

Safeguarding Vulnerable Adults Policy

POLICY & PROCEDURES PROTECTION OF VULNERABLE ADULTS
This policy was written in conjunction with the Multi-Agency
Safeguarding of Vulnerable Adults in Lincolnshire Policy

STATEMENT

The welfare of all vulnerable adults accessing the services of Spalding & District Age UK is of paramount importance to the Board of Trustees.

This is achieved: -

- By actively promoting the empowerment and well-being of vulnerable adults through sensitive and responsive service provision.
- By supporting the independence and self-determination of the individual, including the recognition that such a right can involve risk, which is understood by all concerned and which is minimised wherever possible.
- By ensuring the safety of vulnerable adults through strict adherence to the guidelines below, through applying integrated partnership strategies of the relevant local authority and through the provision of training and support to all staff and trustees who work for Spalding & District Age UK
- By ensuring that the law and statutory requirements which relate to vulnerable adults are known and put into practice, when required.

KEY DEFINITIONS

A '**Vulnerable Adult**' is a person, aged 18 or over, "who is or may be, in need of community care services by reason of mental or other disability, age or illness: *and* who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation." (Lord Chancellor's Dept. 1997)

"**Significant Harm**' should be taken to include not only ill-treatment (including sexual abuse and forms of ill-treatment that are not physical), but also 'the impairment of, or an avoidable deterioration in, physical or mental health; and the impairment of physical, intellectual, emotional, social and behavioural development.'" (Lord Chancellor's Dept. 1997)

'**Abuse**' is "a violation of an individual's human and civil rights by any other person or persons ("No Secrets", DoH 2000) furthermore, abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or omission to act, or it may occur when a vulnerable

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person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it.”

Neglect and poor professional practice also need to be taken into account, whether by ‘isolated incidents’ or by ‘pervasive ill-treatment or gross misconduct’.

DEFINITIONS OF ABUSE

There are 7 identified categories of abuse as outlined by the Safeguarding Adults (Lincolnshire team) which this policy addresses

Physical-Psychological-Financial-Sexual-Neglect- Discriminatory-Institutional

‘The Abuser’

May be from any one of a wide range of people including relatives and family members, professional paid staff, volunteers, other service users, neighbours, friends, and strangers. No categories, familiar or stranger, can be excluded.

ASSESSMENT OF ABUSE

All staff working with a vulnerable adult has a duty of care to evaluate:-

- Are there concerns following a reported or noticed incident or allegation?
- Is this person vulnerable?
- What is the nature and extent of the alleged abuse?
- What is the impact, or likelihood of significant future harm, to the individual from this action or omission to act?
- Is this person suffering harm or exploitation?
- Is intervention in the best interests of the vulnerable adult and/or in the public interest (“No Secrets” DoH 2000)?

In addition, it is important to remember that adult protection guidelines have intrinsic differences to those applying to children. In particular:

- Adults have the right to make decisions for themselves, unless there are clear grounds to override this because of incapacity, or because the wider public interest (such as the protection of others) is involved.
- Legal intervention is more restricted in relation to adults, and negotiation may be the only way forward.

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An adult might therefore refuse access to him/herself, or have sufficient capacity in law to make his/her own choices and refuse the support, which staff or others might consider is necessary. In such cases, vigilance in delivering services, careful and continuous monitoring is vital.

TRAINING

All staff, volunteers and trustees working for Spalding & District Age Uk must receive and read this policy, and the procedures to be adopted. Staff awareness where possible should include:

- Basic induction training for all workers working with an adult receiving Spalding & District Age Uk services. This should include awareness that abuse can take place, types of abuse, how to deal with disclosure, the procedures to be followed, record keeping and confidentiality, and how to seek support when working in stressful or pressurised circumstances
- Follow-up development and support within supervision structures.
- Annual staff appraisal to ensure up to date competence.
- Specialist training for organisation managers or coordinators who conduct risk assessment or who recruit or support staff

Receiving and providing training is a continuing responsibility for Spalding & District Age Uk and it will be a rolling programme with inter-agency procedure updates when necessary.

