



# Allegations against a Person in a Position of Trust PIPOT

What is PIPOT and what happens when an allegation is made?



## What is PIPoT?

The statutory guidance to The [Care Act 2014](#) requires Safeguarding Adults Boards to establish a framework and process in relation to responding to allegations against anyone who works, either in a paid or unpaid capacity, including people undertaking charitable duties, with adults who have care and support needs. This description constitutes a person in a position of trust (PIPoT). It is any role which carries an expectation of trust with some examples including working for adult social care, in the care sector, working for the NHS, Police, Prison Service, Probation and Voluntary Sector organisations.

A PIPoT may have allegations made against them at any time and therefore it is important that clear safe working protocols are in place. An allegation against a PIPoT should be taken seriously and dealt with in a way that protects the alleged victim/s and the PIPoT.

## PIPoT Referral Criteria

A PIPoT referral should be made if a person who works with adults who have care and support needs has:

- behaved in a way that has harmed, or may have harmed an adult;
- possibly committed a criminal offence against, or related to an adult;
- behaved in a way that indicates that they may pose a risk of harm to adults with care and support needs.

If a risk to children is also identified within the PIPoT referral, the Local Authority Designated Officer (LADO) will also need to be notified.

The employer should inform the PIPoT when an allegation has been made but should not share information which could interfere with a criminal investigation. The employer should seek advice from the Police if they are unsure as to what information can be shared with the PIPoT.

## **PIPOT Referrals and Safeguarding Adult Enquiries.**

There are occasions when concerns, incidents or allegations are reported that do not involve an adult at risk or with care and support needs but indicate a potential risk of harm occurring. On these occasions the PIPOT process should be followed.

Safeguarding adults duties apply to people over the age of 18 who:

- Have needs for care and support (whether or not the local authority is meeting those needs)
- Are experiencing, or are at risk of experiencing abuse or neglect
- As a result of those care and support needs are unable to protect themselves from either the risk of, or the experience of abuse or neglect.

In addition to the PIPoT referral, a safeguarding concern should be raised for any adult who has care and support needs who is alleged to have been harmed by a PIPOT. The safeguarding process and the PIPoT process run in parallel as the safeguarding process focusses on the victim and the PIPoT processes focusses on the person who is alleged to have behaved or acted in a way that could, or has, caused harm.

## **PIPOT referral process**

It is expected that all partner agencies of the Derbyshire Safeguarding Adults Board and the Derby Safeguarding Adults Board have a referral pathway agreed for PIPOT referrals. There is a Safeguarding Adults Board referral form template which can be adopted, or agencies may prefer to adapt the template or create their own referral form.

Robust and accurate record keeping is an integral part of the PIPOT and safeguarding process to safeguard adults with care and support needs and ensure the PIPOT and organisations are held accountable for their actions. Agencies should be able to report and track progress in relation to PIPoT referrals and report on outcomes of investigations.

On receipt of the PIPoT referral, the nominated PIPoT agency lead is required to review the referral and decide whether the Police should be notified. If a crime is alleged or has been committed the Police should always be informed.

The allegations should be reviewed on a case-by-case basis. A Police investigation will have priority over other investigations, but internal investigations, disciplinary procedures and safeguarding enquiries may run concurrently.

If the allegation is substantiated and the PIPoT is dismissed or resigns, the employer still has a legal duty to refer the matter to the Disclosure and Barring Service (DBS) or other professional regulatory bodies.

### **What happens if an allegation is made about you?**

It is important to note that not all allegations are substantiated but all allegations will need to be investigated. It is likely that the employer will discuss the allegations with the referrer and may need to contact other professionals as part of the investigation.

Possible outcomes of a PIPOT referral are:

- No further action (due to unsubstantiated or malicious referral)
- Requirement for the PIPoT to undertake further training.
- Requirement for the PIPoT have their responsibilities at work temporarily or permanently changed.
- Suspension
- Disciplinary procedures and a referral to an appropriate professional body
- Criminal proceedings
- Termination of role

Having an allegation made about a person's actions or behaviour can be worrying. The employer should provide the PIPoT with updates as to the progress of any investigations taking place, ensure they are given timescales as to when they will receive updates, and also discuss representation to support them. The employer should also advise the PIPoT of any other support that can be accessed such as counselling services or occupational health services.

Should a decision be made to follow disciplinary procedures the PIPoT should be informed by their employer. Suspension should be viewed as a neutral act to protect the PIPoT until investigations have concluded.

### **Further information**

[Persons in a position of trust \(PIPOT\) - Derbyshire Safeguarding Adults Board](#)

[Persons in position of trust - Derby Safeguarding Adults Board](#)