

## Safeguarding Adults (POVA) policy

Policy information	
<b>Organisation</b>	National Survivor User Network (NSUN)
<b>Scope of policy</b>	The statement of general policy covers the protection of vulnerable adults
<b>Policy operational date</b>	May 2010
<b>Policy prepared by</b>	Sarah Yiannoullou, NSUN Managing Director
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<b>Policy review date</b>	May 2013

### Policy Statement

NSUN believes that everyone has a right to a life free from fear, harm and exploitation and we aim to work in ways that support people who use our services to protect themselves, maintain their independence and make their own decisions and choices. We accept that there will be times when this involves risk and our aim is to ensure that any risk is recognised and understood by all concerned and is minimised or managed wherever possible.

We also understand that there will be times or situations where someone may be unable to make their own decisions or to protect themselves or their property and is vulnerable to abuse.

NSUN acknowledges its responsibility as an organisation to prevent all forms of abuse and to have clear and robust measures in place to minimise the risk and deal with any incidents. At the same time, it is responsibility of every individual within NSUN to tackle abuse and to take steps to deal with it, within the guidelines of this policy.

### Definition of a Vulnerable Adult

A vulnerable adult is: "A person aged 18 or over, who may be in need of community care 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"<sup>1</sup>.

NSUN recognises that people may also become vulnerable to abuse through circumstances arising from low self-esteem, social exclusion, drug or alcohol misuse,

<sup>1</sup> 'Who Decides?' Lord Chancellor's Department 1999

a criminal record, homelessness, domestic violence, ethnicity, immigration status, gender or sexuality.

This policy gives guidance about procedures for dealing with potential abuse of vulnerable adults who use our services but recognises that staff and volunteers may also come into contact with other vulnerable adults.

### Safeguarding Adults: Forms of Abuse

Abuse can occur in many ways, from verbal and physical, violent and criminal to forms of passive abuse that are neglectful, unintentional and less obvious. Abuse includes:

- Physical: being hit or hurt on purpose, restraining someone inappropriately, causing pain and discomfort
- Emotional: intimidation, threats, humiliation, extortion, racial, verbal or psychological abuse, blackmail, coercion and harassment
- Sexual: involvement in sexual activity or attention that is unwanted or not understood
- Psychological: threats, harassment, bribes, unwanted attention
- Neglect/deprivation: not providing food, clothing, attention or care. Withholding of aids or equipment (walking, continence, hearing, glasses). Putting someone at risk of infection. Failing to provide appropriate health or social care
- Imposed isolation/confinement: depriving someone of the company of others or of activity either at home or outside
- Misuse of medication: inappropriately giving medication through overdosing or withholding it
- Financial/material: theft or misuse of money, property or personal possessions. Pressure in connection with wills, property or inheritance
- Discriminatory: Treating people differently or badly because of their race, faith, gender, sexuality, age or physical or mental condition
- Institutional: When people who are in care homes, or receiving care at home have no choice, for example, about what they eat or wear or the time that they go to bed and get up etc.

Abuse can occur in any relationship, context or environment, whether a person lives in their own home, residential care, shared or supported housing. Although abuse often occurs between people who know each other well, any individual who is in direct contact with a potentially vulnerable person may pose a risk.

### Legislative Framework and Policy Guidance

This policy follows the definitions and legislation outlined in the document 'No Secrets' (DoH/Home Office 2000) and the Mental Capacity Act (2005). NSUN's responsibilities with regard to employees and the Independent Safeguarding Authority are outlined in the Employment Contract.

## Responsibility for Safeguarding Adults Procedures

All local authorities in England have multi-agency procedures in place for Safeguarding Adults and the investigation and management of incidents. The lead agency for this will usually be the Adult Social Care department of the local council.

The Project Co-ordinator is responsible for ensuring that information about local Safeguarding Adult procedures is available at the service, and that they are included in any action that is taken. They must also ensure that they are aware of and follow the relevant reporting and recording procedures of any regulatory or statutory bodies (e.g. Care Quality Commission) that they are responsible to locally.

Non-service based operations, should make sure that there is an appropriate person within the line-management structure who is responsible for Safeguarding Adult Procedures, to ensure that any disclosures or incidents are dealt with in line with this policy. If workers are unsure who to report abuse to, they should always consult their line manager.