GUIDANCE FOR SPALDING & DISTRICT AGE CONCERN STAFF IF ABUSE IS EVIDENT OR DISCLOSED

1. Seek medical assistance or treatment for an injured person and make safe.
2. Immediately contact your Manager or other nominated person who should inform the Social Services duty manager or, if necessary, the police. Full details of staff concerns and any evident injuries to the vulnerable adult must be reported.
3. Ensure that an authorised person arrives to escort the vulnerable adult to hospital, or a place of safety, away from the abusing situation, if the person appears to be in immediate danger.
4. If a vulnerable adult begins to disclose abuse, listen carefully, but do not prompt or ask questions.
5. Report the disclosure immediately to your Manager.
6. Make an immediate record of the time, place and details given in disclosure.
7. Continue to maintain a full record of subsequent events thereafter

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GUIDANCE FOR SPALDING & DISTRICT AGE UK STAFF IF ABUSE IS SUSPECTED OR CONCERNS ARISE.

1. Staff/volunteers should note concerns, whether based on a 'one-off' incident or remark, or noted as repetitious events or statements, and discuss immediately with the Manager.
2. Staff should listen carefully if a vulnerable adult describes or discloses apparent abuse. Prompting should not take place. It must always be explained that legal guidelines and Spalding & District Age Uk Confidentiality Policy require that Manager is told.
3. Support workers should never agree to secrecy or indicate they will undertake any investigation.
4. Written records of the staff's conversation, or noted concerns, should be completed within 24 hours, dated and signed, to be stored confidentially.
5. The Manager should discuss the concerns at the first opportunity with the duty manager of the local Social Services Department, and keep a full record of the conversation with Social Services, requesting confirmation of the phone call, and any actions immediately undertaken by Social Services to be sent in writing to the Manager.
6. All actions undertaken by Spalding & District Age Uk staff should be fully recorded.
7. Staff who have reported alleged abuse or shared concerns, as above, should be fully supported during a period of possible uncertainty or anxiety.

RESPONSIBILITIES OF TRUSTEES

- To familiarise themselves with the Spalding & District Age Uk Policy for the Protection of Vulnerable Adults, adopt it, and ensure adherence to it and any revisions made thereafter.
- To ensure that procedures are in place for liaising with and reporting to the local authority, and that local authority inter-agency guidelines have been adopted and are used by Spalding & District Age Uk.
- To ensure systems are in place for the proper recruitment, selection and vetting of Spalding & District Age Uk staff and volunteers, following

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all current legal requirements and Spalding & District Age Concern employment policies.

- To ensure that systems are in place for the proper supervision and training of all staff and volunteers.
- To ensure that the Policy, and the accompanying procedures, have been made available to all staff and volunteers.
- To take reasonable steps to ensure the safety of staff and volunteers working in situations where violence towards adults is suspected or known.

RESPONSIBILITIES OF MANAGER/S

- To understand and implement all procedures detailed in the Spalding & District Age UK Policy for the Protection of Vulnerable Adults.
- To be fully up to date on all local authority procedures and guidance relating to inter-agency work on the protection of vulnerable adults.
- To ensure all staff are fully trained and updated on all aspects of working with vulnerable adults.
- To ensure staff understand the requirements of the Policy through effective supervision and staff appraisal.
- To ensure the safety of all staff and volunteers through effective risk management procedures, and the implementation of all related policies
- To inform the Safeguarding Lead Officer/Chair of the Board of Trustees of any action taken in relation to this Policy, as soon as is feasible, and observing confidentiality at all times.
- To establish and maintain effective working relationships with all other agencies involved in the delivery of services for the elderly.

IDENTIFIED TYPES OF ABUSE

Abuse is a violation of an individual's human or civil rights by any other person or persons.

Physical	Such as hitting, biting, misuse of medicines, inappropriate moving and handling techniques and inappropriate restraint.
Psychological	Such as using threats, intimidation or humiliation.
Financial	Such as taking money or possessions, misuse of welfare benefits, and lasting Power of Attorney.
Sexual	Making someone take part in any sexual act they have not consented to or do not understand.

