



Safeguarding of Vulnerable Adults & Children Policy

Section One: Vulnerable Adults

Section Two: Children

Target Audience: All staff, volunteers, clients and service users of Disability Equality North West (DENW)

Section One: Vulnerable Adults

1.0 Background and Introduction

Effective protection of vulnerable adults is achieved through a multi-disciplinary approach with consultation and a sharing of information. Each local authority area will have agreed Vulnerable Adult Protection Procedures (in greater Lancashire that means the two unitary authorities of Blackpool and Blackburn with Darwen and Lancashire County Council each have their own policy framework). This policy and procedural guidance should be used in conjunction with the agreed local policies and procedures. DENW believes that every individual who accesses our services has a right to a life free from fear, to be treated with dignity and respect, to have their choice respected and not to be forced to do anything against their will.

2.0 Definition of Abuse

Abuse is described as *“a violation of an individual’s human or civil rights by any other person or persons”* (No Secrets, Department of Health - 2000). We recognise that all our service users are potentially open to abuse, but that those service users defined as ‘vulnerable adults’ are particularly at risk.

3.0 Definition of a Vulnerable Adult

A vulnerable adult is defined as a person who: *“may be in need of services by reason of mental or other disability, age or illness: and who may not be able to take care of him or herself, or is unable to protect him or herself against significant harm or exploitation.”*

(Who Decides, Lord Chancellor’s Department -1997).

Service users outside of this definition may also be vulnerable to abuse due to low self-esteem, social exclusion, drug or alcohol misuse, offending history, homelessness, domestic violence, ethnicity, immigration status, gender or sexuality.

DENW recognises that abuse may be perpetrated as a result of deliberate intent, negligence or ignorance. Incidents of abuse may consist of a single act or repeated acts and may be perpetrated upon one person in a continuing relationship and/ or, of more than one person at a time. Abuse can occur in a domestic and/or service context. Therefore we aim to look consistently beyond any single incident or breach of policy and practice within our services in order to identify any underlying patterns of harm.

4.0 Context

Abuse can occur in any relationship, context or environment irrespective of whether the vulnerable adult lives in his or her own home, residential care, shared or supported housing. Those who perpetrate abuse on others are often well known to their victims. Virtually any individual who is in direct contact with a vulnerable person could be a risk. The seriousness of abuse varies and can range from behaviour that is violent and criminal to passive abuse, which is neglectful, unintentional and less deliberately exploitative in character. Forms of abuse may include:

- Physical
- Sexual
- Psychological and emotional

- Financial or material
- Neglect and acts of omission
- Discriminatory abuse
- Social
- Institutional.

5.0 Risk and protection

DENW believes that each person has a right to a life that maintains independence and enables them to make their own decisions and choices. We also acknowledge that an individual's rights to independent living sometimes involves a degree of risk and we therefore aim to ensure that any risk is recognised, understood by all and minimised whenever possible. We also understand that there will be cases where an individual may be unable to make their own decisions and/or to protect themselves or their assets.

6.0 Prevention of and dealing with incidents of abuse

DENW acknowledges that its primary responsibility is the prevention of abuse, and where this fails there are robust measures in place to deal with incidents of abuse. Measures for preventing incidents of abuse include:

- Ensuring that robust policies and procedures are in place and are being followed by staff who are sufficiently skilled and have an awareness of *abuse* and *abusive relationships*.
- Effective recruitment and selection processes, which involve Disclosure and Barring Service (DBS) checks and thorough checking of employment history references, are in place.
- Ensuring that breaches of policy and procedures are dealt with appropriately and consistently.



- Maintaining effective partnership with other agencies, including Social Services and the police and working in line with local inter-agency guidelines for the protection of vulnerable adults.
- Cases of abuse are reported to and monitored by the CEO of DENW or an appointed officer and individual cases of abuse are reviewed in order to improve working practices.

