

**safeguarding
adults at risk**
a cumbria partnership

**Cumbria Safeguarding
Adults Board**

**Multi Agency Policy
and Guidance: Responding to
Positions of Trust Concerns**

Cumbria Safeguarding Adults Board Multi Agency Policy and Guidance: Responding to Positions of Trust Concerns

Contents

1. Introduction/ Background
2. Procedure
3. Document History

1. Introduction/Background

The Care and Statutory support guidance (14.120) states that all relevant partners should have policies and procedures in line with those of Safeguarding Adults Boards for responding to allegations against people who work, in either paid or unpaid capacity with adults will support and care needs. For this policy those individuals are known as People in Positions of Trust.

The Care and Statutory guidance sets out that polices should make a clear distinction between:

- An allegation.
- A concern about the quality of care or practice.
- Or a complaint.

Scope

Whilst the scope of safeguarding adults work is to safeguard one or more identified adults with support and care needs, there are occasions also when incidents are reported that do not involve an adult at risk, but indicate that a risk may be posed to adults at risk by the person in a position of trust. Where such concerns are raised it will be necessary for the employer to assess any potential risk to adults with support and care needs who use the services and if necessary take action to safeguard those adults. Examples of such concerns could include where 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.

The Local Authority Designated Officer(s) (LADO) must be informed where conduct of adults in positions of trust may impact upon their suitability to work with children.

Strategic overview

The procedure provides assurance to Cumbria Safeguarding Board that all relevant partners;

- Responds to concerns raised and balance the rights of individuals to whom allegations or concerns have been raised.
- Share information based on the principles of justification and proportionality.
- Work closely with other relevant partners, Position of Trust leads and LADO.

The Adult Safeguarding Service Manager is the Position of Trust Lead for Adult Social Care, Cumbria County Council and will provide required information management oversight. All other relevant partners will provide a Position of Trust lead within their respective organisations.

2. Procedure

This process provides guidance on how to respond to Position of Trust concerns. This should be read in conjunction with additional process mapping guidance set below.

Safeguarding concerns

Where a concern has been raised that abuse or neglect may be taking place then a safeguarding adults referral is made to Cumbria County Council Adult Services. This process is described within the Cumbria Safeguarding Adults Board Safeguarding Adults Multi-Agency Policy and Procedures

Concerns raised by local authority children teams

Where a concern has arisen following an assessment by the local authority children teams, then they as the data controller they must decide through their assessment whether the employing organisation is required to be informed in order to manage any risks.

Criminal allegations in a person in position of trust's private life

Where a criminal investigation is being undertaken in relation to an individual's conduct in their private life then a decision will be undertaken by Cumbria Constabulary whether to inform the employing agency as per the Code of Practice on the Management of Police information (2005).

Referring to the Position of Trust Lead responsible for the employee

It is important to note that referral should be made to the Position of Trust lead of the employing organisation when the conduct of the person in a position of trust may impact upon their suitability to work with adults at risk. The Process is as follows;

- Contact is made with the relevant Position of Trust Lead.
- The Position of Trust Lead will assess the information provided and undertake the necessary enquiries.
- Individual Agency procedures will dictate internal human resources and escalation procedures.
- Where information is received regarding other relevant partner's employees, then the receiving Position of Trust lead will advise the Position of Trust Lead of the responsible relevant partner.

