

<i>'Providing you with the home that you need.'</i>	The Protection Of Vulnerable Adults	Control ID	TPP ID P 200022
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		Approved By	<i>P. Woodcock</i>

This policy defines the arrangements and procedures in place within the Company that ensure the protection of vulnerable adults from abuse. This policy is designed to conform to the requirements of the guidance document 'No Secrets' (Department of Health, 2000), The Public Interest Disclosure Act, 1998 and the Care Quality Commission. It is recognised that the Company provides potentially a service to householder who may have the support provider, and could be classified as 'vulnerable'. To this end it is important that staff understand the nature of abuse, the means of ensuring that they do not commit it unwittingly and are observant to the signs in the event of declaring a concern.

POLICY PRINCIPLES

It is the policy of the Company to develop and implement procedures and strategies, which are designed to protect vulnerable adults from abuse. These strategies will:

1. Define how the Company will work with any support provider who indicates a householder is 'at risk';
2. Define what is meant by abuse, and identify the types of abuse that can occur;
3. Promote staff awareness of the common indicators associated with each type of abuse;
4. Specify the procedures to be followed in the event of alleged or suspected abuse;
5. Ensure that incidents are recorded on an 'Accident, Incident and Dangerous Occurrence Form';
6. Ensure that the Managing Director is aware of the locally available statutory protection procedures and will use these as required.

This policy will be supported by additional policies within the Company's 'Policies And Procedures Manual', such the 'Gifts and Gratuities', 'The Prevention And Avoidance Of Challenging Behaviour' and those relating to ethnic awareness and anti-discriminatory practice.

The Company operates within the realms of supported living and charitable schemes where vulnerable adults may reside whose modes of living may infer that they have high predisposition factors for abuse to occur. This is due to the potential that their communication may be impaired and their presenting realm of behaviours may include those considered challenging, aggressive, unusual, disturbing or rejecting. The Company believes that every individual has the right to live their life with privacy, dignity, independence and choice, and be free from abuse or fear of aggression or violence. The organisation is fully committed to working in collaboration with all legal and caring agencies to uphold these rights and to ensure that the householders served are protected from harm, abuse and exploitation at all times.

It is recognised that abuse can take place in any setting and can occur in any relationship type and may result in significant harm to, or exploitation of, the individual. The Company is committed to upholding the 'Joint Management Procedures – Abuse of Vulnerable Adults' documentation, and understands 'abuse' to mean:

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

(*'No Secrets – The Protection of Vulnerable Adult'*; A Consultation Paper issued by the Department of Health 2000.)

For vulnerable adults this will focus upon others who have influence over them. These violations may be intentional or unintentional. These violations may be a single act or a repetition of acts over a period of time.

The Company considers that the definition of a 'Vulnerable Adult' to be:

'Someone 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 himself or herself from significant harm or exploitation.'

This will apply to persons aged 18 and over. All staff have a duty to the victim of abuse, and along with the Company, have a collective responsibility to take action in relation to perpetrator, whoever this may be (including a fellow staff member, other professional, a relative, volunteer, visitor, stranger, partner or customer.) The Company is committed to ensuring that all who feel concerned are able to come forward, without fear of ridicule, victimisation or other negative consequence. Without this the risk of

abuse going unnoticed, unreported and, thus continuing, will remain. All householders will be protected from abuse and offered a service in as reasonable a holistic manner as is possible, though the Company recognises that its employees are predominantly engaged in housing work. Staff are to recognise that 'abuse' is generally categorised in four forms:

Abuse Category	Type of Action or Event	Summary of Potential Indicators
Sexual	Rape and sexual assault or sexual acts to which the vulnerable adult has not, or could not, consent and/or was pressured into consenting, touching, fondling, offensive or inappropriate language, looking, sexual teasing, inflicting pornography, exposure	Significant change in sexual behaviour, sexual implicit/explicit behaviour around certain individuals, unusual difficulty in walking or sitting, torn and stained underwear, STDs, urinary tract and vaginal infections, full or partial disclosures of sexual abuse
Physical	Hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions, forcing including force feeding, the use of incorrect moving and handling techniques	History of unexplained falls, minor injuries or malnutrition, unexplained bruises in various stages of healing, unexplained fractures in various stages of healing, unexplained burns (feet, palms or back), injuries to head and scalp, being left in wet clothing, signs of under or overuse of medication
Psychological	Emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, verbal/racial abuse, isolation or withdrawal from services or supportive networks, silence, denial of choice	Withdrawal, agitation, general anxiety, subdued and intimidated attitude in presence of perpetrator, fear of making choices or decisions, flinches on approach, sleep pattern changes, tearful
Financial Or Material Abuse	Theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits, failing to account	Disparity of assets and living conditions, deny customer the right to handle own affairs, unexplained withdrawals/disappearance of financial documents, inability to pay bills, fail to account for expenses

