



12. Policy and Procedure for Safeguarding Adults

Policy and procedure for the safeguarding of vulnerable adults

The term *vulnerable adult* refers to:

“any person aged 18 and 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/herself or unable to protect him/herself from significant harm or serious exploitation”

(From: CUMBRIA SAFEGUARDING ADULTS PARTNERSHIP MULTI-AGENCY PROCEDURES AND GUIDELINES)

1. Introduction

SOUTH LAKELAND MIND unreservedly endorses the reference document "*Cumbria Safeguarding Adults Partnership Multi-Agency Procedures and Guidelines*" which has been prepared by key agencies across Cumbria. Copies are available at SOUTH LAKELAND MIND.

SOUTH LAKELAND MIND is a charitable organisation, which provides information and support to people experiencing emotional distress or mental health problems. Degrees of support vary from social interaction, recreational activities, complementary therapies and educational and volunteer opportunities.

SOUTH LAKELAND MIND will rigorously pursue the policies and practices promoted by the key agencies and understands its duty of care to our clients. It is our first priority to uphold the right of vulnerable people to protection from harm and exploitation and this will be achieved by:

- Ensuring appropriate treatment of service users at all times.
- Increasing awareness and recognition of the existence of abuse.
- Training staff how to deal with suspected abuse.
- Taking action where mistreatment is suspected.

This policy statement should be read in conjunction with the following SOUTH LAKELAND MIND documents:

- Service Level Agreement
- Complaints Procedure
- Equal Opportunities Policy
- Confidentiality Policy

- Grievance Procedure
- Whistleblowing Policy

Definitions

Adult safeguarding is the term used to describe the function of protecting adults (aged 18 or over who appear to have health and social care needs) from abuse or neglect. It is a shared priority across a range of public services, but a key responsibility of the local authority.

An adult at risk may be a person who:

- is elderly and frail due to ill health, physical disability or cognitive impairment
- has a learning disability
- has a physical disability and/or sensory impairment
- has mental health needs, including dementia or a personality disorder
- has a long term illness/ condition
- misuses substances or alcohol
- is a carer such as a family member/ friend who provides personal assistance and care to adults and is subject to abuse
- is unable to demonstrate the capacity to make a decision and is in need of care and support

What is abuse?

Harm can include any of the following:

- a single act or repeated acts
- an act of neglect or a failure to act
- multiple acts, e.g., an adult at risk may be neglected and also financially abused.

What should you look out for?

- unexplained injury
- signs of fear or distress
- withdrawal

2. Responsibilities

Principal responsibility for this Policy rests with the Board of Trustees but day-to-day responsibility for its implementation rests with the Chief Officer.

It is stressed, however, that the primary priority for all staff and volunteers is to be vigilant at all times and to take appropriate action if there is any reason to believe that a vulnerable client may be (or may have been) experiencing mistreatment.

2.1 All staff will be trained in the first month of their appointment, to understand the definition of abuse and recognise its symptoms/impact. The Cumbria Agencies' Guidelines are available to all staff and discussed at training sessions/staff meetings.

2.2 The Chief Officer is responsible for ensuring that each new member of staff:

- Is cleared by the Criminal Records Bureau under the Disclosure procedure and that DBS checks are renewed for all staff and volunteers every 3 years

- Is given appropriate Induction training.
- Is fully briefed on SOUTH LAKELAND MIND's policies and procedures, and
- Receives training and information for the Protection of Vulnerable Adults from Abuse as soon as practicable after appointment.

3. Procedure for Dealing with Suspected Abuse

Decisions by staff regarding whether or not to report concerns of abuse/mistreatment are not a matter of individual conscience but a professional duty. Staff have a duty of care and must always take appropriate action even in the very difficult circumstances of reporting a colleague who, they believe, may be abusive.

Abuse is a violation of an individual's human and civil rights by any other person or persons. Abuse of a vulnerable adult can show itself in many forms; physical, psychological, sexual, neglect, discriminatory, financial or material.

In the first instance report the concern to the Chief Officer unless, of course, the concern relates to that particular individual. In these circumstances report the matter to the Chair or any Trustee/Director.

It is very important to give careful consideration to what you are reporting, to whom and when. Staff should always record their concerns in writing and discuss the matter at the earliest possible opportunity with the manager. If in doubt, the safest option (for the service user) should always be taken. Make a report and try to ensure that any action, which can be taken to protect the user from further harm, is taken.