7.0 Monitoring of multiple related serious incidents

The CEO of DENW will keep a log of informal and formal complaints where members of staff or others have allegedly abused service users. Repeat cases where a staff member is the alleged abuser will be discussed with representatives from the Board of Trustees with advice from Human Resources service provider and appropriate action taken in line with the following procedure. All complaints must be dealt with in accordance with DENW complaints procedure.

8.0 Recognising abuse

All staff should be alert to the potential indicators of abuse. However the presence of one or more indicators does not necessarily mean that abuse is taking place, but may mean that further investigation/observation is required. Victims of abuse do not always react in the same way, however some of the more common reactions are:

- Full or partial disclosure
- Frequent and unexplained minor injuries or bruising
- Signs of depression or stress which may happen suddenly or gradually emerge
- Neglected personal care
- Weight loss
- Changes in habits/mood ranging from withdrawal from normal activities to a total lack of communication

- Dramatic change of behaviour/personality – this can happen very suddenly and unexpectedly and is often associated with fear
- Confusion
- Persistent financial hardship
- Denial that anything is wrong and an emphasis that all is extremely well
- Seeking help from numerous sources/people – this may be a direct request for help or attention seeking behavior
- Acceptance or resignation of their situation as part of being old and /or disabled

9.0 Confidentiality

DENW's Confidentiality Policy and Procedures will be followed in all cases where we receive any information concerning alleged abuse of one of our service users. Where the alleged perpetrator is a member of DENW's staff, confidentiality will be respected in line with the Disciplinary Policy and Procedure. The CEO of DENW should be informed of any allegations of abuse prior to contacting external agencies.

Refer to Confidentiality Policy, Data Protection Policy, Complaints & Compliments Policy, DENW Employee Handbook - Disciplinary Procedures, Volunteers Handbook

10.0 Disclosures of abuse

Staff, service users and their family or friends, external agencies or the general public may disclose allegations of abuse perpetrated upon vulnerable adults in receipt of the organisation's services.

11.0 Disclosures made by a service user, family member or external agency

Many incidents of abuse only come to light because the abused individual discloses the information himself or herself. Often they may not realise they are being abused and may not be aware of the significance of what they are disclosing. Some disclosures may happen after many years. There may be good reasons for this and any delay in reporting or disclosing by an abused person should not cast doubt on their truthfulness. Staff members will be expected to take all allegations seriously, however insignificant they may initially seem.

During a disclosure of alleged abuse, staff should always explain that they are required to share this information with their line manager. Where the line manager is allegedly involved in the incident staff must explain that they are required to inform the staff member's line manager. If it is possible and appropriate, staff should make notes at the time of the disclosure, noting what the person actually says using their own words and phrases. A full record of the disclosure must be made as soon as possible, and always within 24 hours.

12.0 Consent of the service user

All action, including referrals to Social Services and the police, must be subject to the consent of the service user. In every situation it will be assumed that a person can make their own decisions and action will only be taken in the absence of consent from the service user where:

- They or others are in physical danger, i.e. they are not the only person at risk and the risk to others needs to be considered;
- It has been assessed (by a multi-disciplinary team) and agreed that the vulnerable adult is unable/incapable of making an informed decision for himself or herself.



- Staff should be prepared to accept that no action, other than continued monitoring, might in some circumstances be the only option due to current legal implications.

13.0 Disclosures made by a member of staff

Where a member of staff wishes to disclose alleged abuse perpetrated by a Colleague, they must immediately contact their manager and/or the CEO of DENW who will discuss the issue with advice from the HR support service. An investigation will be set up immediately and this may involve the colleague being suspended from work. The manager should discuss the option of approaching the police with the individual if appropriate. All staff will take reasonable steps to respect the confidentiality of the person disclosing the alleged abuse. The DENW will aim to ensure that the staff member making the disclosure is supported and protected from reprisals or victimisation as a result of an expression of concern.

If staff observe a possible incident of abuse or have suspicions abuse is being perpetrated, or receive a disclosure from a service user or another source, where the alleged abuser is a member of staff, they must comply with the Public Disclosure Act (1998). This Act requires staff to report any fraud, misconduct or malpractice to their line manager. Failure to do so may result in disciplinary action being taken against the staff member.

