



## SAFEGUARDING ADULT PROTECTION POLICY

### Aim

The Village Hall will have high standards of care and ensure that all service users are offered a safe and protected environment in which to live, in accordance with Government legislation and guidance and the local *Adult Protection Policy and Procedures*.

Page | 1

### Rationale

The Government has produced legislative guidance ('No Secrets' -2000) to enable agencies to work together to combat adult abuse and protect vulnerable adults. Village Halls are part of a network of agencies in contact with vulnerable adults. They therefore have a vital role in helping to keep those adults in their care safe and free from abuse/ harm. Village Halls must work sensitively within procedural guidance to:

- a) identify those vulnerable adults who are at risk of abuse/ harm
- b) help those who have been exposed to abuse/ harm
- c) expose and deal effectively with those who cause and inflict abuse/ harm

### 1. The Village Hall's role

- 1.1 The Village Hall's primary aim is to
  - a) enable legal and human rights (including a service user's rights to participate in political and civic processes, including the right to vote in elections)
  - b) prevent abuse and harm wherever possible.
- 1.2 Each service user will have an adequate risk-assessment and insurance in place with clearly recorded strategies for helping to reduce risk.
- 1.3 Where the prevention strategy fails, the Village Hall will work closely within the local procedures to help the service user who has been exposed to abuse/ harm and to identify and deal effectively with the abuser.
- 1.4 This will require close liaison between the Village Hall and key agencies such as the social services department, the police and the Charity Commission.
- 1.5 The manager or other suitable person appointed by the manager will have the lead *adult protection* role for the Village Hall, acting as the point of contact for other agencies and where necessary having an investigative role on behalf of the adult protection team.
- 1.6 Joint work and cooperation between agencies will ensure that cases of suspected and actual abuse are dealt with effectively and in the interests of the service user, their family and the Village Hall.
- 1.7 Working in isolation, or outside the *adult protection policy and procedures* will not be acceptable. To do so may expose the Village Hall and the manager to accusations of concealment or conspiracy of the abuse and therefore to criminal investigations.
- 1.8 The Village Hall will work therefore cooperatively with external agencies, who are in most circumstances will be the lead agencies in the abuse investigations.
- 1.9 All Hilton Village Hall's records, with the permission of any service user, will therefore be made readily available to any appointed investigating officer within the procedures.

Company Number 08097171



1.10 The Village Hall Committee, Trustees and the manager will openly take part in any joint interviews/ investigations and will clearly record their part played in the abuse procedures.

## **2. Vulnerable adults and abuse**

2.1 A vulnerable adult is any person aged 18 or over who:

- a) needs a community care service (which includes being a resident of a care home)

OR

- b) is or may be unable to take care of themselves or protect themselves against significant harm

2.2 Where the person is under the age of 18 the *child protection procedures* apply.

2.3 Abuse is defined as 'any violation of an individual's human and civil rights by any other person(s)'.

2.4 Abuse constitutes an act therefore that will cause or has caused any real or potential physical, sexual, emotional, psychological (including racial/sexual harassment or other verbal abuse/ intimidation) or financial harm, injury or pain as a result of:

- a) a non-accidental act or conduct
- b) a non-accidental failure to act when there is a duty to act
- c) deprivation of services or treatment which are necessary to the adult's health and safety by someone with a duty to provide/ ensure provision of such services or treatment

2.5 Abuse may be a single act of violence, aggression or control, which either is or is not likely to re-occur.

2.6 Abuse may also occur within an abusive relationship, which may be on going over a period and constitute a variety of abuses and sometimes-subtle expressions of abuse.

2.7 Abuse can be committed by anyone and not just by stereotypical types of people, so even those who may be considered as 'unlikely' to abuse should not be above suspicion.

2.8 Abuse can and has taken place within care homes, both by those close to the resident (care workers) and those in positions of power and authority (nurses and managers).

2.9 Abuse can and has also taken place at home by a spouse or informal carer.

2.10 In some instances, the abuse/harm is not intentional or arises out of neglect (the failure to act), which still requires action to be taken to prevent the abuse/ harm from continuing and to raise the awareness of the abuser.

