**Rochdale - Allegation Management process**

What is an Allegation?

*“A suspicion or concern that a trusted individual within an organisation or establishment has mistreated or abused an adult with care and support needs or may be about to do so”*

**Policy and procedures and general documents**

**RBSAB (Rochdale Borough Safeguarding Adult Board) Allegation Management procedure**

**Managing Allegations procedure for Adult Care Workers**

**Consideration form**

**Referral form**

**Leaflets for employer, employee and service user/family**

Any concern raised that is in relation to someone in a ‘position of trust’ who may have harmed, or who poses a risk of harm, to Adults with Care and Support needs information should be shared into the AML inbox **aml@rochdale.gov.uk**using the **Initial consideration form.** This does not detail the name of the employee, it allows providers to share information if they are unsure if the criteria for allegation management is met. Once received the information is read and a response provided – if felt the criteria **isn’t met** then advice is given to the employer and they are advised to manage the concern using their own internal procedures. The form is saved to ‘**forms not meeting’** in a folder so these figures can be collated and trends can be identified.

The MA procedures should be used when an allegation is made that a person who works with adults with care and support needs 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**
* **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.**

It is the responsibility of the safeguarding lead within the organisation to share the concern. If the safeguarding lead is clear that the above criteria is met then information should be shared using **The referral form.** This form details the name of the alleged and at this point the employer needs to tell the individual that they have shared their information with the local authority. **Leaflet is then shared with the alleged to explain the process.** The referral form at this point is shared with GMP where there are concerns a crime may have been committed. This may have already been shared by the provider. A meeting is organised within 5 working days with Adult Care social worker, employer, commissioning services and GMP.

A spreadsheet is held on a secure drive which details the name and information about the individual, this is identified using log numbers. E.g Log 210. Each log has a case file for the information, including a running log of emails and information, the meeting minutes, Adult Care information and any other information relating to the case.

The role of Adult Social Care is to determine if the criteria is met for a s42 (2) enquiry. Part of this enquiry may be to speak with the Adult who has been harmed, obtain an account from them and to ensure their safety. The ongoing protection plan may include recovery from trauma.

**The MA meeting - It is the responsibility of the Allegation Management lead to facilitate and lead at the meeting and throughout the process using a specific MA strategy meeting agenda. The manager of the alleged is invited to share information as to what has happened and actions will be decided following the meeting. The abuse category is defined in the meeting and evidence as to how the SU has been harmed. Through information sharing the employer of the alleged is invited to decide if they are able to make a decision about the outcome. These outcomes are:**

**Outcome Definitions are based on the Balance of Probability, these are not based on criminal outcomes.**

* **Substantiated** – There is sufficient identifiable evidence to prove the allegation. Relevant Conduct has occurred (**This is linked with DBS conduct** )
* **Unsubstantiated** – This is not the same as a false allegation, it simply means that there is insufficient identifiable evidence to prove the allegation. The term does not imply guilt or innocence.
* **Unfounded** – There is no evidence or proper basis which supports the allegation being made, or there is evidence to prove that the allegation is untrue. It may also indicate the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of all the circumstances.
* **Malicious/False** – There is “clear” evidence to prove that there has been a deliberate act to deceive and the allegation is entirely false.

**The outcomes are specifically in relation to the individual abuse that has been identified. For example:**

|  |  |  |
| --- | --- | --- |
| **ABUSE CATEGORY**  | **EVIDENCE & DESCRIPTION** | **OUTCOME** |
| Physical Assault and Emotional Psychological | At 1 am on 2nd November 2022 managers conducted spot checks at the \*\*\*\*\* Home and found that care assistant \*\* had tightened nightdresses between the legs of two residents in order to prevent them from having access to continence pads, restricting the movement of the residents and making them uncomfortable. No report made to the nurse on duty. | **Substantiated** |

**More information may need to be gathered before making a decision about any outcome in relation to whether or not harm has been caused. This may include:**

* **Organisation Internal Investigation**
* **GMP involvement**
* **Adult Social Care enquiry**

The Allegation Management process ensures that all minutes are written up within ten days. Actions are identified and distributed to all attendees using an action table. The AML then can either receive an outcome via email once they feel able to make a decision or they can be supported with a short outcome meeting whereby the actions are re looked at, information is shared and they are then invited to decide upon an outcome.

 If the abuse outcome is ‘**substantiated**’ then the employer is responsible for referring the individual to the DBS. Any lesson learnt from organisations are recorded and links with commissioning services are made.

The employer is then sent an outcome closure letter detailing the decision and the case is moved to closed cases.