14.0 Multi-agency procedures

All local authorities in England have multi-agency policies in place for the protection of vulnerable adults (No Secrets, Department of Health – 2000). These documents are based upon collaborative partnerships between local authorities, police and those who provide a range of services to vulnerable adults. Therefore, if there is a suspicion of abuse or clear evidence of it, the CEO of DENW must contact the relevant authority without delay (**within 24 hours of a decision being taken to refer**) in accordance with the local multi-agency procedure. A referral to Social Services under the multi-agency procedures will only be appropriate where the person suffering

harm meets the NHS and Community Care Act (1990) eligibility criteria i.e. meets the definition of a “vulnerable adult. The reporting officer must inform the CEO when a Social Services referral has been made. The HR support service should also be informed if the alleged perpetrator is a staff member.

15.0 Criminal Offences

DENW recognises that some instances of abuse constitute a criminal offence, and in such cases the vulnerable adult is entitled to the protection of the law in the same way as any other person.

Criminal offences include:

- Physical or psychological assault
- Rape or sexual assault
- Theft
- Fraud
- Discrimination, victimisation or harassment

Where there is obvious evidence of a criminal offence a simultaneous referral to the police must be made and, in such cases, criminal investigations by the police take priority over all other lines of enquiry. Guidance may be sought from the person taking the referral in Social Services. The reporting officer must inform a representative of the Board of Trustees when a referral has been made to the police. The HR service provider should also be informed if the alleged perpetrator is a staff member.

16.0 Adult Protection Procedure

Whenever abuse of a service user is suspected, staff should follow this procedure.

Stage 1

- Members of staff should contact the emergency services immediately if a service user appears to be in immediate physical danger. Be aware of retaining forensic evidence.
- If there is no immediate physical danger apparent, proceed directly to Stage 2.

Stage 2

- Members of staff should discuss the situation and courses of action available with the service user who has had abuse perpetrated upon them.
- Members of staff should contact their Manager immediately. If their manager is not available they should contact the CEO of DENW, and report the full facts and circumstances of the situation and discuss options and required action, having considered:
 - If immediate referral to the police or Social Services is required;
 - If there is any requirement to inform the local Supporting People team, registering or inspecting body;
 - If there is a need to contact partner care/support agency;
 - Review of relevant records, particularly similar incidents of the same kind;
 - Consider the immediate health/welfare needs of the alleged victim or any other vulnerable adult who may be affected and methods for supporting the service user, including access to counselling services.

The manager and /or the Chief Executive Officer of DENW will discuss the appropriateness or not of notifying the alleged abuser of the allegation made against them prior to a referral to Social Services or the police. Social Services and/or interagency input should be sought when making this decision.

Stage 3

- Members of staff, with input from the service user and support from their manager /Chief Executive Officer of DENW, should complete an Adult Abuse Incident Recording Form (AAPF1) within 48 hours of the report/incident of abuse.
- It is essential that the above form is signed and dated and completed in a manner that is:
 - Clear and factual.
 - Reflects the words and phrases used by the person disclosing.
 - Describes the circumstances in which the disclosure came about i.e. the context, setting and anyone else who was there at the time.
 - Contains factual information only and not your own opinions. Any opinions or third party information must be clearly identified as such.
 - An action plan (AAPF2) outlining actions to be taken, by whom and timescales must be devised in consultation with the service user. This plan will be produced jointly by the member of staff, manager /Chief Executive Officer of DENW and should be reviewed by the member of staff , a manager / Chief Executive Officer of DENW and service user at appropriate intervals to ensure the safety of all service users.
 - A copy of the completed Adult Abuse Incident Recording Form and Action Plan, plus additional records pertaining to the incident should be kept in the service user's file. The issue of confidentiality should be considered, for example if the allegation involves a staff member, do all staff in the project have access to the file?

- Private and confidential information on staff should be kept separately and placed on the personnel file only, with “need to know” information only in the file at the project.

