

## SAFEGUARDING VULNERABLE ADULTS POLICY

### 1 AIM

- 1.1 The purpose of this policy is to outline the duty and responsibility of staff, volunteers and Directors working on behalf of Hope 4 (Rugby) Ltd. in relation to safeguarding Vulnerable Adults.
- 1.2 All adults have the right to be safe from harm and must be able to live free from fear of abuse, neglect and exploitation. *“Abuse is a violation of an individual’s human and civil rights by any other person or persons”* - Kent and Medway Social Services , Safeguarding Vulnerable Adults (2010)

### 2 OBJECTIVES

- 2.1 To explain the responsibilities that Hope 4 (Rugby) Ltd. and its staff, volunteers and Directors have in respect of vulnerable adult protection.
- 2.2 To provide staff, volunteers and Directors with an overview of vulnerable adult protection.
- 2.3 To provide a clear procedure that will be implemented where vulnerable adult protection issues arise.

### 3 CONTEXT

- 3.1 For the purpose of this policy ‘adult’ means a person aged 18 years or over and a child is anyone under the age of 18
- 3.2 **What is meant by “abuse”?**
  - 3.2.1 Abuse of a vulnerable adult may consist of a single act or repeated acts. It may occur as a result of a failure to undertake action or appropriate care tasks. It may be an act of neglect or an omission to act, or it may occur where a vulnerable person is persuaded to enter into a financial or sexual transaction to which they have not, or cannot, consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the individual.
  - 3.2.2 Concerns about abuse may be raised and reported to Warwickshire Multi-Agency Safeguarding Hub (MASH) as a result of a single incident or repeated incidents of abuse. However for some clients the issues of abuse relate to neglect and poor standards of care. They are ongoing and if ignored may result in a severe deterioration in both physical and mental health and even death.
  - 3.2.3 Anyone who has concerns about poor care standards or neglect may raise these within Hope 4 (Rugby) Ltd., with the regulatory body and/or with the social services agency.
  - 3.2.4 Where these concerns relate to a vulnerable adult living in their own home, with family or with informal carers they must be reported to the Warwickshire MASH. These reports must be addressed through the adult protection process and a risk assessment must be undertaken in order to determine an appropriate response to reduce or remove the risk.
- 3.3 **Who is included under the heading 'vulnerable adult?'**

3.3.1 An Adult (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'. (*Definition from 'No Secrets' March 2000 Department of Health*)

3.3.2 This could include people with learning disabilities, mental health problems, older people and people with a physical disability or impairment. It is important to include people whose condition and subsequent vulnerability fluctuates. It may include an individual who may be vulnerable as a consequence of their role as a carer in relation to any of the above.

3.3.3 It may also include victims of domestic abuse, hate crime and anti-social abuse behaviour. The person's need for additional support to protect themselves may be increased when complicated by additional factors, such as, physical frailty or chronic illness, sensory impairment, challenging behavior, drug or alcohol problems, social or emotional problems, poverty or homelessness.

3.3.4 Many vulnerable adults do not realise that they are being abused. For instance an elderly person, accepting that they are dependent on their family, may feel that they must tolerate losing control of their finances or their physical environment. They may be reluctant to assert themselves for fear of upsetting their carers or making the situation worse.

3.3.5 It is important to consider the meaning of 'Significant Harm'. The Law Commission, in its consultation document 'Who Decides,' issued in Dec 1997 suggested that; 'harm' must be taken to include not only ill treatment (including sexual abuse and forms of ill treatment which 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 or behavioral development'.

## 4 LEGAL FRAMEWORK

4.1 Kent and Medway Multi-Agency Adult Protection Policy, Protocols and Guidance ( May 2005): [www.kent.gov.uk](http://www.kent.gov.uk) and follow links to Adult Protection

4.2 Human Rights Act 1998, the Mental Capacity Act 2005 and Public Interest Disclosure Act 1998

4.3 Data Protection Act 1998, Freedom of Information Act 2000, Safeguarding Vulnerable Groups Act 2006, Deprivation of Liberty Safeguards, Code of Practice 2008, General Data Protection Regulations 2018

4.4 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 must go about this.

