

INSIGHT SOCIETY
VULNERABLE ADULT PROTECTION
POLICY AND PROCEDURES

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<p style="text-align: center;">This Policy Document was Adopted as Company Policy by the Directors of Insight Society on 22nd November 2008.</p>
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Vulnerable Adult Protection

Section I – Safeguarding Strategy, Policy and Statutory Framework

I Scope

This policy deals with the protection of Vulnerable Adults (as defined in section 3 below). Children are those under 18 years of age and can be included in the company's activities with the prior permission of their parents or guardians. A separate policy covers Child Protection.

2 Safeguarding Strategy

The Company will:

- Take a preventive approach to protecting vulnerable adults from potential harm or damage.
- Take all appropriate actions to address concerns about the welfare of vulnerable adults.
- Work to agreed local policies and procedures in full partnership with other local agencies.
- Plan, implement, monitor and review policies and procedures to ensure that the maximum is done to provide a safe environment for vulnerable adults in the company.
- Take all reasonable measures to ensure that risks of harm to vulnerable adult's welfare are minimised by appropriate:
 - ☐ Risk assessment and management
 - ☐ Health and Safety procedures
 - ☐ Staff selection, recruitment, induction supervision and training
 - ☐ Creation and promotion of an open work culture "Whistle blowing"
 - ☐ Reacting to and reporting abuse

Policy Statement

- Insight Society holds as one of its highest priorities the health, safety and welfare of all vulnerable adults involved in courses or activities which come under the responsibility of the Company.

- The Company and its staff and volunteers have a collective and individual responsibility duty of care to ensure that its staff fulfils their responsibilities to prevent abuse of vulnerable adults and to report any abuse discovered or suspected.
- The Company will advise all parents/ guardians/ carers of vulnerable adults of the existence of the Company's Vulnerable Adult Protection Policy and Procedures, and the fact that this may require cases to be referred to the investigative agencies in the interests of the vulnerable adult.
- The Company will advise vulnerable adults about the standards of behaviour and conduct they can expect from staff and volunteers and of what to do if they experience or suspect abuse.
- The Company will work with appropriate local agencies, and in particular Birmingham Social Services, to ensure that vulnerable adults are safeguarded through the effective operation of the Company's vulnerable adult protection procedures.
- The Company recognises that any vulnerable adult can be subject to abuse and all allegations of abuse will be taken seriously and treated in accordance with the company's procedures.
- The Company recognises that it is the responsibility of all staff to act upon any concern no matter how small or trivial it may seem.
- The Company recognises its responsibility to implement, maintain and regularly review the procedures that are designed to prevent or notify suspected abuse.
- The Company requires its entire staff to follow the Code of Behaviour on Vulnerable Adult Protection which is appended to this policy document, and will draw the attention of staff to this code of conduct and procedures in induction and relevant training.
- The Company is committed to supporting, resourcing and training those who work with, or who come into contact with, vulnerable adults and to providing appropriate supervision.
- The Company will prepare and implement an action plan to ensure it fulfils its duties to protect vulnerable adults.

4 Statutory Framework

The Police Act 1997 (Enhanced Criminal Record Certificates) (Protection of Vulnerable Adults) Regulations 2002 require employers to carry out Criminal Record Checks before employees are allowed to come into contact with vulnerable adults. The Company is required under this legislation to apply for an enhanced disclosure from the Criminal Records Bureau for staff working with such students.

A vulnerable adult is defined (under the Protection of Vulnerable Adults Regulations 2002) as:

'a person aged 18 or over who is receiving services of a type listed in paragraph (2) below and in consequence of a condition of a type listed in paragraph (3) below has a disability of a type listed in paragraph (4) below. (2) The services are –

(a) accommodation and nursing or personal care in a care home; (b) personal care or nursing or support to live independently in his own home; (c) any services provided by an independent hospital, independent clinic, independent medical agency or National Health Service body; (d) social care services; or (e) any services provided in an establishment catering for a person with learning difficulties.

(3) The conditions are -

(a) a learning or physical disability; (b) a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs; or (c) a reduction in physical or mental capacity.