2.11 When complaints about alleged abuse suggest that a criminal offence may have been committed, this must be dealt with through the *adult protection procedures* as a matter of urgency. This will ensure that the police are involved wherever appropriate.

2.12 Criminal investigation by the police takes priority over all other lines of enquiry.

## **3. Spotting and reporting abuse/ suspected abuse**

3.1 On signing a hiring contract, the hirer(s) will include copies of their Public Liability Insurance and carry out their own risk assessment for *personal safety (potential for harm/ self-harm)*.

3.2 Any concerns must be highlighted following this to the Hall Manager.

3.3 However, sometimes even with the utmost care, abuse can still occur.

3.4 Staff will therefore be observant for signs of abuse, using discretion and sensitivity to resident's rights and privacy.

Company Number 08097171



- 3.5 Any injuries to service users should be reported in an open and honest way, with staff members giving full and detailed accounts of what occurred, in accordance with the *reporting incidents policy*.
- 3.6 Full and honest accounts will ensure that injuries are all accounted for without suspicion.
- 3.7 Unexplained injuries will always need to be investigated by the senior management, with clear histories taken.
- 3.8 Whenever an injury occurs therefore, it is essential that staff act within this guidance to avoid action being brought not only against an abuser but against other staff for 'failing to act'.
- 3.9 Indicators of abuse can be many, including:
- a) unexplained burns, scalds and injuries, particularly in unusual places like the soles of the feet or back
  - b) bruises at various stages of healing or in clusters forming regular patterns or reflecting the shape of an article or finger-grip
  - c) malnutrition or rapid/ continuous weight loss
  - d) lack of personal care and cleanliness
  - e) untreated medical problems
  - f) inappropriate use of medicines
  - g) inappropriate use of restraint
  - h) use of furniture or other equipment to restrict movement
  - i) signs of depression/ stress
  - j) unusual or unexplained difficulty in walking/ sitting
  - k) torn, stained or bloody underclothing
  - l) unexplained pain or itching
  - m) significant changes in sexual behaviour
  - n) onset of unexplained incontinence
  - o) hints or partial disclosures of abuse
  - p) fearfulness or flinching on approach
  - q) emotional withdrawal
  - r) sleep disturbance
  - s) low self-esteem
  - t) a feeling of intimidation
  - u) use of finances without permission
  - v) sudden changes to wills or property deeds
  - w) unusual acquaintances or disproportionate affection for a resident (who may have money)
  - x) money being withheld or an unusually evasive approach about financial affairs
- 3.10 The factors above are only indicators and there are many legitimate reasons and causes other than abuse for the above factors.
- 3.11 However, observation of any of the above or other suspected signs that might be abuse should be reported to the senior management who will:
- a) make a record of the suspicion
  - b) undertake an initial investigation of the evidence
  - c) take the appropriate action required in the circumstances.
- 3.12 Where the appropriate action to be taken (after an initial investigation) is to implement the adult protection procedures, this will be done in strict accordance with the local policy.



#### **4. Consent**

- 4.1 Often the factor that distinguishes abuse from non-abuse is the consent of the person who is affected (i.e. the service user).
- 4.2 The issue of consent is therefore an important one and can be problematic.
- 4.3 It is most unlikely that abuse will be seen to be happening if the service user is able, and willing, to consent without duress of any sort being used.
- 4.4 Of course, in some abusive relationships' duress is used to gain consent (including threats, force, intimidation or exploitation), which is abusive.
- 4.5 In other cases, pertinent to the Village Hall, the service user is unable to give consent as a result of their poor mental or physical disability.
- 4.6 The manager will initially be responsible for judging the ability of the service user to consent, but they too will need professional guidance, which will be sought from care managers, GPs, specialist mental health workers or advocates. It is very difficult to judge a service user's ability to give consent as their ability to do so may fluctuate so that at certain times/ for certain issues they are able to consent and at other times and for other issues they are not.
- 4.7 Where the non-consenting service user needs to make a formal decision, about finances, affairs or treatment, an appropriate representative/ independent advocate must be involved.
- 4.8 Where relatives/ representatives are unable to consent on behalf of a service user, or wherever there is doubt about what action is in the service user's best interest, the manager of the Village Hall will seek independent advice.
- 4.9 Where a service user is deemed unable to give consent due to their poor mental state, all staff/ representatives who deal with the service user or their affairs will be asked to ensure that they act always in the service user's best interests.
- 4.10 When staff intervene with a service user who cannot consent, they must check with each other and the manager that their actions are in accordance with the known wishes of the service user or their representative/ advocate.

