

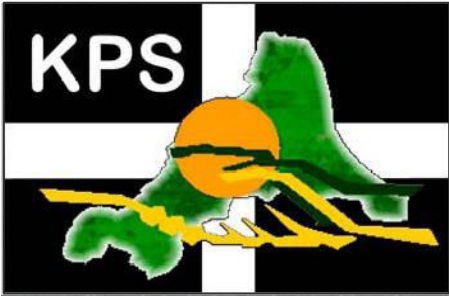
Safeguarding Vulnerable Adults and Children

Kernow Positive Support

**SPECIALISED HIV INFORMATION &
SUPPORT**

POLICY DOCUMENT 2013

Revised November 2018



SAFEGUARDING AND PROTECTING VULNERABLE ADULTS AND CHILDREN POLICY GUIDELINE

INTRODUCTION

All services within Kernow Positive Support (KPS) must respond swiftly and effectively to any concerns about suspected abuse or neglect of vulnerable adults – regardless of whether the alleged perpetrators are members of staff, volunteers, service users, family members or other carers.

All services must ensure that the likelihood of abuse or neglect is minimised in the first place through effective recruitment procedures, operational practices, training and awareness raising, adequate staffing, volunteer levels and skills, supervision and well understood whistle blowing procedures.

This policy follows:

- The guidelines to staff on identifying and reporting neglect and abuse of adults at risk in Cornwall and the Isles of Scilly published by Cornwall Council 08/15
- The Care Act 2014
- LADO General Guide for professionals and volunteers who work with children (Cornwall Council 2017)
- Definitions of abuse (Safeguarding Children Board March 2015 HM Gov.)

This policy sets out Kernow Positive Support in accordance with the Care Act 2014 (14 Safeguarding).

This policy builds on the Government's respect for human rights and results from its firm intention to close a significant gap in the delivery of those rights for vulnerable adults. (Human Rights Act 1998.)

This policy describes how KPS should proactively prevent abuse occurring and respond if abuse is identified, suspected or disclosed.

KPS, its staff, volunteers and service users must take account of the fact that abuse of vulnerable adults does occur. It is essential that the response to all allegations be in line with this policy.

This policy will be reviewed annually and changes implemented as appropriate:

- To promote best practice to minimise abuse across all KPS services.
- To promote partnership working between statutory and voluntary agencies.
- To ensure that staff, volunteers and service users have knowledge and understanding of:
Adult safeguarding
Safeguarding children
Recognising and reporting procedures of abuse, and of its definition, ensuring there is a consistent and effective response to any concerns, allegations or disclosure of abuse

Staff and volunteers of KPS will be expected to continue to exercise as much vigilance as possible. KPS will give full support to staff and volunteers working with vulnerable adults by:

- Supporting staff, volunteers and service users in reporting and investigating allegations of adult abuse. Contributing towards Safeguarding Adults investigations, conferences and protection plans.
- Ensuring that any risk of harm to children that is identified through the Safeguarding Adults process is referred to the relevant agency.
- Working in a preventative manner to protect vulnerable adults from being abused and/or neglected.
- Providing information and training that assists in the detection of abuse and the early identification of any services which are failing to ensure the safety of vulnerable adults.
- Responding sensitively and coherently to reported incidents of self-neglect and abuse in a consistent manner, in accordance with this policy and guidelines.
- Co-ordinating action and services in order to best protect and support vulnerable adults in achieving best outcomes.
- Ensuring the safety of vulnerable adults by developing strategies and policies, and utilising current legislation to provide a working framework.
- Recognising that adults identified as vulnerable have a right to confidentiality.

The primary aim for KPS shall be to prevent abuse. Where preventative strategies fail, KPS will ensure that robust procedures are in place for dealing with incidents of abuse.

KPS guidelines in Protecting Children from abuse and neglect

Although KPS does not work directly with children, it has a duty to work with the Local Authority Designated Officer (LADO). The role and responsibilities of LADOs are set out in 'Working Together 2015' (South West Child Protection Procedures endorsed by the Safeguarding Children Board, Safeguarding Children Unit, Cornwall Council.)

Categories of abuse are:

- Physical
- Emotional
- Neglect.

- Sexual

Signs are identified in 'Definitions of Abuse, Working to Safeguard and Promote the Welfare of Children' Safeguarding Children Board, March 2015 HM Gov.

