

## Safeguarding of Vulnerable Adults Policy and Procedures

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<b>Checked for rebranding Signed off by CEO</b>	This policy covers Connected Together CIC and <i>all</i> its contracts and managed organisations, for example Healthwatch North Northamptonshire and West Northamptonshire (HWNW) and Healthwatch Rutland (HWR).
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<b>Checked By</b>	Catherine Maryon (CTCIC Director) - date

## 1. Introduction

Connected Together Community Interest Company (CTCIC) is committed to safeguarding and promoting the welfare of vulnerable adults engaged in its activities.

The purpose of this policy is to outline the duty and responsibilities of staff, Board members and volunteers in relation to the protection of vulnerable adults from abuse.

All adults have the right to be safe from harm and should be able to live free from fear of abuse, neglect, and exploitation.

## 2. The key objectives of this policy are to

- explain the responsibilities CTCIC and its staff and volunteers have in respect of vulnerable adult protection
- provide staff and volunteers with an overview of vulnerable adult protection
- provide a clear procedure that will be implemented where vulnerable adult protection issues arise

## 3. Context

For the purpose of this document ‘adult’ means a person aged 18 years or over.

Some adults are less able to protect themselves than others, and some have difficulty making their wishes and feelings known. This may make them vulnerable to abuse.

The broad definition of a ‘vulnerable adult’ referred to in the 1997 Consultation Paper ‘Who Decides?’ issued by the Lord Chancellor’s Department, 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”.

The first priority should always be to ensure the safety and protection of vulnerable people. To this end it is the responsibility of all staff/volunteers to act on any suspicion or evidence of abuse or neglect (see the Public Interest Disclosure Act 1998) and to pass on their concerns to a responsible

person/agency.

For purposes of ensuring consistent and widely understood terminology, these policy and procedures will use the phrase ‘Vulnerable Adults’ to identify those eligible for interventions within the procedures.

#### **4. Legal Framework**

**This guidance reflects the principles contained within the Human Rights Act 1998, the Mental Capacity Act 2005 and Public Interest Disclosure Act 1998.**

- **The Mental Capacity Act 2005**, covering England and Wales, provides a statutory framework for people who lack capacity to make decisions for themselves or who have capacity and want to make preparations for a time when they may lack capacity in the future. It sets out who can take decisions, in which situations, and how they should go about this
- **The Human Rights Act 1998** gives legal effect in the UK to the fundamental rights and freedoms contained in the European Convention on Human Rights (ECHR)
- **The Public Interest Disclosure Act 1998 (PIDA)** created a framework for whistle blowing across the private, public, and voluntary sectors. The Act provides almost every individual in the workplace with protection from victimisation where they raise genuine concerns about malpractice in accordance with the Act’s provisions

#### **5. The role of staff and volunteers**

All staff and volunteers acting on behalf of CTCIC have a duty to promote the welfare and safety of vulnerable adults.

Staff and volunteers may receive disclosures of abuse and observe vulnerable adults who are at risk. This policy will enable staff and volunteers to make informed and confident responses to specific adult protection issues.

#### **6. What is abuse?**

- Abuse is a violation of an individual’s human and civil rights by any other person or persons
- 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 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

- Abuse can occur in any relationship and it may result in significant harm to, or exploitation of, the person subjected to it

**The Department of Health in its ‘No Secrets’ report suggests the following as the main types of abuse:**

- **Physical abuse** including hitting, slapping, 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
- **Psychological abuse** including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks
- **Financial abuse** 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
- **Institutional abuse** including the inappropriate use of power and control both on the person and their possessions, failure to provide access to appropriate health, social care or educational services, lack of individual care and disrespect
- **Discriminatory abuse** including racist, sexist, abuse based on a person’s disability, age or sexuality and other forms of harassment, slurs or similar treatment

## **7. Procedure in the event of a disclosure**

- It is important that vulnerable adults are protected from abuse. All complaints, allegations or suspicions must be taken seriously
- This procedure must be followed whenever an allegation of abuse is made or when there is a suspicion that a vulnerable adult has been abused
- Promises of confidentiality should not be given as this may conflict with the need to ensure the safety and welfare of the individual
- A full record shall be made as soon as possible of the nature of the allegation and any other relevant information
- This should include information in relation to the date, the time, the place where the alleged abuse happened, your name and the names of others

present, the name of the complainant (the vulnerable person) and, where different, the name of the adult who has allegedly been abused, the nature of the alleged abuse, a description of any injuries observed and the account which has been given of the allegation

