



GAVCA Specimen Policy:

Child and Vulnerable Adult Safeguarding Policy Development

January 2010

Background information to support your policy development

These are essential policies for all organisations working with children and vulnerable adults. You may wish to have two separate ones.

Who should adopt the policy for the organisation?

Trustees are responsible for the adoption of this policy. The Trustees can delegate the writing of the policy.

Considerations for your organisation

- Trustees, all staff and all volunteers must be CRB checked if your organisation works with children and vulnerable adults. This must be done for your annual returns for the Charities Commission.
- How does this translate into every day action for your organisation?
- For guidance on best practice look at www.charity-commission.gov.uk/supportingcharities/protection.asp

Recent Changes

The new vetting and barring scheme will be gradually phased in by the Independent Safeguarding Authority for all workers. New workers or those moving jobs will be from July 2010 and ISA-registration becomes mandatory for these workers until November 2010. All other staff will be phased into the scheme from 2011.

For more information about Safeguarding

- Gloucestershire Safeguarding Children Board: It is the role of the GSCB to ensure the effective co-ordination of its partner agencies and to agree how local services and professionals should work together in order to safeguard and promote the welfare of its children and young people. In addition the Safeguarding board has responsibility to hold agencies to account in their safeguarding role. The website has leaflets giving information about what should be included in your policy and procedures and you can sign up for email updates <http://www.gscb.org.uk/index.cfm?articleid=93593>
- Contact the VCS Rep for information and updates http://www.gloshub.org.uk/sq_cyp.html#Reps
- At GAVCA we have *The Voluntary Sector Legal Handbook 2009* for detailed legal checks. You are welcome to drop in to look at this resource. Contact Gloucester 01452 332424 and Cheltenham 01242

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- GAVCA's Child and Adult Protection Policy – see Sample Policies
- Criminal Records Bureau - Disclosure www.crb.gov.uk
- Independent Safeguarding Authority www.isa.gov.org.uk

Child Policies

www.charity-commission.gov.uk/supportingcharities/protection
www.nspcc.org.uk/

www.everychild.org.uk/media/documents/Child_Protection_Policy.pdf

<http://www.teachernet.gov.uk/wholeschool/familyandcommunity/childprotection/schools/examplepolicy/>



Gloucestershire Association for Voluntary and Community Action

Child and Vulnerable Adult Protection Policy

Please note: Where either 'children', 'young people' or 'vulnerable people' are mentioned all three are usually intended.

1 Statement of Intent

GAVCA values and encourages the involvement of people who may be vulnerable, both in its own work and in the work of other organisations. Through its Child and Vulnerable Adult Protection Policy, GAVCA is committed to promoting their well-being and enjoyment and protecting their health, safety and general welfare while in the company or care of staff or volunteers.

2 Introduction

Vulnerable people may be involved either as volunteers, staff or as general service users. In promoting this policy GAVCA will take reasonable steps to:

- Provide a welcoming, secure and comfortable environment for the benefit of vulnerable people;
- Keep them safe from harm while in the care of its staff or volunteers;
- Comply with relevant statutory requirements;
- Support and protect the interests of staff and volunteers who have contact with, or access to, children, young people and others who may be vulnerable.

Although detailed, this policy is not intended to be comprehensive and as such does not attempt to deal with **all** the issues of working with children, young people and others who may be vulnerable. Instead it is intended as a practical guide for staff and volunteers involved with them.

3 Scope of the policy and those affected

This policy applies to all employees and volunteers (including Board members), and others representing GAVCA who have contact with vulnerable people.

In law a child is anyone under the age of 18. However, older children, for example, teenagers, may prefer to be called young people.

A vulnerable person is anyone with special needs who may need extra support, such as someone with a physical or learning disability, mental health problem, frailty due to old age, recovering from addiction, or disempowerment due to illness.

It should be recognised that people with special needs are able to cope in many situations, so sensitivity and common sense should be exercised.

