|  |
| --- |
| Safeguarding Adults in South Tyneside January 2021Appendix C to PIPOT ProtocolPosition of Trust Risk Balance Sheet |

*The owner of concern information i.e. the first person or nominated representative of the owner’s organisation who identifies a position of trust risk can use this checklist to determine if position of trust procedures need to be commenced. If in doubt consult the appropriate Adult Safeguarding Lead.*

*This checklist can also be used by Adult Safeguarding Leads on receipt of a position of trust referral to aid decision making.*

|  |  |  |
| --- | --- | --- |
| **QUESTION** | **Unlikely to support position of Trust procedures** | **Likely to support position of Trust procedures** |
| Has the individual:   * 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 towards an adult in a way that indicates they may pose a risk of harm to adults with care and support needs. | No | Yes |
| Has the individual:   * behaved in a way that has harmed, or may have harmed, a child * possibly committed a criminal offence against, or related to a child; or * behaved towards a child or children in a way that indicates s/he is unsuitable to work with adults at risk | No  Child protection issues but does not work in a regulated activity with adults with care and support, | Child protection issues suggesting suitability to work with adults with care and support must be considered. |
| Who is the information coming from – are they credible? Is the any incident/tension/friction between the parties? | After information gathering source of information is questionable (e.g. malicious).  Or is an anonymous concern with insufficient information to warrant procedures. | Source of information is credible and reliable. E.g. police, several consistent witnesses. |
| What is the severity of the allegation? | Insignificant | Severe |
| What level of access to adults at risk  does the individual have? | Supervised | Unsupervised |
| How frequently does the individual have access to adults at risk? | Never/Infrequent | Very frequent |

|  |  |  |
| --- | --- | --- |
| Likelihood of reoccurrence. | None/Low | High |
| Does the incident relate to them as a victim or person alleged to be the source of risk? | Victim | Person alleged to be the source of risk. |
| What is the truth of the allegation? The greater the conviction that the allegation is true the more pressing the need to disclose. | Weak or no evidence  Concern | Strong evidence Fact |
| Why does the third party need to know (proportionality)? The more intense the need (legally or operationally) the more pressing the need to disclose. | No legal remit to share | There is a legal right to be told. |
|  | No operational need to know | Operational need to safeguarding adults at risk. |
| What are the risks if the information is NOT shared? When answering this question consider the persons previous history (if any) of involvement with children. | No or few risks | Risks are significant. |
| How will the disclosure of information impact on the persons ARTICLE 8 – ECHR – Right to Private Life? | Whilst everyone has the right to a private life these situations will require a case by case consideration of the facts and a balancing exercise of the individual’s rights against the wider public interest. | |
| Is there a qualified right to confidentiality | No right to | Of public interest |
| or does the law enable or require the | confidentiality and |  |
| information to be shared? | no public interest to |  |
|  | share |  |