

St. Antony's
C e n t r e

SAFEGUARDING
VULNERABLE
ADULTS POLICY

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Introduction

The Safeguarding Vulnerable Groups Act 2006 requires learning and skills providers to keep vulnerable adults safe from danger, harm, exploitation or abuse.

The aims of this policy are to:

- raise awareness of the need to protect and safeguard vulnerable adults
- tackle exposure or vulnerability to extremist views
- outline the policies and procedures for ensuring the safety of vulnerable adults
- make all staff and service users aware that abuse will be taken seriously and acted upon
- describe the risk factors associated with abuse in order to help staff and service users identify where abuse may be occurring
- establish a framework of actions for dealing with instances of suspected abuse, including describing how an investigation should be undertaken and the responsibilities of key individuals involved
- establish a framework for reporting concerns around exploitation or vulnerability to extremism
- make all staff and service users aware that abuse and/or exploitation will be taken seriously and acted upon

This policy applies to all staff, volunteers and Trustees of St. Antony's Centre.

1. Policy Statement of Intent

1. St. Antony's Centre supports the objectives and principles of the Safeguarding Vulnerable Groups Act 2006 and recognises the need to safeguard and promote the welfare of vulnerable adults.
2. St. Antony's Centre will not tolerate abuse, exploitation or other harmful behaviours directed towards vulnerable adults.
3. St. Antony's Centre will actively promote the concept of the safe learner and ensure the protection of vulnerable adults against abuse or exploitation.
4. St. Antony's Centre will take all appropriate measures to minimise the risks to vulnerable adults and respond quickly and effectively to address any concerns around the safety of vulnerable adults.
5. St. Antony's Centre will raise awareness of the nature of abuse with staff and learners, inform them of their responsibilities and outline action to be taken if abuse is suspected or found to be taking place.
6. St. Antony's Centre will raise awareness of the Prevent duty to tackle the potential exposure of vulnerable adults to extremist influences and outline the process to be followed for reporting concerns.

2. Definitions

2.1 Vulnerable adults

Such adults are defined under the Safeguarding Vulnerable Groups Act 2006 as people aged 18 and over who are receiving support because they have physical or mental health disabilities. Support includes social care, health services, sheltered housing, help in the conduct of their affairs, and assistance if they are detained in custody or under a probation order. The Law Commission further defines a vulnerable adult as someone of 16 years or older who is or may be unable to take care of him or herself or unable to protect him or herself against significant harm or exploitation.

As defined by the Criminal Records Bureau a person may be considered vulnerable if they receive:

- accommodation and nursing or personal care in a care home, or
- personal care in their own home through a domiciliary care agency, or
- services provided in an establishment catering for a person with learning difficulties

or if they have any one or any combination, of the following factors:

- a substantial learning or physical disability, or
- a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs or
- a substantial reduction in physical or mental capacity due to advanced age

or they are:

- substantially dependent upon others in performing basic physical functions, or if their ability to communicate with service providers and others is severely impaired and, as a result, they would be incapable of protecting themselves from assault or other physical abuse, or there is potential that their will or moral well being may be subverted or overpowered.

2.2 Abuse

Abuse may consist of a single act or repeated acts. It may be physical, sexual, verbal or psychological, it may be an act of 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 main types of abuse which may occur are:

- Physical abuse including bodily assault, bodily impairment, medical/healthcare maltreatment
- Sexual abuse
- Psychological/emotional abuse
- Neglect, acts of omission and poor professional practice
- Financial or material abuse
- Discriminatory abuse

Under the Prevent duty, all staff, volunteers, Trustees and service users of St. Antony's Centre are expected to show mutual respect and tolerance for those with different faiths and beliefs. They are also expected to respect the values of democracy, rule of law and individual liberty. Forms of extremism that may run counter to these values may include:

- **White supremacism/far right extremism**
- **Anti-semitism/Holocaust denial**
- **Race and religious hatred**
- **Animal rights extremism**
- **Religious extremism**
- **Nationalist extremism**
- **Homophobia**

The Prevent duty requires that all staff, volunteers, Trustees and service users are aware of the potential exposure of vulnerable adults to extremism and exploitation by extremist groups. Some of the signs that vulnerable adults may be at risk include:

- **Being rejected by peer, faith or social group/family**
- **Pressure from persons linked to extremism**
- **Victim or witness to race or religious hate crime**
- **Conflict with family over religious beliefs/lifestyle/politics**
- **Identity confusion**
- **Recent religious conversion**
- **Under-achievement**
- **May possess literature related to extreme views**
- **Experience of poverty, disadvantage or social exclusion**
- **Extremist influences**
- **A series of traumatic events global, national or personal**

3. Safeguarding Principles

Legal responsibilities: All staff must work within the framework of the law. Behaviours which are unlawful will not be condoned or supported. Where appropriate, the police must be involved.