KPS checks the history of all employees (*staff and contracted practitioners*) and volunteers, including KPS trustees who work with clients, to make sure they do not have a history of abusing or harming others. KPS employees and volunteers access training about protecting others and ways of identifying abuse and harm.

Recording Information

KPS will be responsible for keeping its own records but reporting to Cornwall Council Multi Agency Referral Unit (MARU) appropriately. KPS Safeguarding Officer will assist in the process.

It is essential that clear and accurate records be kept of all contacts and actions relating to cases of alleged abuse/neglect. The records may need to be used to hold individuals/agencies to account and therefore should be complete.

- It is important that no record breaches the person's individual legal rights.
- All records should be accurate and factual.
- KPS will use the data monitoring and collection procedures agreed by the KPS Board of Trustees. This will ensure that information from individual cases can be aggregated and reported on.

All information will be recorded following the guidelines of Cornwall Council in 'Safeguarding Adults' MARU/LADO procedures.

Investigation

The KPS Safeguarding Officer will have responsibility for monitoring internal, joint and liaison processes as identified in MARU/LADO procedures.

Working with perpetrators of abuse

KPS is committed to creating a safe environment for people to report abuse by providing a gateway for multi-agency interventions designed to hold abusers accountable for their behaviour. Through its policies and staff training KPS hopes to highlight the negative consequences of abusive behaviour as a deterrent sending a strong signal that abusive behaviour in any form is **not** acceptable. KPS will work with the perpetrators of abuse who wish to address abusive behaviour, provided the risk assessment enables it to do so and no criminal offence has been committed. The rights of those accused of abuse will always be maintained. They will be supported to exercise those rights and have access to the KPS complaints procedure and MARU/LADO guidelines.

KPS Roles and Responsibilities in the safeguarding process

- To follow the process outlined by MARU/LADO
- To use the resource of 'Early Help Hub' as a single point of access for professionals, families and young people.
- To use the resource of The Multi Agency Referral Unit (MARU) to provide a multi-disciplinary response to concerns about the safety of children or vulnerable adults.
- To use the resource of the Multi Agency Advice Team (MAAT), which ensures that concerns relating to children and vulnerable adults are addressed in a timely manner, with a response that is proportionate to the needs of children, vulnerable adults and their families.

KPS will review internal structure and procedures within the organisation to:

- Update outdated relevant information and legislation
- Enforce rigorous recruitment practices, induction and specialist training in safeguarding, supervision and monitoring of staff and volunteers working with all its clients
- Ensure that all staff and volunteers are aware of safeguarding procedures, confidentiality and good practice
- Ensure the Responsible Trustee is aware of the concerns process

Procedures for reporting abuse

- Report concerns to KPS Safeguarding Officer
- Follow Cornwall Council guidelines and appropriate routes

In the first instance, the matter will be discussed in confidence, and you will be given details of the procedure which should be undertaken as outlined in the policy and the Care Act 2014.

In addition, KPS will:

- Play a co-ordinating and advocacy role in assisting concerns regarding the protection of vulnerable adults from abuse, and the process that should be undertaken
- Support any concerns or anxieties
- Support the person(s) who have been abused, and those involved
- Ensure those involved know how KPS will feedback on actions taken and why
- Offer professional support such as counselling to all those involved
- Pursue criminal proceedings when appropriate

- Provide information and crime prevention assistance to vulnerable adults and children to help them protect themselves
- Ensure appropriate victim support and care is provided (see Care Act 2014)
- Share information as defined and in accordance with the Mental Capacity Act 2005, which contains clear guidance on information sharing and disclosure without consent (see Care Act 2014).

PROCEDURES ENSURING KPS PROTECTS:

- **Service Users (*Clients*) accessing our services.**
- **Staff – including contracted practitioners (*Counsellors/Therapists*).**
- **Volunteers (*including Trustees and Patrons*).**

All those involved in providing services will have undertaken the necessary training (*see Staff/Volunteer Handbook*) such as understanding all KPS Policies and Procedures, record keeping, 14.180 Care Act 2014, information sharing, confidentiality, Multi Agency policies, 14.231 Care Act 2014.

