



Managing Allegations  
Against Staff and Volunteers  
Working with  
Vulnerable Adults

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## Introduction

The purpose of this guidance is to ensure that all allegations of abuse made against staff or volunteers working with vulnerable adults are dealt with in a fair, consistent and timely manner.

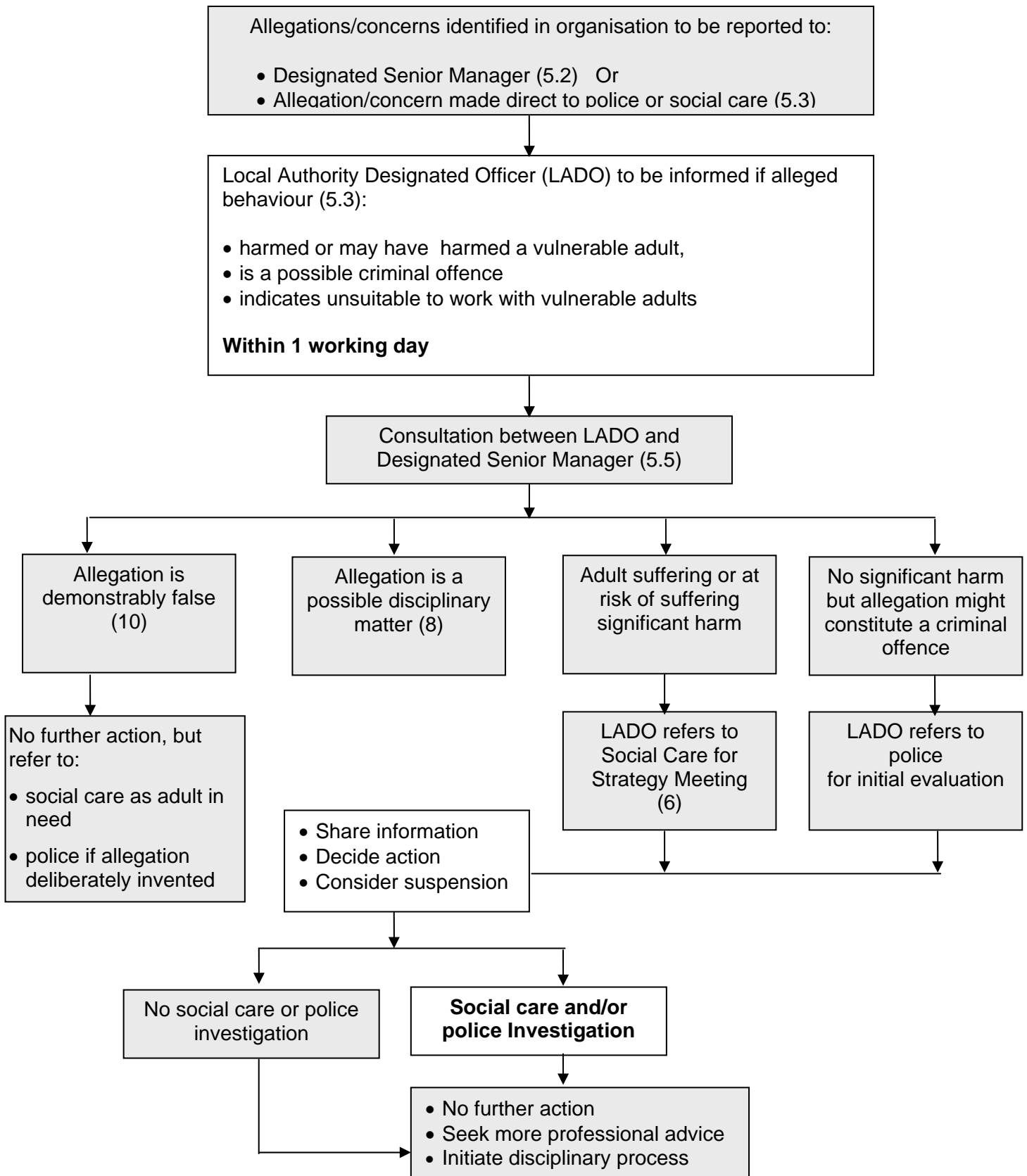
All organisations in Buckinghamshire that provide services to vulnerable adults need to be aware of this guidance. In particular, those officers or managers involved in the allegations process need to be fully aware of the detailed guidance set out in this Policy.