However, some statutory bodies are recognising a fifth, sixth and seventh category concerning the abuse of civil rights, which are also supported as an element of policy by the Company, illustrated in the table below:

Incl. Self-Harm, Inhuman Or Degrading Treatment	Abuse Category	Type of Action or Event	Summary of Potential Indicators
	Neglect And Acts Of Omission	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	Inadequate food, fluids, heating or lighting, poor physical condition, poor hygiene, varicose ulcers, pressure sores, poor clothing, failure to access dentistry, chiropody services etc, refusal to allow access to appropriate callers or visitors
	Discriminatory Abuse	Racist or sexist remarks, comments about disability, other forms of harassment, slurs or similar treatment, deprivation of normal social contact and cultural identity	Inappropriate remarks or comments, poor quality care to certain clients, client prefers not to be cared for by certain member(s) of staff, staff avoid caring for certain groups
	Institutional Abuse	Poor management or monitoring of staff, poor care standards, lack of positive response to complex needs, rigid routines, inadequate staffing, insufficient knowledge base in the service	The vulnerable adult, in an institutional setting, displays any of the indicators mentioned in all forms of abuse described above.

There are a number of other concepts that are worthy of contemplation, which may have a bearing on this policy. A theory of 'serial abusing' has been recognised, where the perpetrator seeks out and 'grooms' vulnerable individuals in a patterned manner. However, at the other end of the spectrum is 'opportunistic' abuse, where an individual reacts in a spontaneous fashion, such as taking money, which has been left lying around.

Staff could also find themselves managing 'situational' abuse, which can occur when pressure has built up around a service provided to an individual, and can become even more enhanced if the circumstances include challenging or difficult behaviour.

Employees must recognise that 'abuse' categories not only concern the obvious issues such as:

1. Theft or;
2. Assault;

but also staff actions of:

1. Using condescending or aggressive language;
2. Infringing a customer's civil liberties such as choice;
3. Poor professional practice;

4. Intimidation;
5. Silence;
6. Taking an item offered possibly as a gift;
7. Ridiculing an individual when they are using an inappropriate behaviour or coping mechanism;
8. Using a relative or friend to perform services that a customer requires.

The Law Commission, in its consultation document 'Who Decides,' built in the concept of 'harm', which is worthy of staff note, and suggested that 'harm' should be taken to include not only ill treatment (including sexual abuse and forms of ill treatment which are not physical), but also the impairment of, or an avoidable deterioration in, physical or mental health; and the impairment of physical intellectual, emotional, social or behavioural development' (Law Commission Report 1995; 'Who Decides?' A Consultation Paper issued by the Lord Chancellor's Department Dec 1997.)

Staff must understand that some instances of abuse will constitute a criminal offence, which may lead to criminal proceedings.

Local adult protection policies are available in for every area worked within and Managing Director will be happy to support an employee who feels they may need to refer to these documents. The Company is fully committed to working co-operatively with statutory organisations on the identification, investigation, treatment and prevention of abuse of vulnerable adults.

It is important to remember that just because the indicators and situation may suggest to staff that abuse has taken place, careful consideration must be paid before this opinion is firmly held. Each case must be investigated on its own merits before any conclusions have been reached. The Company will not undertake such investigations, but instead merely report its concerns.

Staff who are considered by management to be unsuitable to work with vulnerable adults will be referred, in accordance with the Care Standards Act, for consideration for inclusion on the 'Protection of Children and Vulnerable Adults Registers'.

