



Policy for the Protection of Vulnerable Adults

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1. Statement of Intent

ARCADEA takes very seriously its legal and moral responsibility to provide a duty of care to all 'vulnerable' people who take part in its activities through implementing procedures to safeguard their well-being and protect them from harm.

This policy will be given to all management committee members, employees, freelance and sessional workers, consultants and volunteers, and project participants. It will be available in a range of accessible formats

Principle

Arcadea works towards the equal status of Disabled people following a social model of disability and promotes the four core values of human rights law of dignity, autonomy, equality and solidarity.

The four human rights values are of particular importance in the context of disability:

- the *dignity* of each individual, who is deemed to be of inestimable value because of his/her inherent self-worth, and not because s/he is economically or otherwise "useful";
- the concept of *autonomy* or self-determination, which is based on the presumption of a capacity for self-directed action and behaviour, and requires that the person be placed at the centre of all decisions affecting him/her;
- the inherent *equality* of all regardless of difference;
- and the ethic of *solidarity*, which requires society to sustain the freedom of the person with appropriate social supports.

2 Definitions

a. Social Model of Disability

The Social Model of Disability has a focus on people with impairments being disabled by the barriers they face in society. People are disabled by a lack of access to education, information, employment, services, buildings, transport; by negative cultural stereotyping and representation; and by attitudinal discrimination.

b. Vulnerable Adult

The Department of Health guidance 'No Secrets', issued in 2000, defines 'Vulnerable Adult' as a person aged 18 and above

'who is, or may be in need of Community Care Services by reason of mental or other disability, age or illness; and is or may be unable to take care of him or herself, or unable to protect him or herself from significant harm or exploitation.'

This includes a person with a learning or physical disability; a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs; or a reduction in physical or mental capacity.

c. Definition of Abuse

"Abuse is the harming of another individual usually by someone who is in a position of power, trust or authority over that individual. The harm may be physical, psychological or emotional or it may be directed at exploiting the vulnerability of the victim in more subtle ways (*for example, through denying access to people who can come to the aid of the victim, or through misuse or misappropriation of his or her financial resources*). The threat or use of punishment is also a form of abuse. In many cases, it is a criminal offence"

Centre for Policy on Ageing (1996)

Types of Abuse

Physical abuse

- Bodily assaults resulting in injuries e.g. hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.
- Bodily impairment e.g. malnutrition, dehydration, failure to thrive
- Medical/healthcare maltreatment

Sexual abuse

- Rape, incest, acts of indecency, sexual assault
- Sexual harassment 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
- Sexual Innuendo and inference.

Psychological/emotional abuse includes:

- Including threats of harm, controlling, intimidation, coercion, harassment, verbal abuse, enforced isolation or withdrawal from services or supportive networks.
- Humiliation
- Bullying, shouting, swearing

Neglect

- 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.

Institutional

- The mistreatment or abuse of a person or persons by a regime, or individual staff within an institution.
- It occurs when the routines, systems and norms of an institution compel individuals to sacrifice their own preferred lifestyle and cultural diversity to the needs of the institution.
- For example where agreed action and development plans are disregarded and individual preferences may be disregarded.

3. The Aims and Objectives of this Policy

Aim

The aim of this policy is to define the practice and procedures for **ARCADEA'S** employees and volunteers, in order to safeguard and promote the welfare of vulnerable people and to provide a clear framework for action if the abuse of vulnerable people is suspected. It is aimed at protecting both the individual and the member of staff, recognising the risks of lone working.

Objectives

- To ensure that all employees and volunteers working with vulnerable people are carefully selected, understand and accept responsibility for the safety of those individuals in their care.
- To ensure that the vulnerable person's welfare is of paramount importance when undertaking any activities.
- To respond swiftly and appropriately to all suspicions or allegations of abuse, and to ensure confidential information is restricted to the appropriate individuals within **ARCADEA** and appropriate external agencies.

