SAFEGUARDING VULNERABLE ADULTS POLICY
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Broxbourne Borough Council believes that all vulnerable people in the Borough have the right to be safe from harm, exploitation and neglect. As such, the Council recognises the role and responsibilities it has in safeguarding vulnerable adults, including the contribution it must make to working together with other agencies to ensure the well-being of vulnerable people in the Broxbourne Borough.

The policy was agreed by Cabinet in December 2014.

The policy applies to all staff, volunteer workers, elected members and organisations providing services under contract with Broxbourne Borough Council.

For queries regarding this policy contact our lead officer for Safeguarding Vulnerable Adults:

Call Steve Tingley on 01992 785577, using extension 5522.
Safeguarding Vulnerable Adults Policy

1. Policy Statement

1.1 Broxbourne Borough Council (referred to as the Council) is committed to safeguarding from harm all vulnerable adults involved in any way in the Council’s activities and services and to treating them with courtesy and respect during their dealings with the Council.

2. Scope of the Policy

2.1 The policy is in respect of the Council’s responsibility and duty of care to safeguard and promote the welfare of vulnerable adults within the Borough.

2.2 This policy applies to all staff (permanent, temporary and casual) and elected members of Broxbourne Borough Council as well as all other people (including volunteers, consultants and contractors) who work on behalf of the Council.

2.3 This policy must be read in conjunction with the Hertfordshire County Council Safeguarding Adults Board’s Safeguarding Adults from Abuse Procedure Issue 7 which can be found at: http://www.hertsdirect.org/your-council/hcc/healthcomservices/acspolicies/safeadults/

The document can also be found at Appendix 2.

The guidance gives comprehensive advice on appropriate behaviour when dealing with vulnerable adults.

3. Legislative Background to the Policy

3.1 Safeguarding vulnerable adults is not currently a legal requirement however this policy adheres to the Hertfordshire County Council Safeguarding Adults Board’s Safeguarding Adults from Abuse Procedure Issue as well as ‘No Secrets’ statutory guidance which can be accessed at https://www.gov.uk/government/publications/no-secrets-guidance-on-protecting-vulnerable-adults-in-care

3.2 Under the Care Standards Act 2000 it is a requirement for most roles providing care or health services to be subject to Disclosure and Barring Service (DBS) checks.

3.3 DBS clearances are still however required for all posts interacting frequently and/or intensively with vulnerable adults.

4. Definitions

4.1 Vulnerable Adults

For the purpose of this policy, a vulnerable adult is anybody aged 18 or over who is or may be in need of community care services because of disability, age or illness and who is or may be unable to take care of themselves or to protect themselves against significant harm or exploitation (Department of Health, No Secrets, 2000 see 3.1).

4.2 Abuse

Abuse is a violation of an individual’s human and civil rights by any other person or persons. It may involve a single or repeated act or omission, occurring within a personal
4.3 There are seven main types of abuse.

5. Types of Abuse

5.1 Physical Abuse

This is defined as the non-accidental infliction of physical force that results, or could result, in bodily injury, pain or impairment. Examples could include:

- An inflicted physical injury, which is not satisfactorily explained
- An injury where there is knowledge or suspicion that it was inflicted intentionally or through lack of care
- Assaults on the body including hitting, slapping, pushing, or kicking resulting in injuries such as burns, abrasions, fractures, dislocation, welts, wounds or marks of physical restraint
- Misuse of medication or medical process e.g. catheterisation
- Restraint or inappropriate actions

5.2 Sexual Abuse

The involvement, either direct or indirect, in sexual activity without consent. This could also be the inability to consent, pressured or induced to consent or take part. Examples could include:

- Rape
- Indecent assault
- Indecent exposure
- Exposure to inappropriate sexual behaviour or images/material

5.3 Emotional or Psychological Abuse

Acts or behaviour which impinge on the emotional health of, or which cause distress or anguish to, vulnerable individuals. This may also be present in other forms of abuse. Examples could include:

- Threats of harm or abandonment
- Humiliation, shaming or ridicule
- Harassment, bullying, intimidation
- Control or coercion
- Deprivation of choice or privacy
- Deliberate social isolation
- Infantilisation – treating an adult like a child

5.4 Neglect, Wilful Neglect and Acts of Omission

Ignoring or withholding physical or medical care needs which results in a situation or environment detrimental to the individual(s). Ill-treatment and wilful neglect of a person who lacks capacity is a criminal offence under the Mental Capacity Act 2005. Examples could include:

- Failure of a person who has responsibility, charge, care or custody of a vulnerable person to provide access to appropriate health, social care or educational services, either unintentional or deliberate
- Withholding necessities of life, including nutrition, medication, heating, shelter, either unintentional or deliberate
The failure to intervene in behaviour which is dangerous to the vulnerable adult or to
others
Repeated incidences of poor care, for example, poor moving and handling