This guidance is intended to clarify the roles of:

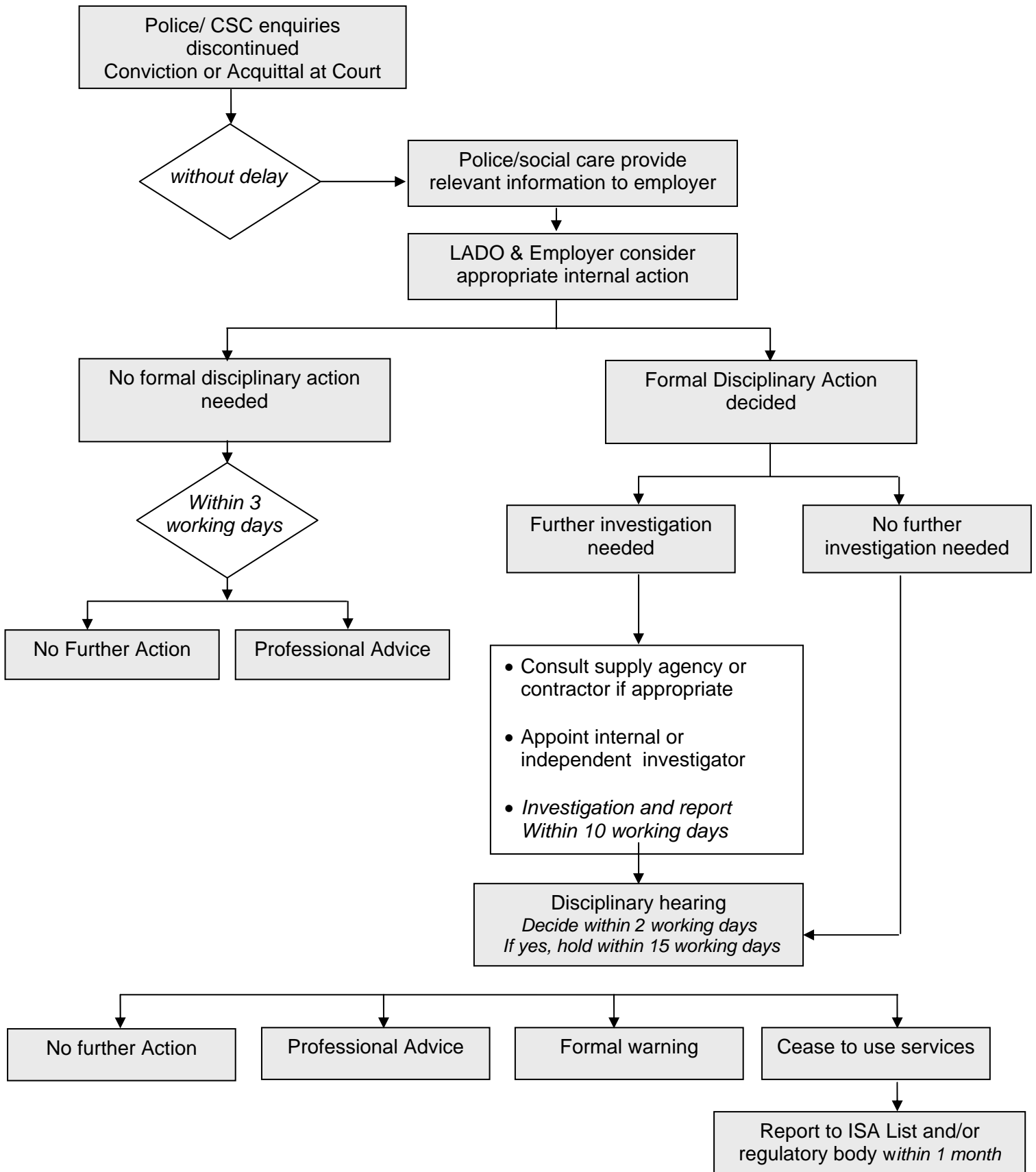
- The Local Authority Designated Officer (LADO) who is responsible for the management and oversight of allegation cases in Buckinghamshire.
- Those Named Senior Officers (and any deputies) in each organisation who are responsible for ensuring compliance with these guidelines.
- Designated Senior Managers (and any deputies) in each organisation to whom allegations or concerns are reported.
- The relevant Thames Valley Police Detective Inspector with oversight of local police arrangements for managing allegations against staff and volunteers and the Designated Officer for allegations against police staff.

The guidance also summarises the process that needs to be followed when investigating allegations made against staff and volunteers - which may ultimately lead to a referral to the Independent Safeguarding Authority (ISA).

