

Disability Nottinghamshire Safeguarding Policy

1. Statement

The management of Disability Nottinghamshire recognises that the protection and safety of vulnerable adults is everyone's responsibility and it is the duty of staff to protect vulnerable adults with whom they come into contact from abuse.

All safeguarding incidents must be escalated to the Charity Manager who is the first line of contact.

2. Vulnerable adults

Disability Nottinghamshire defines a vulnerable adult based on the Law Commission's definition – that is a person who: 'is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself against significant harm or exploitation'

In clarifying this further, Disability Nottinghamshire adopts the Department of Health's guidance in that an 'adult' refers to a person aged 18 years and over and that people with learning difficulties, mental health problems, older people and people with a disability or impairment will be included within this definition, particularly when their situation is complicated by additional factors, such as physical frailty or chronic illness, sensory impairment, challenging behaviour, drug or alcohol problems, social or emotional problems, poverty or homelessness.

3. Purpose of this policy

This policy and the Code of Practice establishes the roles and responsibilities of employees, unpaid volunteers, Trustees and committee members in relation to the protection of vulnerable adults, with whom their work brings them into contact. Within this document, the term staff refers to any person, either paid or unpaid, carrying out any duties on behalf of Disability Nottinghamshire.

4. Approach

In relation to vulnerable adults, the approach Disability Nottinghamshire will take is based on, and reflects, the principles of relevant legislation and guidance relating to the protection of vulnerable adults.

The welfare of the vulnerable adult is the paramount consideration. All vulnerable adults, regardless of age, disability, gender, racial or ethnic origin, religious belief and sexual orientation have a right to protection from harm or abuse.

5. Responsibility

The Trustees are responsible for the protection of vulnerable adults within Disability Nottinghamshire They have designated the Charity Manager to oversee this on their behalf. This will include ensuring the implementation and monitoring of this policy.

6. Recruitment and selection of staff

In relation to recruitment and selection of staff, this will also include ensuring that all criminal disclosures are made regardless of when they were committed or whether they were of major or minor consequence including spent convictions under the Rehabilitation of Offenders Act 1974, and have references taken which refer to candidates' suitability to work/have contact with vulnerable adults.

7. Training and monitoring

It is also the responsibility of the management of Disability Nottinghamshire, to ensure that all staff for whom they are responsible, are aware of and the understand the importance of implementing this policy and the related procedures and code of good practice.

The Trustees recognise that if vulnerable adults are to be truly protected it is essential that everyone working with vulnerable adults contributes to the work of those with direct responsibility for the protection of vulnerable adults. The procedures that follow recognise and are consistent with that objective and have been designed to complement Local Authority procedures.

8. Who is affected?

As a responsible body, we cannot and should not restrict our sense of duty to those vulnerable adults we identify as our service users. Staff, through their work, come into contact with a number of vulnerable adults each and every year. By being vigilant and acting where concerns exist, we can play an important part in their protection.

9. Categories of abuse

Disability Nottinghamshire recognise the six categories or definitions of abuse adopted from No Secrets.

- Physical abuse, including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions
- Sexual abuse, including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent or was pressured into consenting;
- Psychological abuse, including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks;
- Financial or material abuse, including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits;
- Neglect and acts of omission, including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating; and
- Discriminatory abuse, including racist, sexist, that based on a person's disability, and other forms of harassment, slurs or similar treatment.

10. Signs of abuse

Staff have a responsibility to be aware and alert to signs that all is not well with a vulnerable person. However, they are not responsible for diagnosing, investigating or providing a therapeutic response to abuse. In addition, not all concerns relate to abuse, there may well be other explanations. It is important to keep an open mind and consider what is known about the vulnerable person and his or her circumstances. No action should be taken without discussion with a member of the management team.

11. Shared information

In operating this policy, staff must also be aware that, in order to protect vulnerable adults, in some circumstances it will be necessary to share what might normally be regarded as confidential information. The following principles should be adhered to:

- Information will only be shared on a need to know basis.
- Information will only be shared when it is in the best interests of the service users.
- Confidentiality must not be confused with secrecy.
- Informed consent should be obtained but if this is not possible and other vulnerable adults are at risk it may be necessary to override it.

12. Code of practice

Guidance in the form of the Code of Practice has also been developed to provide staff with ideas which not only will help to protect vulnerable adults, but will also help to identify any practices which could be mistakenly interpreted and perhaps lead to false allegations of abuse.

Staff should familiarise themselves with this and if it is necessary to carry out practices contrary to it, only to do so after discussion with, and the approval of, the management.

13. Disclosure of abuse

If a vulnerable person discloses that they are being abused or any service user discloses that they are involved in abuse of a vulnerable person, action should continue as in the section below **15 Action on disclosure of abuse**. All action must proceed urgently and without delay.

14. Suspicion of abuse

There may be circumstances when a volunteer or member of staff suspects that a vulnerable adult is being abused or neglected. It is vital that any anyone who suspects a vulnerable adult is being neglected or abused discusses the situation immediately with his or her line manager or a Trustee. Action should continue as in the section below **16 Action on suspicion of abuse**. All action must proceed urgently and without delay.