(4) The disabilities are -

(a) a dependency upon others in the performance of, or a requirement for assistance in the performance of, basic physical functions; (b) severe impairment in the ability to communicate with others; or (c) impairment in a person's ability to protect himself from assault, abuse or neglect.

The Company will keep its policy and procedures on vulnerable adult protection under review to take account of any new Government legislation, regulations or best practice documents to ensure that staff is kept fully up to date with their responsibilities and duties with regard to the safety and well-being of vulnerable adults.

Vulnerable Adult Protection

Section 2 - Procedures

1 The purpose of these guidelines is to ensure that the rights of vulnerable adults are protected through staff awareness of the issues and the following of the statutory and local guidelines in the reporting of concerns.

It is the responsibility of all staff working within the Company to record and report vulnerable adult protection concerns, i.e. where they believe a vulnerable adult has been or is at risk of abuse, or significant harm. This responsibility extends to all staff and not just those specifically working with vulnerable adults.

2 The Company will take steps to identify a vulnerable adult on admission to a course Teachers will be informed, as part of the admissions procedures, if vulnerable adults have been enrolled on their courses where these are not specifically designed for vulnerable adults. other Additional supervision measures will be put in place for all students defined as vulnerable adults, and such students will come under the provisions of this policy

3 Vulnerable Adult Protection Director or Nominated Person

The Company has a designated director, who is assigned to act upon vulnerable adult protection concerns. At Insight Society he is responsible for co-ordinating action within the company and liaising with other agencies.

The Company's Vulnerable Adult Protection Director is:

Ian V Fellows

Telephone 01902 885307 or 07973 213053

ianvfellows@lineone.net

Alternatively if he is not available

Shazia Begum

0121 507 6737 or 07890 684778

Shazia786@msn.com

4 Advice to Staff and Volunteers on When to Take Action & How

Vulnerable adults can potentially be abused within the family, community and organisations by employees (including those employed to promote their welfare and protection from abuse), visitors, volunteers, and fellow participants.

Once you suspect or know of any abuse of any vulnerable adult, you should immediately inform the Company's Vulnerable Adult Protection Director in person or by telephone. Even if you have only heard rumours of abuse, or you have a suspicion but do not have firm evidence, you should still contact the Vulnerable Adult Protection Director to discuss your concerns. You should also contact the Child Protection Director if you know or suspect that a member of staff or student has a previous history of abuse of children or vulnerable adults. He will discuss the case with the directors and external agencies as appropriate so that appropriate action can be taken.

You must not try to investigate the matter on your own. Staff and volunteers are not equipped or qualified to do so.

The Need for a Written Report

If, following your initial contact with the Vulnerable Adult Protection Director, it is decided that the matter should be taken further, a written report from you is essential to prevent any misrepresentation of your findings, and should be sent to the Vulnerable Adult Protection Director within 24 hours of the suspicion arising. The report should be factual and should not include opinions or personal interpretations of the facts presented. The report should contain as much detail as possible, including any apparent physical signs of abuse or other circumstances which led to your suspicions, or the account given to you of abuse by the vulnerable adult concerned, as accurately as you are able to record it. The report should be signed, dated and a copy stored in a secure place. If you are unsure about what to write, you can get advice from the Vulnerable Adult Protection Director.

If a vulnerable adult comes to you with a report apparent abuse, you should listen carefully to him/her, using the following guidelines. When listening to the vulnerable adult staff must :

- allow the vulnerable adult to speak without interruption
- never trivialise or exaggerate the issue
- never make suggestions
- never coach or lead the vulnerable adult in any way
- reassure the vulnerable adult, let them know you are glad they have spoken up and that they are right to do so

- always ask enough questions to clarify your understanding, do not probe or interrogate – no matter how well you know the vulnerable adult – spare them having to repeat themselves over and over.
- be honest – let the vulnerable adult know that you cannot keep this a secret, you will need to tell someone else.
- try to remain calm – remember this is not an easy thing for them to do.
- do not show your emotions – if you show anger, disgust or disbelief, they may stop talking. This may be because they feel they are upsetting you or they may feel your negative feelings are directed towards them
- let the vulnerable adult know that you are taking the matter very seriously
- make the vulnerable adult feel secure and safe without causing them any further anxiety.

