

SAFEGUARDING VULNERABLE ADULTS POLICY

CRAWLEY OPEN HOUSE

RIVERSIDE HOUSE

INTRODUCTION

In recent years, several serious incidents in Projects similar to COH, have demonstrated the need for immediate action to ensure that vulnerable adults, who are at risk of abuse, receive protection and support.

This document gives guidance to those who have a responsibility to investigate and take action when a vulnerable adult is believed to be suffering abuse.

DEFINING WHO IS AT RISK AND IN WHAT WAY

In defining abuse it is important to clarify the following

Definitions

- Which adults are “vulnerable”?
- What actions or omissions constitute abuse?
- Who may be the abuser(s)?
- In what circumstances may abuse occur?
- Patterns of abuse.

Which adults are vulnerable? In this document an “adult” means a person aged 18 years or over. (See separate Child Protection Procedures for persons under 18 years of age).

“Vulnerable Adult” is a person, *“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 themselves, or unable to protect themselves against significant harm or exploitation”*.

What constitutes abuse? *Abuse is a violation of an individual's human and civil rights by another person or persons.*

In giving substance to that statement, however, consideration needs to be given to a number of factors.

Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act or neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it.

The following are the main forms of abuse:

- **Physical abuse**, including hitting, slapping, pushing, kicking, misuse of medication, 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;
- **Psychological abuse**, including emotional abuse, threats of harm, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks;
- **Financial or material abuse**, including theft, fraud, exploitation, and pressure in connection with 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 medications, adequate nutrition and heating; and
- **Discriminatory abuse**, including racist, sexist, that based on a persons disability, and other forms of harassment, slurs or similar treatment.

Any or all of these types of abuse may be perpetrated as the result of deliberate intent, negligence or ignorance.

Incidents of abuse may be multiple, either to one person in a continuing relationship or service context, or to more than one person at a time. This makes it important to look beyond the single incident or breach in standards to underlying dynamics and patterns of harm. Some instances of abuse will constitute a **criminal offence**. In this respect, vulnerable adults are entitled to the protection of the law in the same way as any other member of the public. In addition, statutory offences have been created which specifically protect those who may be incapacitated in various ways. Examples of actions which may constitute criminal offences are assault, whether physical or psychological, sexual assault and rape, theft, fraud or other forms of financial exploitation, and certain forms of discrimination, whether on racial or gender grounds. Alleged criminal offences differ from all other non-criminal forms of abuse in that the responsibility for initiating action invariably rests with the police and Crown Prosecution Service. Accordingly, when a complaint about alleged abuse suggests that a criminal offence may have been committed the police should be informed as a matter of urgency.

Neglect and poor professional practice also need to be taken into account. This may take the form of isolated incidents of poor or unsatisfactory professional practice, at one end of the spectrum, through to persuasive ill treatment or gross misconduct at the other.

Repeated instances of poor care may be an indication of more serious problems, and this is sometimes referred to as **institutional abuse**.

Who may be the abuser? Vulnerable adult(s) may be abused by a wide range of people including relatives and family members, professional staff, paid care workers, volunteers, other service users, neighbours, friends and associates, people who deliberately exploit vulnerable people and strangers.

The perpetrator may be

- A member of staff, or service manager;
- A member of a recognised professional group;
- A volunteer or member of a community group such as a place of worship or social club;
- Another service user;
- A spouse, relative or member of the person's social network;
- A carer;
- A neighbour, member of the public or stranger;
- A person who deliberately targets vulnerable people in order to exploit them.

In what circumstances may abuse occur? Abuse can take place in any context. It may occur when a vulnerable adult lives alone or with a relative; it may also occur within nursing, residential or day care settings; in hospitals, hostels, custodial situations, support services, in people's own homes and other places previously assumed safe, or in public places.

