adults Board that the named Person in a Position of Trust arrangements within their organisation is functioning effectively. Each partner agency, in their annual statement to the Redbridge Safeguarding Adults Board, will be required to provide assurance that

arrangements to deal with allegations against a person in a position of trust, within their organisation are adequate and are functioning effectively.

The Redbridge Safeguarding Adults Board will, in turn, maintain oversight of whether these arrangements are working effectively between, and across partner agencies in Redbridge. Appropriate cross organisational challenge should be possible as it is an important part of this process. Safeguarding Adults Boards need to establish and agree a framework and process, for how concerns and allegations against people working with adults with care and support needs (i.e., those in positions of trust) should be notified and responded to.

Whilst the focus on 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 with care and support needs, but indicate, nevertheless, that a risk may be posed to adults with care and support needs by a person in a position of trust.

9.2 Local Authority:

The local authority has a responsibility as set out in the Care Act 2014 to:

- Set up a safeguarding board; the board will share strategic information to improve local safeguarding practice.
- Cooperate with each of its relevant partners; each relevant partner must also cooperate with the local authority.

9.2.1 Consider information to be shared with the employer:

If a local authority is given information about such concerns, they should give careful consideration to what information should be shared with employers (or student body or voluntary organisation) to enable risk assessment.

9.2.2 Providing information, advice and signposting the employer:

Local authorities should ensure that their safeguarding information and advice services are clear about the responsibilities of employers, student bodies and voluntary organisations, in such cases, and signpost them to their own procedures and legal advice appropriately. Information and advice services should also be equipped to advise on appropriate information sharing and the duty to cooperate under Section 6 of the Care Act.

9.2.3 Liaise with police and monitor progress:

Local authorities should ensure that there are appropriate arrangements in place to effectively liaise with the police and other agencies to monitor the progress of cases and ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.

When a person's conduct towards an adult may impact on their suitability to work with or continue to work with children or vulnerable adults, this must be referred to the Redbridge designated Adult PiPoT Lead at SafeguardingAdults@redbridge.gov.uk

9.3 Employers, student bodies, or voluntary organisations

The Care Act 2014 Statutory Guidance requires that employers, student bodies and voluntary organisations should have clear procedures in place setting out the process, including timescales, for investigation and what support and advice will be available to individuals against whom allegations have been made. Employers (or student body or voluntary organisation) are required to assess any potential risk to adults with care and support needs who use their services, and, if necessary, to take action to safeguard those adults

The local authority's relevant partners, as set out in section 6 (7) of the Care Act, and those providing universal care and support services, should have clear policies in line with those from the safeguarding adults board for dealing with allegations against people who work, in either a paid or unpaid capacity, with adults with care and support needs. Such policies should make a clear distinction between an allegation, a concern about the quality of care or practice or a complaint.

According to Section 2 of the Care Act 2014 a local authority must co-operate, in the exercise of its functions under this Part, with such other persons as it considers appropriate **who exercise functions, or are engaged in activities, in the authority's area relating to adults with needs for care and support or relating to carers.**

Section 3 of the Care Act 2014 provides examples of persons with whom a local authority may consider it appropriate to co-operate for the purposes of subsection 2:

- (a) a person who provides services to meet adults' needs for care and support, services to meet carers' needs for support or services, facilities or resources of the kind referred to in section 2(1);**
- (b) a person who provides primary medical services, primary dental services, primary ophthalmic services, pharmaceutical services or local pharmaceutical services under the National Health Service Act 2006;**
- (c) a person in whom a hospital in England is vested which is not a health service hospital as defined by that Act;**
- (d) a private registered provider of social housing.**

According to Section 6(7) of the Care Act 2014 each of the following is a relevant partner of a local authority:

- (a) where the authority is a county council for an area for which there are district councils, each district council;**
- (b) any local authority, or district council for an area in England for which there is a county council, with which the authority agrees it would be appropriate to co-operate under this section;**
- (c) each NHS body in the authority's area;**
- (d) the Minister of the Crown exercising functions in relation to social security, employment and training, so far as those functions are exercisable in relation to England;**

(e) the chief officer of police for a police area the whole or part of which is in the authority's area;

(f) the Minister of the Crown exercising functions in relation to prisons, so far as those functions are exercisable in relation to England;

(g) a relevant provider of probation services in the authority's area; **(h)** such person, or a person of such description, as regulations may specify.

i Risk assessment and taking action:

Where such concerns are raised about someone who works with adults with care and support needs, it will be necessary for the employer (or student body or voluntary organisation) to assess any potential risk to adults with care and support needs who use their services and, if necessary, to take action to safeguarding those adults.

ii Have clear and accessible policies and procedures in place:

Employers, student bodies and voluntary organisations, should have clear and accessible policy and procedures in place setting out the PiPoT process. These should determine who should undertake an investigation and include timescales for investigation and include how support and advice will be made available to individuals against whom allegations have been made. Any allegations against people who work with adults, should be reported immediately to a senior manager within the organisation.

Employers, student bodies and voluntary organisations should have their own source of advice (including legal advice) in place for dealing with such concerns.

iii Other responsibilities:

Employers, student bodies and voluntary organisations are responsible for all actions as set out below:

Any employer, student body, or voluntary organisation who is responsible for a person in a position of trust where there is a concern or allegation raised are expected to:

v. Respond in individual cases where concerns are raised about people working in a position of trust, ensuring that the risk is assessed, investigated where appropriate through internal employment processes, and that risk management actions are identified and implemented as appropriate to the individual case.

vi. Where appropriate, make, notify and refer to external agencies: to the CQC (where the person in a Position of Trust is working or volunteering in a CQC regulated organisation), statutory and other bodies responsible for professional regulation (such as the General Medical Council and the Nursing and Midwifery Council, The Charity Commission) and the DBS.