Stage 4

If no referral is made to Social Services or no further action taken, including contacting the police, in line with a service user’s wishes the member of staff and manager /CEO of DENW:

- Keep records of all decisions, including why no further action is to be taken
- Regularly monitor the situation and review the agreed action plan
- Discuss appropriate help-line or counselling services that are available with the service user
- Carry out a Risk Assessment and note actions on Individual Support Plan

Stage 5

If a referral is made to Social Services this should be made by phone and followed by written notification on the form produced by the local Social Services department.

17.0 Investigating Allegations of Abuse

When investigations into alleged abuse of service users are undertaken it is crucial that the individual’s privacy, dignity, independence and choice is taken into consideration throughout the entire process. Therefore the organisation aims to ensure that the service user is fully supported and has access to all the relevant information to enable them to make informed decisions regarding possible follow-up action.

18.0 Internal investigations

Internal investigations into alleged abuse of service users will be undertaken by the CEO of DENW or another officer appointed by the Board of Trustees. The investigating officer will liaise with the HR service provider during the investigation process and they will also be responsible for contacting and liaising with Social Services where appropriate and the police where a criminal offence is suspected.

This will be done in line with the local multi-agency framework for the protection of vulnerable adults. Where the investigating officer considers that there is possible misconduct by staff they will also apply the disciplinary procedures with guidance from HR Service Provider. If there is a criminal investigation the investigating officer and HR Service Provider will agree the timing of the disciplinary investigation with the police.

WHERE THE ALLEGED ABUSER IS A MEMBER OF STAFF

Where the alleged or suspected abuser is a member of staff, a full internal investigation must take place. This does not exclude investigations also being carried out by Social Services, the police and any registering authority.

WHERE THE ALLEGED ABUSER IS ANOTHER VULNERABLE ADULT

Where the alleged abuser is another vulnerable adult stages 1 to 5 of the above procedure will apply. Where the alleged victim has asked that no further action be taken, and where it is determined that the alleged victim and other vulnerable adults are at continued risk, the CEO of DENW should contact Social Services, and the police if a possible criminal offence has taken place. Duty of care obligations continue for the alleged abuser and they may need the same or greater support as was available before the allegation. Therefore the member of staff, in conjunction with the CEO of DENW, will carry out a thorough risk assessment to establish the likelihood



that the alleged abuser will perpetrate further abuse of the alleged victim or other service users. Clear interventions for reducing risk must be agreed and communicated to all staff providing support to the alleged perpetrator, victim and other service users who may be affected. Members of staff and the CEO of DENW must also liaise closely with Social Services in order to develop a revised support plan which aims to ensure that the alleged perpetrators support needs are met. Where there is an ongoing risk to the alleged victim and other service users that cannot be managed within the service, Social Services must be contacted to provide crisis intervention services/accommodation pending a long-term solution.

THE INVESTIGATION PROCESS

The investigation process described in section above will also apply in cases where the alleged abuser is a vulnerable adult. Often additional input from Social Services may be necessary in some cases.

WHERE THE ALLEGED ABUSER IS A WORKER EMPLOYED BY ANOTHER AGENCY

Where the alleged abuser is a worker employed by another agency (private, statutory or voluntary) e.g. CPN, Social Worker, GP, agency Support Worker etc, stages 1 to 5 of the procedure must be followed. The CEO must immediately notify the appropriate manager from the agency and plan and agree investigation protocols.



Name of Policy: Safeguarding of vulnerable adults and children

Section Two: Children

1.0 Statement of Principles

- 1.1 DENW will endeavour to ensure that any child coming into contact with its staff, volunteers, board of trustees or other people providing services on its behalf, or using DENW facilities, and voluntary organisations providing services through DENW sponsored groups, will have a positive and enriching experience.
- 1.2 A child is defined as a person aged under 18 (Children's Act 1989).
- 1.3 All references to members of staff apply equally to volunteers (inc Trustees) and people providing services on DENW 's behalf, whether they are paid or not.

