

People in positions of trust policy 2018

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Legal context – the Care Act 2014

- Requires all Safeguarding Adults Boards to confirm that they have a robust process in place to respond to allegations against paid or unpaid staff who work with adults at risk
- Requires that partner agencies and their commissioned services should have clear recording and information-sharing guidance, set explicit timescales for action and are aware of the need to preserve evidence.
- Requires a proportionate response to both current and historical allegations
- Requires information to be provided to BSAB on PiPoT activity

Scope of the policy

- A worker/volunteer has alleged caused harm / neglected an adult at risk or a child in their work role, as a volunteer outside of their paid employment or directly as a family member or friend.

AND

- a) Behaved in a way that has harmed or may have harmed an adult with care and support needs.
- b) Possibly committed a criminal offence against or related to an adult with care and support needs.
- c) Behaved towards an adult with care and support needs in a way that indicates s/he is unsuitable to work with adults with care and support needs.
- d) Behaved in a way that has harmed children/ may have harmed children which means their ability to provide a service to adults with care and support needs must be reviewed.
- e) May be subject to abuse themselves and as a consequence means their ability to provide a service to adults with care and support needs must be reviewed.
- f) Behaved in a way which questions their ability to provide a service to an adult with care and support needs which must be reviewed

Adult at Risk

- Adult at Risk (replaced vulnerable adult)
 - Aged 18 plus
 - Has needs for care and support (whether or not they are being met by the Local Authority)
 - Is experiencing, or at risk of abuse
 - And as a result of the care and support needs is unable to protect themselves from abuse /neglect or the risk of it.
- Alleged source of harm – person or organisation responsible for the harm, abuse or neglect

How might concerns be identified?

- Police intervention or investigation
- Whistleblowing disclosure
- Safeguarding adults enquiry
- Safeguarding children investigation
- Complaints
- Reports from members of the public
- Providers alerting commissioners of services
- Commissioner's contract monitoring activity
- SAB partner
- CQC
- Or any other source of disclosure

Is a safeguarding (S42) the appropriate process?

- A worker and their family provide foster care for children via the Local Authority. One of the children (aged 14) has alleged that the worker assaulted them
- A patient has alleged that a worker has inappropriately touched them whilst assisting with their care. They want to report this to the police
- A colleague shares that a member of staff has told them that they have been taken off the voluntary rota at a local deaf forum. It is alleged that they have stolen from a number of adults
- A practice nurse has been arrested for being drunk and disorderly on a night out with friends
- A nurse, employed by a GP practice, works at a local Nursing Home at weekends; the nursing home manager has suspended them following an allegation of theft of money and jewellery from a woman with dementia

If not Safeguarding how are concerns managed?

- Each organisation will have a single point of contact for PiPoT concerns, this includes organisations who are commissioned by the statutory partners (BMBC, CCG and SYP)
- They will verify the information and take appropriate action which may include disciplinary or other actions
- Malicious allegations will be recorded to evidence exoneration
- The person alleged to have caused harm will be given a right of reply

Reducing the risk of further harm

- Referrals to professional bodies, DBS etc must be made if investigations confirm harm has occurred or if required whilst investigations are underway.
- Appropriate records are kept to inform any reference requests and to respond to any challenges to the decisions reached
- If appropriate a multi agency response will be required, necessitating the sharing of information that must be in line with the policy and proportionate to the risks.

- Policy can be found on the Safeguarding Adults Website

<https://www.barnsley.gov.uk/services/children-families-and-education/safeguarding-families-in-barnsley/safeguarding-adults-in-barnsley/for-professionals-and-volunteers/>