

Safeguarding Vulnerable Adults Policy

General Statement

Spring North is concerned with the safeguarding and well-being of all people. We recognise that it is the responsibility of all staff, volunteers, directors and members to help to prevent the physical, sexual, or emotional abuse of every member of our community, and in particular the abuse of those most vulnerable amongst us.

We recognise that we have a responsibility to ensure that all staff members, volunteers and directors are aware of our policy relating to vulnerable adults and any other policies and procedures related to the specific activities that they are involved in.

Our policy complies with the recommendations of our Local Safeguarding Adults board

<http://www.lsab.org.uk/>

In March 2000, the Department of Health guidance 'No Secrets' was issued under Section 7 of the Local Authority and Social Services Act 1970. Although 'No Secrets' gave the lead coordinating responsibility for adult protection¹ (now safeguarding) to council's adult social care services, it does require all agencies and organisations supporting at risk adults to be fully active participants in the operation of the inter-agency policy and procedures to protect those adults.

Aims of this policy

The aim of this policy is to raise awareness of safeguarding vulnerable adults (adult at risk) and provide a clear framework for reporting allegations of abuse.

The No Secrets definition of a 'Vulnerable Adult' is:

"A Vulnerable Adult is a person 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".

Our Local Safeguarding Adults Board adopted the terminology of 'an adult at risk' as being regarded as an eligible adult in relation to adult safeguarding policy and procedures. It was agreed to adopt the definition of an 'adult at risk' set out in the Scottish Adult Support and Protection Act 2007.

This defines adults at risk as those who:

- (a) are unable to safeguard their own well-being, property, rights or other interests,*
- (b) are at risk of harm, and*

(c) because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

(2) An adult is at risk of harm if:

(a) another person's conduct is causing (or is likely to cause) the adult to be harmed, or

(b) the adult is engaging (or is likely to engage) in conduct which causes (or is likely to cause) self-harm.

What is Abuse?

"Abuse is a violation of an individual's human and civil rights by any other person or persons" 'No Secrets' DH 2000

Abuse may consist of a single act or repeated acts. It may be physical, sexual, verbal, and/or psychological, it may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent to. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subject to it.

It is important to note that many situations may involve a combination of different categories. In some situations the abuse of a vulnerable adult will constitute a criminal offence. When allegations of abuse suggest that a criminal offence may have been committed, it is imperative that the police are notified as they would be with any other person.

Types of Abuse

Physical abuse

Including hitting, slapping, and pushing, kicking, misuse of medication, restraint or inappropriate sanctions.

Sexual abuse

Including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent or was pressured into consenting. Sexual abuse might also include exposure to pornographic materials, being made to witness sexual acts and encompasses sexual harassment and non-contact abuse.

Psychological/emotional abuse includes:

Including threats of harm, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

Neglect and acts of omission

Including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Financial or material

Including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Discriminatory

Including racist, sexist, or based on a person's disability, and other forms of harassment, slurs or similar treatment.

Staff and volunteer recruitment and selection

It is the policy of the Spring North that no one shall work or engage in a voluntary activity with a vulnerable adult within or on behalf of the Spring North who:

- Has been convicted of or has received a formal police caution concerning an offence against a person as listed in the protection of vulnerable Adults (PoVA),
- Has been convicted of or has received a formal police caution concerning sexual offences against a vulnerable adult. It is the policy of the Spring North that those responsible for the recruitment and appointment of any worker paid or unpaid have a duty of care to ensure the safety and well-being of all people but especially our more vulnerable clients and therefore must take reasonable steps, including Disclosures and Barring Service (DBS) and uptake of at least two references on all individuals recruited to work with any adult who could be considered to have additional support needs.

All paid members of staff and volunteers who work directly with vulnerable adults will be required to be checked through the Disclosures and Barring Service (DBS), plus provide two references.

Responsibilities of the Spring North

- To ensure staff and volunteers are aware of the adult protection policy and are adequately trained
- To notify the appropriate agencies if abuse is identified or suspected
- To support and where possible secure the safety of individuals and ensure that all referrals to services have full information in relation to identified risk and vulnerability
- To act upon notification of alleged professional abuse and work with the Council Local Authority Designated Officer (LADO)

Responsibilities of the Spring Norths' employees and volunteers

- To be familiar with the adult protection policy and procedures
- To take appropriate action in line with the policies of the Spring North
- All paid staff and volunteers to promote the principles and good practice to other VCF organisations and members

Support for those who report abuse

All those making a complaint or allegation or expressing concern, should be reassured that:

- They will be taken seriously
- Their comments will usually be treated confidentially, but their concerns may be shared if they or others are at significant risk
- If service users, they will be given immediate protection from the risk of reprisals or intimidation
- If staff or volunteers they will be given support and afforded protection if necessary in line with the Public Interest Disclosure Act 1998.