15. Action on disclosure of abuse

There should always be the opportunity to discuss welfare concerns with and seek advice from colleagues, managers and other agencies, but:

- Never delay emergency action to protect a vulnerable adult
- Always record in writing concerns about a vulnerable adult's welfare, whether or not further action is taken
- Always record in writing discussions about a vulnerable adult's welfare.
- At the close of discussion, always reach clear and explicit recorded agreement about who will be taking what action, or that no further action will be taken.
- At all times action must proceed urgently.
- A staff member or volunteer informed of abuse should remind the service user that the charity cannot guarantee confidentiality where a vulnerable person is at risk of abuse or further abuse.
- Volunteers should consult with the staff member co-ordinating their service before taking any action.
- Additionally, all action taken following a disclosure of abuse should be discussed in advance with a member of the management team.
- In circumstances where a service user declines to disclose, despite some work having been done towards disclosing, it may be necessary to report the alleged abuse without the service user's agreement. In these circumstances, a service user must be notified in advance of the decision to report to social services.
- Any staff member may report a disclosure of abuse to social services irrespective of the opinion of other staff.
- It is important for staff and volunteers to make written records of any incidents or concerns that they have as soon as possible and if appropriate to include sketches of sites and sizes of injuries. It is also important to make a record of conversations with the vulnerable person using the same language the vulnerable person used especially names used for body parts or sexual acts.
- Full written records must be maintained of all disclosures and actions following disclosure.

16. Action on suspicion of abuse

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- At the close of discussion, always reach clear and explicit recorded agreement about who will be taking what action, or that no further action will be taken.
- At all times action must proceed urgently.
- Volunteers should consult with the staff member co-ordinating their service before taking any action.
- Additionally, all action taken following suspicion of abuse should be discussed in advance with a member of the management team.
- In all cases of suspected abuse the manager and staff member should discuss whether issues relevant to different cultures and lifestyles have any bearing on the matter.
- As an organisation Disability Nottinghamshire welcomes the fact that people and lifestyles are diverse and does not make judgements about the acceptability or otherwise of lifestyles.
- However it is important that this philosophy does not stand in the way of the organisation's responsibility to protect vulnerable people from harm.
- Any staff member may report a suspicion of abuse to social services irrespective of the opinion of other staff.
- It is important for staff and volunteers to make written records of any incidents or concerns that they have as soon as possible and if appropriate to include sketches of sites and sizes of injuries. It is also important to make a record of conversations with the vulnerable person using the same language the vulnerable person used especially names used for body parts or sexual acts.
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17. Making a referral

In the case of a referral being within Nottinghamshire County, you should contact the Local Authority on **0300 5008080**.

In the case of a referral being within Nottingham City, you should contact **0115 8838460**.

If you believe that someone is in imminent danger or has suffered injury then you should telephone the Police 999.

Social services departments have been designated as the lead agencies with responsibility for co-ordinating a response to allegations or concerns of abuse.

Disability Nottinghamshire's manager and Trustees have joint responsibility of informing the relevant social services department of concerns over the abuse or neglect of vulnerable adults. Detailed referral arrangements may differ between localities and, therefore, the manager and the Trustees will ensure that they have up-to-date referral information for their locality.

The manager and Trustees will work within the following timescales for reporting allegations or suspicions of abuse:

- Immediate if the vulnerable person is at immediate risk of serious physical harm, or a serious criminal act has taken place, and evidence will need to be kept safe
- Organisational Handbook 46
- Within 24 Hours if it relates to a specific incident or general concern which is, or may be still going on, or may happen again but does not pose an immediate risk.

18. Support to staff and volunteers

Disability Nottinghamshire will support staff and volunteers in these circumstances. If the social services department need further involvement from staff or volunteers following a report of abuse, a member of the management team will discuss with the social services department the nature of their needs and how they might be met.

19. Allegations of abuse made against a staff member or volunteer

Staff and volunteers may be subject to abuse allegations. Disability Nottinghamshire will offer support in these circumstances, but the social services department will be assisted in their investigation and if appropriate the disciplinary procedure may be implemented.

20. Confidentiality

Confidentiality is central to the work of Disability Nottinghamshire, and the attention of all staff and volunteers is drawn to the Code of Conduct and Confidentiality Policy.

21. Preventing abuse by staff and volunteers

It is important that any staff or volunteers who are likely to be working alone with vulnerable people are thoroughly vetted before being employed. At Disability Nottinghamshire this means as well as references being checked there will also be a requirement for offences to be declared and a Criminal Records Bureau check undertaken.

It should be noted that having a criminal record does not prevent someone from being recruited as a staff member or volunteer in all circumstances. See the Policy on Recruitment and the Policy on CRB checks and the recruitment of ex offenders. Staff should seek the advice of their manager in cases of doubt.

It may be very hard for a worker to report a concern about a colleague to a line manager but, as with all the other difficulties people will come across, the safety and protection of a vulnerable person must be the priority in any decision that is made.

REMEMBER, THE FIRST PRIORITY SHOULD ALWAYS BE TO ENSURE THE SAFETY AND PROTECTION OF VULNERABLE ADULTS AND THAT IT IS THE RESPONSIBILITY OF ALL STAFF TO ACT ON ANY SUSPICION OR EVIDENCE OF ABUSE OR NEGLECT.

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