

# SWOP Vulnerable Adult Protection Policy

SWOP has a zero tolerance approach to any form of abuse of vulnerable adults and is committed to working in a way that protects them from harm. We accept our responsibilities to safeguard the wellbeing of all those with whom we work or volunteer.

We will exercise our Duty of Care through raising awareness of situations that cause harm and will follow recommended practice to reduce risk to vulnerable adults.

Managers at Cherry Tree Nursery and Chestnut Nursery will make sure that everyone in the organisation is aware of the policy and is therefore able to identify what abuse is, how it may occur and what steps to take to report abuse.

## **Definitions:**

### **A Vulnerable Adult**

Vulnerable adults are people who are over 18 years of age and are getting, or may need, help and services to live in the community. Vulnerable adults may be unable to take care of themselves and be unable to protect themselves from harm or exploitation by other people.

### **Abuse**

Abuse is when someone does something to another person which damages their quality of life or puts them at risk of harm. Abuse can be a criminal act when it is an offence against another person. It can happen once or repeatedly. Abuse may be carried out as the result of deliberate actions, negligence or ignorance.

#### **Forms of abuse:**

- **Physical:** non-accidental harm to the body. It can range from careless rough handling to direct physical violence
- **Sexual:** the involvement of people in sexual activities for which they have not given consent, or do not fully understand, or were pressured into consenting
- **Psychological and emotional:** any action which adversely impacts on an individual's emotional well being, causing distress and affecting their quality of life and ability to function to their full potential
- **Financial or material:** the theft or misuse of any money, personal belongings or property of a vulnerable person
- **Neglect and acts of omission:** repeated deprivation of medical or physical care needs; including the failure to intervene in behaviour which is dangerous to the vulnerable adult or to others. This includes ignoring medical or physical care needs and failing to provide access to appropriate health, social care or educational services.

- **Discriminatory:** when the values, beliefs and culture of the majority results in a misuse of power that denies equal opportunities to some minority groups or individuals
- **Institutional:** the collective failure of any organisation to provide safe, appropriate and acceptable standards of services to vulnerable people. This can occur in routines and systems, attitudes and behaviour that amount to discrimination through prejudice, thoughtlessness, ignorance, stereotyping or malicious intent

## **Procedures for dealing with allegations:**

All members of staff have a responsibility to be aware and alert to signs that all is not well with a volunteer. However, they are not necessarily responsible for diagnosing, investigating or providing a therapeutic response to abuse. In addition, not all concerns relate to abuse, there may well be other explanations. It is important to keep an open mind and consider what is known about the volunteer and his or her circumstances. No action should be taken without discussion with a manager but the first priority should always be to ensure the safety and protection of vulnerable adults.

### **Support for those who report abuse**

All allegations or suspicions of abuse are treated seriously. No abuse is acceptable and some abuse is a criminal offence and must be reported to the Police or other relevant authorities as soon as possible. All those making a complaint or allegation of abuse should be reassured that:

- They will be taken seriously
- Their comments will usually be treated confidentially, but their concerns may be shared if they or others are at significant risk
- They will be given immediate protection from the risk of reprisals or intimidation

### **Staff members should:**

- Treat all people with respect
- Respect people's right to personal privacy
- Encourage people to feel comfortable enough to point out attitudes and behaviour they do not like
- Stay calm
- Listen patiently
- Reassure the person they are doing the right thing by telling you
- Explain what you are going to do
- Report to a relevant Manager using the Record of Concern/Disclosure Form (See Appendix 1 together with notes for completion, Appendix 2)
- Write a factual account of what you have seen, and been told, immediately

### **Staff members should not:**

- Appear shocked, horrified, disgusted or angry
- Press the individual for details (unless requested to do so)
- Make comments or judgements other than to show concern
- Promise to keep secrets

- Confront the abuser
- Risk contaminating evidence

### **Managers should:**

- Consider the vulnerable adult's capacity to make decisions and consider what is known about the volunteer and his or her circumstances.
- Decide whether an advocate or appropriate adults might be necessary
- Decide if any immediate action required
- Where abuse is suspected make a referral to the appropriate authority

### **Where the alleged abuser is a member of staff**

Where the alleged or suspected abuser is a member of staff, a full internal investigation must take place. Until this has been completed the person concerned will be suspended from any further contact with vulnerable adults. Such suspension will not in itself infer guilt. This internal investigation does not exclude investigations also being carried out by Social Services, the police and any other relevant authority.