4.5 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).

4.6 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.



The Care Act 2014 - [http://www.legislation.gov.uk/ukpga/2014/23/pdfs/ukpga\\_20140023\\_en.pdf](http://www.legislation.gov.uk/ukpga/2014/23/pdfs/ukpga_20140023_en.pdf)

The Sexual Offences Act 2003 - [https://www.legislation.gov.uk/ukpga/2003/42/pdfs/ukpga\\_20030042\\_en.pdf](https://www.legislation.gov.uk/ukpga/2003/42/pdfs/ukpga_20030042_en.pdf)

## 5 THE ROLE OF STAFF, VOLUNTEERS AND DIRECTORS

5.1 All staff, volunteers and Directors working on behalf of Hope 4 (Rugby) Ltd. have a duty to promote the welfare and safety of vulnerable adults.

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

## 6 TYPES OF ABUSE

6.1 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 or criminal act to which he or she has not consented, or cannot consent.

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

6.3 The Department of Health in its 'No Secrets' 2000 report suggests the following as the main types of abuse:

6.3.1 **Physical abuse** - including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.

6.3.2 **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.

6.3.3 **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.

6.3.4 **Financial or material 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.

6.3.5 **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.

6.3.6 **Discriminatory abuse** - including race, sex, culture, religion, politics, that is based on a persons disability, age or sexuality and other forms of harassment, slurs or similar treatment, hate crime.

6.3.7 **Institutional abuse** - Institutional abuse although not a separate category of abuse in itself, requires specific mention simply to highlight that adults placed in any kind of care home or day care



establishment are potentially vulnerable to abuse and exploitation. This can be especially so when care standards and practices fall below an acceptable level as detailed in the contract specification.

**6.3.8 Multiple forms of abuse** - Multiple forms of abuse may occur in an ongoing relationship or an abusive service setting to one person, or to more than one person at a time, making it important to look beyond single incidents or breaches in standards, to underlying dynamics and patterns of harm. Any or all of these types of abuse may be perpetrated as the result of deliberate intent and targeting of vulnerable people, negligence or ignorance.

#### Modern slavery

##### Types of modern slavery

- Human trafficking

- Forced labour

- Domestic servitude

- Sexual exploitation, such as escort work, prostitution and pornography

- Debt bondage – being forced to work to pay off debts that realistically they never will be able to

##### Possible indicators of modern slavery

- Signs of physical or emotional abuse

- Appearing to be malnourished, unkempt or withdrawn

- Isolation from the community, seeming under the control or influence of others

- Living in dirty, cramped or overcrowded accommodation and or living and working at the same address

- Lack of personal effects or identification documents

- Always wearing the same clothes

- Avoidance of eye contact, appearing frightened or hesitant to talk to strangers

- Fear of law enforcers

More details on Modern Slavery can be found in this Home Office report A Typology of Modern Slavery Offences in the UK – (October 2017)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/652652/typology-modern-slavery-offences-horr93.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/652652/typology-modern-slavery-offences-horr93.pdf)

## 6.4 Domestic abuse

6.4.1 Home Office Definition 2004 defines domestic abuse as:

*'Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are, or have been, intimate partners or family members, regardless of gender or sexuality.'*

6.4.2 'Women's Aid' Definition

'Domestic violence is physical, sexual, psychological or financial violence that takes place within an intimate or family-type relationship and that forms a pattern of coercive and controlling behaviour. This can also include forced marriage and so-called "honour crimes". Domestic violence may include a range of abusive behaviours, not all of which are in themselves inherently "violent".

6.4.3 Most research suggests that domestic violence occurs in all sections of society irrespective of race, culture, nationality, religion, sexuality, disability, age, class or educational level.

6.4.4 Both definitions would therefore also include incidents where extended family members may condone or share in the pattern of abuse e.g. forced marriage, female genital mutilation and crimes rationalized as punishing women for bringing 'dishonour' to the family.

6.4.5 It is important to recognise that Vulnerable Adults may be the victims of Domestic Abuse themselves or be affected by it occurring within their household. This is likely to have a serious effect on their physical and mental wellbeing.