All those involved in providing services will have had relevant checks (*Disclosure and Barring Service*) made, and their certificates are reviewed and updated at the required intervals.

All those involved in providing services will ensure that all Service Users (*Clients*) are made aware of, and understand, all KPS Policies and Procedures (*see Client Handbook*) and Care Act 2014 14.192.

There will be annual and periodic reviews of the effectiveness of this policy, guidelines and procedures such as:

- Looking at any concerns or alerts raised over the last year (*if applicable*) and ensuring that the policy, guidelines and procedures are effective.
- Identifying and addressing any disincentives to reporting abuse.
- Recording reviews and any revisions to policy and guidelines.
- Using Cornwall Council procedures
- Attending Strategy Meetings and Case Conferences where appropriate in respect of regulated services.
- Contributing to investigations acknowledging the requirements of confidentiality and data protection.
- Raising public awareness within any HIV Awareness training carried out by the organisation of the abuse of vulnerable adults and children, and giving clear messages that Safeguarding Adults and Children is everyone's responsibility.

For further information see Sections 14.158 Safeguarding – Adult Social Care Outcomes Framework (ASCOF), 14.162 Safeguarding – Adult Reviews, and 14.165 – 14.167 of the Care Act 2014.

This policy also includes the identification of risks posed to both clients and staff during lone working. KPS recognises that a significant proportion of the support provided will be through one to one contact in a variety of settings and the risks to clients, staff and volunteers need to be identified. Staff and volunteer training and induction procedures will highlight the potential risks to staff and volunteers, and the risk to clients will be identified in the client handbook. As part of the overall service

provision staff and volunteers are required to draw to the attention of prospective clients the relevant section of the client handbook which deals with these potential risks.

Information covering these potential risks and how staff, volunteers and clients deal with the possible risks which can arise from one to one working are contained in several policy documents including:

- KPS Risk Assessment
- KPS Lone Worker Policy
- KPS Whistleblowing Policy
- KPS Personal Safety Policy
- KPS Harassment Policy
- KPS Ethics and Practices Policy
- KPS Disciplinary Procedure Policy
- KPS Conflict of Interest Policy
- KPS Confidentiality and Data Protection Policy
- KPS Complaints Policy
- KPS Health & Safety Policy

Plus the KPS Client Handbook and the KPS Staff and Volunteer Handbook.

Human Rights Act 1998

Human rights are Rights and freedoms that belong to all individuals regardless of their nationality and citizenship. They are fundamentally important in maintaining a fair and civilised society.

Article 2 - *Right to life.*

A person has the right to have their life protected by law. There are only very limited circumstances where it is acceptable for the state to take away someone's life e.g. if a police officer acts justifiably in self-defence.

Article 3 - *Prohibition of torture.*

A person has the absolute right not to be tortured or subjected to treatment or punishment which is inhuman or degrading.

Article 4 - *Prohibition of slavery and forced labour.*

A person has the absolute right not to be treated as a slave or to be required to perform forced or compulsory labour.

Article 8 - *Right to respect for private and family life.*

A person has the right to respect for their private and family life, their home and their correspondence. This right can be restricted only in specified circumstances

Article 9 - *Freedom of thought, conscience & religion*

A person is free to hold a broad range of views, beliefs and thoughts, and to follow a religious faith. The right to manifest those beliefs may be limited only in specified circumstances

Article 10 - *Freedom of expression.*

A person has the right to hold opinions and express their views on their own or in a group. This applies even if those views are unpopular or disturbing. This right can be restricted only in specified circumstances.

Preserving Evidence

Your first responsibility is to the safety and welfare of the abused person. However, immediate action may be necessary to preserve and protect evidence. Your action may be vital in any future proceedings and the success (or failure) of any investigation.

- Don't disturb the person.
- Don't change their clothes, bathe them or give them a drink.
- Don't disturb the room.
- Don't let other people go into the room until the police arrive.
- Do keep the 'victim' and the perpetrator apart.
- Do keep them calm and quiet until the police arrive.
- Do keep bedding, clothing and so on.
- Do tell hospital staff what you think has happened, as it might affect the way they treat the person.