4 Implementation of the Policy

4.1 A training programme to support the policy and good practice will be delivered to appropriate Board members, staff and volunteers and should be refreshed every 3 years.

In welcoming, and working with, people who are vulnerable GAVCA will:

4.2 Provide a friendly welcome for them and promote their general welfare, which must always be paramount.

4.2 Recognise their rights as individuals and treat them with dignity and respect.

4.3 Consistently apply fair and objective methods of selecting employees, volunteers and contractors, as detailed in the staff, Trustee and Volunteer Recruitment Policies. A thorough selection procedure for positions, both paid and unpaid, which could involve unsupervised access to any vulnerable groups is probably the most effective way of assessing a person's suitability, and may act as a deterrent to potential abusers.

4.4 Ensure that any employees and volunteers who will have substantial, unsupervised contact with vulnerable people, are CRB checked.

4.5 Plan activities involving vulnerable people with care to minimise risks to their health and safety;

Employees and volunteers **should**:

- Remember they are a role model and provide an example for those they work with to follow;
- Bear in mind that some actions, no matter how well-intentioned, may be easily misinterpreted and so leave all parties vulnerable;
- Be alert to any potential harm or inappropriate behaviour by people who are vulnerable;
- Respect individuals' rights to privacy;
- Provide access for vulnerable people to discuss any concerns they may have;
- Speak to their line-manager/Volunteering Development Officer if they have concerns about an individual's safety.

Employees and volunteers **should not**:

- Arrange to see vulnerable people in circumstances unconnected with their work;
- Be left alone for substantial periods of time with anyone who is vulnerable. Where one-to-one work is necessary they should inform another staff member where they are going, with whom and for how long;
- Permit abusive behaviour by others or engage in it themselves ;
- Show favouritism to, or become too closely associated with an individual. Nor should they get drawn into inappropriate attention-seeking behaviour (eg crushes);

- Allow or engage in suggestive remarks, gestures or touching of a kind which could be misunderstood;
- Promise to keep secrets;
- Jump to conclusions about others without checking facts;
- Do anything which might undermine a good reputation for providing a safe environment;
- Hesitate to share concerns on any of these matters with the appropriate representative.

4.6 Raise awareness of the dangers to which vulnerable people may be susceptible:

- **Physical** – where vulnerable people receive physical hurt or injury;
- **Neglect** – where adults fail to care for vulnerable people and to protect them from danger, seriously impairing their health, well-being or development;
- **Emotional** – where vulnerable people are harmed by a constant lack of love and affection or intimidated by threats or taunts;
- **Sexual** – where vulnerable people are encouraged or forced to observe or participate in any form of sexual activity by adults or children. This also includes the use of sexualised language.

Common sense should be relied upon to recognise the warning signs. However, it is essential to rely on facts rather than opinions and not jump to conclusions.

5 Procedure for responding to alleged or suspected harm.

5.1 If a vulnerable person wants to talk about harm, it is essential that the employee or volunteer:

- Listens carefully to what the person says, keeping calm and looking at them directly;
- Lets them know that to help them someone else must be told;
- Reassures them that they are not to blame;
- Is aware that they may have been threatened;
- Does not push them for information;
- Reassures them that they are right to talk about it and what they say is accepted;
- Lets them know what will happen next and undertakes to let them know the outcome.

5.2 If a person who may be vulnerable has talked about harm, or harm is suspected, the employee or volunteer **must** do two things:

- a) **Write down accurately what the person has said using the proforma for recording disclosures or signs of abuse witnessed** (see Appendix 1).
- b) **Notify the chief Executive, giving them the completed proforma/written information.**

5.3 Where the Chief Executive is unavailable, and the vulnerable person is in imminent danger, staff should contact the relevant authorities themselves. (Safeguarding Children Service : see www.gscb.org.uk, or the Adults At Risk unit at the County Council) They should then inform the CEO as soon as possible on their return.

