

Hull Safeguarding Adults Partnership Board

Person in Position of Trust (PiPoT) Guidelines

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| 1. | Purpose |
| 1.1 | <p>This guidance applies to all members of the Hull Safeguarding Adults Partnership Board (HSAPB) who have a responsibility to respond to allegations or concerns about a person (whether an employee, volunteer or student, paid or unpaid) who works with or cares for adults with care and support needs.</p> <p>These individuals are known as Persons in Position of Trust (PiPoT).</p> |
| 1.2 | <p>Positions of trust may include, but are not limited to, any staff working on behalf of:</p> <ul style="list-style-type: none"> • Social Care • Health Services • Police and Criminal justice • Housing • Education |
| 1.3 | <p>The person or organisation who first identifies or becomes aware of the allegation or concern regarding a PiPoT is responsible for acting in accordance with this guidance.</p> |
| 2. | Background |
| 2.1 | <p>The Care Act 2014 statutory guidance requires Safeguarding Adults Boards (SAB's) to establish a framework to respond to allegations against anyone who works, either paid or unpaid, with adults who have care and support needs such as persons in positions of trust (PiPoT).</p> |
| 2.2 | <p>This guidance (s.14.123) states that allegations that relate to a person who works with adults with care and support needs could include:</p> <ul style="list-style-type: none"> • 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 • behaved in a way which may pose a risk to their suitability in a professional work or volunteering role <p>Examples include a person who:</p> <ul style="list-style-type: none"> • has been accused of abusing their mother and is a care worker in a home for adults with learning disabilities. • is accused of Grievous Bodily Harm/Actual Bodily Harm and is also employed as a housing needs officer. • is accused of theft and is employed as a district nurse. |

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| | <ul style="list-style-type: none"> • has children subject to child protection procedures as a result of emotional abuse and neglect and is employed in a day centre for adults with dementia. • works as a discharge coordinator and is accused of sending direct messages to a patient via social media, crossing professional boundaries. <p>This list is not exhaustive, and allegations may relate to the individual's behaviour at work, home or in another setting.</p> |
| 2.3 | Any allegation against a PiPoT must be taken seriously, with action taken to ensure the protection of any adults at risk and maintaining safe working practices. Responses to allegations should be proportionate and consider the impact on the individual. |
| 2.4 | This guidance only applies when information is disclosed relating to concerns outside of the PiPoT's employment. Any concerns relating to the person's conduct, behaviour or actions towards adults with care and support needs within their employment should be dealt with via a Safeguarding Adult referral. This may include safeguarding concerns raised through someone's personal life and may be disclosed by the police under Common Law Police Disclosure arrangements (2015) https://www.gov.uk/government/publications/common-law-police-disclosures |
| 2.5 | 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 (LADO). |
| 3. | PiPoT Process |
| 3.1 | All organisations must have clear internal policies and procedures for managing PiPoT. They are responsible for following their procedures to assess and manage risk to adults with care and support needs who use their services. They are also responsible for taking necessary action to safeguard those adults. If they are the employer of the PiPoT this may include the PiPoT's suspension from work. This should be done in accordance with each organisation's policies and procedures, and in consultation with Human Resources. |
| 3.2 | In the first instance the person raising the concerns should immediately discuss the allegation with the Local Authority Safeguarding Adults team. The person raising the concerns should gather sufficient information to determine if a referral is required under the PiPoT process (use referral form included within this guidance. |
| 3.3 | <p>Minimum information to take a referral should include:</p> <ul style="list-style-type: none"> • name, address and contact details for the subject of referral. • confirmation that the subject of the referral is aware of the referral to the Local Authority Safeguarding Adults team (if appropriate). • where the subject of the referral works or volunteers. Consideration also needs to be given as to whether the person works or volunteers in multiple |