## Statement of Intent

NSUN aims to minimise risk, promote early detection of abuse in our services, and provide an effective framework for dealing with incidents and allegations through the following measures:

- Anyone who expresses concerns about abuse will be treated seriously and receive a positive response
- Information and support will be provided for service users to enable them to be aware of all forms of abuse and the ways in which they can protect themselves and others
- We will practice recognised recruitment and selection procedures for staff and volunteers including CRB checks and thorough checking of relevant references and employment history
- Staff will be trained and well informed about signs of abuse and measures for dealing with incidents. They will be aware of relevant policies and procedures through the induction, supervision and line management process and training will be updated where appropriate
- Project Co-ordinators or nominated staff will ensure that workers are aware of local inter-agency Safeguarding Adult procedures. They will maintain effective partnerships with relevant agencies involved, so that, if abuse happens, the people involved have access to these procedures and the legal protection they provide
- NSUN will conduct internal investigations into any allegations of abuse. This will include reflecting on policy and practice in order to identify any patterns of harm and abuse, particularly where it has involved staff or other service users
- We will deal with breaches of policy and procedure in a consistent and systematic manner to ensure fairness and equity

## Recognising Abuse of Vulnerable Adults

Although the following signs do not in themselves prove that someone is being abused, they should prompt staff to be alert to the possibility:

- Full or partial disclosure: someone hints at, or tells you that they are being abused, even if they do not recognise it themselves
- Frequent and unexplained injuries and bruising
- The sudden or gradual development of signs of depression or stress
- Neglected personal care
- Weight loss
- Changes in habits or mood which may range from withdrawal from normal activities to a total lack of communication
- Dramatic changes in behaviour or personality
- Confusion
- Persistent financial hardship, with no obvious signs of spending
- Denial that anything is wrong, emphasis that all is well
- Seeking help from numerous sources either through a direct request for help, or attention seeking behaviour

### Allegations, Incidents or Reports of a Vulnerable Adult: Guidelines For Staff and Volunteers

#### Do:

- Explain that you will have to pass on what you have been told, or found out, and that the information may have to be shared with people outside NSUN. Try to do this immediately in case this influences the person's decision about what they want to do next
- Listen to whatever the person tells you without making judgements or showing if you are shocked
- Let them know that they have done the right thing in letting you know about the abuse
- Let them know that they will receive support, their choices will be respected wherever possible and that they will be kept informed
- Make a written, factual record of the details of the incident or allegations as soon as is reasonably possible
- Try to protect anything that might be needed as evidence in a criminal investigation (see section on 'protecting evidence' below)

#### Don't:

- Promise to keep it a secret
- Express opinions or make leading comments
- Press for more details\*
- Challenge the person who has been accused of abuse
- Try to investigate, or feel that you need to collect evidence of the abuse yourself, other than collating supporting evidence such as rotas, daily notes etc\*

\*Unless you have already agreed with a senior member of staff that you will do this and/or it is your responsibility to do this

Staff who have concerns about abuse by other members of staff, or practices within NSUN should refer to the policy on Whistle-blowing for guidance.

### Service User's Consent in Safeguarding Adults Procedures

Whilst someone may be defined as a vulnerable adult, it does not necessarily follow that, if they are in an abusive situation, they lack the capacity to decide what to do about it. NSUN respects people's right to make their own decisions about their present and future circumstances and will support them to make informed choices about how to protect themselves. We will, wherever possible, act upon their wishes. **An individual's wishes cannot undermine NSUN's responsibility to act in certain circumstances, however.**

We accept that if a vulnerable adult has capacity to make their own decisions, they have the right to choose not to be protected, or to choose options that might not be considered advisable. If this is the case and there is no responsibility on our part to take further action, workers will make sure that the person knows that we will support them in any way that we can and that they have the right to change their mind in future.