User focus: The adult who is at risk of or suffering from abuse is the main focus of intervention. They must be treated with dignity and respect and involved as much as is practicable in all discussions and decisions. Where communication or other difficulties impede participation, reasonable steps should be taken to overcome them.

Equal access/opportunities: Any investigation should take account of race, culture, religion, gender, sexual orientation, disability and communication needs. Where necessary, advice should be sought to ensure sensitive and effective interventions and to ensure that key considerations are not overlooked.

Self determination/consent: Individuals should have the greatest possible control over their own lives. Information and options should be clearly outlined to assist an individual in expressing their wishes. Careful assessment of whether individuals have or lack capacity is essential to the protection of their rights. Where an individual is assessed as being capable of making informed decisions their wishes should be respected, but the broader public interest and any responsibility to intervene must be considered.

Shared information: St. Antony's Centre must enhance communication and effective joint working between all parties involved. This is important given the potential complexity and diversity of abusive situations. When undertaking joint working, careful consideration must be given to the important issue of confidentiality in practice and in recording. Service users must always be made aware of any situation where information must be shared. The duty of care may in some instances outweigh the need to maintain confidentiality.

Staff training and support: All staff will be made aware of this policy on induction and will be required to participate in training in the protection of vulnerable adults.

Prevent Principles

Legal responsibilities: All staff, volunteers and Trustees must comply with the Prevent duty. In practice this means representing the values outlined above, challenging extremist views and reporting concerns to the Prevent Co-ordinator.

User focus: The vulnerable adult who is at risk of extremist exploitation is the main focus of intervention. They must be treated with dignity and respect and involved as much as is practicable in all discussions and decisions. Where communication or other difficulties impede participation, reasonable steps should be taken to overcome them.

Equal access/opportunities: dealing with any incident should take account of race, culture, religion, gender, sexual orientation, disability and communication needs. Where necessary, advice should be sought to ensure sensitive and effective interventions and to ensure that key considerations are not overlooked.

Self-determination/consent: Individuals should have the greatest possible control over their own lives. Information and options should be clearly outlined to assist an individual in expressing their wishes. Where a child is assessed as being capable of making informed decisions their wishes should be respected, but the broader public interest and any responsibility to intervene must be considered.

Shared information: St. Antony's Centre must enhance communication and effective joint working between all parties involved. This is important given the potential complexity and diversity of situations involving extremism. When reporting concerns, consideration must be given to confidentiality and compliance with Data Protection legislation. Service users must always be made aware of any situation where information must be shared.

Staff training and support: All staff will be made aware of this policy on induction and will be required to participate in training in the protection of vulnerable adults.

4. Rights and Responsibilities

St. Antony's Centre is responsible for

- complying with all legislation governing the protection of vulnerable adults
- developing policies and procedures relating to safeguarding vulnerable adults, including a risk assessment process
- informing staff of policies and procedures and their application
- conducting DBS checks on all members of staff who may work with vulnerable adults
- investigating allegations of abuse or concerns around extremism and reporting these to the appropriate regulatory body
- providing support to vulnerable adults who may have alleged abuse or be at risk of exposure to extremism
- providing support to staff who are being investigated in relation to allegations of abuse or exploitation
- reporting allegations of abuse to the appropriate regulatory body
- providing appropriate training for staff

All staff and volunteers are responsible for:

- acting in accordance with policies and procedures relating to the protection of vulnerable adults
- reporting to their line manager any suspicion of abuse or potential exploitation by staff or service users
- reporting to the police, social services or another agency if abuse is suspected or known to be taking place
- notifying the Prevent/Safeguarding Co-ordinator of any concerns that a vulnerable adult may be at risk of or have been exposed to extremist influences
- giving accurate information to the best of their ability, to any person involved in the investigation of abuse
- passing on any information which may affect the outcome of the investigation
- taking reasonable measures to protect evidence in the event of a police investigation

All staff and volunteers are entitled to:

- fair treatment
- appropriate support when they are involved in the investigation of abuse and subsequently
- be made aware of policies and procedures and best practice in supporting vulnerable adults who have been abused or are at risk of extremism
- be listened to, informed and included as appropriate in the investigation process
- training to ensure they have the skills and knowledge appropriate to the protection of vulnerable adults