- vii. Provide feedback at regular intervals to the Bromley designated Adult PiPoT Lead, their commissioning and regulatory agencies, and social services (if there is a related safeguarding enquiry).
- viii. Ensure the safety and protection of adults with care and support needs is central to their decision making.
- ix. Ensure their organisation has a range of policies and procedures that will support their decisions.
- x. Ensure all safeguarding concerns that result from a concern about a person in a position of trust are reported.
- xi. Share information in line with these procedures where it is known the person in a position of trust also has other employment or voluntary work with adults with care and support needs or children.
- xii. If an organisation removes an individual (paid worker or unpaid volunteer) from work with an adult with care and support needs (or would have, had the person not left first) because the person poses a risk of harm to adults, the organisation must make a referral to the Disclosure and Barring Service. It is an offence to fail to make a referral without good reason.
- xiii. At the conclusion of any PIPOT enquiries, consider if the findings demonstrate evidence of a theme or pattern in the context of past and historic PIPOT concerns. Identify potential themes or system wide issues within the organisation; and ensure that appropriate action is taken by their organisation so that learning from past events is applied to reduce the risk of harm to adults with care and support needs in the future.

Obtaining legal advice:

Legal advice may be sought due to the legal complexities involved and to ensure an organisation is acting in accordance with the law.

9.4 Service Commissioners & Regulators

Service commissioners and regulators are expected to:

- Use their contract compliance and regulatory processes to ensure that service providers have the right internal policy and procedural frameworks and respond appropriately to manage risk in individual cases.
- Monitor the activities of commissioned services in their compliance of this Framework

9.5 Data Controller

If an organisation is in receipt of information, that gives cause for concern about a person in a position of trust, then that organisation should give careful consideration as to whether **they should share the information with the person's employers, (or student body or voluntary organisation),** to enable them to conduct an effective risk assessment.

The receiving organisation becomes the Data Controller as defined by the [Data Protection Act 2018](#) and [GDPR: Article 4](#)

Partner agencies and the service providers they commission, are individually responsible for ensuring that information relating to PIPOT allegations, are shared and escalated outside of their organisation in circumstances where this is required. Such sharing of information must be lawful, proportionate and appropriate. Organisations are responsible for making the judgment that this is the case in every instance when they are the Data Controller.

9.A.1 The Data Owner

The owner of the information relating to the concern or allegation is expected to:

- Consider if the information indicates that any immediate risk management actions are needed, or referrals into adult or children safeguarding processes.
- Consider whether the allegation or concern indicates a criminal offence has occurred

or may occur. If so, the allegation or concern must be reported to the Police; early liaison with Police should take place to agree the next steps and to avoid contamination of evidence. If a criminal investigation is required, this will take priority over an agency or **organisation's internal investigation.**

- Refer to the Redbridge LADO LADO@redbridge.gov.uk where the information indicates the person also works with and could pose a risk of harm to children.
- Make a decision whether the information should be disclosed to the person in **a position of trust's employer** and manage the disclosure in line with legal and best practice requirements for information sharing.
- Where a disclosure is made, notify the relevant service commissioners and regulatory agencies.
- Record the information and decisions clearly, including the rationale for any decision made.

9.5.2 Data Subject

Both the Data Protection Act 2018 and the GDPR define Data Subject as an individual who is the subject of personal data. In other words, the data subject is the individual whom the personal data is about. The Act does not count, as a data subject, an individual who has died or who cannot be identified or distinguished from others.

9.6 Disclosure & Barring Service

If, following an investigation a Person in a Position of Trust is removed, by either dismissal or permanent redeployment, to a non-regulated activity, because they pose a risk of harm to adults with care and support needs, (or would have, had the person not left first), then

the employer (or student body or voluntary organisation), has a legal duty to refer the person to the [Disclosure and Barring Service](#) (DBS). It is an offence to fail to make a referral without good reason

In addition, where appropriate, employers should report workers to the statutory and other bodies, responsible for professional regulation such as the Health and Care Professions Council, Social Work England, General Medical Council and the Nursing and Midwifery Council.

If a person subject to a PIPOT investigation, attempts to leave employment by resigning in an effort to avoid the investigation or disciplinary process, the employer (or student body or voluntary organisation), is entitled not to accept that resignation and conclude whatever process has been utilised with the evidence before them

If the investigation outcome warrants it, the employer can dismiss the employee or volunteer instead and make a referral to the DBS. This would also be the case where the person intends to take up legitimate employment or a course of study.

10 Referrals Regarding Children

Local Authority Designated Officer - **When a person's conduct towards an adult may impact on their suitability to work with, or continue to work with children, this must be referred to the Local Authority Designated Officer (LADO) at LADO@redbridge.gov.uk**

Where concerns have been identified about their practice and they are a parent/carer for children, then consideration by the Data Controller should be given to whether a referral to **Children's Services is required.**

10.1 Receiving referrals: If you receive information to suggest a member of staff working within the borough of Redbridge 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; or
- Behaved towards a child or children in a way that indicates s/he will pose a risk of harm if they work regularly or closely with children

10.1.2 Responding to referrals: Report the matter to the Local Authority Designated Officer (LADO) at LADO@redbridge.gov.uk immediately. If the allegation is to be reported **out of office hours, contact Children's Social Care Out of hours Emergency Duty Team.** Please do not:

Investigate the allegation

- Ask leading questions
- Promise confidentiality
- Discuss the allegation with the accused person even if you must suspend them

and please do ensure that:

- i. If the child is injured the parents are advised and medical attention is sought
- ii. The child and other relevant children are safeguarded from any potential risk of harm

11 The Legal Context

Section 42 of the Care Act 2014 outlines clear legal duties on the local authority to undertake enquiries in certain circumstances where adults with care and support needs are identified as experiencing or being at risk of abuse or neglect. The Care Act statutory guidance also sets out the expectation for local authorities and their relevant partners, as per Section 6(7) of the Care Act 2014, to have clear policies in line with those from the safeguarding adults board for dealing with allegations against people who work, in either a paid or unpaid capacity, with adults with care and support needs.

