



<b>Policy title:</b>	<b>Safeguarding Vulnerable Adults Policy</b>
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<b>Issue date:</b>	January 2022	<b>Date policy is to be reviewed:</b>	January 2023
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<b>Version:</b> 4	<b>Issued by:</b>	Andrea West (CEO)
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<b>Scope</b>	All staff, volunteers, stakeholders
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<b>Associated documentation:</b>	BWA Code of Conduct BWA Case Management Procedure BWA Supervision Procedure BWA Whistleblowing Policy BWA Confidentiality Policy BWA Disciplinary Procedure BWA Data Retention Policy
<b>Appendices:</b>	Appendix 1 What is Abuse Appendix 2 Making a referral
<b>Approved by:</b>	BWA Board of Trustees
<b>Date:</b>	January 2022

<b>Review and consultation process:</b>	Reviewed annually by CEO and verified by Board of Trustees
<b>Responsibility for Implementation &amp; Training:</b>	CEO



## **Principle**

Berkshire Women's Aid (BWA) is committed to safeguarding and promoting the welfare of vulnerable adults, children and young people, engaged in the breadth of its activities.

## **Purpose**

The purpose of this policy is to outline the duty and responsibility of staff, volunteers and trustees working on behalf of BWA in relation to the protection of vulnerable adults from abuse.

## **Introduction**

For the purpose of this document 'adult' means a person aged 18 years or over. All adults have the right to be safe from harm and should be able to live free from fear of abuse, neglect and exploitation.

## **The key objectives of this policy are:**

- To explain the responsibilities BWA and its staff, volunteers and trustees have in respect of vulnerable adult protection.
- To provide staff with an overview of vulnerable adult protection.
- To provide a clear procedure that will be implemented where vulnerable adult protection issues arise.

## **Our approach:**

1. BWA will undertake checks on all staff, volunteers, students and sessional workers recruited to work within our service including: enhanced DBS checks every year, references will be taken up prior to employment, and staff will be subject to regular management supervision, training and support.
2. BWA staff, volunteers, trustees and service users will maintain appropriate boundaries at all times and will not engage in any activity that could be construed as abusive.
3. BWA will operate confidential reporting systems: anyone who has concerns or suspicions that abuse is taking place will report any concerns in accordance with this policy. These disclosures will be accurately recorded and evidenced and followed up appropriately.
4. Where appropriate we will offer continued support and work with vulnerable adults and their families following the commencement of Police or Adult Social Care action.
5. Action will be taken against staff, trustees, volunteers or service users who use their position or influence to abuse others.
6. Principles of good practice for staff are provided in our Code of Conduct. They have been developed to help protect children and adults from abuse and staff from false allegations being made against them by outlining good work practice.



## **The role of staff, volunteers and trustees**

All staff, volunteers and trustees working on behalf of BWA have a duty to promote the welfare and safety of vulnerable adults.

Staff, volunteers and trustees may receive disclosures of abuse and observe vulnerable adults who are at risk. This policy will enable staff/volunteers to make informed and confident responses to specific adult protection issues.

The Care Act 2014 sets out a clear legal framework for how local authorities and other parts of the system should protect adults at risk of abuse or neglect. For a safeguarding response to be required under the Care Act 2014, the person has to meet three criteria: having care and support needs; experiencing (or being at risk of) abuse or neglect; and being unable to protect themselves because of those needs.