If the Chief Officer is not available or indeed involved, any member of staff who suspects a colleague or manager of abuse or mistreatment of any kind, it is their right to bypass their responsible managers (above) and report directly to the Chair. It may, of course, be felt appropriate to report the matter directly to Social Services. If, for any reason, it is not possible to make contact with Social Services, the Police may be called directly but this course should only be taken in exceptional circumstances.

The contact points for these organisations are:

Cumbria Social Services	Adult Social Care	Kendal	01539 713398
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OR

Cumbria Social Services	Adult Social Care	Penrith	01228 505050
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Cumbria Social Services	Emergency Out of Hours		01228 526590
Cumbria Police			999

In all cases the nature of the complaint and the action taken should be recorded.

Role of Manager

If a member of staff raises concerns about the treatment of a service user whether by a member of staff, volunteer, relative, visitor or indeed an external support worker, the manager must:

- Give immediate priority to this issue and determine any action, which needs to be taken to protect the service user.

- Inform the Chair/Trustees.
- Conduct an initial investigation, taking into account all written and verbal evidence.
- Consider whether action needs to be taken under the Disciplinary Procedures, for example, suspension.
- Consider whether this should be reported to Social Services or the Police – information regarding reporting to Adult Social Care can be found here – <http://www.cumbria.gov.uk/healthandsocialcare/adultsocialcare/safe/default.asp>
- If a referral is made to either Adult Social Care or the Police then the internal investigation should cease immediately to ensure that any official investigation is not compromised.

In all circumstances, action should be taken immediately and this should be recorded in writing.

Role of the Chair

If a member of staff or volunteer raises concerns about the treatment of a service user whether by the manager or another member of staff/volunteer the Chair must:

- Give immediate priority to this issue and determine any action, which needs to be taken to protect the service user.
- Conduct a thorough investigation, taking into account all written and verbal evidence.
- Consider whether action needs to be taken under the Disciplinary Procedures, for example, suspension.
- Consider whether this should be reported to Social Services or the Police – information regarding reporting to Adult Social Care can be found here – <http://www.cumbria.gov.uk/healthandsocialcare/adultsocialcare/safe/default.asp>
- If a referral is made to either Adult Social Care or the Police then the internal investigation should cease immediately to ensure that any official investigation is not compromised.

In all circumstances, action should be taken immediately and this should be recorded in writing. The Chair may wish to convene a select committee to assist in the investigatory process.

4. Conclusion

Any person otherwise vulnerable could be at risk if they are frail because of age, physical or sensory illness, disability or mental illness. This policy requires that staff and volunteers are on the look out for any avoidable lack of care or ill-treatment either through the provision of a service or the omission of a service.

This policy supports SOUTH LAKE LAND MIND's principles and practices, which respect the rights of vulnerable adults, their privacy, dignity, independence, choice, and fulfillment in their chosen lifestyles. To achieve this policy, staff and volunteers will be offered appropriate training, support and supervision that will enable them to recognise, and to deal with the diverse circumstances in which abuse, exploitation and mistreatment can occur.

In the event that a service user begins to disclose to a member of staff or volunteer that abuse has taken place or is taking place, then it is important that the staff member or volunteer is sensitive and empathic. When someone is disclosing it is essential that you are aware of the appropriate actions you need to take. Examples of appropriate action have been produced by the Social Care Information and Learning Services and are attached as guidance at appendix (a). The guidance document is listed in the form of Do's and Don'ts.

This policy is intended as a statement of intent and does not constitute a binding contractual or personal agreement. But it will be monitored and revised in the light of service user, staff or volunteer experience or comments and any operational changes and legislative or other external considerations. Interpretation and any matters not specifically covered by the policy will be decided by the Chief Officer and / or Trustees.

Approved by Board of Trustees: November 2010

Revision(s) approved: 7th December 2011; 14th September 2014

Review Date: September 2015

If at any time it seems appropriate to review the policy sooner than the review date, such as through a change in the law, then this should be done without delay.

Appendix 1

CUMBRIA MULTI-AGENCY POLICY, GUIDELINES AND PROCEDURES for the protection of vulnerable adults at risk from abuse

This is a key document intended for the guidance of staff of statutory, voluntary and independent sector agencies across Cumbria.

Up to date information and updates can be found here:

<http://www.cumbria.gov.uk/healthandsocialcare/adultsocialcare/safe/multiagency.asp>

It sets out:

- **A policy** to detect and respond to the abuse and mistreatment of vulnerable adult wherever they may be living.
- **Guidelines** which clarify what abuse /mistreatment is, how to report it, how to respond to an allegation or expression of concern and how to monitor the incidence of abuse.
- **Procedures** which describe what actions must be taken following the receipt of an allegation of abuse/mistreatment
- **Information** on the legal powers and responsibilities for the protection of vulnerable adults from abuse/mistreatment, guidance on interviewing procedures, support services available, useful contact names and numbers, the organisations endorsing the use of this document.