As such, this framework builds upon existing relevant statutory provision; particularly legislation that governs the lawful sharing of information, employer responsibilities to risk assess and manage the safety of their service and staff, and the Human Rights Act when **balancing one right against another, or one person's rights against the interest of society**. Any actions and interventions taken, to address concerns or allegations regarding a person in a position of trust, must be lawful and proportionate, and accord with any relevant statutory provision, for example, Data Protection Act 2018, Human Rights Act 1998 and employment legislation.

Allegations against people who work with adults should not be dealt with in isolation. Any action necessary to address corresponding welfare concerns in relation to an adult involved should be taken without delay and in a coordinated manner.

Section 14 of the Care Act Care and Support Statutory Guidance states that Safeguarding is not a substitute for:

- **Providers'** responsibilities to provide safe and high-quality care and support
- Commissioners regularly assuring themselves of the safety and effectiveness of commissioned services.
- The Care Quality Commission (CQC) ensuring that regulated providers comply with the fundamental standards of care or by taking enforcement action
- The core duties of the police to prevent and detect crime and protect life and property.
- Therefore, careful consideration should be given to distinguish clearly between:
 - a) A complaint about a professional or volunteer
 - b) Concerns raised about the quality of practice provided by the person in a position of trust, that do not meet the criteria for a safeguarding enquiry
 - c) Other relevant bodies and their procedures should be used to recognise, respond to and resolve these issues

11.1 Data Protection Act 2018 and the GDPR:

The Data Protection Act (DPA) requires anyone who handles the personal information of living individuals to comply with eight data protection principles. It also gives individuals

rights over their personal information. In assessing whether you are handling personal data within the law, these principles are critical and the most important of them are:

- the 1st Principle, which requires processing to be fair and lawful and requires criteria to be met to achieve this.
- the 2nd Principle, which requires personal data to be processed for one or more lawful purposes; o the 3rd Principle, which requires personal data to be protected against unauthorised or unlawful processing and against accidental loss, destruction or damage.

The [Information Commissioners Office](#) (ICO) upholds information rights in the public interest, promoting openness by public bodies and data privacy for individuals. The ICO publishes a range of information on their website to understand the law around data control and the data sharing code of practice.

The [Data Protection Act 2018](#) and the [GDPR](#) (see Appendix 1) requires anyone handling personal information to comply with the principles set out in the Acts:

- the information processed must be fair and lawful; and o personal data must be kept in a secure and confidential place.

11.2 The Crime and Disorder Act 1998:

The Crime and Disorder Act 1998 provides that “Any person may disclose information to a relevant authority under Section 115 of the Crime and Disorder Act 1998, ‘where disclosure is necessary or expedient for the purposes of the Act (reduction and prevention of crime and disorder)’. ‘Relevant authorities’, broadly, are the police, local authorities, health authorities (clinical commissioning groups) and local probation boards”

11.3 Human Rights Act 1998:

Human rights are freedoms which belong to all individuals regardless of their nationality and citizenship. They are fundamentally important in maintaining a fair and civilised society.

In cases of concern or allegations against people who care for adults with care and support needs the Act is relevant when decisions have to be made which consider balancing one right against another, or **one person’s right against the interest of society. These rights are fundamental and the most important of them are:**

- Article 6: Right to a fair trial – A person has a right to a fair and public hearing within a reasonable amount of time. This applies both to criminal charges against them and to cases concerning their civil rights and obligations. If it is a criminal charge, the person is presumed

innocent until proven guilty according to law and has certain guaranteed rights to defend themselves.

- Article 7: No punishment without the law – A person normally has the right not to be found guilty of an offence arising out of actions which at the time they committed them were not criminal.
- Article 8: Right to respect for private and family life - A person has the right to respect for their family life, their home and their correspondence. This right can be restricted only in specified circumstances.

11.4 The Information Commissioners Office (ICO):

The [Information Commissioners Office](#) (ICO) upholds information rights in the public interest. For further information about the law relating to data use/control can be found on their website.

11.5 Social Care Institute for Excellence (SCIE):

A UK charity and improvement agency that describes itself as aiming to improve the lives of people of all ages by co-producing, sharing, and supporting the use of available best knowledge and evidence about what works in social care and social work

11.6 The Safeguarding Vulnerable Adults Act 2006:

In addition to the provisions within the Care Act 2014, The Safeguarding Vulnerable Adults Act

2006 places a duty on those providing regulated activities (s.5) to refer to the Disclosure and Barring Service (DBS) anyone who has been dismissed or removed from their role because they are thought to have harmed, or pose a risk of harm to, a child or adult with care and support needs. This applies even if they have left their job and regardless of whether they have been convicted of a related crime.

11.7 Common Law Police Disclosure Guidance:

Regarding the question as to what information the police can disclose to the employer one **must look to the 'Common Law Police Disclosure' guidance issued by the Home Office**. It has been described as providing solid arrangements for the sharing of information in order to protect the interests of the subject and the public. Information can be shared by the police where there is an information sharing agreement. If such agreement does not exist locally then police do have limited powers to share under the Crime and Disorder Act 1998 for the purposes of crime reduction. The police are under no obligation to share information with the employer particularly if they are not involved or no crime has been committed.

12 Practice Guidance

12.1 How Might a PiPoT Concern be Identified?

- Police intervention or investigation
- Providers alerting commissioners of services
- Whistleblowing disclosure
- **Commissioner's contract monitoring activity**
- Safeguarding **adult's** enquiry
- Safeguarding children investigation
- Complaints
- Reports from members of the public
- Any other source of disclosure

12.2 Who Must Respond to a PiPoT Concern?

The Redbridge Safeguarding Adults Board partner agencies (or service providers they commission) who first becomes aware of an allegation or concern will be the Primary Data Controller, or owner of the information. They have first responsibility for taking the appropriate action in line with this guidance.

12.3 How to Respond to a PiPoT Concern

Any allegation against people who work with adults with care and support needs should be reported immediately to a senior manager within that organisation and their PiPoT Lead. If the Local Authority, Police or Integrated Care Board (ICB) is given information about an allegation against a PiPoT, careful consideration must be given to what information should be shared with employers (or student body or voluntary organisation) so that a suitable response is made, in line with the principles outlined in section 3. above.

