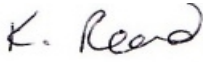

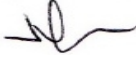
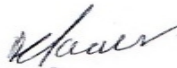



Support Training Advice Guidances Educational Services Ltd

Registered Charity No: 1162303

Safeguarding Vulnerable Adults Policy

Reviewed 5th July 2015

Director / Chairperson	Kathleen Read	
Director / Treasurer	Julia Reah	
Director / Company Secretary	Jamie Webster	
Trustee	Kelly Farrar	
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Support Training Advice Guidance Educational Services LTD Safeguarding Vulnerable Adults Policy is aimed at safeguarding the welfare of vulnerable adults over the age of 18 when information is received from a service user, volunteer and/or staff member that constitutes a case of suspected abuse by ensuring that:

- There are clear guidelines on how to respond appropriately to any cases of suspected abuse
- There are clear guidelines on the boundaries of service user confidentiality in respect of safeguarding vulnerable adults.

Support Training Advice Guidance Educational Services LTD accepts that:

- Vulnerable Adults have the right to protection from neglect and from physical, emotional or sexual abuse.

- All "citizens" have a responsibility for the protection of others and for sharing their concerns with safeguarding adult agencies.

Objectives

- To work in a preventative manner to protect vulnerable adults from being abused
- To respond sensitively and coherently to reported incidents of self-neglect and abuse in a consistent manner, in accordance with this policy
- To co-ordinate action and services in order to best protect and assist vulnerable adults
- To ensure the safety of vulnerable adults by integrating strategies policies and services relevant to abuse within the framework of all relevant legislation
- To ensure that adults identified as vulnerable have a right to confidentiality. In so far as it is consistent with this right, Support Training Advice Guidance Educational Services LTD should seek to share information with all agencies to ensure the safety and well-being of those individuals

Definition of a 'Vulnerable Adult'

The broad definition of a "vulnerable adult" is taken from "No Secrets" - Section 2.3:

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".

This **may** include a person who:

- Is elderly or frail
- Has a mental health difficulty
- Has a physical disability
- Has a learning disability
- Has a severe physical illness

This may also include the below, where the person receives care and is unable to protect themselves:

- Is a substance mis-user
- Is homeless
- Is in an abusive relationship

What is Abuse?

Abuse is a violation of an individual's human and civil rights by any other person or persons. Abuse can 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 and cannot consent.

Abuse can occur in any relationship and may result in significant harm to or exploitation of, the person subjected to it. It can take a number of forms:

- Physical abuse e.g. hitting, pushing, shaking, inappropriate restraint, neglect or abandonment
- Sexual abuse e.g. involvement in any sexual activity against his/her will, exposure to pornography, voyeurism and exhibitionism
- Emotional/psychological abuse e.g. intimidation or humiliation

- Financial abuse e.g. theft or exerting improper pressure to sign over money from pensions or savings etc
- Discriminatory abuse e.g. racial, sexual or religious harassment
- Personal exploitation - involves denying an individual his/her rights to forcing him/her to perform tasks that are against his/her will
- Violation of rights e.g. preventing an individual speaking his/her thoughts and opinions
- Institutional abuse e.g. when the routines, systems and norms of an institution compel individuals to sacrifice their own preferred style and cultural diversity to the needs of the institution
- Neglect and acts of omission e.g. 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.

Under the Mental Capacity Act 2005 wilful neglect and ill treatment become a criminal offence.

Who might abuse?

"Abuse of vulnerable adults may be perpetrated by a wide range of people including relatives and family members, professional staff, paid care workers, volunteers, other service users, neighbours, friends and associates, people who deliberately exploit vulnerable people and strangers." (No Secrets Department of Health 2000)

Issues of capacity and consent

An individual's capacity refers to their ability to make a decision for themselves based on information available to them.

Individuals will be assumed to have the capacity to make informed decisions, unless there is clear evidence to the contrary. Vulnerable adults should be supported to make their own decisions based on an awareness of the choices available. In all instances where a person demonstrates a lack of capacity in relation to a specific area or decision, everything which is done must be based upon an assessment of that person's best interest. To lack capacity a person must have a mental impairment.

In cases where there is evidence that a vulnerable adult lacks capacity to make specific decisions, where appropriate, provision will be made to find a suitable independent person to represent their best interest. A referral to the Statutory Agency is appropriate.

When there is a question over an individual's capacity the following should be considered.