The objectives are:

- To work towards ensuring the safety of adults at risk of abuse/mistreatment in Cumbria.
- To establish effective interagency communication.
- To standardise referral and response procedures for situations of suspected or actual abuse/mistreatment.
- To raise awareness amongst all relevant agencies and the general public through increased knowledge and experience.
- To ensure that adequate information is available to aid the planning process.

Appendix 2

SAFEGUARDING ADULTS

GUIDANCE

Taken from Social Care Information and Learning Services

How to deal with Disclosure and Immediate Incidents

DO

- Remain calm and try not to show any shock or disbelief – do not panic
- Take what you have been told seriously – even if the person is confused
- Demonstrate an empathic approach, by trying to think what it might feel like to be in that person's present position. You can never really know what it feels like to that person but being empathic is a way of trying to demonstrate this
- Talk to the person some more, without interrogating
- Say that they have done the right thing by sharing the information with you and you will speak to the appropriate person who can help them and to no-one else
- Say that you are treating the information seriously
- Say that the abuse is not their fault (if the information is being shared by the person who is being abused)
- Be aware of the possibility of 'forensic evidence' if the disclosure refers to a recent abuse
- Observe the person and take note of their body language
- Remind the person about the bounds of confidentiality but explain that you are required to share the information with the appropriate person who can do something about it
- Ascertain the facts – what has happened and when
- Ask the person what they want to do
- Reassure the person that an investigation will be conducted sensitively and with their full involvement where possible
- Make sure that the person being abused is safe and secure – THIS IS PARAMOUNT
- Reassure the person that the service will take steps to support, and where appropriate, protect them

- Report the information to the appropriate person within the same working day, and to no-one else
- Make a written record of what people have told you – preferably in their own words.

DON'T

- Stop anyone who is freely recalling significant events, enable them to share whatever is important to them
- Ask questions or press the person for more details as this will be done during any subsequent investigation. It is important to avoid any further unnecessary stress and repetition for the person concerned
- Promise to keep secrets
- Make promises you are unable to keep
- Contact the alleged 'abuser' or alleged 'victim'
- Be judgemental, saying for instance, 'why didn't you try and stop them'
- Break confidentiality agreed between the person disclosing the information, yourself and the line manager
- Talk to other staff members or clients about the information shared with you – eg it's awful – you'll never guess what etc
- Laugh or joke about what has been said
- Ignore what you have been told or dismiss what you have heard
- Say things like 'come off it', 'stop messing about' 'that's ridiculous' etc

Preservation of Evidence

If a sexual/physical abuse has been committed then the Police need to be called immediately and you will need to carry out the following in order to preserve the evidence for their examination.

- Try to keep the person calm and quiet until the Police arrive
- Do not change their clothes, bath them or give them a drink
- Do not disturb the room
- Keep bedding and clothing etc in tact
- For most things, use clean brown paper, a clean brown paper bag or a clean envelope (do not lick the seal of envelopes)
- For liquids, use clean glassware
- For knives and other metal objects, use polythene bags
- For damaged articles, use a nylon bag

DO THE BEST YOU CAN

- Do not let other people go into the room until the Police arrive
- Keep the victim and the abuser apart
- One person should not look after both people as this can lead to contamination of evidence
- Tell hospital staff what you think has happened as it may affect the way they treat the person

When dealing with emergencies you may need to:

- Call an ambulance
- Contact the Police
- Arrange for the person who has been abused to be in a safe environment – if there is no other alternative

Making a Written Record

It is very important to record what has happened, with sensitivity to the abused person, whilst maintaining the precise factual details of the alleged abuse.

- Make a note of the date, time and setting in which the allegation was made about the abuse
- Make a note of anyone else who was there at the time, ie witnesses

- Write down what was said using the person's own words
- Separate out factual information from any opinions expressed – state exactly what you saw and what was said. If you do include your own opinion you need to say 'it is my opinion
- Date and sign the report
- Use pen with black ink if you can (this makes photocopying easier if necessary)
- Make sure your writing is legible
- Remember that your report may be required as part of any legal action or disciplinary proceedings.
- Keep a copy of what you have written for future reference
- Write you report/account as soon as possible after the incident has happened
- Please note that it is extremely important to keep any rough notes made just after the event – however illegible or rough you think they are. This includes notes scribbled on cigarette packets or scraps of paper.