The Vulnerable Adult Protection Director will be responsible for recording essential information about each case and for collecting reports and notes as appropriate.

Any detailed information about a case will be confined to the Vulnerable Adult Protection Director, the directors of Insight Society, and (if not involved in the allegations) the carers, but where a referral to an external agency is to be made it may also be necessary to advise a funding agency depending on the company's contract with them.

The Director(s) and staff reporting the allegations will be kept informed of the progress of the case on a 'need to know' basis.

What Happens Next

Taking into account all the information available, the Vulnerable Adult Protection Director will decide on the next steps, which may include taking no further action. Where the Vulnerable Adult Protection Director decides that further action is necessary, this may be to :

- Seek further advice from Social Services
- Make a referral to Social Services
- Report the incident to a designated Social Worker
- Report the matter to the police if a crime is suspected

If a referral is made, this must be confirmed in writing to the appropriate agency within 24 hours.

If a member of staff or volunteer does not agree that with a decision of the Company Vulnerable Adult Protection Director that no further action is necessary, the member of staff should refer

these concerns in the first instance to the Directors. If the Directors do not recommend further action and the member of staff still has concerns, then the member of staff has the right and duty to refer the case directly to Birmingham Social Services (or the appropriate Social services department for where the person considered to be at risk resides) and should at the same time alert the directors of what he or she has done. This will not be considered a disciplinary matter except in exceptional circumstances.

The Vulnerable Adult Protection Director may consider that those involved may require counselling. Where it is felt there is a need for counselling (which could be for the vulnerable adults, other students, staff, parents or carers involved) the Vulnerable Adult Protection Director will make the necessary arrangements.

The Vulnerable Adult Protection Director will keep the member(s) of staff who raised the concerns informed as the progress/ outcome of the case.

6 Confidentiality

Confidentiality and trust should be maintained as far as possible, but staff must act on the basis that the safety of the vulnerable adult is the overriding concern. The degree of confidentiality will be governed by the need to protect the vulnerable adult. The vulnerable adult should be informed at the earliest possible stage of the disclosure that the information will be passed on. All conversation regarding a vulnerable adult should always be held in private.

The Company complies with the requirements of the Data Protection Act 1998, which allows for disclosure of personal data where this is necessary to protect the vital interests of a vulnerable adult.

In all cases the main restrictions on disclosure of information are:

- Common law duty of confidence
- Human Rights Act 1998
- Data Protection Act 1998

Each of these has to be considered separately. Other statutory provisions may also be relevant, but in general, legislation does not prevent sharing of information if:

- those likely to be affected consent; or
- the public interest in safeguarding the child's welfare overrides the need to keep the information confidential; or
- disclosure is required under court order or other legal obligation.

Whatever happens, you should always be open and honest with the vulnerable adult if you intend to take the case further.

Staff and volunteers must not discuss the case with anyone other than those involved in the case. If staff have any concerns about the progress of the case or have any other concerns these must be discussed with the Vulnerable Adult Protection Director.

7 Allegations Against Staff and Volunteers

The primary concern of the Company is to ensure the safety of the vulnerable adult. It is essential in all cases of suspected abuse by a member staff that action is taken quickly and professionally whatever the validity.

There are occasions where a vulnerable adult will accuse a member of staff of physically or sexually abusing them. In some cases this may be false or unfounded. However in some cases the allegations may be true.

Any instance of a vulnerable adult being abused by a member of staff is particularly serious. On the other hand for an innocent person to be accused of such an act, is a serious ordeal which can result in long term damage to their health and career.

In the event that any member of staff suspects any other member of staff of abusing a student, it is their responsibility to bring these concerns to the Vulnerable Adult Protection Director except where the suspect is either.

If the allegation concerns the Vulnerable Adult Protection Director, the matter should be discussed with one of the other Directors who will decide what to do in consultation with colleagues and external agencies.

The member of staff or volunteer accused of breaching the Vulnerable Adult's Protection Policy will be advised to:

- contact their union representative or a solicitor
- keep records of all conversation, meetings attended, letters received and telephone calls relating to the allegation.

Type of Investigations

Criminal Investigations

If a crime is suspected, an investigation will not be carried out by the Company, other than to establish the facts. All the information obtained will be handed over to the police who will carry out any investigation necessary, with the support of the Company.

Disciplinary Investigations

If a decision is made to pursue an allegation of abuse against a member of staff, this will be dealt with under the company disciplinary procedures related to child abuse allegations, copies of which can be obtained from the Personnel section.

NB The Company may be unable to carry out any disciplinary proceedings until the police investigation is complete, but depending on the seriousness of the allegation, the member of staff may be suspended from work with pay until the investigation is completed.

Section 3 –

CODE OF BEHAVIOUR ON VULNERABLE ADULT PROTECTION FOR INSIGHT SOCIETY STAFF

1 Insight Society recognises that it is not practical to provide definitive instructions that would apply to all situations at all times whereby staff come into contact with vulnerable adults and to guarantee the protection of vulnerable adults and staff.

2 However, below are the standards of behaviour required of staff in order to fulfil their roles and duty of care within the Company. This code should assist in the protection of both vulnerable adults and members of staff.

3 These guidelines also apply to volunteers who work in an unpaid capacity in Company premises.

4 Staff must:

- implement the Vulnerable Adult Protection Policy and Procedures at all times

5 Staff must never:

- engage in rough, physical games including horseplay with vulnerable adults/ students.
- allow or engage in inappropriate touching of any kind.
- do things of a personal nature for vulnerable adults that they can do for themselves
- Physically restrain a vulnerable adult unless the restraint is to prevent physical injury of the vulnerable adult/other vulnerable adults/visitors or staff/yourself.

In all circumstances physical restraint must be appropriate and reasonable, otherwise the action can be defined as assault.

- make sexually suggestive comments to or within earshot of a vulnerable adult.
- have vulnerable adults on their own in a vehicle.

NB Where circumstances require the transportation of vulnerable adults in their vehicle, another member of staff/ volunteer must travel in the vehicle. Also it is essential that there is adequate insurance for the vehicle to cover transporting vulnerable adults as part of the business of your work. In extreme emergencies (for medical purposes) where it is required to transport a vulnerable adult on their own, it is essential that another leader and the parent is notified immediately

- take a vulnerable adult to the toilet unless another adult is present or has been made aware (this may include a parent, group leader)
- spend time alone with a vulnerable adult on his/her own, outside of the normal tutorial/ classroom situation. If you find you are in a situation where you are alone with a vulnerable adult, make sure that you can be clearly observed by others.
- engage in a personal relationship with a vulnerable adult/ student , or a vulnerable adult who becomes a student, beyond that appropriate for a teacher/ student relationship.

6 Implications for staff

Staff who breach any of the above may be subject to the disciplinary procedure. If an allegation against a member of staff has occurred then an investigation will be carried out in accordance with the procedure for dealing with such allegations against staff: copies of this procedure are available from the Directors . The investigating officer will be required to liaise with the Vulnerable Adult Protection Director to clarify if she/he has any relevant records or any other vulnerable adult protection information in relation to the individual.

What Happens When a Vulnerable Adult Abuse Suspicion is Reported

1. Staff member has concerns about a vulnerable adult's welfare
2. Staff discusses with Adult Protection Director (APD)
3. APD interviews vulnerable adult

EITHER

APM has no concerns

No further APD action, but may need to consider any other appropriate action.

OR

APM has concerns

4. APD contacts relevant agency for referral: Social Services, GP, Police (if crime is suspected). Followed up in writing within 24 hours.
5. APD advises fellow Directors.
6. APD coordinates further action as required within the Company's remit for the safeguarding and welfare of staff/parents/child/YP and keeps the situation under review.

End of Policy

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