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| --- |
| Your group name/logo.  Safeguarding Policy  Registration number/charity number |
| This policy and guidance will be reviewed annually or if there are any changes in the related legislation or when an incident dictates.  This will ensure that this document is current and fit for purpose. |
| This Policy was approved by... named person who has authority to sign and oversee policies |
| Date of policy |

**Contents**

**1. Introduction**

**2. Commitment**

**3. Aim**

**4. Scope**

**5. Review**

**6. Disclosure of abuse**

**7. Suspicion of abuse**

**8. Action on disclosure of abuse**

**9. Guidance for volunteers and members**

**Appendix**

Protection of Vulnerable Adults Policy (POVA)

**1.** **Introduction**

· The aim of this policy is to ensure the safety of vulnerable adults by outlining clear procedures and ensuring that all volunteers are clear about their responsibilities.

· GROUP NAME is involved in providing services for a wide range of people. Some of these people are likely to be ‘vulnerable adults.’

· This policy is based on No Secrets, the national guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse (Department of Health, 2000).

· The organisation has obligations to strive to protect vulnerable adults who it may believe to be abused or at risk of abuse or neglect.

· The policy and procedures have been developed to assist individuals working for the organisation in any capacity to act immediately on reported or suspected abuse.

**2.** **Commitment**

GROUP NAME is committed to safeguarding from harm all vulnerable adults using its community based services in any of its activities, and to treat them with respect during their dealings on behalf of GROUP NAME.

**3.** **Aim**

The aims of the policy are to:

· clarify the roles and responsibilities of GROUP NAME within scope of the policy;

· support the promotion of a safe working and a culture of care in which the rights of vulnerable adults are protected and respected;

· promote best practice in how volunteers and associated workers interact with vulnerable adults while providing community based services;

· develop clear guidance and procedures for those volunteers working with vulnerable adults and ensure through training and support that they are aware of these and able to implement them;

· provide a framework for developing partnerships with appropriate external bodies e.g. Manchester City Council, GMP, NHS and other groups, charities and organisations, to ensure that the policy continues to reflect legal and best practice requirements in respect of the responsibility of care of vulnerable adults.

**4.** **Scope**

4.1. The policy is in respect of GROUP NAMEs’ responsibility towards:

· vulnerable adults defined, for the purposes of this policy, as anyone who because of a disability, illness or may be in need of community care services and who may be unable to take care of themselves or protect themselves from significant harm or exploitation;

· the volunteers of GROUP NAME who have dealings with vulnerable adults and who are required to act in a position of trust and to act responsibly and within the law;

· The volunteers of GROUP NAME who, while not required acting in a position of trust, will come into contact with members of these groups on a regular basis during the course of their work.

4.2. It covers all the functions and services of GROUP NAME community based project volunteers and paid staff.

4.3. This policy should also be used in conjunction with:

· Data Protection Policy

· Confidentiality Policy

· Health & Safety Policy

**5.** **Review**

This policy and the guidance will be reviewed annually or whenever there is a change in the related legislation or when an incident occurs. This will help us ensure that these documents are up to date and fit for purpose.

**6.** **Disclosure of abuse**

If a vulnerable person discloses that they are being abused or any service user discloses that they are involved in abuse of a vulnerable person, including the accusation of an individual working on behalf of the organisation; action should be to discuss the situation immediately with the safeguarding officer. The safeguarding officer will be a members of the Senior management team and a trustee. The safeguarding officers are Risha Lancaster and

All action must proceed urgently and without delay.

**7.** **Suspicion of abuse**

7.1. There may be circumstances when a volunteer or member of staff suspects that a vulnerable adult is being abused or neglected. This includes the suspicion of an individual working for the organisation abusing or being abused.

7.2. It is vital that any anyone who suspects a vulnerable adult is being neglected or abused discusses the situation immediately with the safeguarding officer.

**8.** **Action on disclosure of abuse**

8.1. There should always be the opportunity to discuss welfare concerns with and seek advice from the safeguarding officers who will in turn advise the volunteer of the next course of action. Never delay emergency action to protect a vulnerable adult

* The Safeguarding Officer will always record in writing discussions & concerns about a vulnerable adult’s welfare, whether or not further action is taken
* At the close of discussion, always reach clear and explicit recorded agreement about who will be taking what action, or that no further action will be taken.
* The person reporting the incident may not always know the outcome of a situation they have reported due to Confidentiality.

8.2. Team members, senior team members and management team informed of abuse should remind the service user that the organisation cannot guarantee confidentiality where a vulnerable person is at risk of abuse or further abuse.

8.3. Additionally, all action taken following a disclosure of abuse must be discussed and agreed by the Safeguarding officer.

8.4. Any team member may report a disclosure of abuse to the appropriate bodies irrespective of the opinion of other individuals.

8.5. Full written records must be maintained of all disclosures and actions following disclosure, and if appropriate to include sketches of sites and sizes of injuries. It is important to make a record of conversations with the vulnerable person using the same language the vulnerable person used especially names used for body parts or sexual acts. These records must be kept in a safe locked cabinet in line with data protection. The Safeguarding officer will coordinate the undertaking of this.