5.5 Discriminatory Abuse

Discriminatory abuse exists when values, beliefs or culture result in a misuse of power that
denies mainstream opportunities to some groups or individuals. It includes discrimination on
the basis of race, gender, age, sexuality, disability or religion, or any of the other protected
characteristics. Examples include:

- Unequal treatment
- Verbal abuse
- Inappropriate use of language
- Harassment
- Exclusion

5.6 Financial or Material Abuse

The unauthorised, fraudulent obtaining and/or improper use of funds, property or any
resources of a vulnerable person. Examples could include:

- The misuse or misappropriation of property, possessions or benefits
- Theft, fraud, exploitation
- Pressure in connection with wills, property or inheritance or financial transactions
- Extortion of money, property and possessions by threat, coercion or fraudulent
means
- Refusal to let the vulnerable person have access to their own money, property or
possessions

5.7 Institutional Abuse

Abuse by an organisation imposing rigid and insensitive routines; poor practices
embedded in systems; unskilled, intrusive or invasive interventions, or an
environment allowing inadequate privacy or physical comfort.

Indicators of the various types of abuse are set out in the Council’s Safeguarding
Vulnerable Adults Procedures.

6. The Aims of the Policy

6.1 The aims of the policy are to:

- Ensure that the welfare of adults is paramount at all times
- Maximise people’s choice, control and inclusion and protect their human rights
- Assist the Council in working in partnership with others to safeguard vulnerable adults
- Ensure safe and effective working practices are in place
- Support staff within the organisation when dealing with vulnerable adults
- Work with employees of the Council, to the same standard, in ensuring the safety and
the wellbeing of the vulnerable adults within their scope
- Encourage them to participate in any training or development opportunities offered
to them to improve their knowledge or skills in this area
- Assist in the process of obtaining a Disclosure and Barring Service check if they
personally require one
- Report concerns or allegations regarding the abuse of vulnerable adults in line
with the Herts Safeguarding Adults Board Guidelines
- Bring to the attention of the relevant contact officer any relevant criminal conviction
or caution that may affect an employee’s position once appointed
7. Allegations of Abuse Against Employees, Volunteers, Elected Members or a Contracted Service Provider

7.1 An allegation is any information that indicates that a Member, employee, volunteer or contracted service provider may have:

- Behaved in a way which might constitute abuse of a vulnerable adult
- Possibly committed a criminal offence against or related to a vulnerable adult
- Behaved towards a child in a way that indicates she/he is unsuitable to work with vulnerable adults

7.2 This applies to any vulnerable adult that the member of staff/volunteer/elected member has contact with in their personal, professional or community life.

7.3 If a member, employee, volunteer or contracted service provider receives an allegation that falls into any of the categories above, they should:

- Take the allegation or concern seriously;
- Immediately report to and inform the Designated Officer for Vulnerable Adults (DOVA)
- Record details on a Vulnerable Adult Reporting Form (Appendix 1)
- The DOVA will inform the Head of Personnel and Payroll to agree the next steps.
- These could involve:
  - The immediate suspension of the individual against whom the allegation has been made;
  - Informing Hertfordshire County Council whose role it will be to investigate the allegation. Ideally, this should be done immediately, but where this is not practical, within one working day of when an allegation is made about abuse against a vulnerable adult. This is because the individual concerned may work in multiple settings for multiple employers;
  - Contacting the police, where it is appropriate to do so.

7.4 Failure of the Council to act in accordance with the Safeguarding Vulnerable Groups Act 2006 in responding to allegations made against its staff, volunteers or councillors may result in the prosecution of the Council.

7.5 Abuse of vulnerable adults concerns made against an elected Member, employee, volunteer or contracted service provider must link directly to the related policies, specifically the Council’s Disciplinary Policy, the Whistleblowing Policy, the Complaints Procedure and the Data Protection Policy.

8. Responding to Allegations or Concerns About Any Other Person e.g. Parent, Carer, Other Service User

8.1 If a member, employee, volunteer or contracted service provider is in this situation, they should:

- Take the allegation or concern seriously;
- Immediately report to and inform the DOVA
- Record details on a Vulnerable Adult Reporting Form, providing as much information as possible. However, this may not always be possible when receiving anonymous letters of concern or calls to the Council’s helpline, in which case the form should be completed as fully as is possible, and the circumstances of the report noted on it.
8.2 The DOVA will inform Hertfordshire County Council and the police as appropriate. This should be within 24 hours of receiving the referral, if not immediately.