4 Rights and Responsibilities

a. Responsibilities of ARCADEA

- To have a **DESIGNATED PERSON** member responsible for the implementation of this policy and the procedures herein. The **Designated Person** is the '**Chief Executive Director, or their deputy in their absence, or the Chair person should neither of the above be available**'.
- To ensure staff and volunteers are aware of **ARCADEA'S** Policy for the Protection of Vulnerable Adults and are adequately trained in its procedures
- 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 appropriate employees on projects have full information in relation to identified risk and vulnerability
- To CRB check volunteers and employees that have access to or work with Vulnerable Adults and effectively manage the information contained in Disclosures.

b. Responsibilities of Employees & Volunteers

- To be familiar with the Policy for the Protection of Vulnerable People and procedures
- To co-operate with the CRB process for all employees and volunteers
- To take appropriate action in line with the policies of ARCADEA
- Employees, Freelance and Sessional Staff and Volunteers to promote the principles and good practice to other voluntary organisations and partners
- To declare any existing or subsequent convictions. Failure to do so will be regarded as gross misconduct, possibly resulting in dismissal

c. Rights of Vulnerable Adults

Vulnerable adults have the right:

- To be made aware of this policy
- To have alleged incidents recognised and taken seriously

- To receive fair and respectful treatment throughout
- To be involved in any process as appropriate
- To receive information about the outcome

d. Support for those who report abuse

All those making a complaint or allegation or expressing concern, whether they be staff, service users, carers or members of the general public 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 they will be given support and afforded protection if necessary in line with the Public Interest Disclosure Act 1998.

5. Good Practice

a. Designated Person

ARCADEA has a **DESIGNATED PERSON** member responsible for the implementation of this policy and the procedures herein towards the protection of vulnerable people. The **Designated Person** is the '**Chief Executive Director, or their deputy in their absence, or the Chair person should neither of the above be available**'.

In the event of any concerns regarding vulnerable adult, the **designated person** (or deputy, or Chair person) will be informed at the earliest available opportunity. If necessary, the **designated person** will inform the relevant Social Services Department and the management committee without delay. The **designated person** will also ensure that the Vulnerable Adult Policy and procedures are kept up to date and reviewed.

Any vulnerable adult using the services of ARCADEA will be informed during their induction that they can speak to the **DESIGNATED PERSON** as an independent person at any time and will be given their name and contact details.

The **Designated Person** is also the **Named Person** for support workers / Carers / family members will have a 'named person' to whom they may report any worries or concerns.

The **Designated Person** is Geof Armstrong, Director, contactable at ARCADEA, Mea House, Ellison Place, Newcastle Upon Tyne, NE1 8XS.

Telephone 0191 222 0708 / Mobile 079 3230 4241 / e-mailgeof.armstrong@arcadea.org.

b. Recruitment of Staff and Volunteers

All reasonable steps will be taken to ensure unsuitable individuals are prevented from having any involvement with ARCADEA.

Follow ARCADEA recruitment procedures and policies, including:

- Employee/volunteer recruitment procedures will include a Criminal Records Bureau Disclosure (www.crb.org.uk), at the appropriate level, for all personnel with access to vulnerable adults and should always include self-declaration.
- ARCADEA will risk assess the requirement for Management Committee members to have CRB Disclosures.
- Completion of an ARCADEA application form
- All prospective employees/volunteers will be formally interviewed, in accordance with our recruitment procedures. For volunteers this need not be a formal interview.
- References will be thoroughly including appropriate Disclosure
- All staff and volunteers have a duty to declare any existing or subsequent convictions. Failure to do so will be regarded as gross misconduct, possibly resulting in dismissal

CRB Disclosures:

Should any concerns arise following a Criminal Records Bureau Disclosure then this will be passed onto the Committee who will contact a relevant body, such as NCVS, for information and guidance. Any Disclosure that causes concern will be assessed to establish the level of risk the subject poses to vulnerable adults, other service users, colleagues, the general public and/or our organisation. A number of questions will be asked:

- Does the offence relate directly to work with vulnerable people?
- What is the seriousness of the offence[s] and the circumstances surrounding it?
- How long is it since the offence was committed?
- Does the subject have a pattern of offending?
- Has the subject's situation changed since the offence occurred?
- What is the subject's explanation of the offence?
- Did the subject declare the offence prior to the Disclosure?
- If all these questions are not answered satisfactorily then the prospective employee/volunteer will not be allowed to join the organisation.
- We will ensure that all employees have appropriate qualifications and training, and training will be provided to volunteers. All new employees/volunteers will go through a probation and induction process, including relevant training. Ongoing training and supervision will ensure all employees/volunteers are adequately supported.
- Any concerns about an employee/volunteer should be passed on to the **designated person**, the deputy, or a member of the management committee.