5.4 Dealing with incidents of harm is difficult for any individual so employees and volunteers **should not:**

- Act alone;
- Start to investigate; or
- Make any assumptions about the persons involved.

5.5 Any employee or volunteer who is involved in a disclosure of any kind may feel that they need to speak to a child care professional to reassure themselves that they have done the right

thing. The NSPCC operates a 24 hour help line for anyone concerned about a child or young person. It is primarily for use by adults and can be used anonymously: **0800 800500**.

5.6 Where it is suspected that an employee or volunteer may be involved in the abuse, employees and volunteers should let the CEO know as soon as possible. The employee or volunteer should be immediately removed from access to vulnerable people, but be assured that no presumptions have been made and that the allegation will be fully investigated by the relevant authorities.

5.7 If gross misconduct is reasonably suspected, it may be appropriate to ask them not to attend the office or property at all while the matter is under investigation (suspended on full pay if an employee). Once the relevant authorities' enquiry has concluded, the Board should decide what further action is appropriate in conjunction with other relevant policies.

5.8 Full and accurate notes (i.e. **word for word**) must be written as soon as possible, using pro forma if available (Appendix 1). Records should be as accurate as possible as they may be invaluable to the investigation and used as evidence in court.

5.9 When dealing with personal and emotive details of this nature, confidentiality must be maintained at all times since the allegations or suspicions may prove to be unfounded. Notes and records should be kept in a secure place and shared only with those who need to know about the incident or allegation.

5.10 No assumptions of guilt should be made unless and until an actual conviction has been obtained in the proceedings. Impartial contact will be maintained by a nominated staff member during this process.

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Appendix 1: Pro forma for recording disclosures or signs of abuse witnessed

**To be completed by person receiving disclosure
or witnessing signs of abuse.**

Name of person disclosing or displaying signs of abuse:

Date and time disclosure received / signs of abuse witnessed:

Day	Month	Year	Time
			: am/pm

Is the person disclosing...

Male Female

What is their date of birth? (if known):

Day	Month	Year

What is their address? (if known):

Please detail what the person said (word for word) or signs of abuse witnessed:

Other observations / comments:

Name of person completing this form:

Signed:

Dated:

NAVCA: Safeguarding vulnerable adults policy

Introduction

NAVCA is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults, engaged in the breadth of its activities.

The purpose of this policy is to outline the duty and responsibility of staff, volunteers and trustees working on behalf of NAVCA in relation to the protection of vulnerable adults from abuse. A separate policy for safeguarding children and young people can be found at <http://www.navca.org.uk/about/navcapolicy/>

All adults have the right to be safe from harm and should be able to live free from fear of abuse, neglect and exploitation.

The key objectives of this policy are:

- To explain the responsibilities NAVCA and its staff, volunteers and trustees have in respect of vulnerable adult protection.
- To provide staff with an overview of vulnerable adult protection
- To provide a clear procedure that will be implemented where vulnerable adult protection issues arise.

Context

For the purpose of this document 'adult' means a person aged 18 years or over.

Some adults are less able to protect themselves than others, and some have difficulty making their wishes and feelings known. This may make them vulnerable to abuse. The broad definition of a 'vulnerable adult' referred to in the 1997 Consultation Paper 'Who decides?' issued by the Lord Chancellor's Department, is a person:

"Who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation".

The first priority should always be to ensure the safety and protection of vulnerable adults. To this end it is the responsibility of all staff to act on any suspicion or evidence of abuse or neglect (see the Public Interest Disclosure Act 1998) and to pass on their concerns to a responsible person/agency.

For purposes of ensuring consistent and widely understood terminology, these policy and procedures will use the phrase 'Vulnerable Adults' to identify those eligible for interventions within the procedures.

Legal framework

This guidance reflects the principles contained within the Human Rights Act 1998, the Mental Capacity Act 2005 and Public Interest Disclosure Act 1998.