8.3 Helpline staff should be trained to refer callers with adult protection concerns that do not relate directly to the Council’s services to the Hertfordshire County Council Customer Service Centre on 0300 123 4042.

9. **Staffing**

9.1 Recruitment procedures are guided by principles set out in *No Secrets*, and are intended to parallel those set out in the Council’s *Child Protection Policy*.

9.2 Before recruiting staff (whether paid or unpaid), the Council will ensure that:

- Job advertisements firmly state that the Council takes safeguarding seriously and will require an enhanced DBS disclosure to be undertaken before employment can commence – this can help deter unsuitable individuals from applying (Disclosure and Barring Service (DBS) checks are the new name for Criminal Records Bureau (CRB) checks)
- The Personnel department should work with the line manager for the new recruit and the DOVA to agree whether the post requires an enhanced DBS check
- Thorough checks are made of an applicant’s identity, work history and references
- All job applicants are asked to declare any criminal convictions
- All employees must provide at least two references, which must be received and accepted as satisfactory by the Council before employment commences. One referee must be the current employer, or if the applicant is not employed, the most recent employer. References must cover the last three years of employment and if in education be provided by the course tutor. Referees must be previous employers, not friends and must not be related to the applicant
- Proof of qualifications are obtained
- Evidence of the person’s right to work in the UK is obtained (employees only)
- An Enhanced DBS Disclosure is carried out
- There are always two members of staff interviewing candidates for positions working with vulnerable adults
- Confirmation of employment will be subject to the receipt of necessary clearance
- A probationary period and close supervision of the person is undertaken;
- Existing employees who have changed jobs and in the opinion of the line manager/Personnel, new duties bring them into contact with vulnerable adults (and children and young people) must complete DBS checks
- DBS disclosures must be renewed every three years
- It will be made clear to applicants that have a substantial contact with vulnerable adults that the position is exempt from the provisions of the *Rehabilitation of Offenders Act 1974*, that is, certain convictions will never become ‘spent’.

9.3 **Training**

It is important that staff are able to recognise the signs and symptoms of abuse, and know the correct procedures to report such observations or disclosures.

Although all staff need to be aware of the Council’s safeguarding responsibilities, training needs to be appropriate to the position. Personnel and the DOVA will review the staffing roles on a yearly basis and agree a training programme.

The Council has adopted the principles set out in the Hertfordshire Safeguarding Adults Board (HSAB) Learning and Development Strategy.
Pursuant to this the Council will:

- Identify all posts in the organisation for which training is appropriate provide a level of training commensurate with the requirements of the post. A data base of posts to be held and periodically updated by HR
- Provide appropriate induction for all new staff
- Provide and update a programme of training that enables the staff to comply with this approach.

The training programme will be structured to ensure staff receive a level of training that meets the needs of that post.

**Staff Group A**

This group work in a frontline role dealing with the public, and as such may have contact with vulnerable adults. Training will be provided by way of staff briefings giving a basic overview of the issue and reporting procedures.

**Staff Group B**

These are posts that provide specific services directly to vulnerable adults. The majority of the posts are in housing, environmental health and leisure. It will be for service managers to determine the training approach but as a minimum posts will attend ‘Group A’ briefings and will complete an e learning module. Broxbourne Council has adopted the module *Safeguarding Adults from Abuse* which can be found at:


The module has been developed by Herts County Council for the purpose of training staff and volunteers on recognising the signs of adult abuse and practical help on the approach to adopt where it is uncovered. The module is accessible by Broxbourne Council staff.

Further details about e-learning and how to create a ‘log in’ can be found at:


**Staff Group C/D**

These posts are those that have:

- Operational or strategic management responsibility for Group B posts
- Responsibility for developing and monitoring policies and procedures relating to vulnerable adults
- A role in promoting and developing safeguarding policies and procedures.

Staff in these posts will need:

- A broad understanding of the legislative and policy framework
- Knowledge and understanding of the processes to escalate concerns to external statutory agencies including HCC and Herts Constabulary
- Ability to take operational decisions on safeguarding issues (including where necessary operations in a discipline other than their own), advice and guide staff

Individual staff needs in this regard will be identified through appraisals and PIP’s. However, where necessary the Council will provide classroom based training and/or external training for those deemed to require it.
**Induction** - All new staff will be made familiar with and given a copy of the Vulnerable Adult Protection Policy and will be made aware of the role of the DOVA.

Posts requiring Group A training will be invited to Safeguarding briefing within one year of taking up their post.

Posts requiring Group B, C and D level of training will be expected to achieve the requisite level of understanding within 6 months of taking up a post.