## **Responding to an allegation**

1. First tell your team's senior manager, who will provide you with initial advice and guidance about whether an allegation requires a formal safeguarding referral. The senior manager is able to seek further support from the the Safeguarding Lead or the Chief Executive.
2. Any suspicion, allegation or incident of abuse must be reported to the team's senior manager or Safeguarding Lead on that working day where possible.
3. The nominated member of staff shall report the matter to the appropriate local adult social care safeguarding team, either via telephone, safeguarding referral form or multiagency referral form (MARF). A written record of the date and time of the report should be recorded on MODUS; the report must include the name and position of the person to whom the matter is reported. Any telephone report must be confirmed in writing to other relevant local authority adult social services department within 24 hours. Take care to record the actual words used by the service user when they report abuse. Where possible, service user consent should be sought prior to making a safeguarding referral unless you believe doing so would increase the risk to an individual. If a safeguarding referral needs to be made without the consent of the parent or care giver, complete the 'BWA Information Sharing Without Consent form' (see BWA Confidentiality Policy) and upload to the service user or child's MODUS record as required.
4. Record the time and the date of the incident and the time and date on which you were notified on MODUS. Make accurate, factual records even if the service user has said that they do not want to take any further action. This record may be used in any further investigation.
5. Copies of any relevant correspondence should be sent to the appropriate manager, clearly marked Strictly Confidential and for the attention of only the person to whom it is addressed.



## **Responding appropriately to an allegation of abuse**

In the event of an incident or disclosure:

### **DO**

- Make sure the individual is safe
- Assess whether emergency services are required and if needed call them
- Listen
- Offer support and reassurance
- Ascertain and establish the basic facts
- Make careful notes and obtain agreement on them
- Ensure notation of dates, time and persons present are correct and agreed
- Take all necessary precautions to preserve forensic evidence
- Follow correct procedure
- Explain area of confidentiality; immediately speak to your manager for support and guidance
- Explain the procedure to the individual making the allegation
- Remember the need for ongoing support

### **DON'T**

- Confront the alleged abuser
- Be judgmental or voice your own opinion
- Be dismissive of the concern
- Investigate or interview beyond that which is necessary to establish the basic facts
- Disturb or destroy possible forensic evidence
- Consult with persons not directly involved with the situation
- Ask leading questions
- Assume Information
- Make promises
- Ignore the allegation
- Elaborate in your notes
- Panic

It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. This is a task for the professional adult protection agencies, following a referral from BWA.

## **Confidentiality**

Staff, volunteers and trustees have a professional responsibility to share relevant information about the protection of vulnerable adults with other professionals, particularly investigative agencies and adult social services.

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Clear boundaries of confidentiality will be communicated to all.

All personal information regarding a vulnerable adult will be kept confidential. All written records will be kept on MODUS for a specific time as identified in BWA Data Retention Policy. Records will only record details required in the initial contact form.

If an adult confides in a member of staff and requests that the information is kept secret, it is important that the member of staff tells the adult sensitively that he or she has a responsibility to refer case of alleged abuse to the appropriate agencies.

Within that context, the adult should, however, be assured that the matter will be disclosed only to people who need to know about it.

Where possible, consent should be obtained from the adult before sharing personal information with third parties. In some circumstances obtaining consent may be neither possible nor desirable as the safety and welfare of the vulnerable adult is the priority.

Where a disclosure has been made, staff should let the adult know the position regarding their role and what action they will have to take as a result. Staff should assure the adult that they will keep them informed of any action to be taken and why.

The adults' involvement in the process of sharing information should be fully considered and their wishes and feelings taken into account.

## **The role of key individual agencies**

### **Adult Social Services**

Adult safeguarding means protecting a person's right to live in safety, free from abuse and neglect. The Care Act (2014) requires that each local authority must:

- make enquiries, or ensure others do so, if it believes an adult is, or is at risk of, abuse or neglect. An enquiry should establish whether any action needs to be taken to stop prevent abuse or neglect, and if so, by whom;
- set up a Safeguarding Adults Board (SAB)
- arrange, where appropriate, for an independent advocate to represent and support an adult who is the subject of a safeguarding enquiry or Safeguarding Adult Review where the adult has 'substantial difficulty' in being involved in the process and where there is no other appropriate adult to help them;
- cooperate with each of its relevant partners (as set out in section 6 of the Care Act) in order to protect adults experiencing or at risk of abuse or neglect. These duties apply in relation to any person who is aged 18 or over and at risk of abuse or neglect because of their needs for care and support. Where someone is over 18 but still receiving children's services and a



safeguarding issue is raised, the matter should be dealt with as a matter of course by the adult safeguarding team.