If you witness abuse or someone tells you about it

You must:

- Write an account of what you have seen or heard as soon as possible. Make sure you include the time and date.
- Make sure the information is factual and accurate.
- Note down what the person said, using their own words.
- Describe the circumstances and identify anyone else who was there at the time.
- Use a body map to record any injuries if appropriate.
- Sign and date your report, noting the time and location.
- You **must** report any concerns that you may have.
- Never assume that somebody else will recognise and report what you have seen or heard.
- You should normally report your concerns to a trustee/designated person as soon as possible and they will then contact the relevant organisations.

However, if you think that any person involved in the abuse or does not take what you say seriously, you **must** contact:

The Responsible Trustee
Kernow Positive Support

The aim should be to create a framework for action within which all responsible agencies work together to ensure a coherent policy for the protection of vulnerable adults at risk of abuse and a consistent and effective response to any circumstances giving ground for concern or formal complaints or expressions of anxiety (See Care Act 2014). The agencies' primary aim should be to prevent abuse where possible, but if the preventive strategy fails, agencies should ensure that robust procedures are in place for dealing with incidents of abuse. The circumstances in which harm and exploitation occur are known to be extremely diverse, as is the membership of the at-risk group. The challenge has been to identify the next step forward in responding to this diversity.

- **Everyone has the right to live their life free from violence, fear and abuse.**
- **Everyone has a right to be respected by other people.**
- **Everyone has a right to make choices about their life and things that affect them.**
- **Everyone has a right to live in safety.**
- **You have these rights whoever you are. It doesn't matter if you are old, or disabled, or ill. You still have these rights.**
- **This information is about protecting your rights and stopping abuse.**
- **If you think you are being abused, you should tell someone. There is information below about whom you should tell, and what they will do next.**

SAY NO TO ABUSE - Tell someone you trust.

These are some phone numbers you might need to use:

Police:

Emergencies: **999**

Non-emergency number: **101**

Adult Care and Support

0300 1234 131

accessteam.referral@cornwall.gov.uk

Kernow Positive Support (KPS)

01872 258453

Out-of-hours 01208 264866

The National AIDS Helpline

0800 012322 (24hr Helpline)

THT Direct (Terrence Higgins Trust)

0808 802 1221

Council of the Isles of Scilly

01710 424 000

Out of Hours 01720 422 699

Care Quality Commission

0300 0616 161

NHS Direct

111

Royal Cornwall Hospitals Trust

01872 250000

Cornwall & Isles of Scilly PCT

01726 627800

Cornwall Partnership Trust

01726 291000

Action on Elder Abuse

0808 808 8141

Age UK

01872 266388

DIAL (*Disability Information & Advice Line*)

01736 759 500

Mencap

0808 808 1111

Mind

0300 123 3393

Other information

Some of the information contained within this document was overseen by the Cornwall and Isles of Scilly Safeguarding Adults Board.

The unit consists of an Independent Chair and members from Cornwall Council, the NHS, the Police, South West Ambulance Service Trust, Healthwatch Kernow, and members representing Further Education, service users and carers.

Professionals or others seeking more information can contact the Safeguarding Adults Unit:

E-mail:

AdultSafeguardingReferrals@cornwall.gov.uk

Telephone: Adult Social Care Access Team on 0300 1234 131 Option 2 or Safeguarding

Adults Triage Team on 01872 326433

Website:

<http://www.cornwall.gov.uk/health-and-social-care/adult-social-care/safeguarding-adults/>

Professionals wishing to make an interagency adults safeguarding referral must complete an [interagency adults safeguarding referral form](#).

Alternatively you can email **AdultSafeguardingReferrals@cornwall.gcsx.gov.uk** or ring the Adult Safeguarding Service on **01872 326433** for advice. You will receive a written response to your referral.

If you're an adult experiencing abuse or neglect, contact Cornwall Council's Access Team on 0300 1234 131 or email acessteam.referral@cornwall.gov.uk You can also contact them if you're concerned about an adult who may be experiencing abuse or neglect.

If you have concerns about an adult on the Isles of Scilly, contact the Council of the Isles of Scilly Adult Social Care department on **01720 424000**.

All KPS policies and procedures are reviewed annually; this Safeguarding Vulnerable Adults and Children Policy has been reviewed and ratified by the KPS Board of Trustees commencing 30th November 2018 (*under 'policies' as shown in the KPS Annual Report and Accounts*).

Ref: SAFEPA-APR2010. (Revised – November 2018)