ABUSE OF VULNERABLE ADULTS - GENERAL SUPPORT AND ADVICE FOR FRONT LINE STAFF

Where employees are reporting matters or seeking support, the procedure below will be adhered to:

1. Staff involved in any customer or environmental working difficulty must access their line manager, the Managing Director or on-call telephone number for advice. Management must ensure that all staff are aware of and have access to these facilities.
2. Each line manager must bring any related concerns to the Managing Director before acting upon them, ensuring that an 'Accident, Incident And Dangerous Occurrence Form' has been completed by the employee concerned.
3. The Managing Director will investigate the matter and liaise with any concerned parties.
4. Staff must have access a first aid kit and seek medical advice for any injury, however insignificant to themselves or a customer, completing an 'Accident, Incident and Dangerous Occurrence Form.'
5. If a staff member feels that they require further training or debriefing on any abuse situation and its management they are to seek assistance from their line manager, in order to build confidence and competency.
6. If a staff member feels unsure about a decision that cannot wait until a 'normal hours' service is restored they are to telephone the emergency on-call individual for advice, discussion and support, rather than face the difficulty alone.

ACTION TO BE TAKEN IN THE EVENT OF ALLEGED OR SUSPECTED ABUSE

1. The Managing Director, working in partnership with the Management Team and the employee concerned, is designated as the key contact person within the Company with direct responsibility for investigating any alleged or suspected incidences of abuse.
2. Reporting such matters will take into account the balance which needs to be maintained around the confidentiality of the householder's (or the concerned party's) affairs and the duty of care to report suspected abuse.
3. If a customer (or any other disclosing person) begins to make a disclosure to staff, it is advisable for the staff member to inform them at the beginning of the disclosure that if the conversation is moving in the direction perceived, then the worker will have to breach typical lines of confidentiality and report the matter to the Managing Director who will inform statutory services. Such advice must be given as sensitively as possible. However, the person making the disclosure must be made well aware of the choices they have as well as empowering them to manage, as far as is reasonable, their own situation which may involve the obtaining of an advocate.
4. If possible the person making a disclosure should be asked if they mind a Company witness being in attendance. The worker should then seek support from a colleague, if this is possible. The choice of colleague and supportive atmosphere must be considered when taking this step.
5. If any employee believes that a customer of the Company (or otherwise) has been abused (no matter how insignificant the incident may appear), they must notify their line manager with the information immediately by telephone or face-to-face if possible. The employee will be required to provide statements and complete an 'Accident, Incident And Dangerous Occurrence Form' to this effect, and may be contacted by the required statutory agencies who will investigate the matter.
6. Staff must understand that the items within a disclosure must be shared only with those who need to know and should be kept confidential within these parameters.
7. The line manager dealing with the disclosure must immediately inform the Managing Director of the issues, they should agree what type of in-house reporting and support to the process is required. Together they must consider the following key issues in relation to intervention:
 - a. What is the level of vulnerability of the individual?
 - b. What is the extent of the abuse?
 - c. How long has the abuse been occurring?
 - d. What has been the impact on the vulnerable person of the abuse?
 - e. Is there a risk of repeating or escalating in the concerning acts?
 - f. Does the vulnerable adult appreciate and understand the nature and consequences of any risk they may be subject to and do they willingly accept such risk?
 - g. Is the vulnerable adult able to make his or her own decisions and choices?
 - h. Did the person subject to abuse consent and did he or she consent willingly?
 - i. Does the person have the capacity to understand to what they are consenting to, or alternatively the capacity to refuse?
 - j. What agencies are involved in the person's care, if any?
8. Account should be taken of the rights of all people to make choices and take risks, taking into account their personal capacities.
9. The Managing Director will assess the allegations and suspicions and decide upon the appropriate action to be taken:
 - a. The Managing Director has a duty to contact the Social Services Department District Purchasing Team who will initiate the Adult Abuse Enquiry Form (VAA1.) This team has a duty to inform the Care Quality Commission's officers. However, good practice will dictate that the Company should also telephone any defined support services under an action that impacts on the welfare of a customer.
 - b. The Managing Director or line manager must not conduct any investigatory practices themselves but pass this responsibility to the Statutory Agencies.