Patterns of abuse/abusing. Patterns of abuse and abusing vary. They include:

- Serial abusing in which the perpetrator seeks out and "grooms" vulnerable individuals. Sexual abuse usually falls into this pattern, as do some forms of financial abuse;
- Long-term abuse in the context of an ongoing family relationship such as domestic violence between spouses or generations;
- Opportunistic abuse such as theft occurring because money has been left around;
- Situational abuse, which arises because pressures have built up and/or because of difficult or challenging behaviour;
- Neglect of a person's needs because those around him or her are not able to be responsible for their care, for example if the carer has difficulties attributable to such issues as debt, alcohol or mental health problems;
- Institutional abuse which features poor care standards, lack of positive responses to complex needs, rigid routines, inadequate staffing and an insufficient knowledge base within the service;
- Failures of agencies to ensure staff receive appropriate guidance on anti-racist and anti-discriminatory practice;

- Misappropriation of benefits and/or use of the person's money by other members of the household;
- Fraud or intimidation in connection with wills, property or other assets.

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.

The seriousness or extent of abuse is often not clear when anxiety is first expressed. It is important, therefore, when considering the appropriateness of intervention, to approach reports of incidents or allegations with an open mind. In making any assessment of seriousness the following factors need to be considered.

- The vulnerability of the individual;
- The nature and extent of the abuse;
- The length of time it has been occurring;
- The impact on the individual; and
- The risk of repeated or increasingly serious acts involving this or other vulnerable adults.

Information suggesting that abuse may have occurred can come from a variety of sources. The person who is abused, a concerned relative, or a member of staff may for example, raise the matter. It may come in the form of a complaint, it may be an expression of concern, or it may come to light during an assessment/keyworking session. Sometimes, the first notification may be directly to the police.

In all instances the victim should be urged to inform the police as soon as possible. Early referral or consultation will enable them to establish whether a criminal act has been committed, and this will give them the opportunity of determining if, and at what stage, they need to become involved. It will also help ensure that forensic evidence is not lost or contaminated.

Crawley Open House in certain circumstances and in accordance with the Protection of Vulnerable Adults and Child Protection policies, may inform the police that an incident has occurred.

It should be noted that informing the police may not necessarily result in criminal proceedings being issued.