## ALLEGATIONS/CONCERNS AGAINST STAFF AND VOLUNTEERS PROCESS



ALLEGATIONS/CONCERNS AGAINST STAFF AND VOLUNTEERS  
 DISCIPLINARY/SUITABILITY PROCESS



## **MANAGING ALLEGATIONS AGAINST STAFF AND VOLUNTEERS WORKING WITH VULNERABLE ADULTS**

### **1. SAFEGUARDING ENVIRONMENTS**

- 1.1 All organisations should be proactive in reducing the risk of abuse taking place within the services they provide by:
- Developing a safeguarding ethos in which vulnerable adults, volunteers and staff can express their concerns; where staff are encouraged to challenge constructively poor practice; and where ‘whistle-blowing’ procedures can be engaged without fear. This means that safeguarding policies and procedures are accessible to all and that there are means for communication and access to skilled advice, both internal and external to the organisation.
  - Adopting safe recruitment and effective safe termination of employment practices.
  - Ensuring that all staff receive appropriate training in adult safeguarding matters: signs, symptoms and referral procedures, which include how to recognise and respond to allegations against staff.
  - Ensuring that staff understand what is safe practice and what is not. In particular, staff must be aware of behaviours that are likely to bring about criminal, adult protection or disciplinary action. All staff therefore, should be provided with clear and relevant codes of conduct.
  - Ensuring that vulnerabilities expressed by staff are taken seriously and responded to at the earliest stage.
  - Ensuring that risk assessments following allegations are undertaken to reduce the likelihood of repetition.
- 1.2 A failure to report an allegation or concern in accordance with the following procedures is potentially a disciplinary matter.
- 1.3 Staff and volunteers are strongly advised to report any incident, involving themselves that could give rise to concern, including the potential for misinterpretation by others.

### **2. SCOPE**

- 2.1 These procedures are based on the framework for dealing with allegations of abuse made against a person who works with children, as agreed by the Buckinghamshire Safeguarding Children Board. They should be followed by all organisations providing services for vulnerable adults.

- 2.2 Compliance with these procedures will help to ensure that allegations of abuse are dealt with expeditiously, consistent with a thorough and fair process for all concerned.
- 2.3 These procedures should be applied when there is an allegation or concern that any person who works with vulnerable adults, in connection with his/her employment or voluntary activity, has:
- Behaved in a way that has harmed, or may have harmed, a vulnerable adult
  - Possibly committed a criminal offence against or related to a vulnerable adult
  - Behaved towards any vulnerable adult in a way that indicates s/he is unsuitable to work with vulnerable adults.
- 2.4 These behaviours should be considered within the context of the categories of abuse defined in No Secrets<sup>1</sup> i.e. physical abuse, psychological abuse, financial or material abuse, neglect and acts of omission, and discriminatory abuse. These include concerns relating to inappropriate relationships between members of staff and vulnerable adults in their care e.g.:
- Having a sexual relationship with a vulnerable adult if in a position of trust even if the relationship appears consensual
  - The sending of inappropriate text/e-mail messages or images, providing gifts, socialising etc
  - Possession of indecent photographs/pseudo-photographs of vulnerable adults
- 2.5 References to 'staff' in this document should be read as including all staff, whether in a paid or voluntary capacity.

### **3. ROLES AND RESPONSIBILITIES**

#### **3.1 Named Senior Officers**

Each BSVAB member organisation should identify a named senior officer with overall responsibility for:

- Ensuring that the organisation deals with allegations in accordance with these procedures
- Resolving any inter-agency issues
- Liaising with the BSVAB on the subject and the LADO

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<sup>1</sup> *No secrets*: Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse: Department of Health  
Managing Allegations Against Staff and Volunteers working with Vulnerable Adults v015  
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- Ensuring that information is collated in accordance with the requirements of the Safer Employment Sub Committee and regularly made available to that Sub Committee.
  - When required, also ensuring that relevant data is made available to the Safer Employment Sub Committee.
- 3.2 The Safer Employment Sub Committee for BSVAB takes lead responsibility for co-ordinating the strategic response of member organisations in the management of allegations against staff and volunteers. This Sub Committee will operate to ensure that agreed standards in managing allegations are communicated across the County, and that mechanisms are in place to ensure effectiveness and consistency in practice.