**9.** **Guidance for Volunteers**

**9.1.** **Definition**

A vulnerable adult is a person aged 18 years or over who may be unable to take care of themselves or protect themselves from harm or from being exploited.

This may include a person who:

· is elderly and frail;

· has a mental illness including dementia;

· has a physical or sensory disability;

· has a learning disabilities

· has a severe physical illness;

· is a substance misuser;

· is homeless.

**9.2.** **What is abuse?**

A person may abuse a vulnerable adult by inflicting harm, or by failing to act to prevent harm. Vulnerable adults may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger.

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm, including by fabricating the symptoms of, or deliberately causing, ill health.

Emotional abuse is the persistent emotional ill-treatment of a vulnerable adult such as to cause severe and persistent adverse effects on the victim’s emotional development or self-esteem. It may involve conveying to the victim that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person. It may involve age or developmentally inappropriate expectations being imposed, causing the victim frequently to feel frightened, or the exploitation or corruption of vulnerable adults. It may involve deprivation of contact, control, coercion, intimidation or harassment.

Sexual abuse involves forcing or enticing a vulnerable adult to take part in sexual activities, whether or not the victim is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape or buggery) or non-penetrative acts. They may include involving the victim in looking at, or in the production of, pornographic material, or encouraging them to behave in sexually inappropriate ways.

Neglect is the persistent failure to meet a vulnerable adult’s basic physical and/or psychological needs, likely to result in the serious impairment of their health or development, such as failing to provide adequate food, shelter and clothing, or neglect of, or unresponsiveness to basic emotional needs. In vulnerable adults this may appear to be as a result of self-neglect but still requires action.

Financial abuse is particularly relevant to vulnerable adults and may include theft, fraud, exploitation and pressure in connection with wills, property or inheritance or financial transactions. It may include the misuse or misappropriation of property, possessions or benefits by someone who has been trusted to handle their finances or who has assumed control of their finances by default.

**9.3.** **Who is responsible for protecting vulnerable adults?**

Responsibility for the implementation of this policy lies at all levels of GROUP NAME.

Safeguarding officers are responsible for:

· Identifying those services and posts that are likely to have an involvement with vulnerable adults;

· Ensuring that all necessary procedures and practices are in place to provide adequate protection both for the individuals in these groups but also protection for the volunteers involved with them;

· Ensuring that volunteers and other workers dealing with these groups are adequately trained and aware of their responsibilities in this area;

· Ensuring that any evidence or complaint of abuse or lack of care is reported to the appropriate body e.g. Social Services or Adult Protection Referral Co-ordinator, or the Police, and to the manager where members of the team are involved;

· Ensuring that proper records are kept of any incidents occurring within their service and that these are held securely and/or passed on to the manager if the incident involves a member of the volunteers team;

· Working with other associated agencies to ensure the proper transfer of information relating to dealings with vulnerable adults, where necessary;

**9.4.** **What do I do if I think a vulnerable adult is in danger?**

If you think a vulnerable adult is in immediate danger or a crime has been committed then always contact the police on 999. Report your action to your Manager and Safeguarding officer. If there is no immediate danger then contact your safeguarding officer/manager for further instruction. The Safeguarding officer will coordinate appropriate action statements and information exchange with any relevant agencies.

GROUP NAME believes that all vulnerable adults have the right to be safe, happy and healthy and deserve protection from abuse and will fully support and protect anyone, who in good faith, reports a concern about abuse.

**9.5.** **What do I do if a vulnerable adult discloses to me that they are being abused?**

Refer to the Safeguarding Officer:

· stay calm;

· listen carefully;

· find an appropriate, early opportunity to explain that it is likely that the information will need to be shared;

· allow the victim to continue at their own pace;

· reassure the victim that they have done nothing wrong in telling you;

· tell them what you will do next and with whom the information will be shared;

· record in writing what was said using the victim’s own words as soon as possible. Note the date and time, any names mentioned and to whom the information was given. Ensure the record is signed and dated;

· relay this information as soon as possible to the Safeguarding Officer.

Do not:

· ASK QUESTIONS or probe for more information than is offered;

· dismiss the concern;

· panic;

· allow your shock or distaste to show;

· make promises you cannot keep: such as agreeing not to tell someone else, keeping secrets;

· speculate or make assumptions;

· approach or contact the alleged abuser;

· make negative comments about the accused person

· pass on the information to anyone other than those with a legitimate “need to know” such as the Safeguarding Officer.

Remember that you are not responsible for deciding whether or not abuse has occurred. This is the task of the police and adult protection agencies following referral to them.

**9.6.** **What do I do if I have suspicions that a colleague may be abusing a vulnerable adult or not following good practice?**

Any volunteer who suspects that a colleague may be abusing children or vulnerable adults should act on their suspicions. Action should also be taken if it is felt that colleagues are not following GROUP NAME codes of conduct for dealing with vulnerable adults. This action will serve not only to protect vulnerable adults, but also colleagues from false accusations.

· Write down the details of the incident following the guidelines in the section on recording set out in these procedures.