Any vulnerable adult who has been, or is suspected of being abused will be treated as able to make their own decisions about how to proceed unless it is shown that they cannot. Their ability to make a decision will be established at the time that it needs to be made. The person will always be asked for their consent to proceed with any action that is agreed with them, or which might have to be taken. If choice has to be denied to an individual, it must be clear on what grounds this is justifiable and this will be explained to them. The circumstances in which staff must take some form of further action (i.e. reporting or referring) without consent include where:

- The person who receives information about abuse is a member of care staff or a volunteer. The information must always be passed on to a senior member of staff
- The alleged abuser is a member of NSUN staff or member
- The person is at risk of serious physical harm/suicide
- The person lacks mental capacity and the indication is that further action would be in their best interests
- Other people are at risk
- Local Safeguarding Adult procedures require reporting or further action
- The NSUN service has partnership agreements or statutory obligations which require us to take further action

#### *Immediate Physical Danger:*

If the person appears to be in immediate physical danger, or needs urgent medical treatment you should contact the appropriate emergency services (ambulance, police) straight away. Your own safety and that of others is important and if necessary you should leave the premises, in line with NSUN's procedures for dealing with Aggression and Violence.

If the person is not in immediate physical danger or urgent medical treatment, but has been injured, you should discuss with them whether it would be advisable to have treatment or an examination and help them to do this.

### Reporting Incidents and Allegations of Abuse and Further Action

The senior officer/manager should be informed of an abusive incident immediately. They would consider what further information or action is needed in order to make decisions about how to proceed. The urgency to do this will be determined in each case.

Decisions about how to proceed and the level of urgency should take into account the issues relating to consent (above) and:

- The wishes of the vulnerable adult, their right to self-determination and their capacity to make a decision at the time
- Any immediate health or support needs that the person has
- What the evidence or indication of abuse is
- How serious the abuse is
- The impact that the abuse has had/is having on the individual
- Whether further action will make any positive contribution to the situation or not

The following actions may also need to be considered, in consultation with the appropriate senior staff:

- Whether to inform the alleged abuser. If the allegation is likely to lead to further action from the police or social services, staff must consult with these agencies
- Whether to refer the incident to the local Safeguarding Adults team, CMHT or police. **Note: a referral to the Safeguarding Adults team is only appropriate where the alleged victim meets the definition of 'vulnerable adult'.** They will provide advice and guidance on this

### Reporting Incidents of Adult Abuse That Are Criminal Offences

Some incidents of abuse are criminal offences. These include:

- Physical or psychological assault
- Rape/sexual abuse
- Theft
- Fraud
- Discrimination

Anyone who has been abused in any of these ways is entitled to the protection of the law. Staff will discuss with the person whether they want to report the incident to the police and will respect that choice wherever possible.

Where workers are unsure about reporting abuse to the police, they should seek guidance from line management or the local Safeguarding Adults team. We recognise that there may be times when the police have to be informed without the service user's consent. In these situations we will aim to provide as much information and support for that person as possible.

### Protecting Evidence in Safeguarding Adult Procedures

Where it is likely, or possible that there will be a criminal investigation, it is important to protect any evidence by:

- Explaining to the person that it is important that they don't have contact with the person who abused them and enabling them to do this
- Discouraging them from washing, drinking, cleaning their teeth or going to the toilet if they have recently been sexually abused
- Making a written record of injuries that they, or the person alleged to have abused them has received
- Consulting service user records etc for supporting evidence

### An Alleged Abuser is a Member of Staff

The appropriate senior members of staff must be informed immediately. They will take a decision about whether the worker should be suspended during the investigation. Further action will be decided in consultation with NSUN's Managing Director and, if necessary, any regulatory bodies.

NSUN's Managing Director is the link person for reporting workers suspected of abuse to the Independent Safeguarding Authority.

### An Alleged Abuser is a Member

Where the alleged abuser is a Member, the staff team will decide how best to continue to support them whilst protecting the alleged victim and minimising risk to others.

Risk assessment/management plans will be recorded and relevant staff and volunteers involved. Copies will be kept on file. If there is a risk of continued abuse that cannot be managed by the NSUN team, alternative and appropriate sources of support will be sought.

### Recording Incidents and Allegations of Abuse of Vulnerable Adults

The staff member who witnessed, or was first informed of the abuse should complete NSUN's incident form AR1: part 1, with input from the member, volunteer, or any other staff involved. They should follow the procedure for passing this on within 48 hours. Part 2 should be completed at a later date, recording any wider action taken or agreements made. Where service agreements require further reporting to regulatory bodies, (e.g. the Care Quality Commission under regulation 37 for registered services) these should also be completed.