2.0 Recruitment and Selection of Staff

- 2.1 All reasonably practicable steps must be taken to ensure that unsuitable people are prevented from working with children. The law places certain limits on what DENW is able to do in determining the suitability of people who will work with children. Nevertheless the following procedures must be adhered to in appointing all staff who has contact with children during the course of their normal duties.
- 2.2 DENW's recruitment and selection procedure, which must be read in conjunction with this document, requires that a risk assessment be carried out for each job prior to advertising/filling to determine the likelihood of the person working with children, the nature of the contact and the likely degree of risk arising from such work. Guidance on conducting risk assessments is contained in that procedure. Further help is also available from the Chief Executive (CEO)



- 2.3 Recruitment advertisements and job outlines for all posts where there is a likelihood of, or reference to work with children and or people perceived as 'Vulnerable Adults' will indicate that the successful applicant will be the subject of a check by the Disclosure & Barring Service (DBS) and specify the level of check to be sought.

Where such a check is specified, all potential applicants will be provided with a copy of DENW's policy on the employment of ex-offenders and the DBS information for job applicants.

- 2.4 All job applicants complete application forms and these are designed to elicit the following information as a minimum:
- Name
 - Current address
 - Employment history
 - Past experience
 - Details of Referees
 - Details of any criminal convictions. *Where a post is identified as involving work with children, applicants are not entitled to withhold details of criminal convictions deemed to be spent under the provisions of the Rehabilitation of Offenders Act 1974.*
- 2.5 At interview candidates for positions where they are may be required to work with children must be asked about any similar work they have done previously.

3.0 DBS

3.1 Each successful applicant for posts involving work with children will be required to undertake a check through the DBS. In addition to the information contained on the application for employment form the DBS Disclosure form requires the following:

- Full name
- Current and previous addresses covering at least five years
- Any previous names used (forenames and surnames) including the dates of any change
- Place of birth
- Whether born in the UK
- Nationality
- Verification of identity via passport, driving licence, birth certificate, marriage certificate etc.

The disclosure application form requires employers to specify the level of check needed for the particular post either standard or enhanced. This is determined as part of the risk assessment exercise based on the precise nature of the work involving children.

3.2 Standard disclosures contain the following information:

- Details of all convictions, cautions, reprimands and final warnings held on the Police National Computer whether they are current or spent.
- Details of unsuitability for work with children held by the Department for Education and skills.
- Details of unsuitability for work with children or vulnerable adults held by the Department of Health.

A copy of the disclosure is sent to the applicant and to DENW

3.3 Enhanced disclosures contain the same information plus:

- A check of local police records for any relevant information not held on the Police National Computer. This may include details of any outstanding/pending prosecutions.

If any additional information comes to light this will be forwarded by the Police under separate cover. The additional information is not sent to the applicant.

The DBS disclosure is only current on the date of issue.

4.0 Responding to Suspicions or Allegations

4.1 DENW staff and volunteers are not responsible for deciding whether or not child abuse is taking place. However, there is a duty to protect children so that the appropriate agencies can make enquiries and take the necessary action to protect the child.

N.B. The term 'abuse' will be taken to include neglect, or physical sexual or emotional abuse. It can also include bullying, but when allegations of bullying are made against another child these allegations should be brought to the attention of the parents of the children involved.

4.2 Any allegation, suspicion or incident must be reported to the CEO who will notify the Trustee Board. The CEO will record full details of the incident. The Chair of the Trustee Board or the CEO will notify



the Police of the allegations and the circumstances in which they were made. Where the allegation is against a member of staff directly employed by DENW the incident must be reported direct to the CEO. Where the allegation is against the CEO, the incident must be reported direct to the Chair or Vice Chair of the Trustee Board.

5.0 Allegations against Staff

5.1 This section covers anyone working with children whether in a paid or voluntary role.

5.2 The member of staff against whom the allegations have been made must, if employed by DENW be suspended from duty immediately in accordance with DENW's disciplinary procedures. Staff other than those employed by DENW must be asked to leave the building immediately, or otherwise dealt with as advised by the Police.

5.3 DENW will fully support and protect staff members who report concerns that a colleague has been, is, or might be abusing a child where such a report is made in good faith.