### **3.3 Local Authority Designated Officers (LADOs)**

Buckinghamshire's Local Authority has officers in place with specific responsibility for:

- Being involved in the management and oversight of individual cases
- Providing advice and guidance to employers and voluntary organisations
- Liaising with the police and other agencies
- Monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process

3.3.1 The Safeguarding Manager, Adult Social Care, covers the functions of the LADO in Buckinghamshire County Council.

3.3.2 Where the role of the LADO could be compromised by his/her operational involvement in a case, the Named Senior Officer within the County Council will oversee arrangements.

### **3.4 Designated Senior Managers**

3.4.1 All employers providing services for vulnerable adults should designate:

- A Designated Senior Manager (DSM) to whom allegations or concerns should be reported
- A deputy to whom reports should be made in the absence of the DSM, or where the DSM is the subject of the allegation or concern

3.4.2 The DSM will:

- Provide a reporting point within the organisation or service for allegations or concerns against staff and volunteers
- Consult with the Local Authority Designated Officer to determine what action, if any, is required

### **3.5 Designated Roles within Thames Valley Police**

#### 3.5.1 The Detective Inspector will:

- Have strategic oversight of the local police arrangements for managing allegations against staff and volunteers
- Liaise with BSVAB on the issue
- Ensure compliance

#### 3.5.2 The Designated Sergeant or Deputy will:

- Liaise with the Local Authority Designated Officer
- Take part in strategy discussions
- Review the progress of cases in which there is a police investigation

#### 3.5.3 NB Where the Designated Sergeant is not able to attend the strategy discussion, s/he should fully brief the attending officer

### **3.6 Designated Officer for allegations against police staff**

The DCI for Public Protection – Crime Support will oversee all allegations against police staff.

- Cases requiring criminal investigation will be conducted with the involvement of the Professional Standards Department
- Cases requiring disciplinary enquiries will be handled by the Professional Standards Department
- Cases will also be overseen by the IPCC (Independent Police Complaints Commission).

## **4. GENERAL CONSIDERATIONS**

### **4.1 Information Sharing and Notification**

#### **4.1.1 Vulnerable Adults, their families and other carers**

Assuming mental capacity, the vulnerable adult and, if requested by the vulnerable adult, family members and/or other carers, should be helped to understand the processes involved and kept informed about the progress of the case and of the outcome. If there is insufficient mental capacity, family members and/or other carers, should be helped to understand the processes involved and kept informed about the progress of the case and of the outcome. This will include the outcome of any disciplinary process, but not the deliberations of, or the information used in, a hearing.

#### **4.1.2 Staff and Volunteers Subject to Allegations or Concerns**

The member of staff should:

- Be treated fairly, honestly and helped to understand the concerns expressed and processes involved
- Be kept informed of the progress and outcome of any investigation and the implications for any disciplinary or related process
- If suspended, be kept up to date about events in the workplace

#### **4.1.3 Care Quality Commission (CQC)**

CQC should be informed of any allegations or concern made against:

- a member of staff in any regulated service, including any registered residential care or nursing home, or any domiciliary care agency, any supported housing setting, or any member of staff of the local authority or National Health Service.

CQC should also be invited to take part in strategy discussions

### **4.2 Confidentiality**

4.2.1 Every effort should be made to maintain confidentiality and guard against publicity while an allegation is being investigated or considered. Apart from keeping the vulnerable adult, family and carers up to date with the progress of the case in accordance with paragraph 4.1.1, information should be restricted to those who have a need to know in order to protect vulnerable adults, facilitate enquiries, or manage related disciplinary or suitability processes.

4.2.2 The Police should not provide identifying information to the press or media, unless and until a person is charged, apart from in exceptional circumstances such as an appeal to trace a suspect. In such cases, the reasons should be documented and partner agencies consulted beforehand.

### **4.3 Support**

4.3.1 The organisation together with (Buckinghamshire County Council's) Adult Social Care and/or the Police where they are involved should consider the impact on the vulnerable adult concerned and provide appropriate support. Liaison between agencies should take place in order to ensure that identified needs are addressed

4.3.2 As soon as possible after an allegation has been received, the accused member of staff should be advised to contact his/her trade union or

professional association, if they are affiliated to one. The employing organisation's Human Resources Service should be consulted at the earliest opportunity so that appropriate support can be provided via the organisation's occupational health or employee welfare arrangements.

- 4.3.3 Where a member of staff returns to work after a period of suspension, the employer should consider what help and support might be appropriate e.g. a phased return to work; provision of a mentor; how best to manage the member of staff's contact with the vulnerable adult concerned, if still in the workplace etc.