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| | <p>settings and/or for multiple employers/organisations</p> <ul style="list-style-type: none"> specific reason why the referrer feels the PiPOT process is required, specifically risks and reason for concern. |
| 3.4 | When the referral provides insufficient information to determine if the PiPot criteria is met, the referrer will be contacted by the Safeguarding Adults Team and requested to supply further details. |
| 3.5 | Allegations against people who work with adults at risk must not be dealt with in isolation. Any corresponding action to address the welfare of adults with care and support needs must be taken without delay, and in a coordinated manner to prevent the need for further safeguarding measures in future. |
| 3.6 | Local authorities should use existing arrangements to effectively liaise with the police and other agencies to monitor the progress of cases. This is to ensure they are dealt with fairly, thoroughly and without delay. The rationale for decision-making should always be recorded. |
| 3.7 | <p>Decisions on sharing information must be justifiable and proportionate, based on the potential or actual harm to adults or children at risk. This is in accordance with UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 (DPA) and Common Law. When sharing information about adults, children and young people at risk between agencies it should only be shared:</p> <ul style="list-style-type: none"> 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 |
| 3.8 | <p>The Hull City Council Safeguarding Adults' Team will receive and screen the referral to check that the PiPoT criteria is met.</p> <ul style="list-style-type: none"> if the criteria is not met, they will feedback to the referrer and advice will be given on what action they need to take, if any. if the criteria is met, they will decide which agency will lead on a PiPOT fact finding and information gathering enquiry. This may be health, the Police, another relevant agency, or it may remain within the Safeguarding Adult Team. the Safeguarding Adults Team Manager/Practice Lead will liaise directly with the relevant agency to discuss actions and next steps. The relevant lead agency will undertake an enquiry and continue to provide updates to the Safeguarding Adult Team. the lead agency may convene a PiPOT Concerns discussion or meeting to assess and determine what actions are required to manage the risk(s) posed by a PiPoT. The PiPoT would not attend this meeting. |
| 3.9 | In most cases, the referred person should be made aware from the outset that a referral has been received and their engagement in the process sought. When a |

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| | <p>decision has been made to share information with the PiPoT's employer, student body or volunteer organisation, the PiPoT should be:</p> <ul style="list-style-type: none"> • informed that the concerns against them will be shared with their employer or student body or voluntary organisation, unless it puts a child or any other person in danger, or the PiPoT themselves. • advised what information will be shared about them, how the information will be shared and with whom. • offered a right to reply to the concerns raised about them. • given the opportunity to tell their employer, student body or voluntary organisation themselves, unless the immediacy and nature of the risk do not allow for this. The lead agency will need to be assured that appropriate information has been shared by following up with the employer, student body, or voluntary organisation. • When the alleged concern indicates the risk is so high that the employer / voluntary organisation is informed without the referred persons knowledge, the agreement of the lead agencies manager must be recorded. An appropriate manager within the employing organisation should be contacted. Initial contact can be verbal but should be followed up in writing. |
| 3.10 | The allegation should be recorded by the Local Authority's Safeguarding Adults' team within a secure space on the adult social care's recording system, Liquid Logic in line with PiPoT enquiry process. |
| 3.11 | There will be occasions when the allegation spans across both Adult's (PiPoT) and Children's (LADO) processes. In such circumstances, it should be agreed which process will take the lead, with a commitment to appropriate and proportionate information sharing. |
| 3.12 | Following the fact finding and information gathering process the lead organisation will liaise with the Safeguarding Adults Team Manager to discuss actions and next steps. They will decide whether to disclose information to the person's employer / voluntary organisation. Legal opinion should also be sought, as required, on a case-by-case basis. |
| 3.13 | The PiPot should be kept updated during the process and informed of the outcome. If the decision is taken to inform the employer / voluntary organisation, the information shared should be proportionate, and the PiPoT advised what information will be shared. Wherever possible, the PiPoT should be encouraged to share the information with their employer / voluntary organisation themselves. The lead agency is responsible for following up with the employer / voluntary organisation to check this has been done. |
| 3.14 | The rationale for decision making needs to be clearly recorded for assurance and audit purposes. |

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| 3.15 | <p>When a decision has been made to share information with the PiPoT's employer, student body or voluntary organisation, the agency leading the PIPOT will need to:</p> <ul style="list-style-type: none"> • contact the employer, student body or voluntary organisation to share information and any relevant parties. • ensure that sharing of information is justifiable and proportionate. • request details of any actions taken and seek assurance that they have carried out a risk assessment. • record the rationale for all decision-making, and ensure it is timely. • make it clear whether the information relates to a criminal or civil enquiry. |
| 3.16 | <p>When the employer/voluntary body is informed they should be advised of their duty to assess and effectively manage the potential risk of harm posed by the staff member to adults with care and support needs. Only the employer/voluntary body has the authority to suspend, redeploy or make other changes to the working arrangements. Each organisation should follow their own policies or procedures for investigating concerns about staff, such as disciplinary processes and these should be the employer/voluntary bodies primary source of guidance. They are also responsible for welfare provision and arrangements.</p> |
| 3.17 | <p>If an organisation permanently 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 potential 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. Making barring referrals to the DBS - GOV.UK</p> |
| 3.18 | <p>It should be considered whether the PiPoT is a registered professional with a governing body. This may include but is not limited to anyone registered with:</p> <ul style="list-style-type: none"> • Social work England • General Social Care Council • General Medical Council • The Nursing and Midwifery Council • General Teaching Council • Care Quality Commission |
| 3.19 | <p>If there is sufficient evidence a referral should be made reporting the concerns to the relevant body in line with their policies and procedures. This can be done by anyone involved in the process and initiated at any time within the process as appropriate.</p> |
| 3.20 | <p>The PiPoT process ends when either;</p> <ul style="list-style-type: none"> • a decision is taken not to disclose on the basis that the criteria is not met, or • a disclosure to an employer is made and their response is received. At this |