Can the individual:

- Understand in simple language what is being proposed, its purpose and nature and why it is being suggested
- Understand the principle benefits and risks and options available
- Understand in broad terms the consequences of not following an option
- Retain the information for long enough to make an effective decision
- Make a free choice

The primary 4 points a professional should consider are:

- Understand the decision
- Retain information about the decision
- Use and assess information about the decision

- Communicate their decision

Guidelines

The following policy guidelines deal with the issues of recognition; appropriate response; service user confidentiality and training.

Information given to an individual member of staff/volunteer belongs to Support Training Advice Guidances Educational Services LTD and not the individual member of staff/volunteer. Therefore, decisions to share information about a service user with other agencies, without their consent, should be made by Support Training Advice Guidances Educational Services LTD and not one individual acting on their own.

Although the views and wishes of the service user will normally be respected when sharing information, a fully confidential service cannot be guaranteed (Please refer to Support Training Advice Guidances Educational Services LTD Confidentiality Policy). There will always be exceptional circumstances when a duty to protect the wider public interest or the individual will outweigh the responsibility to any one individual.

Service users should be advised why and with whom information will be shared. Information about service users should only be shared within Support Training Advice Guidances Educational Services LTD on a need to know basis when it is in the best interests of the service user and to support the effective delivery of services to that service user.

Staff/volunteers have a clear responsibility to report any concerns they may have relating to abuse, or suspected abuse, of a child or vulnerable adult to their line manager at the earliest opportunity.

Alerting Procedure

In the event of disclosure of information: In all cases where a person is in immediate danger, urgent action must be taken at once. The member of staff/volunteer involved should seek line management. All information should be recorded as soon as possible after the event.

Where Support Training Advice Guidance Educational Services LTD has a statutory duty to disclose information concerning a safeguarding issue this should be done with the agreement of a line manager and/or the Support Training Advice Guidance Educational Services LTD Director. The Support Training Advice Guidance Educational Services LTD Director has the responsibility for informing Social Services or if the risk is considered immediate, the police. Social Services or the police have the responsibility for deciding if a formal investigation needs to be undertaken.

The member of staff/volunteer should not confront or give any information to anyone who is alleged to be responsible for what has happened.

An outline of the principles of the incident should be raised at the next Board meeting or Supervision to ensure good practice.

All records will be maintained in accordance with the Data Protection Act 1998 (see Support Training Advice Guidances Educational Services LTD Data Protection Policy).

Throughout all situations seeking to protect vulnerable adults, the guiding principle is that any decision not to maintain full confidentiality should be proportionate to the perceived degree of risk.

If information is received about possible abuse from a member of public or other third party, it is important to consider how effective the information will be if they are not prepared to be identified or to come forward as a witness. Where legal proceedings are involved it may not be possible to guarantee anonymity.

Discussion and decision making between the Alerter and Line Manager

Concerns about suspected abuse must be reported to the Line Manager at the earliest opportunity. The Line Manager will take a decision whether to refer the incident to the appropriate Adult Social Care or Mental Health Team.

Deciding whether to refer to another agency is crucial. The decision should make reference to:

- The wishes of the adult
- Known indicators of abuse
- Definitions of abuse
- Circumstances in which a vulnerable adult's wishes may be overridden
- The mental capacity of the adult
- The level of risk to the individual
- The level of risk to others (public interest considerations)

If it is decided that a referral to Statutory Service is appropriate, the referral should be made to the relevant department at the earliest opportunity.

As soon as the referral is made, Social Services become the lead agency and will co-ordinate any action that is required and are responsible for deciding if they will be carrying out an investigation.

Every adult protection alert must receive a clear response from the statutory services regardless of whether or not an adult protection investigation is to take place.

Regardless of whether a statutory referral is made or not, steps must be taken to support the individual and where appropriate protect them from future abuse.

Police Involvement

The police will lead on Adult Protection arrangements where there is evidence that a serious crime has been committed. The police are available for advice and consultation at an early stage. If there is the possibility of a criminal offence having occurred and the Service User wishes to involve the Police, it is important to ensure the criminal investigation takes precedence. In situations where the service user is unwilling to make a formal complaint to the Police, Support Training Advice Guidance Educational Services LTD should give careful consideration as to whether it has a duty to report the matter to the Police directly. The decision should be based on the risk to the service user, the risk to others and seriousness of the allegation. If a service user lacks the capacity to consent, the Support Training Advice Guidances Educational Services LTD staff involved should make a decision in the best interests of the service user. This decision should be made in consultation with the relevant line manager and Director.