c. Recruitment and Registration of Project Participants

- A confidential register of names, addresses, next of kin and contact addresses and telephone numbers for emergencies will be kept and available to only relevant staff according to our Data Protection Policy and our Confidentiality Procedures.
- Where appropriate, carers / support workers / family members will be given a copy of a written statement which specifies the action which will be taken in the event of a vulnerable adult becoming ill or being injured and which indicates that any information which suggests that a vulnerable has been abused will be passed on to the Social Services Department and/or the police.
- Where appropriate risk assessments will be undertaken to protect and support all project participants
- All project participants will receive an induction to our work and will be expected to sign up to our code of practice

d. Creating a Safe and Caring Environment

- Risk Assessments should be undertaken prior to any offsite visits or new types of activities.
- Employees working with vulnerable adults should be appropriately trained and qualified to ensure the safe provision of services, use of equipment, activities undertaken, etc.
- Volunteers working with vulnerable adults should be appropriately trained to ensure the safe provision of services, use of equipment, activities undertaken, etc.
- Employees/volunteers working with vulnerable adults should carefully plan activity sessions with the care and safety of individuals as their main concern, including the use of activities at an appropriate age/ability level.
- Wherever possible, we will encourage an 'open environment' e.g. avoiding private or unobserved situations and discouraging the keeping of secrets. This especially includes employees/volunteers being alone with vulnerable adults at any time. When this is unavoidable, it should be done with the full knowledge and consent of someone in charge of the organisation.
- Employees/volunteers must treat all with respect.
- Employees/volunteers must not make racist, sexist or any other remarks which upset or humiliate.
- Employees/volunteers must take care to avoid showing any favouritism.

Roles and Responsibilities of employees / facilitators / freelance staff / volunteers:

- Safety of participants and employees/volunteers is of prime consideration at all times.
- All accidents involving anyone should be recorded in the organisation's accident book immediately or as soon as practicably possible.
- Employees/volunteers are responsible for familiarising themselves with building/facility safety issues, such as fire procedures, location of emergency exits, location of emergency telephones and first aid equipment.
- Employees/volunteers are responsible for reporting suspected cases of abuse to the appropriate individuals and/or agencies.

- Employees/volunteers will be expected to keep an attendance register for all organised sessions.
- Employees/volunteers should ensure that their activities start and end on time.
- Employees should ensure that they are adequately insured, to protect against claims of negligence, through their organisation or their own personal insurance if acting as a self employed agent.
- Employers should ensure that volunteers are appropriately insured, to protect against claims of negligence.

e. Management and Supervision

It is the line manager's responsibility to clarify with the worker or volunteer their roles and responsibilities regarding their relationships with vulnerable adults with whom they may be in contact. Regular supervision for staff and volunteers will monitor the work and offer the opportunity to raise any issues.

f. Training

- All ARCADEA will receive an induction where they will be introduced to all ARCADEA policies and procedures and staff must take responsibility for familiarising themselves with all policies and procedures.
- Appropriate reference guides will be highlighted aimed at contributing to the on-going practice development of staff whether in the work place or as a tool whilst undertaking qualifying courses.
- Staff should ensure they keep up to date with developments in the area of adult protection and support and make it a matter of their professional development plans.

Further training, dependent on nature of role, e.g.

- Risk assessment & management
- Types of abuse and recognising signs of abuse
- Keeping appropriate records
- Listening skills

g. 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 Data Protection principles (*please refer to Confidentiality & Data Protection Policy*).

- All incidents should be discussed in supervision with line manager.
- Records kept by paid workers about vulnerable adults should only include:
 - Contacts made
 - Referrals made, including date, time, reason and referral agency

ARCADEA may have specific projects that need to keep more detailed records, and these will be identified by the Director and made known to the staff team.

