

POSITION OF TRUST (PiPoT)		
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Policy Statement

Broadly speaking, a relationship built on trust can be described as one in which one party is in a position of power or influence over the other by the virtue of their work or the nature of their activity. It is vital that those in positions of trust understand the power this can give them over those they care for and the responsibility they must exercise as a consequence of their relationship.

Responsibility of Staff

It is important that staff recognise that power is an important factor in working professional relationships and that such power must be balanced in order that it does not become abusive. The Sexual Offences Act 2000 prohibits a person in a position of trust from having sexual acts with someone who cannot consent which include minors and “very vulnerable people”. It is primarily used for the protection of young people who are above the age of consent but under the age of eighteen, or those with mental disabilities.

Abuse of Power

“The act of using one’s position of power in an abusive way. It can take many forms” “Improper use of authority by someone who has that authority because he or she hold a public office”

An abuse of power is different from usurpation of power, which is the exercise of a power which the offender does not actually have.

Introduction

This policy concerns people who work with or care for adults at risk in a paid or voluntary capacity, about whom allegations of adult abuse or neglect are made. These individuals are known as “People in Positions of Trust” (PiPoT)

Principles

The following is in place and should be followed for all cases where concern, suspicion or allegation arises in connection with a person working with adults at risk who has:

- ✗ Behaved in a way that has harmed or may have harmed an adult at risk
- ✗ Possibly committed a criminal offence against or related to an adult at risk; or
- ✗ Otherwise behaved towards adults at risk or in a way that indicates s/he is unsuitable to work with adults at risk
- ✗ Behaved in a way that has harmed children or may have harmed children which means their ability to provide a service to adults at risk must be reviewed
- ✗ May be subject to abuse themselves which means their ability to provide a service to adults at risk must be reviewed.
- ✗ Behaved in a way which questions their ability to provide a service to an adult at risk which must be reviewed e.g. conviction for grievous bodily harm is not an adult at risk

The above applies to a current or a historical allegation. Any information sharing must follow the principles of the Data Protection and any Information Sharing Protocols which are in place. Where a PiPoT concern is identified, the policies and procedures should be followed as an Adult Safeguarding referral and if it is identified as an Adult Safeguarding incident, the Adult Safeguarding team will instigate the PiPoT process.

***Please note:** Where any allegation involves children, within an Adult setting, refer to the appropriate policy, Safeguarding Children in an Adult Setting and inform the L.A.D.O. If the concerns do not meet safeguarding thresholds then a check must be made of the scope criteria to ensure, that where appropriate, the concerns are reported to the Adult Safeguarding team.*

Training Statement

All staff need to be aware of this policy and in particular, any changes to their circumstances which need to be shared because of its nature and impact on this policy.

Related Policies
Codes of Conduct
Confidentiality
Cyber Security
Data Protection
Disclosure and Barring Service
Whistleblowing

APPENDIX: SCOPE CRITERIA

The scope of the procedures apply to all cases where concern, suspicion or allegations arises in connection with:

-  The PiPoT own work/voluntary activity (with adults and/or children) e.g. where a worker or volunteer has been accused of the abuse or neglect of an adult at risk or a child
-  The PiPoT's life outside of work e.g. concerning adults at risk in the family, or social circle, e.g. where a son is accused of abusing his older mother and he also works as a domiciliary care worker with adults at risk, or, where a woman is convicted of grievous bodily harm and also works in a residential home for people with learning disabilities.
-  The PiPoT's life outside work i.e. concerning risks to children, the individuals own children or other children e.g. where a woman who works in Coventry with women who suffer domestic abuse and lives in Warwickshire is subject to child protection involving her own children due to domestic abuse by her husband.

PERSON IN POSITION OF TRUST CHECKLIST		
<p>The concern, suspicion or allegation relates to:</p> <ul style="list-style-type: none">  The PiPoT's own work/voluntary activity (<i>Adults and Children</i>)  The PiPoT's life outside work i.e. concerning adults at risk in the family, social circle  The PiPoT's life outside work i.e. concerning risks to children, the individuals own children or other children 	Yes	Carry on following questions
	No	No further action required in relation to the policy / procedure
Is it a safeguarding an adult incident?	Yes	Follow safeguarding adult's procedures.
	No	Report to safeguarding adults team (or local arrangement)
Are there any issues or concerns related to children?	Yes	Inform the LADO and make a child protection referral
	No	No further action required
Is the employer a service commissioned by the local authority?	Yes	Inform Commissioning and Care Contracts
	No	Commissioning and Care Contracts do not need to be informed
Is the employer a service regulated by CQC?	Yes	Liaise with CQC
	No	CQC do not need to be informed
Are there any cross-border issues?	Yes	Liaise with appropriate Local Authorities
	No	No further action required