### **Where the alleged abuser is another volunteer**

Where the alleged abuser is another volunteer a Manager must be informed and the points above followed. Duty of care obligations will continue for the alleged abuser and they may need the same or greater support as was available before the allegation. A manager will carry out a risk assessment to establish the likelihood that the alleged abuser will perpetrate further abuse of the alleged victim or other volunteers. Clear interventions for reducing risk must be agreed and communicated to all staff providing support to the alleged abuser, the person abused and anyone else who may be affected. Where there is an ongoing risk to the volunteer reporting abuse, and other volunteers, that cannot be managed within SWOP, Social Services must be contacted to provide crisis intervention services pending a longer-term solution.

### **Where the alleged abuser is a worker employed by another agency**

Where the alleged abuser is a worker employed by another agency (private, statutory or voluntary) e.g. CPN, Social Worker, GP, agency Support Worker etc, a Manager will immediately notify the appropriate Manager from the agency and plan and agree investigation protocols including notifying other authorities if appropriate.

### **Where the alleged abuser is a family member or other person in the community**

Where the alleged abuser is a family member or other person in the community a Manager will assess the safety of the volunteer and make referrals to other authorities if appropriate.

### **Consent of the abused person**

All action, including referrals to Social Services and the police, must be subject to the consent of the abused person. In every situation it will be assumed that a person can make their own decisions and action will only be taken in the absence of consent where:

- They or others are in physical danger, i.e. they are not the only person at risk and the risk to others needs to be considered;
- It has been assessed and agreed that the vulnerable adult is unable/incapable of making an informed decision for themselves.

## **Confidentiality**

Confidentiality is crucial to all our work and relationships and should be adhered to at all times, except where the welfare of vulnerable adults takes precedence over it. Do not keep concerns relating to potential abuse of vulnerable adults to yourself.

Confidentiality may not be maintained if the withholding of information will prejudice the welfare of the vulnerable adult.

## **Reducing Risk**

As an organisation to reduce the risk of abuse we will:

- Request a Criminal Records Bureau check for each Trustee and employee
- Request references from 2 people for each Friend. Each referee must have known the person for at least 2 years and not be a relative.
- Where abuse is suspected inform the Trustees so they can review this policy to minimise the risk of further incidents
- This Vulnerable Adults Policy will be reviewed by the Trustees every 3 years, although concerns about the working of the policy may be raised at any time.

### **Further point for consideration**

Are Friends who have regular contact with the volunteers legally required to have an enhanced CRB check? Charity Commission says it is a legal requirement to obtain an enhanced CRB check on those people who are engaged in regulated activity (frequent or intensive contact) before they work with vulnerable adults. Otherwise a standard CRB check should be sufficient.

## Appendix 1

### Record of Concern/ Disclosure Form

Name of vulnerable adult:

Address:

Telephone number:

Parent/Carer's details:

Telephone number:

**A**

Please give an account of your concerns and why you are concerned:

If necessary continue on a separate sheet of paper and attach.

**B**

Please give an accurate and factual account of any disclosure:

If necessary continue on a separate sheet of paper and attach.

Are the Parents/Carers aware?

Reported by (name and contact details)

Date:

Reported to (Staff member)

Date:

Action taken:

Staff member's signature

## Appendix 2

### Notes for completing Record of Concern/Disclosure Form correctly

1. It is important to understand that this form may be used as evidence in any investigation and also may be used in a Court of Law.
2. Section A . this is where you may record your concerns. This could be related to a change in behaviour, attitude or mood over a period of time which is out of character for that person. Physical evidence eg unexplained bruising may also be a cause for concern.
3. Section B . if a person makes a disclosure of abuse to you then you must complete this section as accurately as possible, detailing:
  - When and where the abuse occurred
  - Who was involved
  - Are there any obvious physical signs eg bruising, cuts, abrasions, burns?
  - How did the person describe what happened?
  - Who else have they told eg parents, carers?

**Please note that, depending on the circumstances, you may need to fill in only one of the above sections or, in some cases, both sections may need to be completed.**

4. It is important that any concerns and/or disclosures are reported to the relevant Manager, who will then decide:
  - What action should be taken
  - Which agencies should be alerted eg police, social services