The Vulnerable Adult has the right:

- To be made aware of this policy
- To have alleged incidents recognised and taken seriously
- To be safe and protected
- To receive fair and respectful treatment throughout
- To be involved in any process as appropriate
- To receive information about the outcome

Training for New Staff

- Familiarisation with all Spring North policies and procedures during induction
- Further training, dependent on nature of role, e.g.
 - Risk assessment & management
 - Types of abuse and recognising signs of abuse
 - Understanding mental health and well being
 - Disability awareness
 - Keeping appropriate records
 - Listening skills

As Spring North will undertake direct service provision, it is unlikely that staff will undertake work with vulnerable adults, however, the following principles outlines the procedural arrangements required by staff.

Support for groups applying for membership

It is the policy of the Spring North to ensure that all partners have a robust and up-to date safeguarding policy – failure to evidence such a policy will render the group unable to work with Spring North

Inappropriate behaviour

At all times staff need to be compliant with General Data Protection Regulations (GDPR). If there is cause for concern regarding someone's behaviour towards vulnerable adults, or their intentions, staff should contact the relevant person within the Spring North/Board of Directors/LADO

Record Keeping

There should be a written record of any concerns. This confidential information will be kept in a locked drawer by the appropriate person, and will be kept for as long as deemed necessary, in line with GDPR principles.

All incidents should be discussed in supervision with line manager/board of directors.

Planning

Wherever possible paid staff and volunteers should minimise time spent lone working with a vulnerable adult. But if unavoidable, one to one contact should take place in an environment where other staff or volunteers are present or within sight.

Allegations and investigations

If an allegation is made against any person undertaking a role on behalf of the Spring North, including directors, the following procedure will come into force.

- The person receiving the complaint will contact the Chair of the Board of Directors.
- The person involved in the allegation should be informed as soon as possible unless there is good cause not to do so e.g. it may prejudice a criminal investigation.
- Discussion with the LADO and Police (if appropriate)
- The course of action at this point will depend on the nature and seriousness of the allegation

Guidance for Spring North staff and directors

- ✓ Be aware at all times that your actions or comments could be misinterpreted however well intentioned
- ✓ Take care to ensure your use of language is appropriate
- ✓ Comments and actions should also be appropriate, do not make suggestive remarks or gestures
- ✓ Do not touch or make unnecessary physical contact unless permission has been given
- ✓ Be cautious in situations of high emotion or sensitivity
- ✓ Do not rely on your good name or that the reputation of the Spring North will protect you.

If you are alone:

- ✓ Tell someone else where you are going, what you are doing and why.
- ✓ Be aware of your own personal safety
- ✓ Ensure you and your colleagues know how to raise the alarm if a situation becomes difficult or dangerous
- ✓ Ensure you are accessible to others
- ✓ If possible move to an area where there are more people
- ✓ Make sure that one to one contact is for a short a time as possible

If you suspect or are told that a vulnerable person is being abused:

- ✓ Do not investigate yourself
- ✓ Listen, but do not pass judgement on what is being said
- ✓ Make it clear that you can offer support, and that you must pass on the information
- ✓ Write down facts, as you know them
- ✓ Ensure that the person can talk to you or to an independent person
- ✓ Refer the incident to your line manager (designated person for safeguarding) or other appropriate person as soon as possible

Day to day good practice will provide the most protection for you and those around you. A risk assessment should be carried out on activities that involve vulnerable adults which should give a clearer idea of any procedures needed to reduce the opportunity for abuse, risk of allegation or personal danger.

PRACTICE GUIDE

ACTIONS AND CONSIDERATIONS

- In situations of immediate danger, take urgent action by calling the relevant emergency services (e.g. Police, ambulance, GP)
- Remember to have regard to your own safety. Leave the situation if it is not safe for you.
- Listen to the vulnerable adult, offer necessary support and reassurance.
- Issues of confidentiality must be clarified early on. For example staff or volunteers must make it clear that they will have to discuss the concerns with their supervisor.
- Where a vulnerable adult expresses a wish for concerns not to be pursued then this should be respected wherever possible. However, decisions about whether to respect the service user's wishes must have regard to the level of risk to the individual and others, and their capacity to understand the decision in question. In some circumstances the vulnerable adult's wishes may be overridden in favour of considerations of safety.
- Decisions to override the vulnerable adult's wish not to take the matter further should if possible be the product of discussion with appropriate line management.
- Note your concerns and any information given to you or witnessed by you.
- Report concerns to the appropriate line manager.

