



Eden Gate Newport

- Improving communities by tackling homelessness and substance dependence

Protection of Adults at Risk Policy & Procedures

*Based on All Wales Policy & Procedures for the Protection of Vulnerable Adults
from abuse*

April 2016 rev November 2016

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1 OUR POLICY

Policy Statement

EDEN GATE is committed to ensuring that vulnerable people who use our services are safeguarded from abuse and that our working practices minimise the risk of abuse.

All EDEN GATE staff, including trustees and volunteers have a duty to identify abuse and report it.

EDEN GATE s Policy and Procedures will, for the time being, continue to be based on the Wales Policy and Procedures for the Protection of Vulnerable Adults from Abuse, although the Statutory basis is now the Social Services and Well-being (Wales) Act 2014. This document is intended to guide the safeguarding work of all those concerned with the welfare of vulnerable adults.

1.1 VALUES

The values and rights below underpin the way vulnerable adults should be supported and cared for in whatever settings or places they live in or use:

(Legislation governing these values are the Care Standards Act 2004, Safeguarding Vulnerable Groups Act 2006, NHS and Community Care Act 1990, Rehabilitation of Offenders Act 1974, The Children Act 1989 and The Children Act 2004 and, with effect from 6 April 2016, the Social Services and Well-being Act (Wales) Act 2014)

- **Independence:** to think, act and make decisions, even when this involves a level of risk.
- **Dignity:** recognition that everyone is unique, with intrinsic value as a person.
- **Respect:** for a person's needs wishes, preferences, language, race, religion and culture.
- **Equality:** the right of people to be treated no less favourably than others because of their age, gender, disability, sexual orientation, religion, class, culture, language, race, ethnic origin or other relevant distinctions.
- **Privacy:** the right of the individual to be left alone or undisturbed and free from intrusion or public attention in their affairs.
- **Choice:** the right to make choices, and to have the alternatives and information that enable choices to be made.

1.2 PRINCIPLES

- Adult protection is everyone's concern. **(Safeguarding Vulnerable Groups Act 2006)**
- All staff, volunteers, paid or unpaid staff should understand the nature of abuse, how people might be at risk of harm and work to prevent it;
- When responding to referrals, the concerns raised must be believed/accepted without judgement. **(Public Interest Disclosure Act 1998)**
- Staff have a duty to report any concerns they have about the potential abuse of a vulnerable adult. **(Public Interest Disclosure Act 1998)**
- Careful consideration and respect of vulnerable adults' wishes and preferences are essential to the adult protection process.
- Vulnerable adults with capacity to understand abuse and risk of abuse have the right to refuse intervention even if this leaves them at risk of significant harm, but those working in adult protection may need to act to protect other vulnerable adults from the same abuser.

- Vulnerable adults are entitled to the protection of the law and full access to all parts of the criminal justice system, in the same way as any other citizen. **(The Police Act 1997 & Rehabilitation of Offenders Act 1974)**
- Vulnerable adults who are allegedly victims of abuse should have the highest priority for protection, assessment and support.
- Vulnerable adults have the right to full and timely information about their rights, services, what is being done on their behalf and why. This can be summarised as; nothing about us without us.
- Carers have the right to have their needs taken into account.
- Alleged perpetrators, including those who are carers, must have their rights taken into consideration.
- Alleged perpetrators who are also vulnerable adults have the right to be supported and to have an independent advocate if they wish.
- Staff and managers in EDEN GATE must work actively and proactively with each other, with other agencies, and with the vulnerable adult and their family or carers, to ensure protection and prevention. **(Care Standards Act 2000)**
- EDEN GATE makes a commitment to work actively to ensure the **Wales Adult Protection Policy and Procedures** are integral to working practices and staff training.

1.3 DEFINITIONS

Vulnerable Adult

The Welsh Assembly Guidance, In Safe Hands 2000, specifies that:

A vulnerable adult is a person over 18 years of age 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 take care of himself or herself, or unable to protect himself or herself against significant harm or serious exploitation.

This definition may include a person who has Physical, Mental or Learning disabilities or lack the capacity to make specific decisions about their own well-being and treatment. **(Please see Summary Document of All Wales Policy and Procedures for Safeguarding Adults for more information on these definitions. Other pieces of legislation governing these definitions are Mental Health Act 1983 and Safeguarding Vulnerable Groups Act 2006)**

Abuse

Abuse is defined as:

- a violation of an individual's human and civil rights by another person or persons which results in significant harm. **(In Safe Hands, National Assembly for Wales July 2000)**

Abuse may be:

- a single or repeated act, or multiple acts;
- a lack of appropriate action;
- perpetrated as a result of deliberate intent, negligence or ignorance; and/or
- an act of omission (failing to act) or neglect.

