**Managing allegations against people in positions of trust**

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# Introduction

Some incidents which are reported indicate that a risk may be posed to an adult at risk, by a person in a position of trust.

Examples of such concerns 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, or,
      * 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.

A framework and process has been established for responding to allegations against people in positions of trust, working with adults with care and support needs.

Note

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 Adult Social Care Local Authority Designated Officer (LADO), who will liaise and report to the Children’s Services LADO.

# Behaviour which might pose a risk to adults with care and support needs

There are events in a person’s personal life that could impact on their professional or voluntary role with adults with care and support needs. For example:

* + - * Involvement with Children’s Services, where child protection plans are in place for their own children.
      * Named as cause of concern in a case of domestic abuse.
      * Arrest or prosecution for a criminal offence outside of work, including sexual offences, in relation to children or adults, violence, or drugs.
      * Failure to report a safeguarding concern, about which they have knowledge.

If any professional becomes aware that there are safeguarding concerns in an individual’s life, or behaviours which might pose a risk to adults with care and support needs, and the individual works or volunteers with adults with care and support needs, that professional should consult the LADO, to consider a response.

# Behaviours that have or are likely to cause harm

These are likely to fall under the remit of professional misconduct, for example:

* + - * Contact with adults, with care and support needs, through social media and private email accounts.
      * Bullying, threats and intimidation.
      * Personal comments of a derogatory or discriminatory nature which could cause emotional harm.
      * Physical contact of a non-sexual nature, but which breaches a code of conduct.
      * Providing rewards and incentives which are not sanctioned within a code of conduct, and could single out particular adults, with care and support needs, to the detriment of others.

These types of behaviour should be discussed with the ASC Local Authority Designated Officer (LADO). If they form part of a pattern, or there are other concerns about the context, consideration would need to be given to raising a safeguarding concern.

# Out of hours referrals

If the risks posed are significant, and immediate action is required, the police and Emergency Duty Service (EDS) should be contacted.

When the LADO is on leave, and urgent consultation is required, the East Sussex Adult Social Care Safeguarding Development Team should be contacted.

## Contacts

**East Sussex Adult Social Care – Emergency Duty Service**

Tel: 0300 330 9475

**East Sussex Adult Social Care – Health and Social Care Connect (HSCC)**

Tel: 0345 60 80 191 Email: [HSCC@eastsussex.gov.uk](mailto:HSCC@eastsussex.gov.uk)

**East Sussex Adult Social Care – Local Authority Designated Officer**

Tel: 07919 298 432 Email: kellie.clarke@eastsussex.gov.uk

**East Sussex Children’s Services – Local Authority Designated Officer**

Email: LADO@eastsussex.gov.uk

**East Sussex Adult Social Care – Safeguarding Development Team**

Tel: 01273 336 820

# Appendix 1: Step-by-step guide to managing allegations or concerns about individuals who work or volunteer with adults with care and support needs

When an allegation or concern (eg. conduct or behaviour) is raised about an individual who works or volunteers with adults with care and support needs:

**Step 1** – Contact the LADO for consultation.

**Step 2** – Undertake internal investigation.

**Step 3 – Outcome of investigation:**

* **No further action**

Where no further action is required, the LADO should be informed.

* **Identifying new concerns**

New concerns may be identified, or adult(s) with care and support needs identified.

* **Disciplinary procedures**

Consider interim plan with employer, or HR needs.

Arrange disciplinary meeting.

Depending on the outcome of the disciplinary meeting, a referral to the General Medical Council, Nursing and Midwifery Council, Disclosure and Barring Service, or the relevant professional regulating body should be considered.

The LADO should be informed of the outcome.