## **8. Responding to an allegation**

- Any suspicion, allegation or incident of abuse must be reported to the designated Vulnerable Adult Protection Officer (the CTCIC Chief executive Officer) on that working day where possible. It must be understood that in alerting or raising a concern about abuse you are not being asked to verify or prove that the information provided is true. The responsibility in establishing if a crime has taken place lies with the police
- The nominated member of CTCIC staff shall telephone and report the matter to the appropriate local adult social services duty social worker. A written record of the date and time of the report shall be made, and the report must include the name and position of the person to whom the matter is reported. The telephone report must be confirmed in writing to the relevant local authority adult social services department within 24 hours

## **9. Responding appropriately to an allegation of abuse**

In the event of an incident or disclosure:

### **DO**

- Make sure the individual is safe
- Assess whether emergency services are required and if needed call them
- Listen and observe
- Offer support and reassurance
- Ascertain and establish the basic facts
- Make careful notes and obtain agreement on them
- Ensure notation of dates, time and persons present are correct and agreed
- Take all necessary precautions to preserve forensic evidence
- Follow correct procedure
- Explain areas of confidentiality
- Immediately speak to your manager for support and guidance
- Explain the procedure to the individual making the allegation
- Remember the need for ongoing support

## DO NOT

- Confront the alleged abuser
- Be judgmental or voice your own opinion
- Be dismissive of the concern
- Investigate or interview beyond that which is necessary to establish the basic facts
- Disturb or destroy possible forensic evidence
- Consult with persons not directly involved with the situation
- Ask leading questions
- Assume information
- Make promises
- Ignore the allegation
- Elaborate in your notes
- Panic

It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. This is a task for the professional adult protection agencies, following a referral from the designated Vulnerable Adult Protection Officer - the CTCIC Chief Executive Officer (CEO).

## 10. Confidentiality

- Vulnerable adult protection raises issues of confidentiality which should be clearly understood by all. Staff and volunteers have a professional responsibility to share relevant information about the protection of vulnerable adults with other professionals, particularly investigative agencies, and adult social services
- Clear boundaries of confidentiality will be communicated to all
- All personal information regarding a vulnerable adult will be kept confidential. All written records will be kept in a secure area for a specific time as identified in data protection and GDPR guidelines
- Records will only record details required in the initial contact form
- If an adult confides in a member of staff or volunteer and requests that the information is kept secret, it is important that the CTCIC member of staff or volunteer tells the adult sensitively that we have a responsibility to refer cases of alleged abuse to the appropriate agencies

- Within that context the adult should, however, be assured that the matter will be disclosed only to people who need to know about it
- Where possible, consent should be obtained from the adult before sharing personal information with third parties
- In some circumstances obtaining consent may be neither possible nor desirable as the safety and welfare of the vulnerable adult is the priority
- Where a disclosure has been made staff should let the adult know the position regarding their role and what action they will have to take as a result
- Staff should assure the adult that where appropriate, they will keep them informed of any action to be taken and why
- The adult's involvement in the process of sharing information should be fully considered and their wishes and feelings taken into account

## **11. The role of key individual agencies**

### **11.1 Adult Social Services**

The Department of Health's recent 'No secrets' guidance document requires that authorities develop a local framework within which all responsible agencies work together to ensure a coherent policy for the protection of vulnerable adults at risk of abuse.

All local authorities have a Safeguarding Adults Board, which oversees multi-agency work aimed at protecting and safeguarding vulnerable adults. It is normal practice for the board to comprise of people from partner organisations who have the ability to influence decision making and resource allocation within their organisation.

### **11.2 The Police**

The Police play a vital role in Safeguarding Adults with cases involving alleged criminal acts. It becomes the responsibility of the police to investigate allegations of crime by preserving and gathering evidence. Where a crime is identified, the police will be the lead agency and they will direct investigations in line with legal and other procedural protocols.

### **11.3 Role of designated Vulnerable Adult Protection Officer**

- The role of the designated officer is to deal with all instances involving adult protection that arise within CTCIC and *all* its contracts and managed organisations, for example Healthwatch North Northamptonshire and West Northamptonshire (HWNW) and Healthwatch Rutland (HWR). They will respond to all vulnerable adult protection concerns and enquiries. The designated Vulnerable Adult Protection Officer for CTCIC is the CEO
- The role of the Adult Protection Officer is to support the member of staff or volunteer involved with the incident and to ensure the correct procedures are followed
- The Adult Protection Officer could, if agreed with the staff member or volunteer dealing with the incident, make contact with the designated Adult Protection Coordinator in the first instance
- The Adult Protection Officer should ensure that all staff and volunteers within CTCIC are familiar with CTCIC's Vulnerable Adult Protection Procedures and ensure that all staff and volunteers for Enter and View undertake training where appropriate

### **12. Training**

Training will be provided, as appropriate, to ensure that staff and volunteers are aware of these procedures.

### **13. Recruitment procedure**

CTCIC operates procedures that take account of the need to safeguard and promote the welfare of vulnerable adults, including arrangements for appropriate checks on volunteers, where applicable.