Abuse may involve the vulnerable adult being persuaded or forced to enter into a financial

or sexual arrangement to which they have not, or could not, consent.

Abuse can occur in any relationship and fundamentally is an abuse of trust, including failure to meet a duty of care.

Abuse can include:

- physical
- sexual
- psychological
- emotional abuse
- financial
- discriminatory
- neglect
- Institutional

Abuse can take place in any setting, public or private, and can be perpetuated by anyone whether deliberate or as a result of ignorance or lack of understanding.

These definitions have now been replaced by the definitions in the Social Services and Well-being Act (Wales) Act 2014, as follows:

Section 126(1) defines an adult at risk.

An “adult at risk”, for the purposes of this Part, is an adult who:-

- (a) is experiencing or is at risk of abuse or neglect;
- (b) has needs for care and support (whether or not the authority is meeting any of those needs); and
- (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

Section 197(1) of the Act provides definitions of “abuse” and “neglect”:

“abuse” means physical, sexual, psychological, emotional or financial abuse (and includes abuse taking place in any setting, whether in a private dwelling, an institution or any other place), and “financial abuse” includes:-

- having money or other property stolen;
- being defrauded;
- being put under pressure in relation to money or other property;
- having money or other property misused.

“neglect” means a failure to meet a person’s basic physical, emotional, social or psychological needs, which is likely to result in an impairment of the person’s well-being (for example, an impairment of the person’s health or, in the case of a child, an impairment of the child’s development).

1.4 RECRUITMENT and TRAINING

Staff and volunteers will only be recruited according to EDEN GATE’S Recruitment Policy and Procedures.

Once recruited, staff and volunteers will receive the mandatory training. The scope of the training will depend on the job description and the advice of the Designated Safeguarding Officer. **(Rehabilitation of Offenders Act 1974)**

1.5 DESIGNATED OFFICER

EDEN GATE'S Operations Manager is the Designated Safeguarding lead for all matters regarding Child Protection and Protection of Vulnerable Adults (POVA) within EDEN GATE.

Responsibilities

The **Designated Officer** will be responsible for:

(Safeguarding Vulnerable Groups Act 2006)

- Resources - ensuring that the organisation has up to date relevant Safeguarding documents for reference and local contact numbers
- Monitoring - the correct implementation of the Safeguarding Policy and ensuring that the Policy is reviewed annually
- Advising - be able to advise Staff/volunteers appropriately on the policy and procedures, referrals and any other queries
- Maintaining - an up to date list of relevant contact numbers
- Attending - Continual Professional Development (CPD) training and keeping up-to-date with legislation, policy and best practice

2. PROCEDURES

2.1 What you should do if you suspect a vulnerable adult is in need, suffering, or likely to suffer, significant harm

If you are concerned that a vulnerable adult is suffering abuse, ill treatment or neglect you must adhere to the following:

1. Report your concerns to your line manager/designated lead who will appropriately advise you of what action is to be taken.
2. Record what is said on the appropriate form.
3. If your line manager/designated lead is unavailable, report your concerns directly to your local Adult Services duty team (see list of appropriate contact numbers displayed in office).
4. Follow actions on the POVA policy flow chart.

2.2 How to respond to a vulnerable adult telling you about abuse

The following are suggestions of how to handle the situation, if a vulnerable adult approaches you and wishes to disclose an incident or incidents of abuse. EDEN GATE Staff and Volunteers have a duty to respond and report.

Do	Do Not
Stay calm and do not let your emotions concerning the information show to the vulnerable adult	Stop a vulnerable adult who is freely recalling significant events
Without interrupting, listen to the vulnerable adult, rather than directly questioning them	Show shock, upset or over react
Encourage the vulnerable adult to allow another worker to be present	Guarantee confidentiality or promise to keep a secret

