

The possible outcomes of an investigation are:

- **Substantiated**

Evidence was able to prove that what was alleged did happen.

- **Unsubstantiated**

It cannot be proven either way that the allegation did or did not happen. The term does not imply guilt or innocence.

- **Unfounded**

There is no evidence to support the allegation or there is evidence to prove that the allegation is untrue. It may indicate that the situation may have been misinterpreted by the complainant.

- **Malicious/False**

There is clear evidence to prove that there has been a deliberate act to deceive and the allegation is entirely false.

What happens after the allegation management strategy meeting?

Substantiated allegations

If the allegation is substantiated and the employee or volunteer is dismissed, or resigns before dismissal, the employer has a legal duty to refer the matter to the Disclosure and Barring Service (DBS) or other professional regulatory bodies. The DBS has the power to decide whether the person should be barred from, or have conditions imposed, in respect of working with adults with care and support needs.

Record keeping

Employers keep human resources records, which will detail the allegation, how it was investigated, the outcome and the action taken.

This information will be kept on Oldham Local Authority's allegation management system for a period of 10 years or until the person alleged to have caused harm reaches 100 years, depending on the outcome of the investigation. These arrangements are in line with Oldham Local Authority Allegation Management procedures.

Further information

The Oldham Procedure for Allegation Management can be found at: osab.org.uk/professionals/policies

You can contact Adult Social Care between 8.40am and 5.00pm, Monday to Friday:

Telephone Number: 0161 770 7777

Email: adult.mash@oldham.gov.uk

Address: Level 9, Civic Centre Oldham
OL1 1UT

Information about the Disclosure and Barring Service can be found at: gov.uk/government/organisations/disclosure-and-barring-service

Allegation Management:

Managing allegations about staff who work or volunteer with adults with care and support needs

INFORMATION FOR EMPLOYERS



**OLDHAM SAFEGUARDING
ADULTS BOARD**



This information leaflet provides a brief guide about the allegation management process and the role of the allegation management lead (AML). If you are faced with an allegation against an employee, volunteer or professional working or providing services to adults with care and support needs, you must contact the AML and follow Oldham's multi-agency allegation management procedure.

This leaflet is about managing allegations of harm made against individuals who work with adults with care and support needs in any setting and occur in the workplace or relate to the individual's personal life. If harm may have been caused or is at risk of taking place to an adult with care and support needs, a referral to adult social care needs to be made, in addition to a referral to the AML, so that a safeguarding enquiry can be made.

It is important that all allegations of harm are treated seriously and in line with Oldham Safeguarding Adult Board's Procedures.

The statutory guidance for the management of allegations can be found within section 14 of the Care and Support Statutory Guidance of the Care Act 2014.

You can find more information on the OSAB website at: osab.org.uk

Managing allegations: what you need to do as an employer

Safeguarding lead or senior manager receives the allegation

Safeguarding lead or senior manager determines whether meets threshold for referral to AML

If the allegation meets threshold criteria safeguarding lead or senior manager completes the allegation management referral form. If safeguarding lead or senior manager is UNSURE the allegation meets threshold criteria, they should contact the AML.

In addition to the AML referral, if harm may have been caused or is at risk of taking place to an adult with care and support needs, a referral to adult social care needs to be made so that a safeguarding enquiry can be made.

Safeguarding lead or senior manager will discuss with the AML and agree a course of action.

Either

a) No further action

or

b) Internal action to be completed by the provider/ employer

or

c) An Allegation Management Strategy Meeting will be convened. If it is necessary to investigate further, a decision will be made during the allegation management strategy meeting as to whether this will be the police, adult social care, the provider/employer or a combination of agencies.

What happens at the allegation management strategy meeting?

The AML will chair the allegation management meeting. The employer has to attend the meeting; police and adult social care may also attend. The alleged person to have caused harm will not be involved in the meeting and neither will the adult involved or their representative.

The members of the meeting will decide:

- What is required to safeguard the adult involved or other adults with whom the staff member has contact, to ensure any risks to adults with care and support needs are managed.
- Whether a police and/or adult social care investigation is required or whether disciplinary procedures should be followed; this could include suspending the employee. Any internal investigation should follow any police or adult social care enquiries.
- What information can be shared with the alleged person to have caused harm and by whom.
- Whether further investigation is required following which a second allegation management strategy meeting needs to be convened to reach an outcome.



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