The secure handling, storage and retention of DBS disclosure information

- Disclosure will be requested when necessary and relevant to a particular post/role (**nb.** given the nature of our work it is very unlikely that there will be any posts/roles within Arcadea that will not require a DBS certificate).
- Where additional information which may adversely affect the candidate's application is provided to ARCADEA but not to the Disclosure applicant, ARCADEA reserves the right not to disclose the information but will inform the applicant of its existence.
- All information pertaining to the staff member/volunteer including Disclosure information will be kept for the period of their employment/volunteering and then for a further 3 year period.
- No image or photocopy of the Disclosure will be made however the following details will be retained:
 - Disclosure's date of issue.
 - Name of subject.
 - Disclosure type.

- Role for which Disclosure was requested.
- Unique reference number of Disclosure.
- Decision as to whether or not employee/volunteer was suitable for the role.
- Disclosure information will be destroyed by either incineration or shredding.
- ARCADEA will ensure that all those with access to Disclosure information are aware of this policy and have received relevant training and support.
- ARCADEA will make a copy of this policy available to all potential volunteers/staff that wish to undertake a role that requires a Disclosure.

h. Planning

- Staff and volunteers should avoid lone same sex 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.
- Staff and volunteers must never take one to one car journeys with users, except under extraordinary circumstance, in which case the permission of the Director or General Manager must be sought.
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6. Identification of Abuse

We recognise that abuse can happen anywhere and can be carried out by anyone e.g.:

- Informal carer's, family, friends, neighbours
- Paid staff, freelance and sessional staff, consultants and volunteers
- Other project participants
- Strangers

Signs of Possible Abuse

The signs summarised below do not necessarily mean that a vulnerable adult is being abused. Similarly there may not be any signs; you may just feel something is wrong. If you are worried report it to the designated person. It is not your responsibility to

decide if it is abuse but it is your responsibility to act on your concerns and do something about it by reporting.

Physical Signs

Note: Some ageing processes can cause changes which are hard to distinguish from some aspects of physical assault e.g. skin bruising can occur very easily due to blood vessels becoming fragile.

- A history of unexplained falls or minor injuries
- Bruising in well protected areas, or clustered from repeated striking
- Finger marks
- Burns of unusual location or type
- Injuries found at different states of healing
- Injury shape similar to an object
- Injuries to head/face/scalp
- History of GP or agency hopping, or reluctance to seek help
- Accounts which vary with time or are inconsistent with physical evidence
- Weight loss due to malnutrition, or rapid weight gain
- Ulcers, bed sores and being left in wet clothing
- Drowsiness due to too much medication, or lack of medication causing recurring crises/hospital admissions

Sexual abuse signs

- Disclosure or partial disclosure (use of phrases such as 'It's a secret')
- Medical problems, e.g. Genital infections, pregnancy, difficulty walking or sitting
- Disturbed behaviour e.g. depression, sudden withdrawal from activities, loss of previous skills, sleeplessness or nightmares, self-injury, showing fear or aggression to one particular person, repeated or excessive masturbation, inappropriately seductive behaviour, loss of appetite or difficulty in keeping food down.
- Behaviour of others towards the vulnerable adult
- Circumstances – e.g. two service users found in a toilet area, one in a distressed state

Psychological/emotional signs:

- Isolation
- Unkempt, unwashed, smell
- Over meticulous
- Inappropriately dressed
- Withdrawn, agitated, anxious not wanting to be touched
- Change in appetite
- Insomnia, or need for excessive sleep
- Tearfulness
- Unexplained paranoia, or excessive fears
- Low self esteem
- Confusion

Neglect signs

- Physical condition poor
- Clothing in poor condition
- Inadequate diet
- Untreated injuries or medical problems
- Failure to be given prescribed medication
- Poor personal hygiene

Financial or material signs

- Unexplained or sudden inability to pay bills
- Unexplained or sudden withdrawal of money from accounts
- Disparity between assets and satisfactory living conditions
- Extraordinary interest by family members and other people in the vulnerable person's assets

Discriminatory signs

- Lack of respect shown to an individual
- Signs of substandard service offered to an individual
- Exclusion from rights afforded to others, such as health, education, criminal justice

Other signs of abuse

- Inappropriate use of restraints
- Sensory deprivation e.g. spectacles or hearing aid
- Denial of visitors or phone calls
- Failure to ensure privacy or personal dignity
- Lack of flexibility of choice e.g. bedtimes, choice of food

- Restricted access to toilet or bathing facilities
- Lack of personal clothing or possessions
- Controlling relationships between care staff and service user.