## **The Police**

The Police play a vital role in Safeguarding Adults with cases involving alleged criminal acts. It becomes the responsibility of the police to investigate allegations of crime by preserving and gathering evidence. Where a crime is identified, the police will be the lead agency and they will direct investigations in line with legal and other procedural protocols.

## **Role of Safeguarding Lead**

The role of the Safeguarding Lead is to lead on operational safeguarding practice across the organisation and liaise with the CEO in relation to strategic and governance arrangements related to safeguarding. The Safeguarding Lead will receive specific safeguarding training, will be aware of local statutory arrangements (particularly with regard to police and social care) and will ensure she remains up to date with legislation, regulations and good practice. The Safeguarding Lead is able to provide support and information to staff when a potential safeguarding concern has been identified and ensure the appropriate processes are followed; they provide this support in the absence of the staff member's senior manager, or advise the senior manager if further advice or guidance is required, liaising with the CEO as appropriate.

**The Safeguarding lead for BWA is Service Development Manager who provides operational process for concerns and enquiries with governance oversight from the CEO.**

## **Role of the senior manager**

All of the BWA Senior Management Team are trained to be able to provide support and guidance in relation to adult safeguarding concerns. The role of the senior manager is to support the member of staff, trustee or volunteer involved with the incident and to ensure the correct procedures are followed.

The senior manager could, if agreed with the staff member dealing with the incident, make contact with the designated Adult Protection Officer in the first instance, however, the staff member would routinely take the lead supported by their senior manager or the Safeguarding Lead.

The team senior manager should ensure that all staff within their team are familiar with BWA's vulnerable adult protection procedures and to ensure that all staff undertakes training, where appropriate.



## **Training**

Training will be provided, as appropriate, to ensure that staff are aware of these procedures. Specialist training will be provided for the member of staff with vulnerable adult protection responsibilities, namely the BWA senior management team. All frontline members of staff will complete mandatory adult safeguarding training as part of their induction with BWA and within three months of their employment. This training is renewed once every three years.

## **Complaints Procedure**

BWA has a complaints procedure available to all staff, volunteers and trustees.

## **Recruitment Procedure**

BWA operates procedures that take account of the need to safeguard and promote the welfare of vulnerable adults, including enhanced DBS checks (renewed on an annual basis) training and induction of new staff, volunteers and trustees where applicable.

## **Context**

Adult safeguarding covers any person who is aged 18 or over and at risk of abuse or neglect because of their needs for care and support. Adults with care and support needs are potentially less likely to be able to protect themselves from the risk of abuse or neglect. This can include such adults who have capacity to make their own decision. Statutory adult safeguarding duties apply equally to those adults with care and support needs regardless of whether those needs are being met, regardless of whether the adult lacks mental capacity or not, and regardless of setting. The Care Act (2014) states the key principles underpin all adult safeguarding work are:

- Empowerment – Personalisation and the presumption of person-led decisions and informed consent.
- Prevention – It is better to take action before harm occurs.
- Proportionality – Proportionate and least intrusive response appropriate to the risk presented.
- Protection – Support and representation for those in greatest need
- Partnership – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
- Accountability – Accountability and transparency in delivering safeguarding.

Professionals and others should look beyond single incidents to identify patterns of harm. In order to see these patterns it is important that information is recorded and appropriately shared. Early sharing of information is the key to providing effective help where there are emerging concerns. Fears of sharing information must not stand in the way of promoting and protecting the wellbeing of



adults at risk of abuse and neglect.

## **Legal Framework**

This guidance reflects the principles contained within the Care Act 2014, the Human Rights Act 1998, the Mental Capacity Act 2005 and Public Interest Disclosure Act 1998.

The introduction of the Care Act (2014) embedded Safeguarding Adults as a statutory responsibility with specific requirements for Local Authorities but a clear focus on “safeguarding everyone’s business”: <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>

The Mental Capacity Act 2005, covering England and Wales, provides a statutory framework for people who lack capacity to make decisions for themselves, or who have capacity and want to make preparations for a time when they may lack capacity in the future. It sets out who can take decisions, in which situations, and how they should go about this.