Page | 4

#### **5. Confidentiality**

- 5.1 In all cases of suspected abuse confidentiality remains a key issue.
- 5.2 Information gained during the normal course of work, through investigation or interview, must remain strictly confidential. This is particularly important when dealing with very personal factors about staff and service users.
- 5.3 The principal that no person is guilty until proven so is also extremely important.
- 5.4 Therefore, staff must behave above reproach when dealing with suspected or actual abuse and maintain all facts or suspicions confidentially.
- 5.5 This is so even where abuse is confirmed, as service users will not want their personal details and histories discussed outside the Village Hall, or beyond those people who need to know.

#### **6. Whistle blowing**

- 6.1 In some cases of abuse staff members may be implicated. Sometimes this can lead to a dilemma for staff about whether to 'blow-the-whistle' on those staff.

Company Number 08097171



- 6.2 Under this policy all staff are required to inform the manager in all cases of suspected abuse, injuries, bad-practice or practice that may lead to harm injury.
- 6.3 It is in the interests of all staff to make this a priority in their approach to their work.
- 6.4 Regardless of how minor any bad practice is, the manager must be informed so that they can deal with it.
- 6.5 The Village Hall therefore will have a 'zero tolerance' to bad practice, so that the chances of this becoming serious or abusive are lessened.
- 6.6 Where practice and actions of staff are abusive, all staff members are required to immediately inform the manager and expect immediate action
- 6.7 Not only is this encouraged by the Village Hall, which aims to treat all staff who report poor practice and abuse sensitively, but 'whistle-blowers' are given protection under the *Public Interest Disclosure Act (1998)* to ensure that they are not subsequently discriminated against or disadvantaged in any way.
- 6.8 This does not mean that the Village Hall guarantees that the identity of staff who report other staff will be kept secret. Often the evidence from the reporting staff is necessary to help prove the guilt of the accused staff member.

Page | 5

## **7. Procedure**

- 7.1 Where abuse is suspected and the local policy and procedure initiated, a multi-agency approach to decision-making and further investigation will be embraced.
- 7.2 This will entail making sure that where there is suspected or actual abuse that **the alleged victim is immediately protected so that the opportunity for on-going abuse is removed.**
- 7.3 This can be done through a variety of methods suitable to the situation including:
  - a) removing the suspected perpetrator from the immediate situation
  - b) suspension, where a member of staff is implicated
  - c) ensuring constant supervision where the suspected abuser and service user cannot be easily separated
  - d) operating supervised visiting where the suspected perpetrator is a family member/ visitor
- 7.4 Care must be taken in deciding how to protect the service user so as not to seemingly punish them for being abused.
- 7.5 Therefore, unless unavoidable, service users must not be moved, be denied access to close contacts/ friends, be asked not to take part in certain activities or otherwise discriminated against.
- 7.6 Wherever possible the suspected perpetrator should make all the necessary concessions in the protection of the service user.
- 7.7 Initial investigations by the manager will be to establish the likelihood that there is evidence of abuse.
- 7.8 This must be explicitly recorded, signed and dated and any witness statements provided in writing, also with signatures and dates.
- 7.9 Where abuse is suspected, the incident will be reported to the necessary agencies/ bodies outlined in the local *adult protection policy and procedure*.
- 7.10 Information will be shared, a strategy meeting called and an 'abuse investigation' formally undertaken.
- 7.11 All actions that follow will be extensively recorded within and across agencies.
- 7.12 Where staff in the Village Hall are implicated, the Village Hall will follow its disciplinary procedures in deciding the immediate action to be taken against the member of staff.

Company Number 08097171



- 7.13 Where there is proven abuse, the Village Hall will dismiss the staff member for *gross misconduct* and be referred for inclusion on the *protection of vulnerable adult's register*.
- 7.14 Where a criminal act has also been committed, the member of staff will face legal proceedings from the police with the full assistance of the Village Hall in its case.

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Page | 6

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