Decisions will be taken with careful justification when reporting against the client's wishes, however things go wrong more often by someone failing to alert, than alerting and offending the client. Any case of abuse by a professional should always be referred because of that person's access to other vulnerable people.

Where the vulnerable adult(s) states that they do not want the situation disclosed further or reported the situation should be discussed with line management at the earliest opportunity and consideration given:

- To the seriousness
- To the involvement of staff/paid carers or volunteers
- Whether anyone else is being put at risk

Further discussion with the Police or Social Services team may be required.

Cases where allegations are made against a member of staff/volunteer

If an allegation is made against a member of staff or volunteer, their line manager should be informed immediately. In a situation where the line manager cannot be accessed, the allegation should be reported to the Director. It is the responsibility of the Director to report the allegation to the Chair of Directors.

Management responsibilities

The line manager, in consultation with the Directors, will need to clarify the action to be taken in accordance with personnel procedures. It is important to ensure that the action taken:

- ∨ Protects the rights and wishes of the vulnerable adult
- ∨ Protects the rights of the member of staff/volunteer concerned
- ∨ Enables the managers to take appropriate action either on behalf of the vulnerable adult or against the staff member/volunteer where appropriate.

The Director may need to suspend from work the staff member/volunteer involved in the allegation, whilst the allegation that has been made is investigated.

Implementation

Support Training Advice Guidance Educational Services LTD performs CRB checks on all staff and volunteers.

- All staff/volunteers will be made aware of internal reporting procedures and will be aware of local statutory arrangements in respect of the disclosure or discovery of abuse.
- All staff/volunteers will receive supervision and support in their work with vulnerable adults.
- All venues where Support Training Advice Guidance Educational Services LTD hire, where vulnerable adults may visit will be risk assessed to ensure a safe environment.
- The Safeguarding Vulnerable Adults policy will be reviewed annually, at which point obstacles to reporting abuse will be assessed.
- Staff induction and the training of volunteers will include all policies and the requirement to abide by them.

Guidance for Alerter's - Responding, Reporting and Recording

If you believe that the vulnerable adult(s) has suffered or is in immediate risk of suffering significant harm, for example, physical or sexual assault or theft of their property, then you should contact the relevant emergency service immediately.

If you have a safeguarding concern: DON'T:

- Panic
- Contact the alleged perpetrator
- Make assumptions
- Agree to keep secrets
- Be judgemental
- Contaminate evidence
- Ask leading questions
- Delay making the Alert to the local social services team
- Make decisions or take action without a discussion with the local social services team
- Decide whether an alert should be made or not as there may be other information you are not aware of

If you have a safeguarding concern: DO:

Always alert if you think it might be a safeguarding issue/concern. Assess the immediate risk to the individual and others including staff and take steps to ensure the immediate safety of the vulnerable adult(s)

- Gather as much information as possible without asking any leading questions (use words like 'tell, explain, describe')
- Establish a level of understanding / insight / ability to make informed decisions
- Always make alerts regardless of whether the harm was intentional or unintentional.
- Remember, it is your responsibility to ensure the alert is made to the appropriate team as quickly as possible, not to decide if an alert should be made or not
- Note that it is the Adult Social Services responsibility to determine whether there should be a safeguarding investigation or not

Reassure the person by telling them that:

- They have done the right thing by sharing the information with you.
- You are treating them seriously.
- The abuse is not their fault (if the information is being shared by the "victim"). Be aware of the possibility of forensic evidence if the disclosure refers to a recent incident.
- If there is a possibility that forensic evidence exists, preserve the evidence. Do not clean up.
- Explain that you are required to share the information with your line manager, but not with other staff, volunteers or service users.
- Reassure the person that Support Training Advice Guidance Educational Services LTD will take steps to support and where appropriate, protect them in future
- Report the information to your line manager at the earliest opportunity
- Make a written record of what the person has told you.
- Do not stop someone who is freely recalling significant events; allow them to share whatever is important to them.
- Do not ask questions or press the person for more details (this may be done during any subsequent investigation, so it is important to avoid unnecessary repetition for the person involved).
- Do not promise to keep secrets.
- Do not make promises you are unable to keep.
- Do not contact the alleged 'abuser' or alleged 'victim' (depending on who is sharing the information).

- Do not be judgemental (e.g. why didn't you try to stop them?)
- If there is reason to believe that a crime has taken place, seek the vulnerable adult's agreement to inform the Police.

The preferred option is for the vulnerable adult themselves to make this report to the police with our support. Obtain information to form some assessment of the current and on-going risk.