The Mental Capacity Act 2005, covering England and Wales, provides a statutory framework for people who lack capacity to make decisions for themselves, or who have capacity and want to make preparations for a time when they may lack capacity in the future. It sets out who can take decisions, in which situations, and how they should go about this.

The Human Rights Act 1998 gives legal effect in the UK to the fundamental rights and freedoms contained in the European Convention on Human Rights (ECHR).

The Public Interest Disclosure Act 1998 (PIDA) created a framework for whistle blowing across the private, public and voluntary sectors. The Act provides almost every individual in the workplace with protection from victimisation where they raise genuine concerns about malpractice in accordance with the Act's provisions.

The role of staff, volunteers and trustees

All staff, volunteers and trustees working on behalf of NAVCA have a duty to promote the welfare and safety of vulnerable adults.

Staff, volunteers and trustees may receive disclosures of abuse and observe vulnerable adults who are at risk. This policy will enable staff/volunteers to make informed and confident responses to specific adult protection issues.

What is abuse?

Abuse is a violation of an individual's human and civil rights by any other person or persons.

Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and it may result in significant harm to, or exploitation of, the person subjected to it.

The Department of Health in its 'No Secrets' report suggests the following as the main types of abuse:-

- **Physical abuse**- including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.
- **Sexual abuse**- including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent or was pressured into consenting.
- **Psychological abuse**- including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

- **Financial or material abuse-** 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.

- **Neglect and acts of omission-** 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.

- **Discriminatory abuse-** including racist, sexist, that based on a person's disability, age or sexuality and other forms of harassment, slurs or similar treatment.

Procedure in the event of a disclosure

It is important that vulnerable adults are protected from abuse. All complaints, allegations or suspicions must be taken seriously.

This procedure must be followed whenever an allegation of abuse is made or when there is a suspicion that a vulnerable adult has been abused.

Promises of confidentiality should not be given as this may conflict with the need to ensure the safety and welfare of the individual.

A full record shall be made as soon as possible of the nature of the allegation and any other relevant information.

This should include information in relation to the date, the time, the place where the alleged abuse happened, your name and the names of others present, the name of the complainant and, where different, the name of the adult who has allegedly been abused, the nature of the alleged abuse, a description of any injuries observed, the account which has been given of the allegation.

Responding to an allegation

Any suspicion, allegation or incident of abuse must be reported to the Designated Adult Protection Officer on that working day where possible.

The nominated member of staff shall telephone and report the matter to the appropriate local adult social services duty social worker. A written record of the date and time of the report shall be made and the report must include the name and position of the person to whom the matter is reported. The telephone report must be confirmed in writing to the relevant local authority adult social services department within 24 hours.

Responding appropriately to an allegation of abuse

In the event of an incident or disclosure:

DO

- Make sure the individual is safe
- Assess whether emergency services are required and if needed call them
- Listen
- Offer support and reassurance

- Ascertain and establish the basic 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 areas of confidentiality; immediately speak to your manager for Support and guidance
- Explain the procedure to the individual making the allegation
- Remember the need for ongoing support.

DON'T

- Confront the alleged abuser
- Be judgmental or voice your own opinion
- Be dismissive of the concern
- Investigate or interview beyond that which is necessary to establish the basic facts
- Disturb or destroy possible forensic evidence
- Consult with persons not directly involved with the situation
- Ask leading questions
- Assume Information
- Make promises
- Ignore the allegation
- Elaborate in your notes

- Panic

It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. This is a task for the professional adult protection agencies, following a referral from the designated Vulnerable Adult Protection Officer.

Confidentiality

Vulnerable adult protection raises issues of confidentiality which should be clearly understood by all.

Staff, volunteers and trustees have a professional responsibility to share relevant information about the protection of vulnerable adults with other professionals, particularly investigative agencies and adult social services.

Clear boundaries of confidentiality will be communicated to all.