Remember it is not necessary or advisable for you to conduct an investigation to seek evidence!

By supporting the vulnerable adult and carefully logging any information given to you at this stage, you will lay the foundations for an effective formal investigation.

- Understand the need not to contaminate, or to preserve evidence if a crime may have been committed.

The first priority should always be to ensure the safety and protection of Vulnerable Adults.

To this end, it is the responsibility of all staff to act on any suspicion or evidence of any abuse or neglect and to pass their concerns on to a Responsible person or Agency!

PRACTICE GUIDE **TO REFER OR NOT TO REFER**

The decision to refer or not to refer should be made by a responsible/accountable person in the organisation (and never the person who has been implicated in the abuse!)

When considering the decision as to whether to refer elsewhere (e.g. Local safeguarding team, Police, Social Services, National Care Standards Commission) the following should be taken into account:

- The wishes of the vulnerable adult, & their right to self-determination
- The mental capacity of the vulnerable adult
- Known indicators of abuse
- Definitions of abuse
- Level of risk to this individual
- The seriousness of the abuse
- The effect of the abuse on the individual
- Level of risk to others
- The effect of the abuse on others
- Whether a criminal offence has been committed
- Whether other statutory obligations have been breached (e.g. NCSC)
- The need for others to know
- The ability of others (e.g. Police, Social Care) to make a positive contribution to the situation

PRACTICE GUIDE
ISSUES OF MENTAL CAPACITY & CONSENT

The consent of the vulnerable adult must be obtained except where:

- The vulnerable adult lacks the mental capacity to make a decision, and a risk assessment indicates that referral would be in their best interests
- Others may be at risk
- A crime has been committed
- It is in their best interests to receive intervention

PRACTICE GUIDE
WHO TO REFER TO OR REPORT CONCERNS TO

The Safeguarding Adults Team

- Relevant hospital Social Care team if vulnerable adult is in hospital
- Emergency Social Care duty team, if urgent and outside normal office hours
- Community Mental Health Team where the vulnerable adult has an ongoing mental health need
- National Care Standards Commission where there are issues relating to standards and regulations in care homes and domiciliary care agencies.
- Hospital Trusts/Primary Care Trusts where there is a complaint of abuse by a member of staff
- The Police, if there is an emergency where delay may result in serious harm to the vulnerable adult or if the abuse may constitute a crime

PRACTICE GUIDE
**INFORMATION, IF KNOWN, WHICH WILL BE REQUIRED WHEN YOU MAKE
A REFERRAL OR REPORT YOUR CONCERNS:**

- Details of alleged victim – name, address, age, gender, ethnic background including principle language spoken, details of any disability
- Details of GP and any known medication
- Whether the individual is aware of and has consented to the referral/report.

- The mental capacity of the individual if there are any doubts about this
- If appropriate advise agency on preferred/advised method or environment when approaching the alleged victim or perpetrator.

Also, any relevant information, for example:

- Reasons for concerns and therefore this referral
- Details of how these concerns came to light
- Specific information relating to these concerns
- Details of any arrangements which have already been made for the protection of the vulnerable adult or any immediate action taken
- Details of anyone else to whom this referral has also been made
- Details of the alleged perpetrator
- Details of any other background information
- An impression of how serious the situation might be
- Details of any other professional involved
- Details of carers and any significant family members, neighbours, friends

Information passed on should be necessary and relevant.

Confirm in writing any information given verbally!

PRACTICE GUIDE

SUMMARY: WHEN FACED WITH A DISCLOSURE BY A VICTIM OF ABUSE

Staff member or volunteer should:

- Stay Calm
- Listen patiently
- Reassure the person they are doing the right thing by telling you
- Explain what you are going to do (who you might need to inform)
- Report to relevant Manager
- Write a factual account of what you have seen, immediately.

Staff member or volunteer should not:

- Appear shocked, horrified, disgusted or angry
- Press the individual for details (unless requested to do so)
- Make comments or judgements other than to show concern
- Promise to keep secrets
- Confront the abuser
- Risk contaminating evidence

Discuss with the Relevant Manager who will:

- Ascertain whether the situation might fall within the definitions of abuse outlined in this policy
- Consider the vulnerable adult's capacity to make decisions
- Ascertain whether an advocate or appropriate adult might be necessary
- Ascertain any immediate action required
- Ascertain whether an investigation is necessary in accordance with internal personnel policies and procedures
- Where abuse is suspected conclude that a referral be made to the appropriate agency

Any interview held with a child, young person, or vulnerable adult will be conducted under the guidance and care of an agreed third party, such as a social worker, youth worker.

This policy will be reviewed annually.



Signature:

Date: 13/11/2023

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