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| | point the intervention should be reviewed and case closed. |
| 3.21 | The LA Safeguarding Team must be informed of all decisions so they can maintain a composite record of all PiPoT decisions. |
| 3.22 | <p>If the original referrer;</p> <ul style="list-style-type: none"> • has concerns about how the employer has responded to the referral and • they are not able to resolve these with the employer and • they believe adults remain at risk. <p>the concerns should be escalated to the Safeguarding Adults Board Hull Safeguarding Adults Partnership Board – Hull Collaborative Partnership</p> |
| 4. | PiPoT Referral Form |

Person in a Position of Trust

Please complete as much of the form as possible. Send the form by secure email to:
adultsafeguarding@hullcc.gov.uk

Alternatively, you can post the form to us and our address is Safeguarding Adults Team, 4th Floor Kenworthy House 98-104 George Street Hull HU1 3DT

Sections of this form will expand to fit the information you require, and you can also use Section 8 – Additional Information to continue responses to the questions below

| 1. Details of the person in a position of trust | |
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| Title | |
| Name | |
| Home Address (if known) <i>House/Street</i> <i>Town</i> <i>County</i> <i>Postcode</i> | |
| Telephone number | |

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| Are there any children resident at the person's home address? If yes give name(s) and date(s) of birth: <i>(If Yes, please refer to section 5 for details of how to refer to the Children and Families Service)</i> | |
| Confirmation that the PiPot has been made aware of the referral (tick box) | <input type="checkbox"/> |
| Date this was completed | |
| Details of the person who has informed the Pipot <i>(name, role, contact details)</i> | |

| 2. Details of the persons employer | |
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| Job Title/ Role | |
| Employer/ Place of work | |
| Business Name Business Address (if known) House/Street Town County Postcode | |
| Email | |
| Telephone Number | |
| Line Managers name (if known) | |
| Are there other people potentially at risk from this person? <i>(If Yes, please provide details)</i> | |

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3. Details of the concern raised regarding the person in a position of trust

Description of allegation or concern (please provide as much information as possible including details of any injuries/harm and any witnesses to the incident and any action taken)

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Date the concern occurred?

Disclosure date:

What date were you made aware of the concern(s)

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4. Actions taken to address immediate risk(s)

Have actions been taken to ensure the safety of any children and/or adults from the outlined risk?

Yes/No

Details of actions taken

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Have the police been informed where a crime is suspected?

(If Yes, what is the crime number?)

Are there other people who may be at risk of harm? Yes/No

(If Yes, please provide details)

5. If you are concerned about a child or a young person under 18 years of age please refer to Children and Families Service. Ring 01482 448879 to speak to an advisor at the Customer Service Centre. Refer to the “Managing Allegations Against those who Work or Volunteer with Children Procedure” for referral to the LADO

Are there concerns regarding children? Yes/No

Has a referral been made to the Local Authority Designated Officer (LADO)? Yes/No

(If Yes, please provide the date a referral was made)

Name of LADO appointed to review concerns regarding safeguarding children (if applicable)

6. Has a referral been made to the Children and Families Service? Yes/No

(If Yes, please provide details)

7. Your details (the person completing this form)

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| Name | |
| Name of organisation (if applicable) | |
| How are you involved? | |
| What is your relationship to the person? (see guidance below) | |

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| Address Town County Postcode | |
| Telephone number | |
| Email address | |
| Confidentiality - Sharing your details We will keep your identity confidential in all circumstances, however we may at times be required to provide it under law to a third party. For example, because of a court order for the prevention and detection of crime, or if it is in the vital interests or the safety of other people. Wherever possible we will tell you if this happens. | |
| Date form completed | |

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| 8. Additional Information |
| Please use this space as a continuation of the above sections if necessary – this area will expand as required |
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| 9. Ongoing Record |
| Details of the PiPoT enquiry including date/s actions agreed. Reviews and updates to actions agreed until the PiPoT enquiry closes – this area will expand as required |
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