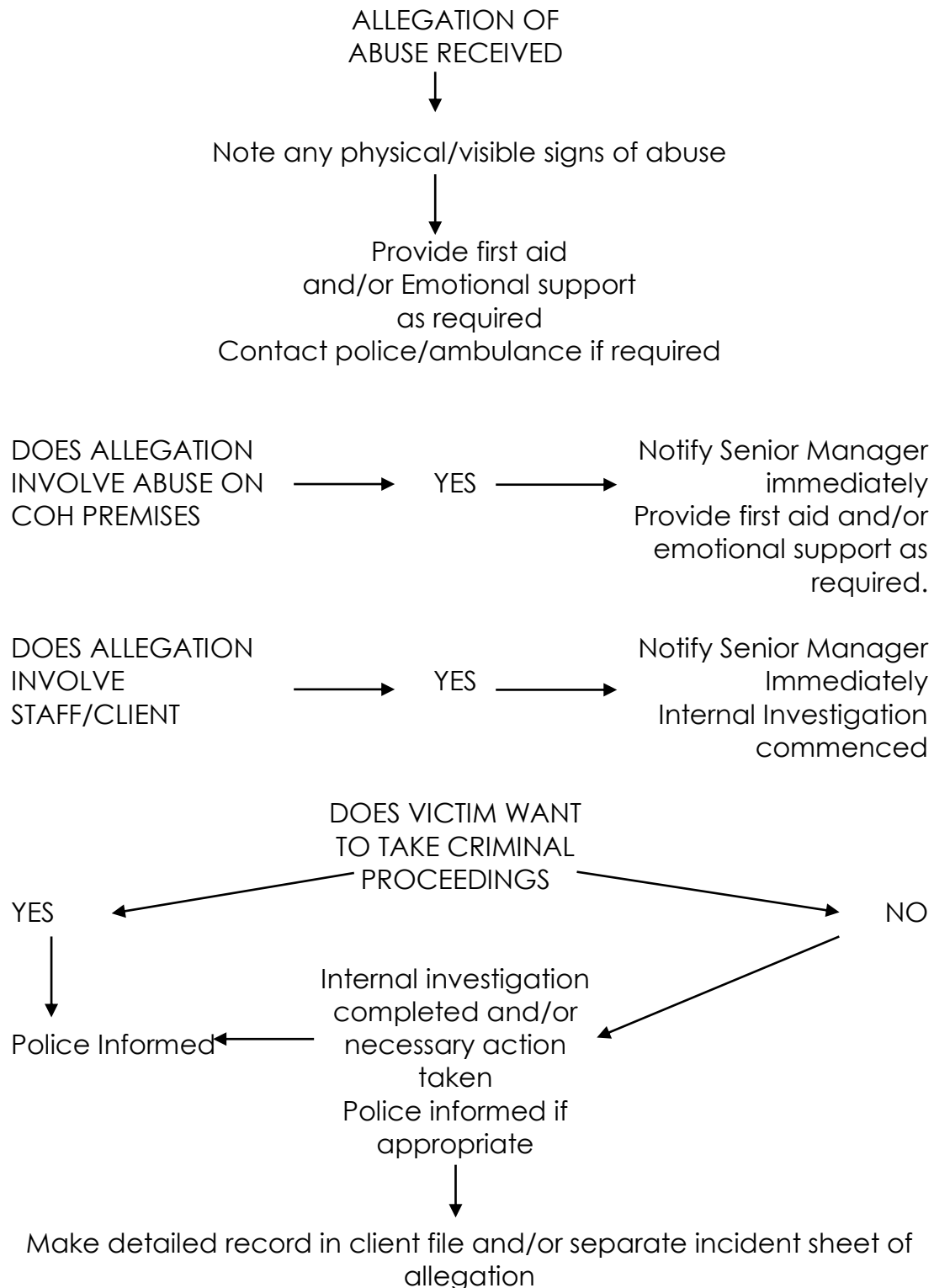
Any one making an allegation need to be reassured that Crawley Open House will take steps to ensure that:

- They will be taken seriously
- Their comments will be treated as confidential (on a need-to-know basis);

- If necessary, they will be given immediate protection from the risk of reprisals or intimidation;
- They will be dealt with in a fair and equitable manner
- They will be kept informed of the action that has been taken and it's outcome.

The communication needs of victims including people with sensory impairments, learning disabilities, dementia or whose first language is not English, must be taken into account.

Action to take



OBJECTIVES OF INVESTIGATION

The objectives of an adult abuse investigation will be to:

- Establish facts
- Involve the police immediately upon discovery of any criminal offence
- Assess the needs of the vulnerable adult for protection, support and redress, and
- Make decisions with regard to what follow-up action should be taken

Action taken might be supportive, or it might involve the application of sanctions, suspension, or criminal prosecution.

PROCEDURES

All staff at Crawley Open House, including paid and volunteers have a duty to protect clients from all kinds of abuse.

Staff Discipline and Criminal Proceedings

Should Crawley Open House have any suspicions that of abuse of a vulnerable adult has taken place by a member of its staff, the matter will be reported to the police immediately. This may be prior to, during, or upon completion of an internal investigation.

Crawley Open House will ensure that the member of staff concerned is made aware of his or her rights under employment legislation and internal disciplinary procedures.

The employee may be suspended pending an internal investigation. Decisions not to suspend an employee and/or not to inform the police, must be fully documented.

If the alleged abuser is a vulnerable adult themselves, in that they have learning disabilities or mental health problems and are unable to understand the significance of questions put to them, or their replies, an appropriate adult should accompany them while being questioned/interviewed.

Outcome of Investigation

The outcome of any investigation needs to be recorded on the individual's client record file. This should include

- What steps are to be taken to assure his or her safety in the future,
- What treatment or therapy he or she can access,
- Modifications, if necessary, in the way services are provided,
- How best to support the individual through any action they take to seek justice.