7. What to do

Responding to signs of abuse

It is not the responsibility of employees / volunteers to deal with suspected abuse but it is their responsibility to report concerns discreetly to the **Designated Person** (Chief Executive Director) through the line management procedure **on the day** of any concern coming to light or any incident or disclosure. It is important that all employees / volunteers should be aware of their responsibilities if abuse is suspected or concerns reported.

All allegations or suspicions are to be treated seriously. No abuse is acceptable and some abuse is a criminal offence and must be reported to the Police as soon as possible. To determine the appropriate action the designated person (Chief Executive) will need to consider:

Risk – does the vulnerable adult, staff member or volunteer understand the nature and consequences of any risk they may be subject to, and do they willingly accept such a risk?

Self-determination – is the vulnerable adult able to make their own decisions and choices, and do they wish to do so

Seriousness – A number of factors will determine whether intervention is required. The perception of the victim must be the starting point. Factors informing assessment of seriousness will include:

- The **perception** by the individual and their **vulnerability**
- The **extent** of the abuse
- The **length of time** it has been going on
- The **impact** on the individual
- The risk of **repetition** or **escalation** involving this or other vulnerable adults
- Is a **criminal offence** being committed

The **Designated Person** will:

- Ascertain whether an advocate 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

Immediate Risk and Danger

If the vulnerable person is in immediate danger then the line management procedure should be by-passed and the police should be called, informing the Designated Person immediately after doing so.

If a vulnerable adult reveals they are being abused:

- Remain calm and try not to show any shock or disbelief. Listen very carefully to what you are being told.

- Demonstrate a sympathetic approach by acknowledging regret and concern that this has happened to the person.
- Reassure the person, telling them they have done the right thing by sharing the information, that this information will be treated seriously and that the abuse is not their fault.
- Be aware of the possibility of forensic evidence if the disclosure refers to a recent incident.
- Explain that you are required to share the information on a 'need to know' basis with your line manager/volunteer coordinator, but not with other staff or service users.
- Reassure the person that any further investigation will be conducted sensitively, and with their full involvement wherever possible.
- Reassure the person that the service will take steps to support and, where appropriate, protect them in future.
- Report the information to your line manager/volunteer coordinator at the earliest opportunity.
- Make an accurate written record of what the person has told you.
- Do not stop someone who is freely recalling significant events but allow them to share whatever is important to them.

- Do not ask questions or press the person for more details, as this may be done during any subsequent investigation, it is important to avoid unnecessary stress and repetition for the person concerned.
- 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 with you at the time].
- Distinguish between opinion [yours and others] and fact.
- Inform the designated person or deputy. If this is not possible contact the chair or an appropriate member of the management committee.
- If the matter is urgent and none of the above can be contacted, then contact social services or the police.
- Complete the Incident Record Form as soon as possible after the event detailing what you and the Vulnerable Adult discussed.

Do not:

- Confront the alleged abuser
- Be judgmental or voice your own opinion.
- Be dismissive of the concern.
- Disturb or destroy possible forensic evidence.
- Consult with persons not directly involved with the situation.
- Ask leading questions from the person making the disclosure.
- Assume information.
- Make promises.
- Ignore the allegation.
- Elaborate in your notes.
- Panic.

Do

- Make sure the individual is safe.
- Assess whether emergency services are required and if needed call them.
- Listen.
- Offer support and reassurance.
- Ask straightforward questions.
- Ascertain and establish the 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 the procedure to the individual making the allegation.
- Remember the need for ongoing support.

8. Review

- ARCADEA understands that the Independent Safeguarding Authority (ISA) will be launched in October 2009. It will also endeavour to keep abreast of new laws, policies and procedures relating to vulnerable persons with support from local advisory bodies such as NCVS.
- ARCADEA will endeavour to ensure that all those working with vulnerable people are aware of this policy and are able and willing to work to these guidelines.
- This policy will be reviewed on an annual basis and is due for its next review in April 2009.

9. Summary

- The employee or volunteer's primary responsibility is to protect the vulnerable adult if they are at risk
- Each employee or volunteer has a duty to take action
- Employees or volunteers should not have to cope alone