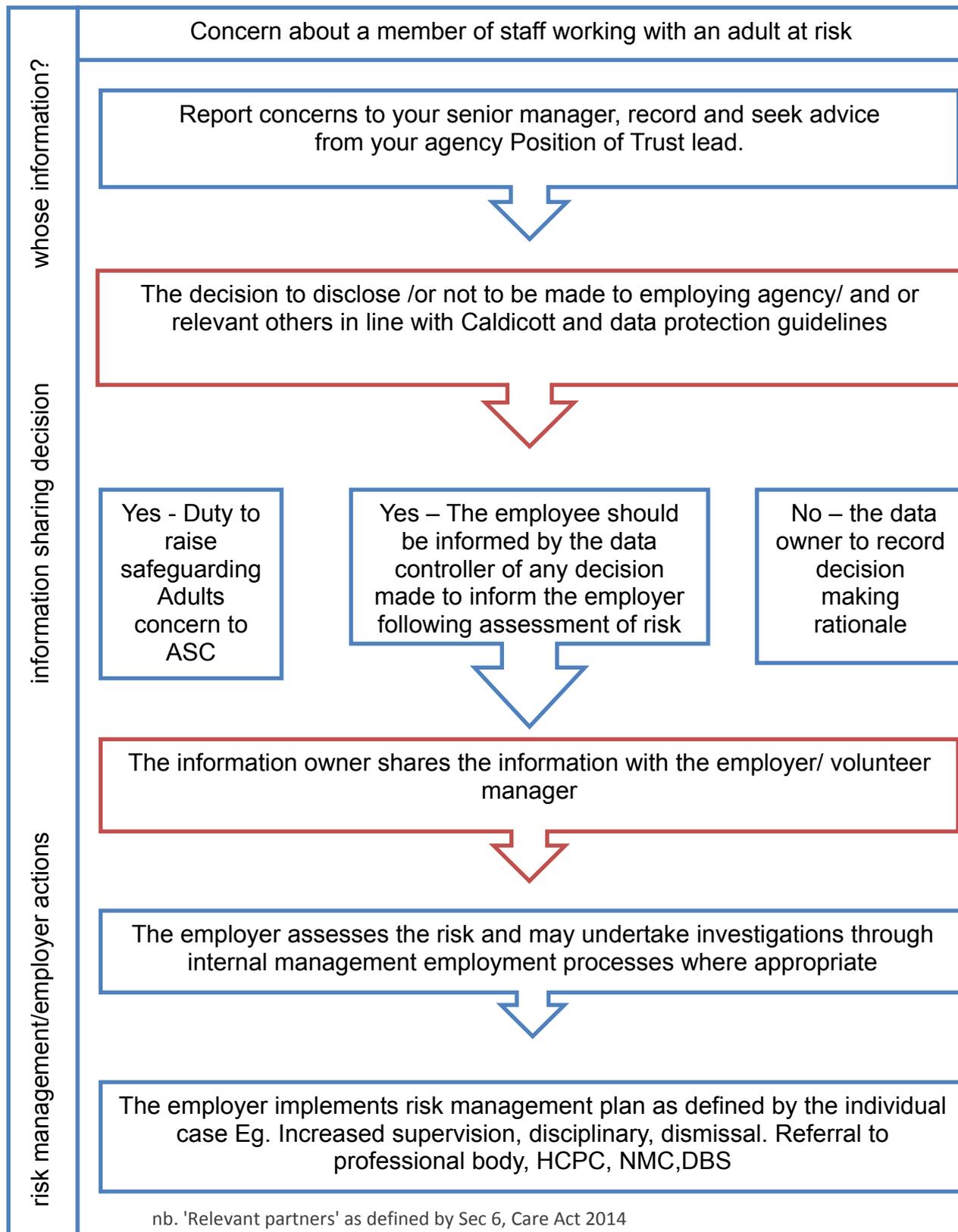
Additional roles undertaken by Cumbria County Council Position of Trust Lead

- This additional role is designed to address concerns in which the individual is not directly employed by an organisation with a POT lead. This may be where the person with whom the allegation is against is providing a voluntary contribution but is not directly commissioned by a relevant partner.
- In this case the Position of Trust lead within the Adult Social Care will be notified and will make arrangements with the position of trust leads from the statutory relevant partners to coordinate any enquiries and investigations required.
- This panel will consider and undertake any necessary referrals to the DBS and regulatory bodies.

