

HERRING HOUSE TRUST

Vulnerable Adults Policy

1. PURPOSE AND SCOPE

Herring House Trust (HHT) believe that every vulnerable adult living in one of our properties and/or receiving support from us, has the right to live free from abuse. We will work in collaboration with other agencies to uphold the right of vulnerable adults to protection from harm and exploitation making constructive use of the law. Our staff will be trained and supported in recognising and dealing with incidents of abuse which they will do with respect and dignity, privacy, independence and individuality of the vulnerable adult.

The purpose of this policy is to:

- Set out the values, principles and policies underpinning all work with vulnerable adults.
- Define the different types and signs of abuse of vulnerable adults.
- Define the procedure to be followed if abuse is suspected.
- Indicate the legal framework within which abuse can be tackled.

2. RESPONSIBILITY

HHT Managers throughout the schemes, Hostel, Resettlement and SmartMove, plus any member of HHT staff suspicious that abuse is occurring. All support staff are responsible for implementing this policy, in association with line-managers and other agencies.

3. DEFINITIONS

“ Abuse is a single or repeated act, or lack of appropriate action, usually occurring within a relationship where there is an expectation of trust and which causes harm or distress to a person”

“ Vulnerable adult: An adult who is or may be in need of support from voluntary/statutory agencies by reason of mental health, drug/alcohol misuse, disability, age or illness and who may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation”

4. TYPES OF ABUSE

There are 7 main types of abuse of vulnerable adults:

- Physical
- Psychological/emotional
- Sexual
- Financial or material
- Neglect and acts of omission
- Discrimination
- Institutional

5. PROCEDURE for suspected abuse

Step 1: Establish consent by talking to the victim

Person responsible: staff member

Within the limits of your relationship with the alleged victim, their mental capacity and the complexities of the situation, talk to them about your concerns and the risks involved and seek their consent for any subsequent steps you feel are necessary.

If the victim wishes, so long as they are not the alleged perpetrator, the staff member should involve relevant interested parties. However, where an individual has the capacity, the decision making power rests with the individual, not interested parties.

- If consent is not given, follow step 2 to decide on self-determination and capacity
- If language is a barrier to communication, it is important to use an interpreter, NOT a family member or someone from a local cultural or religious organisation of which the victim or suspected abuse is a member. Social services usually have lists.

Step 2: Exceptions to honouring the victim's wishes: establishing capacity and self-determination

Person responsible: staff member in consultation with Line Manager

If the vulnerable adult does not want a referral to be made then their wishes should be honoured unless:

- They or others are in physical danger and/ or
- It is the considered assessment of the staff member and line manager that they are unable/incapable of making an informed decision for themselves
- They are not the only person affected and risk to others needs to be considered

Step 3: Emergency services

Person responsible: staff member

Timing: immediately

Having obtained consent or ascertained incapacity, contact emergency services (usually police first) if a vulnerable adult appears to be in immediate physical danger or there is evidence of sexual abuse. If no immediate danger is apparent, proceed to step 4

- Under no circumstances should staff members put themselves at risk

Step 4: Consultation with line manager

Person responsible: staff member

Discuss suspected abuse or allegation of abuse with line manager at earliest opportunity. If the line manager is not available or likely to be unavailable and the staff member considers the matter sufficiently urgent, they should discuss their concerns with a suitable alternative manager. The full facts and circumstances of the situation together with all available options and courses of action should be identified and discussed. The following points amongst others may need to be considered:

- The level of the victim's capacity to be involved in decision making
- Whether independent advice from experts, whilst protecting victim's identity, would be useful before proceeding

- Whether a referral to statutory services is appropriate
- Whether the police should be brought in at this stage (in the case of sexual abuse immediate referral is essential to ensure that vital evidence is not destroyed)
- Whether a doctor needs to be called

Step 5: Content of referral

Person responsible: staff member

The referral to social services should include:

- Personal details of the client (name, address, age, ethnic origin, religion, type of accommodation, family circumstances, support networks, physical and mental health, any communication difficulties)
- The referrer's job title and involvement
- Substance of the allegation
- Details of alleged abuser and current whereabouts and likely movements within the next 24 hours if known
- Details of any specific incidents e.g. dates, times, injuries, witnesses, evidence such as bruising
- Background of any previous concerns
- Awareness or not / consent or not by the abused, of the referral

Step 6: Exploring alternative courses of action

Person responsible: staff member in consultation with line manager

If no referral is made in line with the vulnerable adult's wishes, then other courses of action should be considered including utilising the help-line advice services provided by other agencies and the situation regularly monitored and reviewed by the front line worker and their line manager

Step 7: Ongoing work with vulnerable adult

Person responsible: Staff member in consultation with line manager

Staff should agree with their line manager a framework for working with the vulnerable adult, whether or not the referral to Statutory Services has been made or accepted. Within this framework, staff should continue to support and ensure the safety of the vulnerable adult as well as work with other agencies towards the elimination of the abuse.