10. **Confidential and Information Sharing**

10.1 ‘No Secrets’ (Department of Health, 2000) states that the government expects organisations to share information about individuals who may be at risk of abuse. This is also stressed by Safeguarding Adults: the framework for good practice (Association of Directors of Social Services, 2005).

10.2 It is important to identify an abusive situation as early as possible so that the individual can be protected. Withholding information may lead to abuse not being dealt with in a timely manner. Staff therefore, have a duty to share information relating to suspected abuse with Herts County Council Social Care and Herts Constabulary.

10.3 Consent is not required to breach confidentiality in order to make a safeguarding referral where:

- A crime has been committed
- The alleged perpetrator may go on to abuse other adults
- Other vulnerable adults are at risk in some way
- The vulnerable adult is deemed to be at serious risk
- There is a statutory requirement to share information (e.g. under the Mental Health Act 1983, and / or Care Standards Act 2000)
- The public interest overrides the interest of the individual
- When a member of staff of a statutory service, a private or voluntary service or a volunteer is the person accused of abuse, malpractice or poor professional standards.

10.4 If an employee has any doubt about the legality of sharing information, they must in the first instance consult their manager. Information on secure electronic storage in relation to Data Protection and computer misuse is available in the ICT Standards which can be found on the IT intranet homepage.

10.5 Information on the ‘Seven Golden Rules for Information Sharing’ and a flowchart to help employees and elected members decide whether to share information is available on the Safeguarding Vulnerable Adults intranet homepage under Service Documents.

11. **Review of Policy**

11.1 This policy will be reviewed annually or sooner when there are significant changes in legislation or statutory guidance in this area.

12. **Related Policies and Procedures**

12.1 Broxbourne Council Draft Protection Policy

Working for Broxbourne
The following form is to be used by staff to report crime including domestic abuse, hate crime, child protection issues and vulnerable adult issues. It is to be used for referring all incidents for support.

The following referral form should be emailed to safeguarding@broxbourne.gov.uk or phone 01992 785577, using the following extensions:
5522/5857 (Vulnerable Adults)
5909/5574 (Child Safeguarding)
5522/5857 (Domestic Abuse)
You can also obtain advice and guidance on these numbers.

**Note:** Where possible individuals should be aware of the referral and their consent sought. However, where this is not possible or practical then you should make the referral on this form.

If you are seeing someone who you are concerned about and who clearly states that they do not wish to be referred please call the relevant number above to seek further advice.

In these circumstances not wishing a referral to go forward does not remove the duty to make safeguarding referrals to the Designated Safeguarding Children’s Officer or the Designated Safeguarding Adults Officer within the Council. THIS SHOULD BE REITERATED TO THE VICTIM BEFORE THIS FORM IS COMPLETED

<table>
<thead>
<tr>
<th>OSS Referring</th>
<th>Address:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Referrers Name</td>
<td>Tel No:</td>
</tr>
</tbody>
</table>

**Victim Contact Details**

<table>
<thead>
<tr>
<th>Gender:</th>
<th>Surname:</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Names:</td>
<td>Preferred Name:</td>
</tr>
<tr>
<td>Date of Birth:</td>
<td>Language needs? If so which languages?</td>
</tr>
<tr>
<td>Address:</td>
<td></td>
</tr>
</tbody>
</table>

**Children Names and Date of Birth:**

<table>
<thead>
<tr>
<th>Do children live with victim?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preferred Telephone No:</td>
<td>Consent to contact at this address?</td>
<td>Yes</td>
</tr>
<tr>
<td>Email:</td>
<td>Consent to contact on this telephone no.?</td>
<td>Yes</td>
</tr>
<tr>
<td>How should we best contact victim?</td>
<td>Phone</td>
<td>Post</td>
</tr>
<tr>
<td>Any special instructions around contacting:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Date:
<table>
<thead>
<tr>
<th>Alleged Perpetrator Details if Known</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Title:</strong></td>
</tr>
<tr>
<td><strong>First Names:</strong></td>
</tr>
<tr>
<td><strong>Date of Birth:</strong></td>
</tr>
<tr>
<td><strong>Address:</strong></td>
</tr>
</tbody>
</table>

**Reason for Referral**

Type of Domestic and Sexual Violence Service Seeking / Interventions to Discuss

- Domestic Abuse
- Religious/Racial Incident
- Homophobic Incident
- Child Protection
- Vulnerable adults

Making a referral does not remove the duty to make safeguarding referrals to the Designated Safeguarding Children's Officer or the Designated Safeguarding Adults Officer within the Council. THIS SHOULD BE REITERATED TO THE VICTIM.

**Any further information reported**

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Broxbourne Council Helpline

Available 8.30am-5.30pm for further information and advice

Phone: 01992 785577
8.30am-5.30pm
Email: helpline@broxbourne.gov.uk