12.3.1 The person responsible for investigating the allegation of concern about the PiPoT must, on the information provided, determine if the situation is a position of trust concern or if other procedures should be used.

12.3.2 A detailed record of the concern and the steps taken in response must be kept (see Section 12 below for further information on recording). Where the person responsible for investigating the allegation of concern about the PiPoT and / or the PiPoT Lead concludes the concern does not meet the definition of a PiPoT concern (see 2 above), the PiPoT Lead will make a record of the discussion and decision and the reasons for this conclusion. These details could be drawn upon if further concerns come about in relation to a PiPoT.

12.3.3 Where the person responsible for investigating the allegation and / or the PiPoT Lead concludes the concern does meet the definition of a PiPoT concern, appropriate action must be taken.

12.3.4 Where PiPoT concerns are identified by partner agencies or services they commission about their employee or volunteer, it will be necessary for the employer (or

student body or voluntary organisation) to assess any potential risk to adults with care and support needs who use their services and, if necessary, to take action to safeguard those adults. If the employer (or student body or voluntary organisation) is aware of abuse or neglect in their organisation, then they have a duty to correct this and protect the adult with care and support needs from harm as soon as possible and inform Redbridge Adult Social Care and the CQC (if a regulated care provider).

12.3.5 They also have a duty to consider what support and advice they will make available to their staff or volunteers against whom allegations have been made. Any PiPoT about whom there are concerns should be treated fairly and honestly. Their employer has a duty of care towards them.

12.3.6 If the PiPoT is removed by either being dismissed or permanently redeployed to a non-regulated activity because they pose a risk of harm to adults with care and support needs, the employer (or student body or voluntary organisation) has a legal duty to refer the person to the Disclosure and Barring Service. Additionally, where appropriate, employers should report workers to the statutory and other bodies responsible for professional regulation such as the General Medical Council, the Nursing and Midwifery Council or Social Work England.

12.3.7 If a person subject to a PiPoT investigation attempts to leave their employment by resigning to avoid the investigation or disciplinary process, the employer (or student body or voluntary organisation) is entitled not to accept that resignation, conclude whatever process has been utilised. If the outcome warrants it, the employee or volunteer can be dismissed. This would also be the case where the person intends to take up legitimate employment or a course of study. Under such circumstances, the employer must refer to the Disclosure and Barring Service

12.3.8 Employers, student bodies and voluntary organisations should have their own sources of advice (including legal advice) in place for dealing with such concerns.

13 Recording and Record Keeping

- Record-keeping is an integral part of all adult safeguarding processes to ensure that adults with care and support needs are safeguarded, and that organisations and individuals are accountable for their actions when responding to concerns about a person in a Position of Trust.
- Any allegation against people who work with adults with care and support needs should be reported immediately to a senior manager within that organisation and their PiPoT Lead.
- If the Local Authority, Police or ICB is given information about an allegation against a PiPoT, they should give careful consideration to what information should be

shared with employers (or student body or voluntary organisation) so that a suitable response is made,

- The person responsible for investigating the allegation of concern about the PiPoT must, on the information provided, determine if the situation is a position of trust concern or if other procedures should be used.
- Individuals with responsibility for the investigation and management of PiPoT concerns must, as far as is practicable, document a complete account of the events, actions and any decisions taken, together with their rationale. This is to enable any objective person to understand the basis of any decision that was made, together with any subsequent action taken
- Records of actions taken to investigate PiPoT concerns which have been found to be without substance should also be retained to build up any history
- Records may be used to prepare reports to the Redbridge Safeguarding Adult Board, which would assist to identify trends and patterns or provide assurance that adults with care and support needs have been protected.
- Records might also be shared with any other relevant party to ensure the safety of adults with care and support needs.
- A chronology or log of key events, decisions and actions taken should also be maintained to provide a ready overview of progress.
- Individuals (including a person in a position of trust who is the subject of the recording) are entitled to have access to their personal records whether they are stored electronically or manually. It is therefore important that information recorded, is fair, accurate and balanced.

All recordings must provide an overview of PiPoT activities and include:

- Full details of the original referral and referrer (date, name, contact details, job role).
- Full details of the PiPoT and the relevant employer.
- Details of the concern itself (allegation, other agencies involved in this, when/ where).
- Who is managing the PiPoT process in relation to this person.
- Dates of meetings and where minutes can be found.
- Decisions made about disclosures
- Date/s of disclosures to employer and route (e.g. e-mail or postal address sent to – **individual's name**) and **timescales given for response**.
- When the acknowledgement of disclosure was received
- Outcomes from employer/ registering body – date received, what will happen, any pending information (e.g., internal or police enquiry).
- Any other actions agreed.

The purpose of the PiPoT record-keeping is to:

- Prevent unnecessary re-investigation if an allegation resurfaces after a period.
- Enable patterns of behaviours which may pose a risk to adults with care and support needs to be identified.
- To assure the Safeguarding Adults Board that adults with care and support needs are being protected from harm.

Partner agencies who form part of the Redbridge Safeguarding Adults Board are expected to report PiPoT activities to the Board on an annual basis.

13.1 RSAB Partners Good Practice Checklist:

- Does your organisation have an Adult PiPoT lead?
- Does your organization have a PiPoT record system to record concerns, the steps taken, the decisions made on actions, or no action taken, and the basis of taking this position?
- Does the recording mechanism support defensible decision making?
- Is your PiPoT information held securely?
- Does your organization include how Adult PiPoT issues have been dealt with in your assurance report to RSAB?
- Does your organization consider that support is offered to a person in an adult PiPoT alleged to have caused harm?
- Has your organization established sources of advice (including the necessary, legal advice)?