Service Users are responsible for:

- giving accurate information to the best of their ability, to any person involved in the investigation of abuse
- passing on any information which may affect the outcome of the investigation
- taking reasonable measures to protect evidence in the event of a police investigation

Service Users are entitled to:

- be made aware of policies and procedures
- be safe, secure and supported
- be listened to, informed and included in any investigation process
- be taken seriously
- be told the result of any investigation
- have disclosures recognised
- have investigations conducted by skilled, appropriate trained people
- have information about and support to access appropriate specialist support groups/services

5. Procedures for the Safeguarding of Vulnerable Adults

St. Antony's Centre will adopt a number of measures to protect vulnerable adults:

- a. Effective recruitment practices (including volunteers)
- b. Policies, guidelines and procedures for staff
- c. Training
- d. Information for service users.

a. Recruitment and Selection

All staff and volunteers will be carefully recruited and selected. As part of their initial application candidates will be asked to provide details of any criminal convictions and whether they hold a current DBS disclosure.

References: All references, including that from the last employer, will be taken up in writing before new employees or volunteers start work. All reasonable efforts will be taken to ensure that references are authentic and managers will seek alternatives if they have any doubt. Reference requests must seek clarification regarding all aspects of the candidate's suitability for the post, including information on past convictions where appropriate.

Convictions: The Rehabilitation of Offenders Act 1974, and amendments, allow convictions that are spent to be disclosed for the purpose of working with vulnerable people and to be taken into account in deciding whether to engage an applicant. All new staff who need a DBS disclosure for their work are required to declare any relevant conviction or cautions. If they fail to do so, their employment can be terminated. A past conviction will not, of itself, preclude employment, but consideration must be given as to whether the past behaviour of the individual may put vulnerable adults at unacceptable risk.

Disclosure and Barring Service (DBS) Disclosures and checks: All staff and volunteers working with vulnerable adults will require DBS checks. These checks will disclose the names of people considered unsuitable to have contact with vulnerable adults or children. St. Antony's Centre Management will undertake an annual review to ensure that staff hold adequate levels of disclosure and up to date checks. No information arising from DBS checks will be held in personnel files. For the purposes of data protection and confidentiality the only information from the disclosure forms that will be held will be individual current DBS reference numbers, date of submission and expiry date.

If a DBS disclosure report identifies previous criminal offences or cautions the following procedure must be adopted:

- i) if the prospective employee or volunteer has not disclosed information about criminal convictions when applying for a position at St. Antony's Centre, this will be considered to be dishonest. Where the employee or volunteer is still in the probationary period the offer of employment or voluntary work will be withdrawn. Where the employee or volunteer has completed their probationary period the failure to disclose convictions will leave them subject to St. Antony's Centre's disciplinary procedures. Under these procedures such failure will be considered gross misconduct and may result in the employee or volunteer being dismissed.
- ii) if the prospective employee/volunteer has disclosed information about criminal convictions when applying for a position at St. Antony's Centre, they will be invited to a formal interview on receipt of the DBS report. The interview will be undertaken by St. Antony's Centre Director. The prospective employee/volunteer will be given the opportunity to be accompanied by a friend or representative at the interview. At the interview the Senior member of staff will explore:

Length of time since convictions/cautions

Nature of offence(s) committed

Attitude to offending behaviour

Employment history since offending

Personal Development since offending

Following the interview the senior member of staff will write a report and make a recommendation on employment/voluntary work. The report will include a risk assessment. The report will be circulated to St. Antony's Centre Trustees to consider the recommendation and risk assessment and agree a decision as to whether to offer the candidate a position at St. Antony's Centre.

A copy of the interview report, risk assessment and decision of the Trustees will be held on the personnel file of the candidate.

b) Policies, guidelines and procedures for staff

If a member of staff or volunteer witnesses abuse taking place they must:

- immediately challenge the person who is abusing the individual and try to persuade him or her to stop whilst ensuring that personal safety is not compromised
- report the incident to the senior member of staff straight away

Once the immediate risk to the individual has passed, the member of staff or volunteer witnessing the abuse should immediately:

- write down all the relevant facts
- consider using the Complaints or Grievance procedure if relevant
- ask for a confidential meeting with the senior member of staff to discuss the situation
- maintain confidentiality without compromising the need to report

If a manager or member of staff receives an accusation of abuse they must:

- support and reassure the person making the accusation, recording what is said and/or observed, but avoiding asking leading questions
- carry out a risk assessment and ensure the safety of the individual and if in immediate danger contact the relevant emergency services
- log the nature of the alleged abuse, any information given or witnessed, actions taken, who was present at the time, dates and times of incidents
- consider any other agencies who may need to be informed – i.e agencies working with the people involved, statutory agencies
- ensure all discussions and decisions are recorded
- report immediately to the senior member of staff
- maintain confidentiality without compromising the need to report

When the senior member of staff receives a report of an accusation of abuse they must:

- review what has been done so far, including the risk assessment
- consider if there are any immediate safety/protection issues
- consider if the police/social services need to be involved, e.g. in cases of physical or sexual abuse or theft of personal possession the police must be immediately notified. Where an adult is known to have a designated social worker they must be notified of any accusation of abuse.
- consider if there is a need to share information, e.g. with the alleged abused person, the alleged abuser
- consider if an investigation needs to be carried out by St. Antony's Centre or another agency. If the alleged abuser is a member of staff, a volunteer or another client it will usually be appropriate to investigate this internally first. If the alleged abuser is a member of staff from another organisation or a member of the public, it will usually be appropriate to support the individual to report his/her complaint to another agency
- consider how vulnerable adults/the alleged perpetrator/other staff may need to be involved and any support they may require

- consider the personnel implications of any allegation against a member of staff or volunteer. In order to protect staff and evidence, allegations against staff members will normally result in the staff member concerned being suspended on full pay until the investigation is completed
- consider contacting other agencies, ensuring that the individual alleged to be responsible for the abuse is not contacted at this point
- consider if there is a need to carry out cross checks with other agencies and if there is a need for joint investigation. Have there been previous allegations of abuse from this individual or against the alleged perpetrator?
- maintain confidentiality without compromising the need to report
- plan the investigative process. Does the investigation require the involvement of other members of staff, St. Antony's Centre Management Committee or an external agency ? What information needs to be gathered? What evidence needs to be secured?
- plan who will be interviewed (this must include the alleged perpetrator and the alleged victim) and how, ensuring the interviewer has the necessary skills, training and freedom from conflict of interest; and that the alleged perpetrator and alleged victim are supported to participate fully in this process. Repeated interviewing should be avoided

Carrying out an investigation

Investigations may only be carried out by senior staff who have been trained to undertake this role. Confidentiality must be maintained throughout this process, without compromising the need to report.

The investigation may involve a number of interviews with various people (the individual, alleged perpetrator, witnesses, managers etc). The process must include an interview with the alleged victim. It may also involve the examination of records for evidence to substantiate statements. Care must be taken when interviewing not to "contaminate" evidence, in particular where the involvement of the police may be required. If evidence uncovered at any point leads to the opinion that police involvement may be necessary, then the senior member of staff must be informed immediately.

Careful recording of all of the investigation procedure is of the utmost importance and confidentiality must be maintained at all times.

Following an investigation

Following a full investigation the information must be brought together so as to provide a clear analysis of the alleged incidence of abuse in a concise but detailed report. This should include:

- the precise nature of the allegation
- who made the allegation
- the seriousness of the alleged abuse if it is proven
- the weight of evidence to support or cast doubt on the allegation
- possible underlying causes of the abuse
- subsequent actions and recommendations

Depending on whether the alleged abuser is a member of staff, volunteer, client, employee of another organisation or member of the public a different course of action will need to be taken if the investigation supports the allegation.

If the allegation is against a member of staff/volunteer a disciplinary hearing will need to be held in accordance with St. Antony's Centre's Disciplinary Procedure.

If the allegation is against a client then a meeting will need to be held with the client and any other support agencies to agree the course of action. When agreeing a course of action, it is of primary importance to ensure that the safety of other vulnerable adults and the individual themselves is protected. A risk assessment must be conducted as to whether it is appropriate for the individual to continue using St. Antony's Centre's services. This relates to all facilities used by the individual and not just those where the abuse is alleged to have occurred. It is the responsibility of St. Antony's Centre Management to ensure that all relevant information is shared with all members of staff. The risk assessment must consider:

- the vulnerability of others
- the vulnerability of the client concerned
- the likelihood of abuse reoccurring
- the appropriateness of any risk management processes in place
- the ability of St. Antony's Centre to cope

In all situations, managers will need to be aware of their responsibility to report any unlawful incidents or behaviour to the police and maintain confidentiality.