#### **4.4 Suspension**

- 4.4.1 Suspension should be considered in any case where:

- There is cause to suspect a vulnerable adult is at risk of significant harm, or
- The allegation warrants investigation by the police, or
- The allegation is so serious that it might be grounds for dismissal

- 4.4.2 The possible risks should be evaluated and managed in respect of the vulnerable adult involved and any other vulnerable people in the accused member of staff's home, work or community life.

Options for reducing risk should be considered in the first instance e.g. removing the staff member to a different role where s/he does not have contact with vulnerable adults and could not be accused of influencing an investigation. If this is not possible then suspension should be considered.

- 4.4.3 The decision whether to suspend rests with the employer. The employer should however, make an informed decision by seeking advice from the LADO and from any investigative agencies where they are involved. This decision should be part of the Strategy Meeting process in line with multi agency policy in managing allegations of abuse of vulnerable adults.

- 4.4.4 The employee should be informed that the reasons for any action taken is to protect both the interests of the employee and that of any vulnerable adults whilst an investigation takes place.

#### **4.5 Resignations and 'Compromise Agreements'**

- 4.5.1 Every effort should be made to reach a conclusion in all cases even if:

- The individual refuses to cooperate, having been given a full opportunity to answer the allegation and make representations
- It may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete

4.5.2 'Compromise agreements' must not be used. A 'compromise agreement' is where a member of staff agrees to resign provided that disciplinary action is not taken and that a future reference is agreed.

#### **4.6 Organised and Historical Abuse**

4.6.1 Investigators should be alert to the signs of organised or widespread abuse and/or the involvement of other perpetrators or institutions. They should consider whether the matter ought to be dealt with in accordance with Complex Abuse Procedures, which if applicable, will take priority.

4.6.2 Historical allegations should be responded to in the same way as contemporary concerns and with the same degree of priority. It will be important to ascertain if the person is currently working with vulnerable people and, if that is the case, to consider whether the current employer should be informed.

#### **4.7 Whistle-blowing**

4.7.1 All staff should be made aware of their organisation's whistle-blowing policy and encouraged to voice concerns about the attitude or actions of colleagues. If a member of staff believes that a reported allegation or concern is not being dealt with appropriately by their organisation, s/he should report the matter to the LADO.

#### **4.8 Timescales**

4.8.1 It is in everyone's interest for cases to be dealt with expeditiously, fairly and thoroughly and for unnecessary delays to be avoided. Target timescales are set out in these procedures. If these timescales cannot be met, the reasons should be documented e.g. because of the specific nature or complexity of the case.

### **5. INITIAL RESPONSE TO ALLEGATIONS OR CONCERNS**

#### **5.1 Source of concern**

5.1.1 An allegation against a member of staff may arise from a number of sources e.g. a report from a victim, a concern raised by another adult in the organisation, or a complaint by a carer.

#### **5.2 Initial action by person receiving or identifying an allegation or concern**

5.2.1 The person to whom an allegation or concern is first reported should treat the matter seriously and keep an open mind.

### 5.2.2 S/he should not:

- Investigate or ask leading questions, if seeking clarification
- Make assumptions or offer alternative explanations
- Promise complete confidentiality

### S/he should:

- Instigate immediate medical care where appropriate (e.g. initial first aid, **not** forensic examination)
- Offer reassurance that the information will only be shared on a 'need to know' basis
- Make a written record of the information (where possible creating a verbatim record), including time, date and place of incident(s), person present and what was said.
- Sign and date the written record
- Immediately report the matter to the Designated Senior Manager (DSM), or deputy in his/her absence or where the DSM is the subject of the allegation.

## 5.3 Initial action by the Designated Senior Manager (DSM)

5.3.1 When informed of a concern or allegation, the DSM should not investigate the matter or interview the member of staff concerned or potential witnesses. S/he should:

- Obtain written details of the concern/allegation, signed and dated by the person receiving (not the person making) the allegation
- Countersign and date the written details
- Record any information about times, dates and location of alleged incident(s) and names of any potential witnesses
- Record discussion about the potential victim and/or member of staff, any decisions made, and the reasons for those decisions.

5.3.2 If the allegation meets the criteria in paragraph 2 (see criteria under 'SCOPE') the DSM should report it to the LADO **within 1 working day**. Referral should not be delayed in order to gather further information.

5.3.3 The LADO should be consulted about how and when the accused member of staff is to be informed of the allegation. If sharing the information with the member of staff will not impede or undermine any subsequent investigation, there should be no delay in doing so. At this early stage, it is advisable to explain only that an allegation of a safeguarding adults' nature has been made. The detail of the allegation can be explained by the investigative agencies.

5.3.4 If an allegation requires immediate attention, but is received outside of normal office hours, the DSM should consult the Social Care Emergency Duty Team or, if appropriate, the police. The DSM should also inform the LADO as soon as possible following this action.

- 5.3.5 If a police officer receives an allegation, s/he should, without delay, report it to the Designated Detective Sergeant. The Designated Detective Sergeant should immediately inform the LADO.
- 5.3.6 Similarly, any allegation made directly to Adult Social Care should be immediately reported to the LADO.

#### **5.4 Allegations against police staff**

5.4.1 The following actions must be undertaken immediately:

- Where concerns are reported to the LADO first, he/she will notify the DCI (Detective Chief Inspector) for Public Protection
- Where concerns are reported directly to the police, the DCI for Public Protection must be notified
- The DCI will liaise with the Police Professional Standards Department
- The DCI will also liaise with the LADO to discuss how the case should be dealt with and whether a strategy meeting is required

#### **5.5 Initial consideration by the Designated Senior Manager (DSM) and the Local Authority Designated Officer (LADO)**

5.5.1 There are 3 potential strands in the consideration of an allegation:

- A police investigation of a possible criminal offence
- Social Care enquiries and/or assessment about whether a vulnerable adult is in need of protection or services
- Consideration by an employer of disciplinary action

5.5.2 The LADO and the DSM should consider first whether further details are needed and whether there is evidence or information that establishes that the allegation is false or unfounded. Care should be taken to ensure that concerns are not dismissed solely because a vulnerable adult might be confused about dates, times, locations or identity of the member of staff.

5.5.3 If the allegation is not demonstrably false at the outset, and there is cause to suspect that a person is suffering or likely to suffer significant harm the LADO should request a strategy discussion **within 24 hours**.

5.5.4 The police must be consulted about any case in which a criminal offence may have been committed. Even where the threshold for significant harm is not reached, but a police investigation might be needed, the LADO should also request a strategy discussion. The issue of suitability to work with vulnerable people must also be discussed.

## 6. STRATEGY DISCUSSIONS/MEETINGS

6.1 Wherever possible, a strategy discussion should take the form of a meeting, although, on occasions, a telephone discussion may be justified. The following is a list of possible participants:

- The Line Manager, who will chair the meeting
- The Care Manager
- The Investigating Officer (if not the Care Manager)
- Thames Valley Police
- CQC representative in the case of regulated services
- Social Worker (if the Care Manager is not the abused person's social worker)
- Nurse or other health professional if involved
- Manager of service if abuse has occurred in a service setting (and if not involved in the allegation)
- Representative of central safeguarding team
- Council legal advisor
- A member of the Commissioning Team if the service is an externally contracted service
- Organisation Human Resources representative

### 6.2 Information required for Strategy Meetings

6.2.1 The employer or their representative is likely to hold important information for the strategy discussion to consider. The employer (together with Human Resources where involved) should ensure that as much of the following information as possible is made available to the strategy discussions:

6.2.1.1 *Regarding the alleged incident:*

- Details of initial report e.g. time(s), date(s), location(s), what was said and by whom
- Possible witnesses

6.2.1.2 *Regarding the member of staff:*

- Personal details i.e. name, date of birth, address, ethnicity and confirmation that if there has been a name change records in previous name/s have been accessed
- Employment record
- Any previous concerns/allegations
- Work context and duties
- Relationships with colleagues and service users

- Other activities where he/she may have contact with vulnerable people
- Relevant personal and family information (if known)
- Hobbies or interests e.g. photography and IT
- Awareness of procedures, relevant training undertaken

6.2.1.3 *Regarding the vulnerable adult (information dependent upon the nature of the organization involved):*

- Personal details e.g. name, date of birth, address, ethnicity etc
- Family composition, history, contact details
- Reason(s) considered vulnerable
- Previous adult safeguarding concerns and vulnerability factors
- Whether previous allegations made
- Social relationships and activities
- Health: physical and mental capacity

6.2.1.4 *Regarding the organization/service:*

- Relevant policies and procedures e.g. physical intervention, and how staff made aware of these
- Relevant training and how staff attendance is monitored

**6.3 The first and any subsequent strategy discussion should:**

- Ensure that where appropriate, immediate arrangements are made to protect the vulnerable adult involved and any others potentially affected
- Consider whether any parallel disciplinary process can take place and agree protocols for sharing information
- Consider the current allegation in the context of any previous allegations or concerns
- Where appropriate, take account of any entitlement by staff to use reasonable force to control or restrain through allowable and agreed deprivation of liberty in accordance with the Mental Capacity Act
- Consider whether a complex abuse investigation is applicable
- Plan enquiries if needed, allocate tasks and set time-scales
- Decide what information can be shared, with whom and when
- Consider what support should be provided to all service users who may be affected
- Consider what support should be provided to the member of staff and others who may be affected
- Ensure that investigations are sufficiently independent
- Make recommendations where appropriate regarding suspension, or alternatives to suspension
- Agree protocols for reviewing investigations and monitoring progress by the LADO, having regard to target timescales

- Consider issues for the attention of senior management e.g. media interest, resource implications
- Agree dates for future strategy discussions
- Whether to make a referral to the Independent Safeguarding Authority (ISA)

## **7. ALLEGATIONS AGAINST STAFF IN THEIR PERSONAL LIVES**

- 7.1 If an allegation or concern arises about a member of staff, outside of his/her work setting, and this may present a risk to those for whom the member of staff has a responsibility, the general principles outlined in these procedures still apply.
- 7.2 The strategy discussion should consider whether the concern identified justifies:
- Approaching the member of staff's employer for further information, in order to assess the level of risk; and/or
  - Inviting the employer to a further strategy discussion about dealing with the possible risks
- 7.3 If the member of staff lives in a different authority to that which covers his/her workplace, there must be liaison between the relevant agencies in both areas and a joint strategy discussion convened.
- 7.4 In some cases, an allegation of abuse against someone closely associated with a member of staff e.g. partner, member of the family, or other household member, may present a risk to vulnerable adults for whom the member of staff has a responsibility. In these circumstances, a strategy discussion should be convened to consider:
- The ability and willingness of the member of staff to protect adequately vulnerable adults
  - Whether measures need to be put in place to ensure the protection of vulnerable adults
  - Whether the role of the member of staff is compromised

## **8. DISCIPLINARY AND SUITABILITY PROCESSES**

- 8.1 The LADO and the DSM should discuss whether an internal disciplinary investigation is appropriate in cases where:
- It is clear at the outset or when decided by a strategy discussion, that a Police investigation or Social Care enquiry is not necessary, or
  - The employer or the LADO is informed by Police or the Crown Prosecution Service (CPS) that a criminal investigation and any

- subsequent trial is complete, or that an investigation is to be closed without charge, or a prosecution discontinued, or
- Where the Police and CPS formally agree to a disciplinary investigation running concurrently with their own investigations
- 8.2 The discussion should consider any potential misconduct and/or suitability issues on the part of the member of staff and take into account:
- Information provided by the Police and/or Adult Social Care
  - The result of any investigation or trial
  - The different standard of proof in disciplinary and criminal proceedings
- 8.3 If formal disciplinary action is not required, the employer should institute appropriate action **within 3 working days**. If a disciplinary hearing is required, and further investigation is not required, the hearing should be held **within 15 working days**.
- 8.4 If further investigation is needed to decide upon disciplinary action, the employer and the LADO should discuss whether the employer has appropriate resources or whether the employer should commission an independent investigation because of the nature and/complexity of the case and in order to ensure objectivity.
- 8.5 The aim of an investigation is to obtain, as far as possible, a fair, balanced and accurate record in order to consider the appropriateness of disciplinary action and/or the individual's suitability to work with vulnerable people. Its purpose is not to prove or disprove the allegation.
- 8.6 The investigating officer should aim to provide a report **within 10 working days**.
- 8.7 On receipt of the report the employer should decide **within 2 working days**, whether a disciplinary hearing is needed. If a hearing is required, it should be held **within 15 working days**.
- 8.8 If at any stage, new information emerges that requires an adult safeguarding referral, the disciplinary investigations should be held in abeyance and only resumed if agreed with Adult Social Care and the Police. Consideration should again be given as to whether suspension is appropriate in light of any new information.
- 8.9 **Supply, contract and volunteer workers**
- 8.9.1 In the case of agency, contract and volunteer workers, normal disciplinary procedures may not apply. In those circumstances, the LADO and employer should act jointly with the providing agency, if any, in deciding whether to continue to use the person's services, or provide

future work with vulnerable adults and if not whether to make a report for consideration of barring or other action.

#### 8.10 Sharing information for disciplinary purposes

8.10.1 Wherever possible, the Police and Adult Social Care should, during the course of their investigations and enquiries, obtain consent to provide the employer and/or regulatory body with statements and evidence for disciplinary purposes. Consideration should also be given to the type of evidence required and how the employer and/or regulatory body is to access such evidence e.g. transcripts from, or direct viewing of, video recorded interviews.

8.10.2 If the Police or CPS decide not to charge, or decide to administer a caution, or the person is acquitted, the Police should pass all relevant information to the employer immediately.

8.10.3 If the person is convicted, the Police should inform the employer straight away so that appropriate action can be taken.

### 9. RECORD KEEPING AND MONITORING PROGRESS

9.1 Employers should keep a clear and comprehensive summary of the case record on a person's confidential personnel file and give a copy to the individual. The record should include details of how the allegation was followed up and resolved, the decisions reached and the action taken. It should be kept at least until the person reaches normal retirement age or for 10 years if this is longer.

9.2 The LADO should keep comprehensive records in order to ensure that each case is being dealt with expeditiously and that there are no undue delays. The records will also assist the BSVAB to monitor and evaluate the effectiveness of the procedures for managing allegations.

9.3 The LADO should monitor and record the progress of each case, either **fortnightly or monthly** depending on its complexity. The monitoring could be by reviewing strategy discussions or by direct liaison with the Police, Adult Social Care, or the employer, as appropriate. Where the target timescales cannot be met, the LADO should record the reasons for not being able to meet the timescales.

9.4 The LADO should also support organisations making referrals to the ISA and ensure that the referral is completed in full.

9.5 If a Police investigation is to be conducted, the Police should set a date for reviewing its progress and consulting the CPS about continuing or closing the investigation or charging the individual. Wherever possible, this should be **no later than 4 weeks** after the strategy discussion.

Dates for further reviews should also be agreed, either **fortnightly or monthly** depending on the complexity of the investigation.

- 9.6 Where a disciplinary investigation follows Police or Social Care enquiries, the subsequent decisions made by the employer must be brought back to a final strategy meeting. This is to ensure that any safeguarding issues have been brought to an appropriate resolution for each of the investigative processes engaged (i.e. criminal, ISA and/or disciplinary).

## 10. UNSUBSTANTIATED AND FALSE ALLEGATIONS

- 10.1 Where it is concluded that there is insufficient evidence to substantiate an allegation, the chair of the strategy discussion should prepare a separate report of the enquiry and forward this to the DSM of the employer to enable her/him to consider what further action, if any, should be taken.
- 10.2 False allegations are rare and may be a strong indicator of abuse taking place elsewhere in someone's life, requiring further exploration. If an allegation is demonstrably false, the employer, in consultation with the LADO, should refer the matter to Adult Social Care to determine whether the vulnerable adult is in need of further assessment for service provision, or might have been abused by someone else.
- 10.3 If it is established that an allegation has been deliberately invented, the Police should be asked to consider whether action might be appropriate.

## 11. REFERRAL TO INDEPENDENT SAFEGUARDING AUTHORITY (ISA) OR REGULATORY BODY

- 11.1 If the allegation is substantiated and the person is dismissed or the employer ceases to use the person's services, or the person resigns or otherwise ceases to provide his/her services, the LADO should discuss with the employer whether a referral should be made to the ISA barred from working with vulnerable adults list and/or a regulatory body e.g. the GSCC, GNC or GMC.
- 11.2 In compiling a report for a barring or regulatory body, the employer will be offered guidance by the LADO in:
- Ensuring that wherever possible, the employer receives sufficient evidence from Adult Social Care enquiries and Police investigations
  - Assisting in the interpretation of outcomes and professional opinion
  - Assisting in the identification of risks to vulnerable adults
- 11.3 If a referral is to be made it should be submitted **within 1 month**.
- 11.4 Consideration will then be given to whether the individual should be barred from, or have conditions imposed in respect of working with vulnerable adults and/or children.

## **12. LEARNING LESSONS**

- 12.1 The LADOs will provide regular progress reports and statistics to the Safeguarding in Employment Sub Committee. The Sub Committee will determine whether there are any improvements to be recommended within specific organisations or across multi-agency procedure or practice, or whether to request a formal Serious Case Review.

## **13. PROCEDURES IN SPECIFIC ORGANISATIONS**

- 13.1 All local procedures for managing allegations against staff and volunteers who work with vulnerable adults should be compatible with the BSVAB procedures in this document. In addition, they should provide contact details for:

- The Designated Senior Manager in their organisation to whom all allegations should be reported;
- The Deputy for the DSM; and
- The Local Authority Designated Officer