10. In no circumstances should any material or evidence be removed from the environment of investigation as this may be required to be viewed by Social Services or the Police. The Company expects its employees to assist these bodies as fully as possible. Staff must recognise that such infringements of working practices are considered under the disciplinary policy and appropriate action will be taken on consultation with the partnership bodies.
11. The statutory agencies should make every effort to conclude an investigation as quickly as possible. It is worthy of consideration that a case conference may be called or requested during or following an investigation. However, the decision to hold a conference rests with the Social Services Purchasing Team Manager or Zone Manager.
12. If the abuse concerns an employee, management must contact the Company's employment law advisors prior to any action being taken.
13. Following an accident or injury the staff member must fill in the details of the event within the HMSO Accident Report Booklet, which is located at the office.
14. In all cases, the Managing Director is responsible for maintaining complete records of the allegations made, including dates, times and persons involved, and action taken.
15. The Managing Director will ensure that a central log exists within the office of all incidents concerning alleged or actual abuse, with copies also being held on the employee's individual file should an employee be involved or be the reporting source.

EMPLOYMENT ISSUES

1. Staff involved in recruitment issues must ensure that it is made explicit in the job applications, through use of the 'Rehabilitation of Offenders Statements' that failure to disclose previous offences, regardless of when they were committed or whether they were of major or minor consequence, will be regarded as grounds for dismissal.
2. All references, including a reference from the last employer, should be taken up prior to formal offers of appointment and should be provided in writing. The HR responsible individual should make all reasonable efforts to check that references are bona fide and if in doubt, should ask the applicant to provide an alternative.
3. All customer facing employment positions may require a staff member to provide a current CRB. The HR responsible individual must ensure that this obligation is achieved.
4. Full attention must be paid to Criminal Records and Recruitment Procedures.
5. Abuse investigations concerning an employee must always be logged with the Company's employment law advisors prior to any action being undertaken with the employee, advice must be sought from this source on an on-going basis. The Managing Director must ensure that their duty is firstly to ensure the safety of the individual. However, careful consideration has to be paid as to whether suspension from duty is necessary, redeployment to an alternative site or no action is the vehicle required. Any decision made, must be made in collaboration with statutory partners and detailed in a written report.

STATEMENT OF PRINCIPLES

There are a number of key values that are prized by the Company that employees are required to consider when dealing with a vulnerable adult issue, including the management of abuse. These are stated in the 'No Secrets in Lancashire' document (LCC, 2001):

Privacy	The right of individuals to be left alone or undisturbed and free from intrusion or public attention into their affairs.
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	Opportunity to select or be supported in selecting independently from a range of options.
Rights	The maintenance of all entitlements associated with citizenship.
Fulfilment	The realisation of personal aspirations and abilities in all aspects of daily life.

The Company will provide the same service and procedural response to abuse allegations, regardless of a disclosing person's age, race, gender, sexuality, class, religion, culture or disability.

CUSTOMERS' MONIES AND FINANCES

The Company believes in the principle that a vulnerable customer should keep their own money and spend it on whatever they want, as an important element of maintaining human dignity and in being able to exercise choice and autonomy. Therefore, in this Company staff will:

1. Never accept any monetary gift or gift of any value from a householder.
2. Maintain written records of all contractual transactions.
3. Ensure customers have access to consult on their finances and housing requirements in private with other parties.
4. Never become involved in helping a customer with their will or from benefiting from their will.
5. Never accept tasks within a vulnerable householder's home without the full knowledge and agreement of any support provider.

VIOLENCE IN THE WORKPLACE (SEE 'THE PREVENTION AND AVOIDANCE OF CHALLENGING BEHAVIOUR OR VIOLENCE POLICY')

The Company provides a housing service to householders who may, from time to time, behave aggressively or may even, on rare occasions, become violent. The Company believes that there is much that a well organised staff team can do to minimise the frequency of such outbursts. Where outbursts do occur the Company recognises that it has a duty to protect the safety of all concerned as far as it reasonably can. It is believed that danger in these circumstances can be reduced by preventing incidents from happening in the first place, or by dealing with them more effectively if and when they do occur. Therefore, staff must recognise that:

1. Support providers should be asked about the potential of violence and assist in whatever fashion is reasonable to achieve the housing task required.
2. Physical and verbal aggression by a customer should be understood and dealt with, with full consideration to this policy.
3. Physical interventions should only be used only as a last resort by staff, and in accordance with the Department of Health's guidance to protect the rights and best interests of the customer and at the minimum consistent with safety.
4. They should deal with incidents of violence and aggression in any environment in accordance with the Company's policy on 'The Prevention And Avoidance Of Challenging Behaviour Or Violence'.