

Policy for Safeguarding Vulnerable Adults (in need of care and support)

Last updated: June 2016

Current Review: Commenced March 2017, completed May 2018

Introduction:

Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action' (Care and Support Statutory Guidance, DH, 2016).

The Care Act statutory guidance defines adult safeguarding as:

'Protecting an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action. This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances.'

A local authority must act when it has 'reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there):

- has needs for care and support (whether or not the authority is meeting any of those needs),
- is experiencing, or is at risk of, abuse or neglect, and
- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.' (Care Act 2014, section 42)

The Care Act indicates that the term "adults in need of care and support" is to be used in place of 'safeguarding adults' when referring to specific individuals. However, safeguarding processes in most local authorities and health services are referred to specifically under the label of 'safeguarding', to indicate when a formal process is applied in response to any information that raises concerns in relation to the points above.

Therefore, safeguarding is for people who, because of issues such as dementia, learning disability, mental or ill-health or substance abuse, have care and support needs that may make them more vulnerable to abuse or neglect. **This applies to people who have been bereaved, as there can be a substantial effect upon mental health and wellbeing.**

Cruse Bereavement Care is committed to safeguarding all of our clients, particularly the most vulnerable by ensuring that all volunteers and staff understand and agree to abide by this policy; by ensuring that they know how to report concerns promptly and to whom and by supporting

volunteers and staff who are reporting concerns. Cruse has a Trustee Board Member responsible for overseeing safeguarding practice at a strategic level, ensuring Cruse complies with all legal and good practice requirements in relation to safeguarding.

The abuse of vulnerable adults constitutes a clear infringement of their human and civil rights. This policy aims to safeguard vulnerable adults who are by definition of their vulnerability at risk of abuse, to ensure they receive a safe and supportive service through the identification, reporting and prevention of such abuse. This is taking into account mental capacity and associated protections under the Mental Capacity Act 2015.

Aims & Underlying Principles:

This policy has been developed to uphold the following principles as guided by the Human Rights Act 1998 and Care Act 2014:

- It is every adult's right to live in safety and to be free from abuse or fear of abuse by others
- It is every adult's right to live an independent life based on self-determination and personal choice
- It is the responsibility of all agencies and professionals to work together to help prevent the abuse of vulnerable adults. This will be achieved by raising awareness; empowering people to make their own decisions and putting organisational safeguards in place.
- All Areas, Regions and Nations must have a Safeguarding Officer who is appropriately experienced and trained, and whose name is notified to and recorded by Area Support. (N.B. This may be the same person for both Vulnerable Adults and Children and Young People.)
- All National Services e.g. Helpline, web support etc. must have a Safeguarding Officer who is appropriately experienced and trained, and whose name is registered on Cruse Information System (CIS) (N.B. This may be the same person for both Vulnerable Adults and Children and Young People.)

In achieving these aims the organisation will:

- Ensure that all managers, employees and volunteers have access to and are familiar with this safeguarding adult policy and procedure and their responsibilities within it
- Ensure concerns or allegations of abuse are always taken seriously
- Ensure the Mental Capacity Act is used to make decisions on behalf of those adults at risk who are unable to make particular decisions for themselves.
- Ensure all staff receive training in relation to safeguarding adults at a level commensurate with their role.
- Ensure that service users, their relatives or informal carers have access to information about how to report concerns or allegations of abuse.
- Ensure there is a named lead person to promote safeguarding awareness and practice within the organisation

Definitions:

1. Who is an adult at risk?

For the purposes of this policy, an adult at risk is an adult who:

- is aged 18 years or more, and
- has needs for care and support (whether or not these are currently being met),
- is experiencing, or is at risk of, abuse or neglect, and

- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

Such a definition includes adults with physical, sensory and mental impairments and learning disabilities, howsoever those impairments have arisen e.g. whether present from birth or due to advancing age, chronic illness or injury.

Also included are people with a mental illness, dementia or other memory impairments, people who misuse substances or alcohol.

The definition includes unpaid carers (family and friends who provide personal assistance and care to adults on an unpaid basis). The definition may include victims of Domestic Abuse, hate crime, anti-social behaviour, self-neglect and mandatory reporting of Female Genital Mutilation (FGM).

The presence of a particular condition or disability does not automatically mean that an adult is an adult at risk. A person can have a disability but be perfectly able to look after their own well-being etc. Their circumstances as a whole should be considered and all three elements of the definition must be met in order for them to be classed as an adult at risk.

2. What is 'harm'?

The definition of "harm" referred to in this policy does not exclusively pertain to ill treatment (including sexual abuse and all forms of ill treatment which are not physical), but includes the impairment of, or an avoidable deterioration in physical, or mental health or emotional well-being.

3. What is 'abuse'?

Abuse pertains to the violation of an individual's human and civil rights by another person or persons. It may consist of a single or repeated act. It may be an act of neglect (abuse by omission) or it may occur when a vulnerable adult is persuaded to enter into a financial transaction or sexual act to which he/she has not consented or whose consent was deemed diminished due to a lack of understanding.

Abuse results in significant harm, or exploitation of, the vulnerable adult. It may be perpetrated by anyone who has power over the person whether as a carer, relative, paid member of staff, volunteer or spouse, or as a result of persistently poor care or a rigid and oppressive regime. When occurring in a family, this can be termed as 'domestic abuse', the most common being between spouses, or parents and children.

The main forms of abuse are:

- Physical
- Domestic violence or abuse
- Sexual
- Psychological or emotional
- Financial or Material
- Neglect and acts of omission
- Modern slavery
- Organisational or institutional abuse
- Discriminatory
- Self-neglect
- Exploitation

Explanations and examples of the above can be found in the Procedures for Safeguarding Vulnerable Adults (attached below).

NOTIFICATION OF SUSPICION OF ABUSE

All Projects, Areas, Regions and Nations are required to have a named Safeguarding Officer (SGO) who is appropriately experienced and trained. (N.B. This may be the same person for both Vulnerable Adults and Children and Young People.) The contact details of the local safeguarding contact and named officer (SGO) should be available to all bereavement volunteers, staff, administrative volunteers, supervisors and management volunteers.

Areas, Projects and other service delivery points are encouraged to be aware of the national guidance on information sharing *Advice for practitioners providing safeguarding services to children, young people, parents and carers*

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419628/Information_sharing_advice_safeguarding_practitioners.pdf Particular attention should be given to the 'Seven Golden Rules' (p.4).

ALL cases of suspected abuse must be reported immediately to the named SGO and to the Designated Safeguarding Lead (Organisational Safeguarding Lead) in Cruse Bereavement Care, who will then take advice as necessary and identify the most appropriate response.

Safe recruitment & Training:

- The organisation is committed to achieving best practice in respect to the safe recruitment of employees and volunteers;
- The organisation is committed to working within best practice as established by the Disclosure and Barring Scheme (DBS)

Contact details for Designated Lead for Safeguarding:

Email: safeguarding@cruse.org.uk

Telephone: Monday – Friday 9am – 5pm: 07950 531 744

Out of hours: 07496 922 358

The Procedures for Safeguarding Adults MUST be followed in all cases where any abuse of a Vulnerable Adult is suspected.