If a member of staff or volunteer has concerns that a young person may be at risk of exposure to extremist influences they must:

- ***notify the Prevent/Safeguarding Co-ordinator***
- ***share information/evidence relating to their concerns with the Prevent/Safeguarding Co-ordinator***

If a member of staff or volunteer witnesses an instance of bullying based on race, religion or sexual orientation they must:

- ***challenge the expression of extremist views***

- ***notify the incident to the Prevent/Safeguarding Co-ordinator***

When the Prevent/Safeguarding Co-ordinator receives notification of potential vulnerability or an extremist incident he/she must:

- ***assess the situation and, if they feel there is a risk of radicalisation, seek advice/guidance from their local Prevent coordinator or the local Prevent team***

c) Training

Staff and volunteers will be offered appropriate training and provided with copies of policies and procedures to ensure they understand their rights and responsibilities with regards to the protection of vulnerable adults. Supervisors must ensure staff and volunteers understand and comply with these policies.

All staff and volunteers should receive training on types of abuse; recognising signs of abuse and vulnerability to extremism; duty of report; their role in responding to suspected abuse, exploitation or exposure to extremism; risk assessment and management. Managers should in addition to the above receive training in supervision of risk assessment and management; internal disciplinary procedures; supporting staff through an investigation. The senior member of staff should receive training also in interviewing and investigation skills and legal procedures.

d) Information for service users, carers and staff

Empowering individuals with knowledge and understanding so that they are aware of what is appropriate or inappropriate behaviour towards them is an important aspect of prevention of abuse, exploitation and exposure to extremism. Similarly, some vulnerable adults may not be aware that their behaviour is abusive.

It is the duty of St. Antony's Centre as a service provider to ensure that staff, services users and members of the public are aware of St. Antony's Centre's policy and procedures, and that staff and service users have an adequate understanding of what is abuse and how it will be dealt with, to ensure that rights and responsibilities are recognised and asserted.

6. DBS application guidelines

Who must apply for a DBS Disclosure check?

Anyone who is working with children or vulnerable adults whether in a paid or unpaid capacity is subject to an Enhanced Disclosure check. In addition, if an individual is likely to come into contact with vulnerable people either through the course of their work or for a specific purpose, then it is likely that a disclosure check will be needed.

What is Disclosure?

This is the process by which individuals make an application to find out if they have a police record, whether this is a conviction, final warning, reprimand or a caution. In the case of Enhanced checks, the applicant is also checked against the Department of Health list of those unsuitable to work with children and the list held by the Department for Education and Skills of those who are deemed unsuitable to work in the teaching profession. The results of the Disclosure checks are provided in a certificate. There are three types of Disclosure:

Basic Disclosures: All employers and volunteering organisations are entitled to ask prospective employees/volunteers to obtain a Basic Disclosure. This Disclosure is available to all members of the public. Basic Disclosure will show all convictions held on the Police National Computer (PNC) which are not 'spent' as defined under the terms of the terms of the Rehabilitation of Offenders Act (RoA) 1974.

Standard Disclosure: These are primarily for positions that involve working with children or regular contact with vulnerable adults, and excepted professions, offices and employments referred to in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. Standard Disclosures contain details of all convictions on record (including 'spent') plus details of any cautions, reprimands or final warnings. For positions involving 'working with children' Standard Disclosures also give information contained on government department lists (currently held by the Department for Education and Skills and Department of Health) of people considered unsuitable to work with children.

Enhanced Disclosures: These are for posts involving greater contact with children or vulnerable adults such as a social worker or doctor. Such work might involve regularly caring for, training, supervising or being in sole charge of such people. They will also be issued for other positions, such as those seeking judicial appointments and certain statutory licensing purposes. In addition to the checks carried out for a Standard Disclosure, all Enhanced Disclosures involve an extra level of checking with local police force records. This information can be contained on both copies of the Disclosure. However, it is up to the Chief Constable of the police force to decide what, if any, information is disclosed. The DBS gives as an example; information contained on details

of a child protection case conference. Chief Constables can decide that some information is relevant to the position but do not wish the prospective employee to see this information. The DBS also gives as an example; details of suspected criminal activity where an arrest has not taken place but is anticipated. In such instances, it will be indicated on the top of the Disclosure that further information is being sent by the police, which will be sent separately to the employer/volunteering organisation.

How to obtain a DBS check

St. Antony's Centre conducts DBS checks via the Salford Diocesan Safeguarding Commission. Staff managers can seek further information, advice, guidance and support, as well as copies of DBS checking forms from: