Policy 13: Boundaries Policy

Last updated by: SH, JM, LR, NE

Links to policies:

<table>
<thead>
<tr>
<th>Version</th>
<th>Changes</th>
<th>Policy Date</th>
<th>Next Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>April 18</td>
<td>April 20</td>
</tr>
</tbody>
</table>
1. Introduction

a) From time to time, Age UK York (AUKY) staff and volunteers encounter situations relating to the service users with whom they work where, having done as much as their roles require, the service user's situation has not changed, or has not changed as much as a worker would like. This can result in the AUKY worker feeling frustrated, distressed or even that they haven't in some way measured up to their job;

b) This situation does not happen all the time and some workers may never encounter the situation at all. This is no reflection on the abilities or quality of those workers;

c) It is in the nature of workers employed or volunteering within the charitable sector, that they will be seeking the optimum outcome for the service users they seek to help;

d) This policy is intended to help AUKY workers in such situations.

2. Legislation and regulatory requirements and responsibilities

a) The Trustees of AUKY (the Trustees) have overall responsibility for the workings and actions of AUKY and acknowledge and work within all relevant legislation;

b) These statutes and regulations include the General Data Protection Regulations;

c) The Trustees have devolved day to day responsibility on the Chief Officer (CO);

d) Of particular concern for AUKY in the context of service users are questions of safeguarding and confidentiality;

e) 'Confidentiality' is about a service user's right to have her/his personal details kept private and not used in ways which could be contrary to their best interests;

f) 'Safeguarding' is about protecting a service user from some kind of harm, which could originate from some action of their own or from the actions of other people with whom they are in some way connected;

g) AUKY workers will know that there are occasions when confidentiality is being broken, for example where medical practitioners share information about a patient or in cases of police involvement;

h) There are also situations where there is implied consent to share information even if a service user hasn't specifically agreed to this;

i) Decisions about sharing information or breaking confidentiality rest with the senior managers and Trustees.

3. GDPR

a) The General Data Protection Regulations have their own briefing note set out as a separate policy;

b) New staff and volunteers will receive an explanation on GDPR as part of their initial training or induction;
c) Two particular points must be borne in mind:

i) That service users are entitled to have their safeguarding and dignity respected;

ii) The breach of GDPR carries substantial financial penalties.

4. Service Boundaries

a) This policy is called the Service Boundaries Policy because for all AUKY workers there can be occasions where there are boundaries that workers may wish to overstep but cannot, for various reasons, including:

- lack of appropriate training;
- lack of time;
- outside the role remit;
- some feature of the service user her/himself such as mental ill health or physical disability;
- the service user exercising their right to choose (which is something that all service users with capacity to do so must be permitted);

b) Sometimes an AUKY worker may have concerns about a service user’s safety and may therefore believe that it is appropriate to overstep a boundary, if they are able to. However, a worker may also wonder if they are breaking confidentiality by doing so;

c) There are all kinds of situations where workers may find themselves in a dilemma about all of this. The Trustees and CO will expect and require that any worker experiencing such a dilemma speaks immediately, by phone if necessary, to their line manager or supervisor or any senior manager. If a worker takes action without first consulting a manager or supervisor they may be breaking the law, which could have consequences far beyond the particular service user;

d) The only occasion when an AUKY worker might take action without consulting first would be when there was a clear and immediate threat to a service user such as an intention to self harm with potentially serious consequences, or a violent and immediate action by someone else.

5. Support

a) Throughout the work of any AUKY worker, the role of the line manager or supervisor includes support in difficult, problematic or stressful situations;

b) AUKY workers may sometimes feel that something must be done for a service user, even if it is unclear what that should be, and may feel frustrated that something tangible and immediate is not being done;

c) AUKY workers should share this frustration with their line manager or supervisor, so that it can be talked through. However, at the end of the day, workers may have to acknowledge that everything that can be done is being done and that, while all service users will always be supported, there actually is no solution.

6. Solutions

a) The Trustees and CO recognise that for workers within the charitable sector it is difficult to say 'no' when they see a role or action that they could undertake, even when it is outside their remit;

b) Because of this, although to say 'no' does not provide a solution to a service user's problem or need, it is set as a clear boundary for a worker's decision;

3 Policy 13: Boundaries Policy v1
c) There may also be instances where a solution involves working in the long-term with a service user. This might be within an AUKY worker's capability but not within their capacity. In such cases, senior AUKY managers must be involved at the outset;

d) The Trustees and senior management of AUKY also acknowledge that for some service users there may not actually be a solution at all;

e) No worker should feel that they are regarded as inadequate in their role when senior managers, working with other appropriate agencies, take over the particular problems that cause a dilemma for AUKY workers. Workers will then not be required to work further on any such problem unless directed to do so, with specific instructions;

f) The Trustees and senior management of AUKY acknowledge that for some service users, their situations are so complex that a number of agencies including social services and other departments within the City of York Council may be appropriately involved;

g) AUKY and its Trustees aim to provide support to vulnerable older people. Thus, AUKY workers may be left feeling that, even although they may acknowledge boundaries to their particular role and that any particular problem has been raised and passed on to senior management and/or other agencies, their concerns still 'leave them awake at night'. AUKY Trustees and senior management have adopted and acknowledge the additional responsibilities and actions as follows:

- A problem or a vulnerable client's situation, after being passed on to a relevant agency, is not then regarded as a 'closed file' but will be followed up with that agency after a period of time agreed with that agency. This may be two weeks or a longer period but will be followed up, with a record of the need to follow up, the agreed timescale and the outcome recorded by senior managers, (usually the DCO) and the outcome reported to the relevant AUKY worker, bearing in mind the requirements of the GDPR;

- The Trustees receive reports from the Trustee who works with AUKY's safeguarding team, presented at each Trustee Board meeting, observing confidentiality, and discuss what action is being taken and what else can be done;

- The DCO in such instances will conduct follow-up with such clients and this may continue via the Befriending service and any other services provided by AUKY for its service users;

- AUKY is a member of the Advice York partnership and will bring its concerns about vulnerable clients in general and specific client problems in detail to the Advice York meetings. Confidentiality will be observed and discussions held on possible further actions;

- AUKY may decide to contact Age UK England for advice or to gain their support for a campaign or other action;

- AUKY may decide to associate itself with another campaigning organisation including Citizens Advice York or specific disability organisation such as MIND, with a view to conducting a campaign;

- AUKY would be less likely to go to the Press about a specific vulnerable client because of confidentiality, but would consider an approach to the Press or other media that covered more general vulnerability such as cold calling;

- The Trustees, because of their experience and knowledge that might be broader than AUKY itself, will involve themselves in areas of service provision including charitable trust funding, that are not within the normal remit of a Trustee, in the interests of particular client problems. Under no circumstances would Trustees take over the role of any employee;

4 Policy 13: Boundaries Policy v1
• The relevant MP and Ward Councillors will be contacted, apart from the City of York Council itself, to request assistance as appropriate and the MP will be asked to add the particular client difficulty to her/his folder of information about particular problems encountered in York;

• Finally, AUKY and the Trustees always welcome all ideas and suggestions from staff and volunteers about any support groups or other assistance that might be available or come on stream in York that could assist any vulnerable older people.