The Human Rights Act 1998 gives legal effect in the UK to the fundamental rights and freedoms contained in the European Convention on Human Rights (ECHR).

The Public Interest Disclosure Act 1998 (PIDA) created a framework for whistle blowing across the private, public and voluntary sectors. The Act provides almost every individual in the workplace with protection from victimisation where they raise genuine concerns about malpractice in accordance with the Act’s provisions.

## APPENDIX 1

### What is abuse?

Abuse is a violation of an individual's human and civil rights by any other person or persons. Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when an adult, with care and support needs, is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent.

Anyone can carry out abuse or neglect, including, for example, partners, other family members, neighbours, friends, acquaintances, and local residents, organised gangs, paid staff or professionals, volunteers and strangers. The Care Act (2014) states abuse and neglect takes many forms including:

- Physical abuse – including hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions;
- Sexual abuse – including rape and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting; 194 Care and Support Statutory Guidance
- Psychological abuse – including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or unreasonable and unjustified withdrawal of services or supportive networks;
- Exploitation – either opportunistically or premeditated, unfairly manipulating someone for profit or personal gain;
- Financial or material abuse – including theft, fraud, exploitation, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, 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, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating;
- Discriminatory abuse – including discrimination on grounds of race, gender and gender identity, disability, sexual orientation, religion, and other forms of harassment, slurs or similar treatment; and
- Organisational abuse – including neglect and poor care practice within an institution or specific care setting like a hospital or care home, for example. This may range from isolated incidents to continuing ill-treatment.
- Domestic abuse – including psychological, physical, sexual, financial, emotional and so called Honour Based violence and abuse.
- Modern Slavery – encompassing slavery, human trafficking, forced labour and domestic servitude and traffickers and slave masters using whatever means they have at their



disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment

- Self Neglect – including a wide range of behaviours neglecting care of one's personal hygiene, health or surroundings including hoarding.

### **Further resources**

Action on Elder Abuse (AEA) is a charity working to protect, and prevent the abuse of, vulnerable older adults. <http://www.elderabuse.org.uk>

The Centre for Policy on Ageing was established in 1947 by the Nuffield Foundation with a remit to focus on the wide-ranging needs of older people. <http://www.cpa.org.uk/index.html>



## APPENDIX 2 - Making a referral

<b>Bracknell Forest Council</b>	01344 352000
Bracknell Children's Social Care	01344 351582
Social Services – Disabilities	01344 352052
Bracknell Community Mental Health Team	01344 351850
Bracknell Community Team Learning Disabilities	01344 352000
<b>Wokingham Borough Council</b>	0118 974 6000
Wokingham Social Services, Children and Families	0118 9445300
Wokingham Social Services, Adult and Disability	0118 9746800
Wokingham Community Mental Health Team	0118 989 0707
Wokingham Community Team Learning Disabilities	0118 974 6832
<b>West Berkshire Council</b>	01635 42400
West Berks Social Services, Children and Families	01635 46545
West Berks, Social Services West Berks Adult & Disability	01635 46545
West Berks, Community Mental Health Team	01635 40558
West Berks, Community Team Learning Disabilities	01635 520120
<b>Reading Borough Council</b>	0118 937 3747
Reading, Social Services Children and Families	0118 937 3641
Reading Social Services Adult and Disability	0118 9390581
Reading Community Mental Health Team	0118 9605612
Reading Community Team Learning Disabilities	0118 9553742

<b>Emergency Numbers</b>	
Emergency Duty Team	01344 786543 Fax 01344 786535
Thames Valley Police 24 hr switchboard	101 999 in emergency
Adult Protection Coordinator - Reading	0118 9390478
Safeguarding Adults Coordinator – Wokingham	0118 9476903
Safeguarding Adults Coordinator – Bracknell	01344 351500