Reassure them that they are right to tell you the information and that they are in no way to blame for what has happened	Put words in the vulnerable adult's mouth
Inform the vulnerable adult that you will have to pass the information on to others who will be able to help	Interrupt them talking/recalling/confiding
Provide an example of conduct that you wish others to follow	Expose the vulnerable adult to a mass examination by staff to verify injuries
Be clear about your position. You work for an organisation that has a responsibility to protect vulnerable adults and children	Question the vulnerable adult other than to clarify details- this must be done by professionals, trained in such areas
Treat all vulnerable adults with respect	Question the alleged abuser, this must be done by trained professionals
Make a written record and keep any drawings and anything written by the vulnerable adult that is relevant to what has happened to them e.g. witnesses, time, date, place and alleged perpetrators name	Make assumptions or judge
Provide a copy of the written report to your line manager/ designated lead. In the absence of either of these officers if you are concerned that the vulnerable adult is at risk contact Social Services or the Police directly	Have inappropriate physical or verbal contact with vulnerable adults
	Allow yourself to be drawn into inappropriate attention seeking behaviour/make suggestive remarks or gestures in front of vulnerable adults
	Jump to conclusions about others without checking the facts
	Either exaggerate or trivialise vulnerable adult abuse issues
	Take a chance when common sense, policy or practice suggests another more prudent approach

There are 10 stages in the POVA process. These are shown in para 2.3.

EDEN GATE staff will only be responsible for stages 1 and 2. Staff responsibilities are outlined in more detail in 2.3. (flow chart).

N. B. A referral must be made within 1 working day of the concern being raised.

2.3 The 10 POVA STAGES + TIMESCALES

	Stage	Activity	Timescale
EDE N GAT E stag es	Stage 1 Alert (abuse alleged, disclosed, suspected)	<ul style="list-style-type: none"> • Evaluate risk • Make decision • Take action • Make referral 	Take immediate/ emergency action if necessary
	Stage 2 Referral Received	<ul style="list-style-type: none"> • Referral received by Social Services, Police, CSSIW or Health • Evaluate risk 	Referral to be completed within one working day
Stag es for Soci al Serv ices	Stage 3 Initial evaluation	Decide if the Adult Protection Procedures apply	Initial evaluation on the day the referral is received
	Stage 4 Strategy Discussion	Initial information gathering Evaluate all risks Create and implement Individual or General Protection Plans if risk identified ¹ Police will decide if a criminal investigation is required'	Strategy Discussion within 2 working days of the alert
	Stage 5 Strategy Meeting	Evaluate risk and in the context of risk assessment decide if investigation needed or alternative action Create and implement Individual or General Protection Plans if risk identified	Within 7 working days of the alert
	Stage 6 Investigation	Investigation conducted, including further evaluation of risk	Completed as soon as possible and within timescale agreed at Strategy Meeting
	Stage 7 Further & Final Strategy Meeting	Receive investigation report, agree actions Review risk and formulate Individual and General Protection Plan whenever necessary	Within 7 working days of completion of the investigation report
	Stage 8 Case Conference	Feedback to alleged victim/advocate/family Agree Protection Plan. Evaluate risk.	Within one week of reconvened Strategy Meeting.
	Stage 9 Reviews	Reviews of Individual Protection Plan and risk.	Within 6 weeks of agreement of Individual Protection Plan and thereafter as agreed.

	Stage 10 Closure	Adult protection work completed and adult protection file closed. Care management continues as necessary.	Once all risks resolved or agreement reached on the management of any continuing risks.
<i>NB: Working days exclude weekends and bank holidays</i>			

2.4 Procedural Flow Chart

POVA Referrals Safeguarding of Vulnerable Adults

Further actions following submission of Referral Form

- Maintain safety of the vulnerable adult and the environment
- Do not take statements or discuss with any other person other than your line manager or Social Services
- Preserve physical evidence
- Complete any internal reporting forms

Appendix 1:

Pan Gwent Referral form (VA1)

<http://www.newport.gov.uk/documents/Care-and-Support/Vulnerable-Adults/VA1-Adult-Protection-Referral-Form.pdf>

Welsh Assembly Government guidance on Part 7 of the Social Services and Well-being (Wales) Act 2014 can be found at

<http://gov.wales/docs/phhs/publications/160404part7guidevol1en.pdf>

Appendix 2:

- Working together to safeguard Children 2010
- The Children Act 1989
- The Adoption and Children Act 2002:
- The Children act 2004
- Safeguarding Vulnerable Groups Act 2006
- Care Standards Act 2000
- Public Interest Disclosure Act 1998
- The Police Act – CRB 1997
- Mental Health Act 1983
- NHS and Community Care Act 1990
- Rehabilitation of Offenders Act 1974

- Social Services and Well-being (Wales) Act 2014

Policy last updated: November 2016

Signed: _____

Review date: November 2017