All personal information regarding a vulnerable adult will be kept confidential. All written records will be kept in a secure area for a specific time as identified in data protection guidelines. Records will only record details required in the initial contact form.

If an adult confides in a member of staff and requests that the information is kept secret, it is important that the member of staff tells the adult sensitively that he or she has a responsibility to refer cases of alleged abuse to the appropriate agencies.

Within that context, the adult should, however, be assured that the matter will be disclosed only to people who need to know about it.

Where possible, consent should be obtained from the adult before sharing personal information with third parties. In some circumstances obtaining consent may be neither possible nor desirable as the safety and welfare of the vulnerable adult is the priority.

Where a disclosure has been made, staff should let the adult know the position regarding their role and what action they will have to take as a result.

Staff should assure the adult that they will keep them informed of any action to be taken and why. The adults' involvement in the process of sharing information should be fully considered and their wishes and feelings taken into account.

This policy needs to be read in conjunction with other policies for NAVCA including:

- Confidentiality
- Disciplinary and Grievance
- Data Protection
- Recruitment and Selection
- Safeguarding children and young people

The role of key individual agencies

Adult Social Services

The Department of Health's recent 'No secrets' guidance document requires that authorities develop a local framework within which all responsible agencies work together to ensure a coherent policy for the protection of vulnerable adults at risk of abuse.

All local authorities have a Safeguarding Adults Board, which oversees multi-agency work aimed at protecting and safeguarding vulnerable adults. It is normal practice for the board to comprise of people from partner organisations who have the ability to influence decision making and resource allocation within their organisation.

The Police

The Police play a vital role in Safeguarding Adults with cases involving alleged criminal acts. It becomes the responsibility of the police to investigate allegations of crime by preserving and gathering evidence. Where a crime is identified, the police will be the lead agency and they will direct investigations in line with legal and other procedural protocols.

Role of designated vulnerable adult protection officer

The role of the designated officer is to deal with all instances involving adult protection that arise within NAVCA. They will respond to all vulnerable adult protection concerns and enquiries. The designated Vulnerable Adult Protection Officer for NAVCA is Angela Barnes, the Every Child Matters Adviser (to be reviewed annually).

Should you have any suspicions or concerns relating to Adult Protection, contact Angela on 0114 289 3978.

Role of line manager

The role of the line manager is to support the member of staff, trustee or volunteer involved with the incident and to ensure the correct procedures are followed.

The line manager could, if agreed with the staff member dealing with the incident, make contact with the designated Adult Protection Officer in the first instance.

The line manager should ensure that all staff within their team are familiar with NAVCA's vulnerable adult protection procedures and ensure that all staff undertake training, where appropriate.

Training

Training will be provided, as appropriate, to ensure that staff are aware of these procedures. Specialist training will be provided for the member of staff with vulnerable adult protection responsibilities.

Complaints procedure

NAVCA has a complaints procedure available to all staff, volunteers and trustees.

Recruitment procedure

NAVCA operates procedures that take account of the need to safeguard and promote the welfare of vulnerable adults, including arrangements for appropriate checks on new staff, volunteers and trustees where applicable.

References, internet links and further sources of information

'No Secrets' report

The first national policy developed for the protection of vulnerable adults, for use by all health and social care organisations and the police. It introduced guidance around local multi-agency arrangements and was issued under Section 7 of the Local Authority Social Services Act 1970. Its implementation is led by local authorities with social services responsibilities.

http://www.dh.gov.uk/en/Publicationsandstatistics/Lettersandcirculars/Dearcolleagueletters/DH_4002849

Action on Elder Abuse (AEA) is a charity working to protect, and prevent the abuse of, vulnerable older adults. <http://www.elderabuse.org.uk>

The Centre for Policy on Ageing was established in 1947 by the Nuffield Foundation with a remit to focus on the wide-ranging needs of older people. <http://www.cpa.org.uk/index.html>

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Safeguarding Vulnerable Adults Policy