14 Managing Complex Cases

Many PiPoT concerns will be proportionately dealt with through straightforward employment management processes. Other circumstances will be more complex and require appropriate planning at each stage. These may include identifying key stakeholders, which may include:

- **The Employer (supervisor/line manager/ HR manager)**
- **The Commissioner of a commissioned service contract**
- **The appropriate service regulator (e.g., CQC, Ofsted)**
- The Police where there is a criminal concern
- The social worker of an adult with care and support needs
- Children's Services if children are involved

- Other case specific e.g., University representative if a student

14.1 PiPoT Planning/ Discussion Meetings

The relevant PiPoT Lead or Managing Officer will need to decide on the grounds of urgency and risk the best way to share information, risk assess and plan the lines of enquiry. The options would be a discussion, conference calls or a formal meeting. More complex cases and / or those with many stakeholders are likely to require a meeting. The planning discussion / meeting should cover the following areas and be clearly recorded:

- Confidentiality agreement
- Sharing the PiPoT concern and purpose of the meeting
- Information from data controller and attendees
- Risk assessment
- Whether a crime has been committed
- Agree lines of enquiry (who is doing what and by when)
- Identify actions to be taken in respect of adults with care and support needs
- Identify who will support the PiPoT
- Timescales for actions and feedback
- Agree next step and actions.

14.2 Progress monitoring and timescales

It is important that PiPoT concerns are managed in a timely way. This is the role of the appropriate PiPoT Lead overseeing the PiPoT enquiry. Timescales should be identified at the planning stage. Regular monitoring is essential to ensure procedures are kept on track and risks are managed. Additional meetings can take place at any time as deemed necessary.

14.3 Evaluation and conclusion

It is important these cases have a robust evaluation and conclusion and should include the following areas:

- Share the results of enquiries (e.g., results of disciplinary processes) and assess if they are adequate or if further work is required.
- Risk assess, including transferable risk (e.g. child protection risk to adults with care and support needs).
- Make recommendations for required actions
- Feedback mechanisms (to whom, by whom)
- Agree actions and timescales
- Determine if further work is required or case closure.

15 Other Factors to Consider when Sharing Information

The default position should always be that the owner of the information about a PiPoT should not share it without the PiPoT's knowledge and permission. This is so that they are

given the opportunity to share the information with their employer first. If the PiPoT declines to share it with their employer for whatever reason, this does not mean the information cannot be shared by the data controller. In deciding whether to nevertheless share the information with an employer or voluntary organisation, the principles in this section should be followed.

15.1 If the PiPoT asks the data controller not to share the information, a decision must be made by the data controller, in line with the principles contained within this Protocol, whether to agree. If it is agreed that information will not be shared, this must be qualified since it may be the case that more detail comes to light to change this decision. If a decision is made later to share information, the PiPoT should be consulted again and given a further opportunity to disclose the information themselves if it is appropriate to do so. Again, the data controller could, following the principles for disclosure in this section to decide to share the information even if the PiPoT decides not to. All decisions to share or not share information, and their rationale should be clearly recorded.

15.2 In each case involving an allegation against a PiPoT, a balance has to be struck between the duty to protect people with care and support needs from harm or abuse and the effect upon individuals in relation to the information about them being shared. For **example, upon the person's Article 8 Human Rights** - the right to private and family life.

15.3 For these reasons each case must be considered on its own merits and personal data shall be processed in accordance with the principles contained in Part I of Schedule 1 of the Data Protection Act 2018 (**"the DPA"**).

15.4 Due regard must be had to Article 8 of the European Convention on Human Rights, which states that: *Everyone has the right to respect for his private and family life, his home and his correspondence. And there shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.*

15.5 **When deciding whether to interfere with a person's Article 8 rights, each case must be judged on its own facts. The issue is essentially one of proportionality. Information is to be disclosed only if there is a "pressing need" for that disclosure. In considering proportionality, consideration must be given to the following general principles:**

- The legitimate aim in question must be sufficiently important to justify the interference

- The measures taken to achieve the legitimate aim must be rationally connected to it
- The means used to impair the right must be no more than is necessary to accomplish the objective
- A fair balance must be struck between the rights of the individual and the interests of the community; this requires a careful assessment of the severity and consequences of the interference.

15.6 **“There is a general presumption [which is not absolute] that information should not be disclosed, such a presumption being based upon a recognition of (a) the potentially serious effect on the ability of [in this case convicted people] to live a normal life; (b) the risk of violence to such people and (c) the risk that disclosure might drive them underground.”**

15.7 Before disclosing information to a third party, there is a need to consult with the person whose information is to be disclosed and to give them an opportunity of making representations **before the information is disclosed. “[T]he imposition of such a duty is a necessary ingredient of the process if it is to be fair and proportionate.”**

15.8 Information may be shared by an individual or an agency in the expectation that it will not be shared with others, i.e. it will be kept confidential. Often, a person will **preface the disclosure with ‘I am telling you this in confidence’ or, after making the disclosure, will say ‘you won’t tell anyone will you?’** However, no blanket agreement not to share information with others must be given. Confidential information can be shared if it is justified as being in the public’s interest (e.g. for the detection and prevention of crime and for the protection of vulnerable persons, i.e. children or adults with care and support need at risk of harm or neglect). It is a matter for professional judgment, acting in accordance with information sharing protocols and **the principles of the DPA to decide whether breaching a PiPoT’s confidentiality is in the public’s interest.**

15.9 If after following the above principles, and weighing up the information available, a decision is made not to tell the PiPoT about the concern about them and ask their permission to share it with their employer, (because doing this would place any adults or children at increased risk of harm), then this decision and the reasons for it should be recorded. However, the PiPoT planning process must identify the earliest opportunity for them to be informed.