Step 8: Support of staff member

Person responsible: Line Manager of staff person involved

The line manager should clarify the staff member's role, extent of their responsibility and provide the necessary support to the employee either directly or through an agreed other source

Step 9: Recording

Person responsible: staff member and line managers

Timing: immediately after each event

Record incident, assessment, options identified and decisions and actions taken (including no further action) and continue to maintain accurate, legible, concise, factual and up-to-date records during all stages

Step 10: Keeping line management informed

Person responsible: Staff member and line manager

In situations of suspicion of abuse or a series of possibly related incidents, Staff members should appraise their line manager of the situation. They in turn should appraise the Client Services Manager or Operations Manager.

Step 11: Implications for policy, systems and procedures

Person responsible: Senior Management Team

Senior managers need to consider whether the abuse raises organisational issues, which need addressing

Step 12: Implications in partnership settings:

Person responsible: Senior Management Team

In the case of collaborative projects, staff should consider:

- Whether the abuse raises issues that need to be jointly handled (for example publicity)
- Whether the abuse throws up issues related to joint arrangements and agreements
- If there has been a breach in service standards

If so a meeting of appropriate managers from each stakeholder organisation should be arranged to address these.

6. Procedure for suspected abuse where perpetrator is accommodated/supported

Step 1: Allegation of abuse

Person responsible: staff member

The staff member should collate all information given and ascertain from victim what they wish to happen next. If the alleged perpetrator is accommodated in the same property, the victim will be offered a safe place to be while initial investigation takes place (locked and secure interview space with no access from anyone other than staff).

Step 2: Investigation

Person responsible: staff members on duty

The staff on duty should assess the situation and in line with the victims wishes, discuss whether an investigation can commence immediately in-house or whether outside agencies such as emergency services need to be involved. The on-call manager is available out of hours to offer advice and support.

Internal response: If after investigation it is deemed that an internal response to the accusations is appropriate, the response should include formal chats, warnings about eviction, mediation, moving clients rooms. At all times victims should be protected from any further abuse, including repercussions of reporting abuse, and supported through the key-working process. In less extreme cases the perpetrator should be supported to change their behaviour.

External response: If after initial investigation it is deemed that this is an issue for the emergency services (police), the relevant service should be notified immediately and the investigation will be left in their hands. While the police investigation is undertaken we will not provide accommodation for the perpetrator, and will only consider further support is police find allegations un-substantiated. If this is the case we will consider finding alternative accommodation for the victim if appropriate.

Step 3: Recording

Person responsible: staff member and line managers

Timing: immediately after each event

Record incident, assessment, options identified and decisions and actions taken (including no further action) and continue to maintain accurate, legible, concise, factual and up-to-date records during all stages

Step 4: Keeping line management informed

Person responsible: Staff member and line manager

Staff members should appraise their line manager of the situation and investigation. They in turn should appraise the Client Services Manager or Operations Manager.

Step 5: Implications for policy, systems and procedures

Person responsible: Senior Management Team

Senior managers need to consider whether the abuse raises organisational issues, which need addressing

Step 6: Implications in partnership settings:

Person responsible: Senior Management Team

In the case of collaborative projects, staff should consider:

- Whether the abuse raises issues that need to be jointly handled (for example publicity)
- Whether the abuse throws up issues related to joint arrangements and agreements
- If there has been a breach in service standards

If so a meeting of appropriate managers from each stakeholder organisation should be arranged to address these.

7. No Secrets Government guidance

Issued March 2000. This provides guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse. The guidance has been issued under Section 7 of the Local Authority Social Services Act 1970. This means that the guidance must be implemented unless local circumstances justify a

variation. However, it does not carry the same force as legislation. Key measures include:

- Giving Social Services departments a co-coordinating role in developing local policies and procedures for protecting vulnerable adults
- A requirement for all relevant agencies to work collaboratively to protect vulnerable adults and develop inter-agency policies, procedures and protocols within which to do so

(Free copies of No Secrets can be obtained by ringing 0541 555 455 or write to Department of Health, PO Box 777, London SE1 6XH)

Legislative patchwork

There are two strands of relevant law: protection and prevention. There is no specific legislation for protecting vulnerable adults as there is for children, since the law generally assumes that adults are responsible for their own actions.

Vulnerable adults at risk may sometimes remain in dangerous situations because:

- Staff have no power to: gain access, remove them from such a situation or investigate the conduct of their affairs
- The vulnerable adult refuses all help

Relevant areas of legislation include:

- Criminal Law. Vulnerable adults are protected in the same way as any other person against criminal acts. Legislation in this category includes The Offences Against the Person Act 1861, The Theft Act 1968, The Criminal Justice Act 1988, The Domestic Violence and Matrimonial Proceedings Act 1956 and The Sexual Offences Act 1985
- Particular needs of certain groups of vulnerable adults. E.g. The Mental Health Act 1983, section 127, recognises that ill treatment or neglect of patients with a mental disorder by professional staff is an offence. This Act also gives powers of guardianship if the vulnerable adult is mentally ill and believed to be ill-treated or neglected. The sexual offences Act 1956, sections 7, 9 and 27, recognises that adults with severe learning disabilities are not able to consent to sexual acts or relationships
- Civil Law. Includes family and property law, which defines issues such as 'duty to care' and 'negligence'. E.g. The Court of Protection Rules Act 1984, The Enduring Powers of Attorney Act 1985 and Part IV of the Mental health Act 1983 all provide for financial protection of vulnerable adults. Family law allows an individual to take out an injunction against a member of their own household who is threatening their safety
- Law empowering agencies or professional to act. A range of Acts including:

The NHS and Community Care Act 1990 which requires local authorities to assess need which includes the need for protection due to vulnerability or the risk of being abused and in conjunction with other agencies develop a care plan to meet the assessed need.

The Chronically Sick and Disabled Person Act 1970 which requires local authorities to provide services to disabled people

The Housing Act 1996 which allows injunctions to be taken out against anti-social or abusive tenants

Anti-Discriminatory legislation – the law relating to disability rights, race relations and gender issues ensures that people receive services on an equal footing. These include the Race Relations act 1976 as amended 2000, The Sex Discrimination Act 1975 and the Disability Discrimination Act 1995.

Accommodation of Schedule One offenders/Abuse against Vulnerable Adults

Herring House Trust acknowledges that the clients we work with, on occasion, will have committed offences that lead them to be registered as Schedule One Offenders or Offenders relating to the abuse of vulnerable adults. Herring House Trust works in partnership with a wide range of other voluntary and statutory agencies, at various different levels, to deliver a service that enables our staff to work appropriately and safely with these clients in order to protect them and other clients and the community in which we house them.

Purpose and Scope

The purpose of this procedure is to inform employees of HHT about their duties and responsibilities when working with this client group. This document aims to be a practical resource for managers and staff. It aims to make plain the professional practice for HHT workers and enable workers to manage related incidents across the HHT schemes.

Procedure

In **all** cases, whether a self-referral or referred by another agency, if we are aware of a clients offences concerning the above we must only accommodate within the hours of 9am – 4pm, Monday to Friday.

If we are made aware of a clients previous/current convictions relating to the above offences after admission, the following steps should be implemented (from Step Two) as soon as possible.

Self-referral

Step One: On presentation an initial contact form will be completed, if at this point the client discloses details relating to Schedule One offences or offences towards vulnerable adults, the client must be informed that their details will be discussed before an answer can be given. The details will then be passed to a member of the management team who will arrange a meeting at their earliest convenience. The client will be advised to return when appropriate.

Step Two: A meeting between the manager and the appropriate support worker (preferably potential key-worker) will take place and all relevant information to hand will be discussed before agreeing to admission. Once an agreement has been reached the information will be collated and transferred to the client file – an alert will be placed in 'staff aware' listing all conditions of stay. The following information is absolutely essential to enable us to support a client with this status in the Hostel:

- Full name, date of birth and NI number;
- Any statutory agencies involved, i.e.: Police, Probation, Social Services, Adult Protection.
- The names of individual workers/contact details;
- Bail conditions, if appropriate;
- Statutory obligations, i.e.: number of contact meetings and frequency;

This information must be sourced within 48 hours of admission, a specific worker will be allocated this task at the meeting.

Step Three: Continued support – regular reviews of the support plan will be discussed with management and any relevant changes to the support plan or conditions of stay will be placed on the client file and in ‘staff aware’ immediately.

Other agency referral

Step One: On receipt of an initial referral, the referring agency will be faxed an ‘external agency information sheet’, only after we have received the completed information sheet will we consider accommodating.

Step Two: A meeting between the manager and the appropriate support worker (preferably potential key-worker) will take place and all relevant information to hand will be discussed before agreeing to admission. Once an agreement has been reached the information will be collated and transferred to the client file – an alert will be placed in ‘staff aware’ listing all conditions of stay. The completed information sheet should have the following information:

- Full name, date of birth and NI number;
- Any statutory agencies involved, i.e.: Police, Probation, Social Services.
- The names of individual workers/contact details;
- Bail conditions, if appropriate;
- Statutory obligations, i.e.: number of contact meetings and frequency;

If any of this information has been omitted, it must be sourced within 48 hours of admission, a specific worker will be allocated this task at the meeting.

Step Three: Continued support – regular reviews of the support plan will be discussed with management and any relevant changes to the support plan or conditions of stay will be placed on the client file and in ‘staff aware’ immediately

Ongoing Support

At any point during the clients stay with us, if we witness or suspect behavior that may cause concern, management **must** be informed immediately along with the appropriate statutory agencies.

Should an incident occur staff should follow the Vulnerable Adults Policy. Steps should be taken to ensure that all clients residing at Bauleah House remain safe, we must also address the needs of the perpetrator by:

- Concise Recording;
- Involvement of Statutory Agencies where appropriate, including emergency services;
- Immediate update of risk assessment and support plan;
- Management consultation;

Approved by(on behalf of the Management Committee)

Date