

## Policy Statement

Heritage Care at Home Ltd is committed to supporting the right of vulnerable adults to be protected from abuse and to ensuring that all staff and volunteers work together in accordance with these policies and act promptly in investigating allegations or suspicions of abuse. The way we work will take into account a vulnerable adult's race, religion, cultural background, age, disability, gender and sexuality.

## Scope

- All workers

**Important note:** Suffolk County Council has a set of guidelines on adult abuse reporting and those guidelines take precedence over this policy. This policy can be accessed online here: [Suffolk Safeguarding Policy](#)

The Suffolk Safeguarding board can be contacted for information or if you are concerned about an adult. They can be contacted in the following ways:

Telephone: 0808 800 4005

Online: [www.suffolkas.org](http://www.suffolkas.org)

For emergencies or if you suspect someone is in immediate danger: **dial 999**

The above details need to be used to report any actual or suspected case of abuse. Heritage Care at Home Ltd works closely with Suffolk County Council, this policy is to be used in conjunction with the Suffolk County Council Multi Agency Adult Safeguarding Policy and Operational Guidance which can be found online at the above web address.

## Purpose of this policy

The protection of vulnerable people is one of the most important tasks facing social and health care services. Awareness of adult abuse has received growing attention from the public, the media and voluntary and statutory agencies over recent years. However there is still much for agencies commissioning and providing services to vulnerable adults to do, in order to raise the profile of adult protection.

The publication of "*No secrets*" in 2000 as statutory guidance emphasized the need for agencies to work together to ensure a coherent policy for the protection of vulnerable adults at risk of abuse. The primary aim of the policy should be to prevent abuse wherever possible. In addition to the prevention of abuse wherever possible, '*No secrets*' also required agencies to work together to ensure that procedures are in place to deal with incidents of abuse. The guidance allocates the coordinating role in developing local policies and procedures for the protection of vulnerable adults from abuse to Adult Social Services, but emphasizes that all agencies must work together to ensure that appropriate policies, procedures and practices are in place and implemented locally.

In 2002 The Centre for Policy on Ageing was commissioned by the Department of Health to undertake an analysis of local codes of practice for the protection of vulnerable adults.

The study focused on the three main areas of the many detailed requirements and recommendations contained in *'No secrets'*:

- Strategies and Plans
- Procedures and Protocols
- Guidance and Information

The publication of *'No secrets'* was followed in 2005 by the publication of a national standards framework by the Association of Directors of Social Services. This publication (*'Safeguarding Adults'*) is aimed at developing adult protection work throughout England and collects best practice into a framework to work towards preventing and addressing abuse across the country.

This Policy has been developed to reflect the guidance given in *'No secrets'* and *'Safeguarding Adults'* and the recommendations made as a result of the study undertaken by the Centre for Policy on Ageing. Examples of good practice named in the study have been used to develop this document.

This Policy contains:

- The scope, aims and objectives and the purpose of the Policy
- Key definitions including Vulnerable Adult and what constitutes abuse

### **DOING NOTHING IS NOT AN OPTION**

If we know or suspect that a vulnerable adult is being abused, we will do something about it and ensure our work is properly recorded.

### **Safeguarding Is Everybody's Business**

No single agency can act in isolation to ensure the welfare and protection of vulnerable adults. Abuse, and the fear of abuse, has a significant impact on an individual's ability to maintain and maximize their health and wellbeing. All individuals and agencies working with, and/or having contact with vulnerable adults, including the general public, have a key role to play in protecting vulnerable people from abuse, exploitation and/or mistreatment.

A position of Zero Tolerance towards the abuse of all vulnerable adults in any situation whether it is in their own home or a supported tenancy will be adopted.

All vulnerable adults should be protected from abuse and supported in seeking treatment and redress in the event that they have been abused and that action should be taken against those who deliberately abuse vulnerable adults.

Action will be coordinated against perpetrators to ensure that parallel processes are dovetailed including prosecution, disciplinary action and removal from, or notification to, professional registers, the POVA list and similar bodies.

Equality of opportunity under this policy and procedure will be available to all vulnerable adults regardless of their age, marital status, gender, disability, ethnicity, religion or sexuality.

It is important that all who have contact with vulnerable adults should make every effort to develop and maintain a culture which prevents the development of poor care practices.

Safeguarding Adults policy should not be seen as separate from, or a substitute for the effective management of the care environment. Safe services depend on clear standards and active promotion of good practice.

Organisations that are open and have effective human resource management policies in place, avoid the extremes of isolation which, research has shown, can lead to abuse occurring and remaining unchallenged over time. In particular the following areas can have a significant impact on the effectiveness of an organisation in protecting vulnerable people from abuse.