16 Advice and Guidance

Advice and guidance is available from the Designated PiPoT Lead at SafeguardingAdults@redbridge.gov.uk

17 References

Care and Support Statutory Guidance, Updated 2nd November 2022, Department of Health & Social Care. (<https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-supportstatutory-guidance>)

Common Law Police Disclosure Guidance__Common Law Police Disclosure - GOV.UK (www.gov.uk)

Information Commissioner's Office – Data Controllers and Data Processors: What Difference is and What the Governance Implications are. Data Protection Act (<https://ico.org.uk/media/fororganisations/documents/1546/data-controllers-and-data-processors-dp-guidance.pdf>)

Information Commissioner's Officer – Guide to the General Data Protection Regulation (GDPR) ([Guide to the General Data Protection Regulation \(GDPR\)](#))

Information Commissioner's Officer – Guide to the Data Protection Act (<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>)

Information Commissioner's Officer – Under the GDPR, the data protection principles set out the main responsibilities for organisations. (<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/principles/>)

[Person in a Position of Trust \(PIPoT\) Protocols & Guidance | Safeguarding Enfield](#)

SCIE: Seven golden rules for information-sharing [Safeguarding adults: sharing information | SCIE](#)

18 Appendices

18.1 Referral Form for Allegations Against People Who Work In Positions of Trust (PIPOT)



Safeguarding Adults

CONFIDENTIAL AND RESTRICTED

Referral Form for Allegations Against People Who Work In Positions of Trust (PIPOT)

This referral applies to allegations or concerns raised about a person, whether an employee, volunteer or student, paid or unpaid who works with or cares for adults with care and support needs.

Criteria for Position of Trust:

Tick those which apply:

Concern/allegation is identified in connection with:

	The person is in a position of trust in his/her own work/voluntary activity (with Adults and/or Children). For example, allegations of abuse or neglect have been made against a worker or volunteer of the abuse or neglect of an adult or with care and support needs or child).
	The person is in a position of trust and allegations of abuse and or neglect have been made against him/her in life outside of work concerning adults with care and support needs in the family, social circle. For example, where the person concerned is accused of abusing his older mother and he/she works as a domiciliary care worker with adults with care and support needs. Or where the person is convicted of grievous bodily harm and also works in a residential home for people with learning disabilities.
	The person is in a position of trust and his/her life outside work allegations are made concerning risks to the individual's own children or other children. For example, where a woman who works in a host authority with women who suffer domestic abuse and lives in the neighbouring authority is subject to

	child protection procedures involving her own children due to domestic abuse by her husband
Points for Consideration	
	Has the person behaved in a way that has harmed or may have harmed an adult with care and support needs?
	Has the person possibly committed a criminal offence against or related to an adult(s) with care and support needs?
	Has the person otherwise behaved towards an adult with care and support needs in a way that indicates he/she is unsuitable to work with adults with care and support needs?
	Has the person behaved in a way that has harmed children or may have harmed children, which means their ability to provide a service to adults with care and support needs must be reviewed?
	Is the person subject to abuse themselves which means their ability to provide a service to adults with care and support needs must be reviewed?
	Has the person behaved in a way which questions their ability to provide a service to an adult with care and support needs which must be reviewed e.g. conviction for grievous bodily harm against someone who is an adult with care and support needs?

1. Referral Details:

Date of Referral	
Date of Alleged Incident(s)	

Details of Referrer

Surname		First Name	
Position			
Agency			
Address			
Contact Details for Referrer	Telephone Number:		
	Email Address:		

2. Consent:

Please note that in circumstances where you do not have consent to share confidential information, you may lawfully share it if this can be justified in the public interest. Seeking consent should be the first option. However, where consent cannot be obtained or is refused, or where seeking it is inappropriate or unsafe, the question of whether there is a sufficient public interest must be judged by the practitioner on the facts of each case

	Yes	No
Did you inform the person in position of trust regarding this referral?		
Did the person give consent for this information to be shared with her/his employer?		
Is the person aware that the information can still be lawfully shared with her/his employer without her/his consent?		

3. Person in Position of Trust Details:

Surname		First Name	
Date of Birth		Gender	
Home Address			
Current Address (if different)			
ID number if known		Telephone Number	
Race		Religion	
Language		Gender	
Disability		Sexuality	

4. Other Household Members

Name	Male/Female	DOB	Relationship	First Language	Parental Responsibility Yes/No	

5. Details of Organisation & Address that Person in Position of Trust Works/Volunteers For:

Name of Organisation	
Address	
Is the Organisation CQC Registered	Yes/No
Job Title & Role:	
Does the Person in Position of Trust have a Professional Registration? (e.g NMC, HCPC, GMC etc.)	Yes / No State: NMC / HCPC / GMC / (specify)
Manager Contact Details at Employing Organisation:	Name: Address: Email: Telephone:
Current employment status (e.g. permanent/temporary/agency/full time /part time/zero hours):	

<p>Has this person been referred to the Adult Safeguarding Lead before?</p> <p>When? What were the concerns and the outcome?</p> <p>e.g. managed as an advice issue or went to a POT meeting</p>	Yes / No
Does the Person in Position of Trust know you are making this referral?	Yes / No
If not why not? (Please note there may be some situations where the adult may be placed at greater risk if the PIPOT is informed immediately.)	

6. Details of Incident/Concern

Brief description of concerns:	
Was the victim a child or adult with care and support needs?	Child / Adult at Risk / Other (please state)
Are there adult or children's safeguarding procedures currently in process?	Adult Safeguarding Procedures: Yes / No Children's Safeguarding Procedures: Yes / No
Police Crime Reference Number (if applicable)	Person in Position of Trust: Child (if applicable):

7. Details of Alleged Victim:

No. of Victims

1 st - Adult / Child / Young Person / other individual Specify	ID Number if applicable:	
Full Name:	DOB:	
Gender:	Male / Female	
Current/Past Local Authority Involvement (specify):	Child in need / child protection/not applicable	
If a child) Parent's names and DOB: <i>(if different)</i>	Adult / Child's Relationship to the Alleged Person in Position of Trust:	

2 nd - Adult / Child / Young Person / other individual Specify	ID Number if applicable:	
Full Name:	DOB:	
Gender:	Male / Female	
Current/Past Local Authority Involvement (specify):	Child in need / child protection/not applicable	
If a child) Parent's names and DOB: <i>(if different)</i>	Adult / Child's Relationship to the Alleged Person in Position of Trust:	