· Pass this report to your Safeguarding Officer at the earliest opportunity.

· The Safeguarding Officer should then take appropriate action to ensure the safety of the vulnerable adult and any other people who may be at risk.

· If the matter relates to poor practice, the disciplinary procedure should be followed. If the matter relates to abuse the matter should be referred to the Police, and the volunteer must be suspended pending the outcome of an investigation into the allegations (carried out by the appropriate agency).

GROUP NAME acknowledges that this is an extremely sensitive issue for volunteers and assures every person working on its behalf that it will fully support and protect anyone, who in good faith, reports a concern that a colleague is, or may be, abusing a vulnerable adult.

**9.7.** **What information should I record?**

In all situations, including those in which the cause for concern arises from a disclosure made in confidence, it is vitally important to record the details of an allegation or reported incident, regardless of whether or not the concerns are shared with a statutory agency.

As far as possible an accurate note should be made of:

· the date and time of the incident and disclosure;

· the parties who were involved;

· what was said and done by whom;

· description of any visible injuries or bruising;

· any further action taken by GROUP NAME to investigate the matter;

· any further action e.g. the suspension of a volunteer;

· where relevant, reasons why there was no referral to a statutory agency;

· the full name of the person/s reporting and to who reported.

The report should be stored securely and shared only with those who need to know. All referrals made to appropriate adult Services or the Police should be confirmed in writing and followed up with a copy of the incident report within 24 hours. The appropriate Services should acknowledge your written referral within one working day of receipt. If no response has been received within 3 working days please contact the Services again.

You should also record the member of staff to whom concerns were passed and the date and time of the call and subsequent letters sent.

These procedures not only serve to protect service users, but also protect volunteers and GROUP NAME itself.

**9.8.** **What do I do if I am asked for information by another organisation?**

Refer to your manager.

The same principle as for child protection applies, that the safety and wellbeing of the vulnerable adult overrides considerations of confidentiality.

At present, the legal framework surrounding adult abuse is fragmented and there is no single duty to for us to provide information as there is in child protection cases. Nevertheless GROUP NAME will adhere to the Multi-Agency Code of Practice for the Protection of Vulnerable Adults which is based on ‘No Secrets’, the Department of Health guidance.

If you are asked by statutory agency to share information that relates to the assessment of a vulnerable adult you should comply but again if you have any concerns contact your manager who will be able to advise you.

**9.9.** **Where can I find more information?**

The Department of Health website has information on vulnerable adults

http://www.dh.gov.uk/PolicyAndGuidance/HealthAndSocialCareTopics/SocialCare/POVA/fs/en

**APPENDIX**

**Definitions used in this document**

Vulnerable adult may include anyone who because of a disability or illness may be in need of community care services and who may be unable to take care of themselves or protect themselves from significant harm or exploitation.

**The Legal Framework**

**Data Protection Act 1998**

The Data Protection Act 1998 regulates the handling of personal data including obtaining, recording, storing and disclosing it. The Act requires that personal data be:

· obtained and processed fairly and lawfully;

· processed for limited purposes and not in any manner incompatible with those purposes;

· accurate and relevant;

· held for no longer than necessary;

· kept secure;

· only disclosed if specific conditions set out in the Act are satisfied.

If you are making a decision to disclose personal data you must comply with the Act. However, the Act should not be an obstacle if:

· you have particular concerns about the welfare of a vulnerable adult;

· you disclose information to social services or to another professional; and

· the disclosure is justified under the common law duty of coincidence.

Consent to disclosure is not always necessary under the Data Protection Act. The Act does allow disclosure of information without the consent of the subject in certain circumstance, e.g. where ‘sensitive data’ such as personal health information, needs to be disclosed to prevent or detect any unlawful act or is necessary for legal proceedings.

**Homelessness Act 2002**

Under section 12, housing authorities are required to refer homeless persons with dependent children who are ineligible for homelessness assistance or are intentionally homeless, to social services, as long as the person consents. If homelessness persists, any child in the family could be in need. In such cases, if social services decide the child’s needs would be best met by helping the family to obtain accommodation, they can ask the housing authority for reasonable assistance in this and the housing authority must respond.

**Housing Act 2004**

Part 1 of the Housing Act 2004 gives local authorities powers and duties to take action against bad housing conditions, and introduces a new Housing Health and Safety Rating System under which authorities’ environmental health professionals will assess the impact of health and safety hazards in the light of the occupants most vulnerable to them. The new system replaces the housing fitness standard and provides an objective way of assessing the seriousness of hazards and identifying the most appropriate remedial action.

**Human Rights Act 1998**

Section 6(1) places a duty on all public authorities to act in a way that is compatible with the rights and freedoms of the European Convention of Human Rights that have been incorporated by the 1998 Act. These convention rights include article 2 “the right to life”, article 3“no one shall be subjected to torture or inhumane or degrading treatment or punishment” and article 8 “everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, protection of health or morals or for the protection of rights and freedom of others”.

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| Name | Signed | Date |
| Mr Hendrix Lancaster,  Director | HendrixPreSign.jpg | 27th June 2016 |