- Recruitment procedures
- Induction and training
- Supervision
- Record keeping
- Staff development programmes
- Whistle blowing
- Disciplinary procedures
- Grievance procedures
- Complaints procedures
- Incident reporting
- Advocacy
- Confidentiality policies
- Health and Safety Policies
- Contract specifications, service level agreements and monitoring

Safeguarding is the responsibility of everyone including statutory, independent and voluntary agencies as well as every citizen. We will work together to prevent and minimise abuse.

### **Duties and responsibilities**

This Policy sets out how all individuals and agencies with responsibility for wellbeing and protection should work together to protect vulnerable adults from abuse, exploitation and/or mistreatment.

This policy has been developed in accordance with:

Suffolk County Council Adult Safeguarding Policy and Operational Guidance please see: [www.suffolkas.org](http://www.suffolkas.org)

*No secrets: Guidance on Developing and Implementing Multi Agency Policies and Procedures to Protect Vulnerable Adults from Abuse. (Department of Health, March 2000)*

This guidance was issued by the Department of Health under Section 7 of the Local Authority Social Services Act 1970.

*Safeguarding Adults: A National Standards Framework for enabling all adults to live safer lives. (Association of Directors of Social Services, October 2005)*

### **Aim of the Policy**

The aim of this policy is to ensure that all individuals working with, and/or having contact with vulnerable adults work effectively and in partnership to:

- Promote the wellbeing, security and safety of vulnerable people consistent with their rights, capacity and personal responsibility, and prevent abuse occurring wherever possible
- Ensure that the process of reporting, investigation and subsequent action, is as effective as possible in achieving good outcomes for vulnerable people
- Ensure that the processes of investigation, assessment and prevention of abuse do not constitute an abusive or harmful series of events for the vulnerable person

Accomplishing these aims requires the careful consideration of time and commitment of all the people and agencies involved in the vulnerable person's life. This Policy requires the maintenance and development of co-operative relationships based upon trust and a mutual understanding of the roles, responsibilities and limitations of those involved.

### **Objectives of the Policy**

In order to achieve positive outcomes for vulnerable adults who are experiencing abuse, or at risk of abuse, agencies will actively work together:

- Identify the abuse of vulnerable adults where it is occurring
- Respond effectively to any circumstances giving grounds for concern or where formal complaints or expressions of anxiety are expressed
- Ensure the active participation of individuals, families, groups and communities wherever possible and appropriate
- Raise awareness of the extent and impact of abuse on vulnerable adults
- Promote and strengthen partnerships and actions designed to reduce abuse and the fear of abuse as experienced by vulnerable adults
- Regularly monitor and evaluate the way in which policies, procedures and practices for the protection of vulnerable adults are working
- Regularly review and update policies, procedures and practices to reflect the current state of knowledge in relation to safeguarding vulnerable adults, and learning gained from experience
- Ensure that the law is known and used appropriately where necessary so that vulnerable adults receive the protection of the law and access to the judicial process

### **Principles**

To protect basic civil and human rights, a set of principles must underpin all work with vulnerable adults.

The Department of Health has identified key principles in a number of documents that are considered applicable to all work with vulnerable adults wherever they live in our multi-cultural society.

**Privacy** The right of individuals to be left alone or undisturbed and free from intrusion or public attention into their affairs. However, if there is reason to believe that a crime has been committed and/or vulnerable adults may be at risk, then there is a duty to inform other agencies such as the Police and regulatory bodies.

**Dignity** Recognition of the intrinsic value of people regardless of circumstances by respecting their uniqueness and their personal needs; treating with respect.

**Independence** Opportunities to act and think without reference to another person, including a willingness to incur a degree of calculated risk.

**Choice** The opportunity to select independently from a range of options.

**Rights** The maintenance of all entitlements associated with citizenship.

**Fulfillment** The realisation of personal aspirations and abilities in all aspects of daily life

In practice, this means that all agencies should:

- Actively promote the empowerment and well-being of vulnerable adults through the services they provide
- Act in a way which supports the rights of the individual to lead an independent life based on self determination and personal choice
- Recognise people who are unable to make their own decisions and/or to protect themselves, their assets and bodily integrity
- Recognise that the right to self determination can involve risk and ensure that such risk is recognised and understood by all concerned, and minimised whenever possible.
- Ensure the safety of vulnerable adults by integrating strategies, policies and services relevant to abuse within the framework of the NHS and Community Care Act 1990, the Mental Health Act 1983, the Public Interest Disclosure Act 1998, Health and Social Care Act 2008 and Mental Capacity Act 2005.
- Ensure that when the right to an independent lifestyle and choice is at risk the individual concerned receives appropriate help, including advice, protection and support from relevant agencies.
- Ensure that the law and statutory requirements are known and used appropriately so that vulnerable adults receive the protection of the law and access to the judicial process.

### **Policy Statement**

There can be no excuses for not taking all reasonable action to protect vulnerable adults from abuse, exploitation and/or mistreatment.