3 rd - Adult / Child / Young Person / other individual Specify	ID Number if applicable:	
Full Name:	DOB:	
Gender:	Male / Female	
Current/Past Local Authority Involvement (specify):	Child in need / child protection/not applicable	
If a child) Parent's names and DOB: (if different)	Adult / Child's Relationship to the Alleged Person in Position of Trust:	

4 th - Adult / Child / Young Person / other individual Specify	ID Number if applicable:	
Full Name:	DOB:	
Gender:	Male / Female	
Current/Past Local Authority Involvement (specify):	Child in need / child protection/not applicable	
If a child) Parent's names and DOB: (if different)	Adult / Child's Relationship to the Alleged Person in Position of Trust:	

copy and paste here victims information if more than 4 victims~

8. Please provide names of key individuals connected to the Alleged Person in Position of Trust as the Adult PIPOT Lead will need to consider who to invite to the PIPOT meeting:

Job role/title	Name and Job role	Organisation	Telephone Number	Email Address
Supervisor/Line manager				
HR/Personnel				

Provider Manager				
Police contact				
Contract and Commissioning contact for provider				
CQC Contact for provider				
Health Professional				
Others				

9. Please provide names of key individuals connected to the Alleged Victim(s) as the Adult PIPOT Lead will need to consider who to invite to the PIPOT meeting:

Job role/title	Name and job role	Organisation	Telephone Number	Email Address
Social Worker				
Health Professional				
Advocate				
Provider				
Voluntary Agency				
Contract and Commissioning contact for provider				
Others				

10. For Completion by Adult PIPOT Lead - Case Recording (record name after each entry or group of entries)

Adult Safeguarding Lead ADVICE:	Adult Safeguarding Lead ACTIONS
Date referral received:	Date advice given:

Adult Safeguarding Lead DECISION:			
Not PIPOT, referred to another process/procedure (specify):		Initiate PIPOT procedures:	
Request further information from referrer (Referrer to action)		Request further information from other sources:	
Refer to LADO if appropriate			
DECISION DATE:			

18.2 PiPoT – Factors to consider



Redbridge Safeguarding Adults




PiPoT
Factors to consider on receipt of PIPOT notifications

Factors to consider when allegations are made about current or historical concerns or there are suspicions relating to:

- a. A person in a position of trust's own work/voluntary activity (Adults and Children)
- b. A person in a position of trust's life outside work i.e., concerning adults at risk in their family or social circles.
- c. A person in a position of trust's life outside work i.e., concerning risks to children, the individual's own children or other children.

Factors to Consider	No concern	Some cause for concern requiring investigation	Cause for concern
1. The person has behaved in a way that has harmed or may have harmed an Adult with care & support needs or a child?	No harm or potential harm	Some harm or potential harm	Serious harm or potential harm
2. Has the person possibly committed a criminal offence against or related to an adult/s with care and support needs or a child?	No	No Not to an Adult with care & support needs but the offence is serious	Yes
3. Has the person behaved towards an adult or child in a way that indicates they may pose a risk of harm to adults with care and support needs?	No	Yes	Yes
4. Is the person subject to abuse themselves which means their ability to provide a service to adults at risk must be reviewed?	No	Yes	Yes

18.3 PiPoT Planning/Discussion Meeting Agenda template


<p>Agenda</p>	 <p><i>Redbridge Safeguarding Adults</i></p>
	<p>PIPOT Planning Meeting / Planning Discussion</p> <p>Chair:</p> <p>Date:</p> <p>Start Time:</p> <p>Finish Time:</p> <p>Venue:</p> <p>Minute Taker</p> <p>Person in Position of Trust:</p> <p>Employer & Role:</p> <p>Attendees:</p> <p>Standard Agenda Items</p>
	<p><i>Introductions, Roles of attendees, and Apologies</i></p>
<p>Note: This is a standard agenda. Some items may not apply.</p> <p>Confidentiality Statement</p>	<p>Chair's statement: <i>This meeting is being held under LB Redbridge Safeguarding Adults PIPOT Procedures. Members of the meeting are expected to treat each other with respect, and all attendees to be responsive to any equalities and diversity matters discussed. Attendees should respect the confidentiality of personal information, and only share information as agreed at the meeting. Minutes of this meeting could be shared as part of criminal, civil or disciplinary proceedings, or as part of investigations concerning whether an individual should be barred from working with children or adults with care and support needs.</i></p>

	<p>If further disclosure is felt essential, permission must be sought from the Chair. The minutes should not be photocopied or shared without the agreement of the Chair and must be kept in a restricted or confidential section of the agency files. <i>Minutes and a decision sheet will be circulated. This does not however absolve attendees from their own responsibility for ensuring action/s is undertaken within the timescale/s agreed.</i></p> <p style="text-align: right;">Outline purpose of meeting:</p>			
	1. Detail of the allegations (to include current and previous allegations, details to whom the allegation relates)			
	2. How this is relevant to their employment with adults with care and support needs			
	3. Relevant information from attendees			
	4. Risk assessment <ul style="list-style-type: none"> • To consider the safety of adult/s concerned • To consider the safety of other adults or children 			
	5. Agree support to person in position of trust			
	6. Agree feedback mechanism to the referrer (who, what, when)			
	7. Planning the management of the allegation			
	8. Consider strategy for media enquiries (if relevant)			
	9. Next steps including details of further meetings			
	10.			
		ACTION	BY WHOM	TIMESCALE
	10.1.			
	10.2			
	10.3			
	10.4			
	10.5			

Glossary –

- CQC – Care Quality Commission – An executive non-departmental public body of the Department of Health. Established in 2009 to regulate and inspect health and social care services in England
- DBS – Disclosure and Barring Service. The Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) merged to become the DBS. CRB checks are now called DBS checks. A DBS check may be needed for certain jobs. The DBS helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable adults and children. New safeguarding regulations introduced in October 2009 place an obligation on employers, social services and professional regulators to notify the DBS of relevant information about people who pose a threat to vulnerable groups. These people can be barred from working with vulnerable adults and children and it is a criminal offence for barred individuals to apply to work with these groups and for employers to knowingly employ them.
- IMCA – Independent Mental Capacity Advocate. An IMCA provides a type of advocacy introduced by the Mental Capacity Act 2005. The Act gives some people who lack capacity a right to receive support from an IMCA in relation to important decisions about their care.
- LAS – London Ambulance Service.