Written reports should:

- Reflect the words or phrases used by the people involved
- Describe the circumstances in which the abuse was discovered, i.e. the context, setting, witnesses
- Contain factual information rather than the opinions of the person completing the report. Where the report contains the opinions of others, it should be clearly identified as such.
- Give details of any action taken, referrals or contacts made etc
- Include an action plan agreed with the member and relevant workers, including measures for protection or prevention of further abuse, timescales, who is responsible etc. This should be reviewed at regular intervals with the member.

Signed and dated copies of all documents relating to the abuse should be kept on file.

### Disclosures of Past Alleged Abuse of Vulnerable Adults

NSUN recognises that abuse that has happened in the past can have far-reaching consequences for the person who has experienced it and that this may need to be addressed in different ways to present or recent abuse.

Where someone discloses past abuse, or it becomes known in other ways, workers will respect that person's choice about whether or not to discuss it further. If someone does want to discuss it further, the worker involved will make sure that the person knows that it may be necessary to share what they tell them, and the reasons for this, which include:

- The need for other staff to know in order to provide the best possible service for them
- The need for others to know in order to prevent further abuse
- The responsibility to share information with other agencies involved in that person's care

If this leads to the person changing their mind about proceeding, staff will respect their right to do so. We would also explore with them any support that they may need, such as counselling or other steps towards personal recovery. Where information of past abuse has been disclosed or discovered, the same reporting and recording procedures will be used.

### **Resources and Information on Safeguarding Adults**

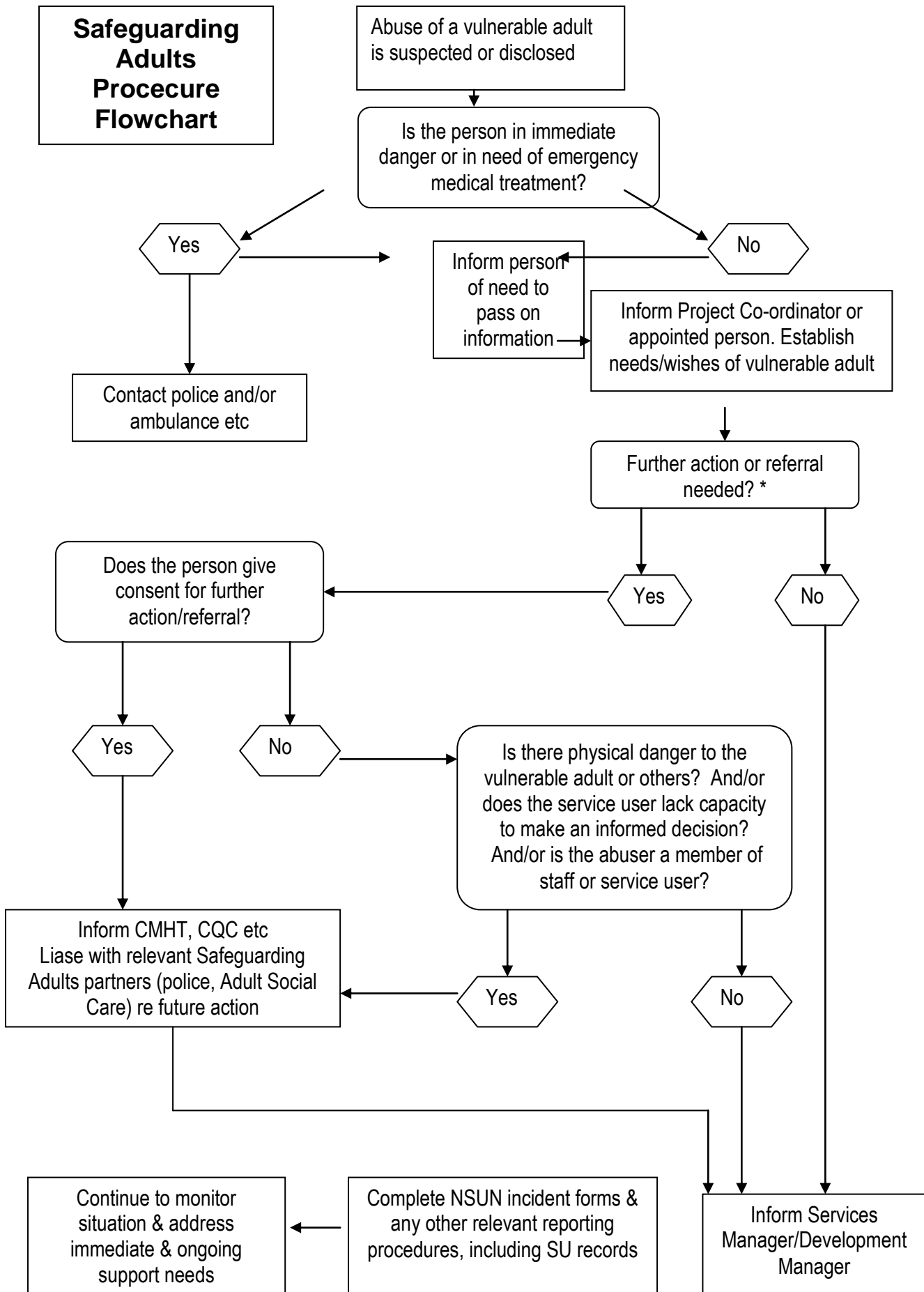
- Safeguarding Adults Protocol & Guidance: Commission for Social Care Inspection (2006) – now the Care Quality Commission <http://www.cqc.org.uk/> (guidance for professionals section)
- 'Promoting the Safety and Security of Disabled People': The Equality and Human Rights Commission 2009: [www.equalityhumanrights.com](http://www.equalityhumanrights.com)