All citizens of the United Kingdom have their rights enshrined within the Human Rights Act 1998. People who are eligible to receive health and community care services may be additionally vulnerable to the violation of these rights, abuse, exploitation and/or mistreatment by reason of disability, impairment, age or illness. However, it needs to be recognised that not all people who are eligible to receive health and community care services would wish to be considered vulnerable.

### **Procedure**

Any suspected abuse will be dealt with immediately Heritage Care at Home Ltd will report any abuse or suspected abuse to the Suffolk Safeguarding Team, through customer first following the Suffolk County Council guidelines. Heritage Care at Home Ltd will report also to CQC all abuse or suspected abuse using the on line notification process at: [www.cqc.org.uk](http://www.cqc.org.uk)

### **Definitions**

#### **Vulnerable Adults**

*Safeguarding Adults: A National Standards Framework* developed by the Association of Directors of Social Services describes vulnerable adults as adults 'who may be eligible for community care services' to access their human right to a safe and secure future.

Adults 'who may be eligible for community care services' are those whose independence and wellbeing would be at risk if they did not receive appropriate health and social care support. They include adults with physical, sensory and mental impairments and learning disabilities, whether present from birth or due to advancing age, chronic illness or accident. They also include family and

friends who provide personal assistance and care to adults on an unpaid basis. They are not a self defined community, but a group that has been created by social policy.

A vulnerable adult can be a person:

- With a mental health problem (including dementia);
- With a physical disability;
- With drug and alcohol related problems;
- With a sensory impairment;
- With a learning disability;
- Who has a physical illness?
- With an acquired brain injury;
- Who is frail and/or is experiencing a temporary illness.

Who may be?

- Living in their own home
- In hospital;
- In a residential care and/or nursing home;
- Attending a day centre;
- Attending a social club;
- Without a permanent home.

### **Forms of Abuse and Mistreatment**

Abuse is defined as:

*'...a violation of an individual's human and civil rights by any person or persons. '1 (Department of Health, No secrets, March 2000)*

It may include:

**Physical abuse**, including hitting, slapping, pushing, kicking, misuse of medication, misuse of 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, or where such abuse was itself an abuse of a power relationship between a vulnerable person and any other person including a carer or professional;

**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 or sexist remarks or comments based on a person's impairment, disability, age or illness, and other forms of harassment, slurs or similar treatment. This may also include isolation or withdrawal from religious or cultural activity, services or supportive networks; and

**Institutional abuse** involves the collective failure of an organisation to provide an appropriate and professional service to vulnerable people. It can be seen or detected in processes, attitudes and behaviour that amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and stereotyping. It includes a failure to ensure the necessary safeguards are in place to protect vulnerable adults and maintain good standards of care in accordance with individual needs, including training of staff, supervision and management, record keeping and liaising with other providers of care.

### **Information Sharing**

Personal information is subject to the principles of the Freedom of Information Act 2000, the Data Protection Act 1998, the Human Rights Act 1998 and the common law doctrine of confidentiality.

Concern about the abuse of vulnerable adults provides sufficient grounds to warrant sharing information on a "need to know" basis and/or "in the public interest" in accordance with established data protection principles. Unnecessary delays in sharing that information should be avoided

The principles that govern the sharing of information include the following:

- Information should only be shared on a 'need to know basis' when it is in the best interests of the customer
- Confidentiality must not be confused with secrecy.
- Informed consent to the sharing of information should be obtained from the person involved. However, if it is not possible as other vulnerable adults may be at risk, or a crime may have been committed, it may be necessary to override this requirement.

It is not appropriate for agencies to give assurances of absolute confidentiality in cases where there are concerns about abuse, particularly in those situations when other vulnerable people may be at risk.

Service Providers must notify the CQC about abuse or alleged abuse involving a person(s) using the service whether the person(s) are the victim(s), the abuser(s) or both.

By regulatory law service providers must notify the CQC without delay incidents of abuse and allegations of abuse, as well as any incident which is reported to or investigated by the police

### **Monitoring and Review of this Policy**

Monitoring and review of this policy and associated procedures is undertaken annually and changes to it are informed by consultation with staff and that operate the policy.

All staff are encouraged to give feedback at any time on any difficulties they have in operating the policy. Any issues can be raised with line management or a Director, who will ensure they are considered and appropriate action taken.

### **Equalities and Diversity**

We recognise that we belong to a society that can sometimes discriminate unfairly and unjustly against some individuals and groups and that discrimination results in disadvantage and lack of opportunities.

We recognise that some people can suffer disadvantage as a result of discrimination and that this can increase vulnerability. We will work to ensure that no one receives less favourable treatment because of their:

- sex
- age
- marital status
- race or origin
- religion
- disability
- sexuality

Heritage Care at Home Ltd want those facing discrimination to feel able to report abuse and receive the same protection as any other member of society.

### **Whistle blowing**

Where concerns are held about a vulnerable adult regarding malpractice or misconduct in a workplace or by employees of an organisation /agency, those concerns should in most circumstances be raised with Heritage Care at Home Ltd.