18.4 PiPoT Planning/Discussion Minutes Agenda template

<p>Minutes</p>	 <p>Redbridge Safeguarding Adults</p>
	<p align="center">PIPOT Planning Meeting Minutes</p> <p>Chair: Date: Start Time: Finish Time: Venue: Minute Taker Person in Position of Trust: Employer & Role: Attendees: Standard Agenda Items</p>
	<p>Introductions, Roles of attendees, and Apologies</p>
	<p>Chair's statement: <i>This meeting is being held under LB Redbridge Safeguarding Adults PIPOT Procedures. Members of the meeting are expected to treat each other with respect, and all attendees to be responsive to any equalities and diversity matters discussed. Attendees should respect the confidentiality of personal information, and only share information as agreed at the meeting. Minutes of this meeting could be shared as part of criminal, civil or disciplinary proceedings, or as part of investigations concerning whether an individual should be barred from working with children or adults with care and support needs. If further disclosure is felt essential, permission must be sought from the Chair. The minutes should not be photocopied or shared without the agreement of the Chair and must be kept in a restricted or confidential section of the agency files. Minutes and a decision sheet will be circulated. This does not however absolve attendees from their own responsibility for ensuring action/s is undertaken within the timescale/s agreed.</i></p>
<p>Purpose of meeting</p>	

<p>1. Details of the allegations (to include current and previous allegations, details to whom the allegation relates)</p>	
<p>2. Relevance to their employment with adults with care and support needs</p>	
<p>3. Relevant information from attendees</p>	
<p>4. Risk assessment Consideration of the safety of adult/s concerned And safety of other adults or children</p>	
<p>5. Support to person in position of trust</p>	
<p>6. Feedback mechanism to the referrer</p>	


(who, what, when)	
7. Management of the allegations	
8. Strategy for media enquiries (if relevant)	
9. Next steps including details of further meetings if applicable	
10. 10.1 10.2 10.3 10.4	
	AOB
Chair Signature	
Date:	

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18.5 PiPoT Closure Meeting Agenda template


<p>Agenda</p>	 <p>Redbridge Safeguarding Adults</p>
	<p style="text-align: center;">PIPOT Case Closure</p> <p>Chair: Date: Start Time: Finish Time: Venue: Minute Taker: Person in Position of Trust: Employer & Role: Attendees:</p> <p>Standard Agenda Items</p>
	<p>Introductions, Roles of attendees, and Apologies</p>
<p>Note: This is a standard agenda. Some items may not apply. Confidentiality Statement</p>	<p>Chair's statement: <i>This meeting is being held under LB Redbridge Safeguarding Adults PIPOT Procedures. Members of the meeting are expected to treat each other with respect, and all attendees to be responsive to any equalities and diversity matters discussed. Attendees should respect the confidentiality of personal information, and only share information as agreed at the meeting. Minutes of this meeting could be shared as part of criminal, civil or disciplinary proceedings, or as part of investigations concerning whether an individual should be barred from working with children or adults with care and support needs. If further disclosure is felt essential, permission must be sought from the Chair. The minutes should not be photocopied or shared without the agreement of the Chair and must be kept in a restricted or confidential section of the agency files. Minutes and a decision sheet will be circulated. This does not however absolve attendees from their own responsibility for ensuring action/s is undertaken within the timescale/s agreed.</i></p> <p>Outline purpose of meeting:</p>
	<p>1. Summary of the original allegations</p>
	<p>2. Feedback of agreed actions from previous meeting</p>
	<p>3. Relevant information from attendees</p>

	4. Risk assessment <ul style="list-style-type: none"> To consider the safety of adult/s concerned To consider the safety of other adults or children 			
	5. Agree outcome of concerns (includes disciplinary action, referral to regulator and professional bodies (e.g. HCPC, NMC), Disclosure & Barring Service, criminal prosecution, etc.)			
	6. Agree feedback to person in position of trust			
	7. Agree feedback mechanism to the referrer (who, what, when)			
	8. Consider strategy for media enquiries (if relevant)			
	9			
	10.			
		ACTION	BY WHOM	TIMESCALE
	10.1.			
	10.2			
	10.3			
	10.4			
	10.5			
	AOB			

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18.6 PiPoT Closure Meeting Minutes template

<p>Minutes</p>	 <p>Redbridge Safeguarding Adults</p>
	<p align="center">PIPOT Case Closure Minutes</p> <p>Chair: Date: Start Time: Finish Time: Venue: Minute Taker Person in Position of Trust: Employer & Role: Attendees:</p> <p>Standard Agenda Items</p>
	<p>Introductions, Roles of attendees, and Apologies</p>
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	<p>1. Summary of the original allegations</p>
	<p>2. Feedback of agreed actions from previous meeting</p>
	<p>3. Relevant information from attendees</p>

	4. Risk assessment <ul style="list-style-type: none"> To consider the safety of adult/s concerned To consider the safety of other adults or children 			
	5. Agree outcome of concerns (includes disciplinary action, referral to regulator and professional bodies (e.g. HCPC, NMC), Disclosure & Barring Service, criminal prosecution, etc.)			
	6. Agree feedback to person in position of trust			
	7. Agree feedback mechanism to the referrer (who, what, when)			
	8. Consider strategy for media enquiries (if relevant)			
	9			
	10.			
		ACTION	BY WHOM	TIMESCALE
	10.1.			
	10.2			
	10.3			
	10.4			
	10.5			
	AOB			
Chair signature				
Date:				

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