6.4.6 Where Vulnerable Adults are victims of Domestic Abuse, they may need extra support to plan their future. The violence or threat of violence may continue after a victim has separated from the abuser. It is important to ensure that all the vulnerable people in this situation have appropriate support to enable them to maintain their personal safety.

6.4.7 A separate Domestic Abuse Protocol is in place between Police, Social Services and Health, which we are not a part of

6.4.8 Incidents reported by the police through the domestic abuse protocols will be addressed under the adult protection processes if it is considered that a vulnerable adult may be at risk of abuse. (*See Joint Police, Social Services and Health protocol for dealing with cases of domestic abuse where vulnerable adults are involved*)

## **7 CHILDREN**

7.1 It is essential that the needs of any children within an abusive or domestic violence situation where there is a vulnerable adult involved are considered and acted upon. Please contact the Lead for Safeguarding/ Senior Manager in the local social services Safeguarding Children's team.

## **8 PROCEDURE AT HOPE 4 IN THE EVENT OF A DISCLOSURE**

8.1 It is important that vulnerable adults are protected from abuse. All complaints, allegations or suspicions must be taken seriously.

8.2 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.

8.3 Promises of confidentiality must not be given as this may conflict with the need to ensure the safety and welfare of the individual.

8.4 A full record will be made as soon as possible of the nature of the allegation and any other relevant information.

8.5 This must 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 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, the account which has been given of the allegation.

8.6 In all instances the Hope 4 (Rugby) Ltd. Safeguarding Director should be consulted.

## 9 RESPONDING TO AN ALLEGATION

9.1 Any suspicion, allegation or incident of abuse must be reported to the Safeguarding Director on that working day where possible. **See Appendix 1.**

9.2 The Safeguarding Director will telephone and report the matter to the appropriate Warwickshire MASH 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.

## 10 RESPONDING APPROPRIATELY TO AN ALLEGATION OF ABUSE

10.1 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
- 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; see the section on Confidentiality below
- Support and guidance
- Explain the procedure to the individual making the allegation
- Remember the need for ongoing support.

### DON'T

- 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 with the sole exception of the Safeguarding Officer
- Ask leading questions – “So he hit you then?” or “She took you to her room?”
- Assume Information
- Make promises
- Ignore the allegation
- Elaborate in your notes – Only record the facts
- Panic

10.2 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 Hope 4 (Rugby) Ltd. Safeguarding Director

## 11 CONFIDENTIALITY

11.1 Vulnerable adult protection raises issues of confidentiality which must be clearly understood by all.

11.2 Staff, volunteers and Directors have a professional responsibility to share relevant information about the protection of vulnerable adults with other professionals, particularly investigative agencies and adult social services.

11.3 Clear boundaries of confidentiality as outlined in the Hope 4 (Rugby) Ltd. Data Protection Policy (May 2019) and our Information Security Policy (May 2019). apply.

11.4 All personal information regarding a vulnerable adult will be kept confidential in line with our Data Protection Policy (May 2019) and our Information Security Policy (May 2019). All written records will be kept in a secure area for a specific time as identified in data protection guidelines. Records will only record details required in the initial contact form.

11.5 If an adult confides in a member of staff and requests that the information is kept secret, it is important that the member of staff tells the adult sensitively that he/she has a responsibility to refer cases of alleged abuse to the appropriate agencies.

11.6 Within that context, the adult must, however, be assured that the matter will be disclosed only to people who need to know about it.

11.7 Where possible, consent must 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.**

11.8 Where a disclosure has been made, staff must let the adult know the position regarding their role and what action they will have to take as a result.

11.9 Staff must assure the adult that they will keep them informed of any action to be taken and why. The adult's involvement in the process of sharing information must be fully considered and their wishes and feelings taken into account.

11.10 This policy needs to be read in conjunction with other policies for the organisation including:

- Data Protection Policy (May 2019)
- Information Security Policy (May 2019)
- Disciplinary Policy
- Grievance Policy
- Equalities Policy

## 12 THE ROLE OF KEY INDIVIDUAL AGENCIES

### 12.1 Adult Social Services

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12.1.1 The Department of Health's '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.

