



VULNERABLE ADULT POLICY & PROCEDURE

Who is a vulnerable adult?

A vulnerable adult is a person aged 18 or 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 protect him/herself from significant harm or serious exploitation.

Values

All individuals have a right to live free from abuse in accordance with the principles of respect, dignity, autonomy, privacy and equity. Vulnerable adults are entitled to exercise the same rights as others in the prosecution of criminal offences and the pursuit of civil remedies. Vulnerable adults should enjoy the same rights as others in respect of access to care and treatment provided by public agencies.

The Government's policy objective continues to be to prevent and reduce the risk of significant harm to adults from abuse or other types of exploitation, whilst supporting individuals in maintaining control over their lives and in making informed choices without coercion.

What is abuse or mistreatment?

Abuse or mistreatment: is a violation of an individuals' human or civil rights by another person or persons; may consist of a single act or repeated acts; can occur in any relationship or setting; may result in harm to, or serious exploitation of, the person subjected to it, and may constitute a criminal offence.

This can take the form of physical abuse;

for example: hitting, slapping, punching, kicking, misuse of medication, restraint, or inappropriate sanctions; sexual abuse;

for example: rape and sexual assault or sexual acts to which the person has not consented or was coerced into; psychological abuse;

for example: emotional abuse, threats, humiliation, intimidation, verbal abuse; financial or material abuse;

for example: theft, fraud, exploitation, the misuse or misappropriation of property; neglect;

for example: ignoring medical or physical care needs, the withholding of adequate food, heat, clothing and medication; discriminatory abuse;

for example: racist, sexist, or that are based on a person's disability; institutional abuse; mistreatment or abuse by a regime or by any individual where care is provided.

Safeguarding Adults Principles

- **Empowerment** - Presumption of person led decisions and informed consent.
- **Prevention** - It is better to take action before harm occurs.
- **Proportionality** – Proportionate and least intrusive response appropriate to the risk presented.
- **Protection** - Support and representation for those in greatest need.
- **Partnership** - Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
- **Accountability** - Accountability and transparency in delivering safeguarding.

Duty to Report

All staff and volunteers have a duty to report any allegation or suspicion of abuse of a vulnerable adult.

VULNERABLE ADULT PROCEDURE

Initial Response

On discovering abuse or suspected abuse:

Both paid staff and Volunteers will raise concerns to the Team Leader or Manager. Information given should clearly differentiate between facts, opinions, professional judgments and hypothesis.

Record information using clear, straightforward language that is both concise, and accurate. Including dates and times of alleged incidents, disclosure or events.

If you feel that you are not able to share information with your manager, the person responsible for referring, or another manager within your organisation, as you believe that they are implicated or colluding with the alleged abuse, you should inform a more senior manager of your concerns.

Please note that where your concerns involve a registered home, a referral should always be made to the relevant Inspection Authority who have a statutory duty to investigate such concerns.

Initial Response to person/s in immediate danger

Contact emergency services, including the police; and inform your line manager or manager immediately; and keep a record of the incident. MASH safeguarding team on **0300 500 80 90** or out of hours on **0300 456 4546**.

Please note that where your concerns involve a registered home, a referral should always be made to the relevant Inspection Authority who have a statutory duty to investigate such concerns.

Management Response

On receipt of an allegation, complaint or suspicion, a referral should be made to the local Social Care office.

Where the allegation, complaint or suspicion involves a member of staff, inform a more senior manager. Your manager may also look at other relevant procedures.

Where the allegation, complaint or suspicion, relates to concerns about a registered Care Home for adults, a registered domiciliary care agency, or a nurses agency, a referral should also be made to The Commission for Social Care Inspection who have a statutory duty to investigate such concerns. Where there is a reason to believe that a crime has been committed, inform the Police and tell Social Care Services and/or MASH Safeguarding hub.

Before making a referral to the Adult Social Care Department, you should:

- Consider the immediate health/welfare needs of the alleged victim or anyone else who may be affected;
- Consider whether emergency services are required (ambulance, police);
- Consider whether there is a requirement to inform any **regulatory body** of the situation such as the Commission for Social Care Inspection or the Healthcare Commission;
- Gather information to clarify the facts. This will include speaking to the 'Alerter';
- Ensure that the 'Alerter' and the person who raised the original concern are fully supported;
- Keep detailed records, separating fact from opinion, direct evidence from hearsay (see page 65 - Record Keeping);
- Inform and seek advice from more senior managers as per your organisation's own internal procedures;
- Based on the work you carry out and utilising the relevant guidance sections, for example, Possible Indicators of Abuse and Is a Referral Required?, make a decision on whether a **Referral** to the relevant Adult Social Care Department is required. If in doubt, make a referral using the procedure below;

You should not carry out a formal interview with the alleged victim at this point, however you may need to clarify facts with them.

Confidentiality

Do not confuse confidentiality with 'secrecy'.

It is inappropriate for agencies or workers to give assurances of absolute confidentiality in situations where there are concerns about abuse, particularly in situations where other vulnerable people may be at risk. Information given to an individual member of staff or agency representative belongs to the agency and not the individual employee. Therefore, decisions to share information about a vulnerable adult should be made by the agency and not one individual acting on their own. Information, which must be shared on a need to know basis when it is in the best interests of a vulnerable adult(s).

Support

If you raise a concern about an organisation or an individual, and you are acting in good faith, you will be supported whatever the outcome.

This Policy will continue to be subject to joint scrutiny, review and amendment.

APPENDIX 1

EQUALITY IMPACT ASSESSMENT TOOL

To be completed and attached to any procedural document

PROCEDURE NAME		VULNERABLE ADULT POLICY	
		Yes/No	Comments
1	Does the policy/guidance affect one group less or more favourably than another on the basis of:		
	• Race		
	• Ethnic Origin		
	• Nationality		
	• Gender		
	• Culture		
	• Religion or Belief		
	• Sexual orientation including lesbian, gay, bisexual and transgender		
	• Age		
	• Disability – learning disabilities, physical disability, sensory impairment and mental health problems		
2	Is there any evidence that some groups are affected differently?		
3	If you have identified potential discrimination, are any exceptions valid, legal and/or justifiable?		
4	Is the impact of the policy/guidance likely to be negative?		
5	If so can the impact be avoided?		
6	What alternatives are there to achieving the policy/guidance without the impact?		
7	Can we reduce the impact by taking different action?		

If you have identified a potential discriminatory impact of this procedural document, please refer it to the Hetty's Manager, together with any suggestions as to the action required to avoid/reduce this impact.