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Neglect	Such as a carer not meeting a person’s care needs, not providing adequate food, drinks, heating, clothing and personal care.
Discriminatory	Any abuse based on discrimination such as not providing culturally appropriate meals, inappropriate nicknames, degrading discriminatory comments, denying someone access to sex education.
Institutional	Abuse may consist of repeated poor practice throughout an organisation, inflexible services based on needs of staff/managers rather than on the needs of individuals in their care.

This list is not exhaustive

AREAS & SITUATIONS WHERE ABUSE MAY OCCUR

1. Caring situations where formal Carers or family / friends:

- have not been given adequate knowledge, skills or equipment to provide adequate care
- feel very lonely or isolated
- habitually lose their temper
- feel unable to cope with the vulnerable adult
- experience considerable change in lifestyle
- have unsupervised / uninterrupted access to the vulnerable person

2. Unequal power relationships where one person: -

- can tell the other what to do
- gives intimate personal care
- has more status / credibility
- provides material goods
- has total financial control
- issues confidential information

3. Situations where the vulnerable adult: -

- has hit out at an individual/carer/family member
- cannot converse normally
- disturbs individual/carer/family member at night
- has stolen from or abused the individual/support worker/family member in the past

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- is/appears to be rejecting and / or ungrateful
- behaves bizarrely or is experiencing personality changes.

4. Family situations where: -

- relationships have been poor over years, subject to violence
- living conditions are poor
- Carers are not receiving practical / emotional support from other family members and / or professionals
- Individuals/carers/family members have other responsibilities
- role reversal has been experienced
- the vulnerable adult is inconsiderate towards other family members
- the individual/carer/family member is being abused by the dependent person

RECRUITMENT VETTING & MONITORING PROCEDURES

Because CARE FACILITIES are regarded as “easy targets” by those deliberately wishing to gain access to vulnerable adults, care must be taken.

Spalding & District Age Uk must ensure that abuse is not perpetrated by its own personnel through vigilant vetting at the stage of recruitment and selection, including CRB checks and checks against the POVA* list.

Spalding & District Age Uk will refer any staff member or volunteer reasonably considered guilty of causing harm to a vulnerable person or of placing them at risk of harm to the POVA* list.

Trustees need to be able to demonstrate that they are aware of this risk and have taken all reasonable steps to protect the organisation and its clients.

The managers should regularly supervise staff, to enable monitoring of relationships and give staff an opportunity to share concerns. Trustees must ensure that systems are in place to record staff concerns.

***Reference Note:**

The Protection of Vulnerable Adults (POVA) list exists to protect vulnerable adults from known individuals who have harmed or risked harm to vulnerable adults.

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LEGAL FRAMEWORK

Relevant law generally covers either prevention or protection. However, there is no specific legislation to protect vulnerable adults since legal assumption is based on adult competence. Vulnerable adults may therefore be at risk and remain in dangerous situations because:

- Staff has no power to gain access to, or remove the adult from a dangerous situation, or investigate further the context of their affairs.
- The vulnerable adult is deemed to be competent and refuses all assistance.

Community Care Legislation with implications for safeguarding policies:

- NHS and Community Care Act 2000
- Cares Standards Act 2000
- Youth Justice and Criminal Evidence Act 1999
- Mental Capacity Act 2005

Lincolnshire County Council is the Lead Agency through designated officers identified within the Multi-Agency Policy as Liaison Managers. The Liaison Managers have a key responsibility to co-ordinate the Safeguarding Adults process in line with the Multi-Agency Policy and Guidance.

The Multi-Agency Safeguarding of Vulnerable Adults in Lincolnshire Policy sets out the legal framework by which Spalding & District Age Uk will operate as a provider of adult social Day Care.

Spalding & District Age Uk (SDAU) has appointed a lead Safeguarding officer - the **Manager**. Alerts received in relation to clients of the services provided by SDAU will be dealt with in the first instance by the Manager who will consult with the nominated Trustee. The alert will be managed within 2 hours of its receipt by contacting LCC Customer Service Centre (01522-782155) or the Emergency Duty Team if appropriate.

ALERTER PROCEDURE

An alerter is anyone who becomes concerned that alleged abuse is occurring.

- the 'alerter' will not be asked to verify or prove that information is true, but accurate and timely records must be kept.
- the 'alerter' must report any concerns through formal channels as laid down in the policy.
- Make client safe

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