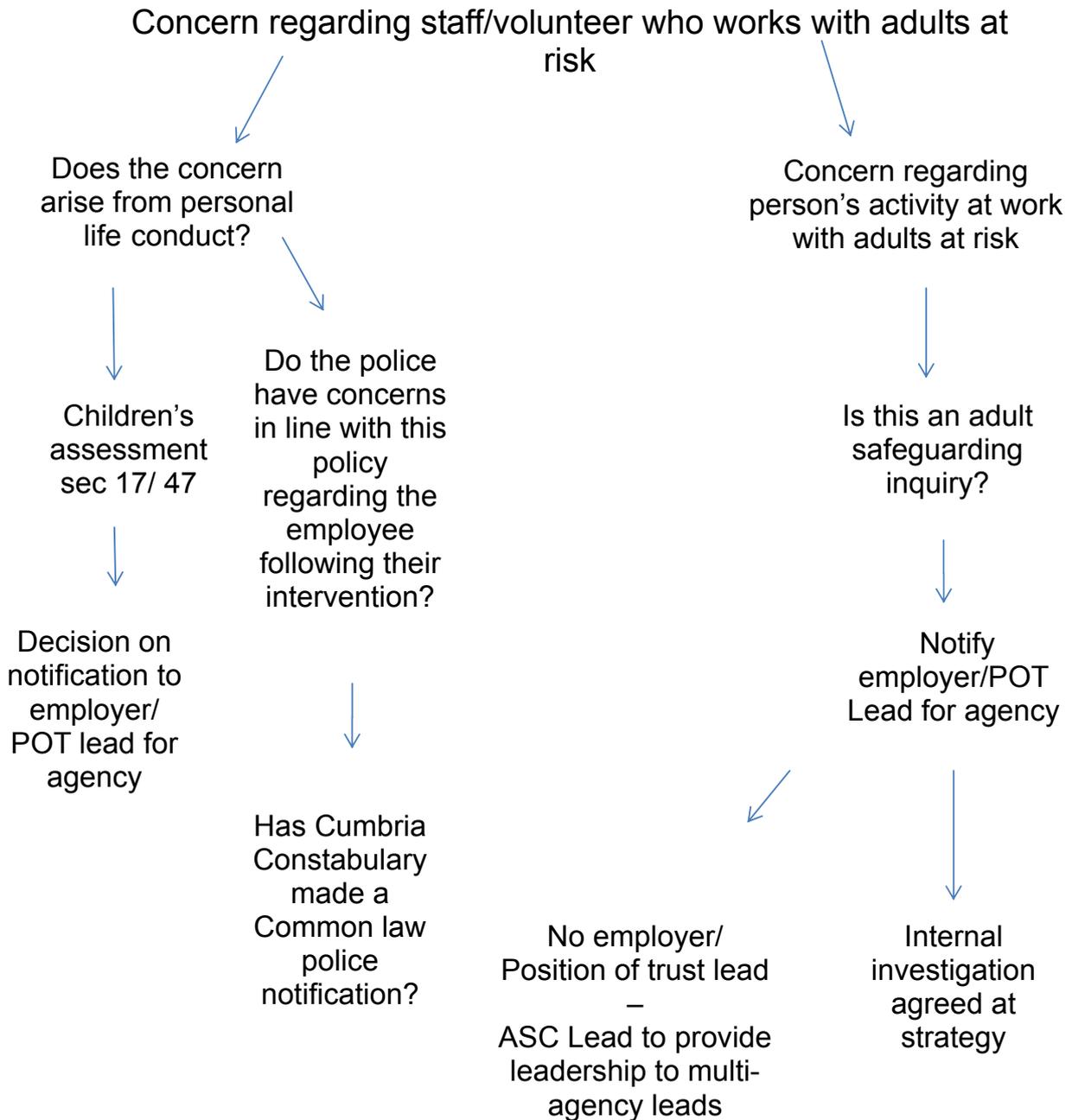
Additional information

All CSAB partners have multi-agency information sharing agreements in respect of concerns raised. Sharing information between organisations as part of day-to-day safeguarding practice is already covered in the common law duty of confidentiality, the Data Protection Act, the Human Rights Act and the Crime and Disorder Act.

Multi-Agency Concerns Management: Positions of Trust



Screening Position of Trust Concerns



NB. 'Relevant partners' as defined by Sec 6, Care Act 2014