12.1.2 All local authorities have a Safeguarding Vulnerable 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.

## 12.2 The Police

12.2.1 The Police play a vital role in Safeguarding Vulnerable 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.

## 12.3 ROLE OF SAFEGUARDING DIRECTOR AND DEPUTY SAFEGUARDING DIRECTOR

12.3.1 The role of the Safeguarding Director is to deal with all instances involving adult protection that arise within Hope 4 (Rugby) Ltd. They will respond to all vulnerable adult protection concerns and enquiries.

12.3.2 The designated Safeguarding Director for the organisation is **Joyce Woodings** [Secretary@hope4.org.uk](mailto:Secretary@hope4.org.uk) The Deputy Safeguarding Director is **Phil Clucas** [ICT@hope4.org.uk](mailto:ICT@hope4.org.uk) Should you have any suspicions or concerns relating to Adult Protection, contact Joyce or Phil via The Hope Centre (01788 572456) or email them directly in the first instance.

12.3.3 The role of the Safeguarding Director is to support the member of staff, Director or volunteer involved with the incident and to ensure the correct procedures are followed.

12.4.2 The staff member or person suspecting vulnerable adults abuse should make contact with the Safeguarding Director in the first instance.

12.4.3 The Safeguarding Director must ensure that all staff within their team are familiar with the organisation's vulnerable adult protection procedures and ensure that all staff undertake training, where appropriate.

## 12.5 Training

12.5.1 Training will be provided, as appropriate, to ensure that staff are aware of these procedures. Specialist training will be provided – as and when appropriate - for the Safeguarding Director.

## 12.6 Complaints procedure

12.6.1 Hope 4 (Rugby) Ltd. has a Complaints policy available upon request to all staff, volunteers and Directors.

## 12.7 Recruitment procedure

12.7.1 Hope 4 (Rugby) Ltd. operates a Safer Recruitment Policy for new staff, volunteers and Directors.



## 13 REFERENCES, INTERNET LINKS AND FURTHER SOURCES OF INFORMATION

### 13.1 'No Secrets' report

13.1.1 The first national policy developed for the protection of vulnerable adults, for use by all health and social care organisations and the police. It introduced guidance around local multi-agency arrangements and was issued under Section 7 of the Local Authority Social Services Act 1970. Its implementation is led by local authorities with social services responsibilities.

[https://webarchive.nationalarchives.gov.uk/20120503102614/http://www.dh.gov.uk/en/Publicationsandstatistics/Lettersandcirculars/Dearcolleagueletters/DH\\_4002849](https://webarchive.nationalarchives.gov.uk/20120503102614/http://www.dh.gov.uk/en/Publicationsandstatistics/Lettersandcirculars/Dearcolleagueletters/DH_4002849)

Safeguarding Vulnerable Adults – Guidance for Frontline Staff. Produced by Homeless link

<https://www.homeless.org.uk/sites/default/files/site-attachments/Safeguarding%20guidance%20March%202018.pdf>

13.2 Action on Elder Abuse (AEA) is a charity working to protect, and prevent the abuse of, vulnerable older adults.

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

13.3 The Centre for Policy on Ageing was established in 1947 by the Nuffield Foundation with a remit to focus on the wide-ranging needs of older people

<http://www.cpa.org.uk/index.html>

Appendix 1 contains the Hope 4 (Rugby) Ltd. Safeguarding Vulnerable Adults Policy Report Form see.

Agreed by the Board of Directors, May 2019.

Review date: **Annually**.

Signed:

Dated:



## Appendix 1

# Hope4 (Rugby) Ltd. Safeguarding Vulnerable Adults Policy Report Form

*Initial cause for concern form which must be discussed with Safeguarding Director and/or the Chairperson of the Directors within 24 hours.*

Date of concern

Time of concern

Name of individual cause for concern is about

Age (if known)

DoB:

Address (if known)

Describe your concern and action taken

Observations to support cause for concern

Description and location of any visible marks, bruising etc

Name of alleged abuser, relationship with child / vulnerable adult (if known)

Name of person completing form:

Role of person completing for within Hope4:

Signature:

Date:

Name of Safeguarding Director or Hope 4 Chairperson

Signature:

Date:

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