- Domiciliary Care National Minimum Standards and Regulations: DoH 2003  
[www.dh.gov.uk](http://www.dh.gov.uk)
- Action On Elder Abuse: [www.elderabuse.org.uk](http://www.elderabuse.org.uk)
- AEST (Abuse, Empower, Survive, Thrive – survivor peer support forums):  
[www.aest.org](http://www.aest.org)

Local adult protection procedures, including Easy Read versions, will be available, in most cases online, via your local Adult Social Care Departments

# Safeguarding Adults Procedure Flowchart



\* Consult local Safeguarding Adults procedures

## **Information For Members About Abuse**

Abuse is when someone does or says things to you to make you upset or frightened. It's when someone has power over you and you do not agree to what is happening.

You might be scared to speak out or to stop them or they may be telling you that you mustn't tell anyone what is happening.

You might be being harmed on purpose, or by someone who does not realise that what they are doing is abuse.

There are different types of abuse.

Physical abuse: When someone hurts you by:

- Hitting
- Kicking
- Pulling hair
- Pinching or shaking
- Giving you too much medication or alcohol on purpose so that you find it difficult to do things

Sexual abuse: When someone makes you do sexual things or uses sexual language that make you uncomfortable, sad, angry or frightened.

It might be being touched on parts of your body that you don't want to be touched, or being made to touch other people in places that you don't want to touch them. It might be making you look at sexual pictures or films or taking your photograph when you are undressed. It is also

Emotional abuse: When people say things to hurt your feelings, shout at you or threaten you

It might also be calling you names, laughing at you, ignoring you or treating you like a child

Financial abuse: When someone takes your money or belongings without asking. This can be by:

- Stealing or making you give them your money or belongings
- Making you pay for other people's things

- Not giving you a say in how your own money is being spent

Neglect: When you are not given the care or support, food, warmth or company that you need to be well. It may also be not giving you the protection you need to keep you out of danger

Discrimination: When people say or do bad things to you or treat you unfairly because you are different. This may be because of the colour of your skin, your religion, sex, age, because you are gay or lesbian or have a disability or illness

Institutional: If you live in a care home and have no choice about things like what you have to eat, or wear or when you get up and go to bed

No one should treat anyone else like this and there are services to help people who this happens to

### Who might abuse you?

Anyone. It could be a friend or relative, a neighbour, a worker or a stranger. It might happen where you live or at a club, day centre, drop in or hospital. It might happen at a NSUN event.

Some abuse is also a crime and there are laws that can be used to protect you

### What should you do?

You do not have to put up with abuse and you can get help. You can speak to any of the workers who are involved in supporting you, such as your care co-ordinator, social worker, or NSUN workers. You can also contact the Adult Protection Team at the Adult Social Care department of your local council (social services).

They will discuss with you the things that can be done to protect you from abuse and will support you to do these things if you want to. Wherever possible they will respect your choices and decisions.

If, for any reason the person, or people you speak to have to take further action to keep you or other people safe, they will explain this to you and make sure you know what happens.