6.0 Guidance for Staff against who Allegations have been made

6.1 Where a complaint against a member of staff is made, four types of investigations may take place:

- A disciplinary investigation by DENW
- A child protection investigation by Social Services
- A criminal investigation by the Police



- A combination of any or all of the above

The results of any Social Services or Police investigation may, but not necessarily, influence the outcome of a disciplinary investigation.

7.0 Investigation of Allegations against Employees of DENW

- 7.1 Where the person against whom the allegations have been made is an employee of DENW, the CEO in conjunction with the Management Committee will consider implementing the disciplinary procedure against the member of staff at the earliest possible time.
- 7.2 Due regard must be given to any requests by either the Police or Lancashire County Council Social Services department to delay internal investigations if they are liable to compromise or contaminate any enquiries being undertaken by them.
- 7.3 The CEO in conjunction with the Trustee Board will appoint someone to gather information to establish whether there are reasonable grounds for believing that abuse has taken place.
- 7.4 At this stage, the Investigating Officer will discuss the allegations with the person they are against subject to the provisions in 7.2 above being met.
- 7.5 The Investigating Officer will need to gather detailed information from the person who made the complaint. If this person was a child, the person to whom the complaint was made must also be interviewed. Any potential adult witnesses to the alleged abuse should be interviewed along with the Manager of the person against



whom the allegations have been made and any other relevant parties. The Investigating Officer will have the right to inspect the employee's personal file and other records that relate to him/her.

- 7.6 A written summary of the initial enquiries will be prepared by the Investigating Officer and the findings referred to the Trustee Board following which a decision on formal action will be taken.
- 7.7 Any formal action will be taken in accordance with DENW's disciplinary procedures.

Appendix:

Safeguarding adults

Some adults aged eighteen and over due to age, impairment, illness or lifestyle may not be able to protect themselves against significant harm or exploitation.

Every day, abuse of adults at risk goes unreported. Local authorities, police and NHS agencies involved with adults who might be at risk of abuse have a duty of care to make sure that procedures are in place to encourage reporting of suspected abuse, and take action to stop the abuse.

Identifying abuse

Abuse occurs when someone's human and civil rights are violated by someone else. This can be:

- a single or series of actions of abuse
- deliberately or unknowingly causing harm
- failure to protect people from abuse

Anyone can abuse and often it can be the person you least expect.

Abusers could include:

- spouse/partner
- carers and care workers

- family member/relative
- friend
- neighbour
- volunteer helper
- someone not known to the person

Things to look out for:

- possible changes in the person's behaviour or mood/personality
- unexplained injury or a series of injuries
- signs of fear or distress
- signs of neglect
- theft, fraud or unexplained financial worries

Who to tell:

Reporting abuse on line

You can use our safeguarding adults alert form to report any suspected abuse on line.

If you are a professional and suspect abuse use the safeguarding alert form for professionals.

Adult Social Care Services

Telephone 0300 123 6721

Lancashire Police

Telephone 0845 1 25 35 45



Health or social care staff

For example, a social worker, nurse, doctor, occupational therapist

You can also tell someone you trust. Ask them to report the matter for you.

If you are in immediate danger or you think a criminal act is being committed contact the police by calling 999.

What you can expect to happen next:

If you tell health or social care staff, they will:

- take your concerns seriously
- make sure that the person is safe
- help the person to get medical treatment, if needed
- involve the police if a crime is suspected
- involve other staff to investigate and protect the person being abused

When you report a suspected abuse, you do not have to give your name, but if you do, it will not be given to the people involved.

All suspected incidents of abuse will be investigated fully and appropriately.

Lancashire Adults

<http://www.lancashire.gov.uk/health-and-social-care/adult-social-care/safeguarding-adults.aspx>

Lancashire Children

<http://www.lancshiresafeguarding.org.uk/resources/key-guidance-policy-documents.aspx>



Public Guardian

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/481414/01.12.15_-_safeguarding_policy_2015_v4_FINAL.pdf