



ADULTS AT RISK POLICY/PROCEDURES

Adult at Risk Policy

First Housing is committed to the practice, which promotes the welfare of adults at risk and safeguards them from harm.

Who is an Adult at Risk

An adult aged 18 years or over 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 themselves or unable to protect themselves against significant harm or exploitation" (No Secrets DH 2000).

This may include a person who:

- ❖ Is elderly and frail
- ❖ Has a mental illness including dementia
- ❖ Has a physical or sensory disability
- ❖ Has a Learning Disability
- ❖ Has a severe physical illness
- ❖ Is a substance misuser
- ❖ Is homeless

What is abuse?

Abuse is a violation of an individual's human and civil rights by any other person or persons. It can take a number of forms

- ❖ Physical Abuse e.g. hitting pushing, shaking, inappropriate restraint, force-feeding, forcible administration of medication, neglect or abandonment
- ❖ Sexual Abuse e.g. involvement in any sexual activity against his/her will, exposure to pornography, voyeurism and exhibitionism
- ❖ Emotional/psychological abuse e.g. intimidation or humiliation

- ❖ Financial abuse e.g. theft, or exerting improper pressure to sign over money from pensions savings etc.
- ❖ Neglect or acts of omission e.g. being left in soiled clothing, or malnutrition
- ❖ Discriminatory abuse. e.g. racial sexual or religious harassment
- ❖ Personal exploitation - involves denying an individual his/her rights or forcing him/her to perform tasks that are against his/her will
- ❖ Violation of rights e.g. preventing an individual speaking his/her thoughts or opinions
- ❖ Institutional abuse e.g. failure to provide choice of meals or failure to ensure privacy or dignity

Legal Context

Adults at Risk are protected in the same way as any other person against criminal acts. If a person commits theft, rape or assault against an Adult at Risk s/he should be dealt with through the criminal justice system, in the same way as in cases involving any other victim.

Where there is a reasonable suspicion that a criminal offence may have occurred, it is the responsibility of the police to investigate and make a decision about any subsequent action.

The police should always be consulted about criminal matters.

Legislation is available to safeguard and protect Adult at Risk this is outlined below. The Human Rights Act 1998 (enacted 2000) - The rights of Adult at Risk to live a life free from neglect, exploitation and abuse are protected by the Human Rights Act 1998.

Specifically, an adult at risk's right to life is protected (under Article 2); Adult at Risk have a right to be protected from inhuman and degrading treatment (under Article 3); and their right to liberty and security (under Article 5).

Other associated relevant legislation:

The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007.

The Criminal Law Act (Northern Ireland) 1967.

The Health and Personal Social Services (Northern Ireland) Orders and the Health and Social Care (Reform) Act (Northern Ireland) 2009.

The Mental Health (Northern Ireland) Order 1986.

The Police and Criminal Evidence (Northern Ireland) Order 1989.

The Disability Discrimination Act 1995.

The Race Relations (Northern Ireland) Order 1997.

The Public Interest Disclosure (Northern Ireland) Order 1998.

The Family Homes and Domestic Violence (Northern Ireland) Order 1998.

The Northern Ireland Act 1998, Section 75.

The Criminal Evidence (Northern Ireland) Order 1999.

The Health and Personal Social Services Act (Northern Ireland) 2001.

The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003.

The Forced Marriage (Civil Protection) Act 2007.

The Sexual Offences (Northern Ireland) Order 2008.

Aim of the Policy

This policy and procedure aims to provide a co-ordinated approach to the management of any reported instances or suspicion of abuse against adults at risk whilst being supported by First Housing Aid & Support Services.

Safeguarding Adults is about preventing and responding to concerns of abuse, harm or neglect of adults

Our aim is to ensure the safety of an Adult at Risk by outlining clear procedures and ensuring that all staff members are clear about their responsibilities these are to:

- Stop abuse or neglect wherever possible;
- Prevent harm and reduce the risk of abuse or neglect to adults with care and support needs;
- Safeguard adults in a way that supports them in making choices and having control about how they want to live;
- Promote an approach that concentrates on improving life for the adult concerned;
- Raise public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect;
- Provide information and support in accessible ways to help staff understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult; and
- Address what caused the abuse

What is a safeguarding adults concern?

A safeguarding adults concern is any worry about an adult who has or appears to have care and support needs, and may be subject to, or is at risk of abuse and neglect, and unable to protect themselves.

Abuse may be:

- A single act or repeated act
- An act of neglect or a failure to act

Adult safeguarding responsibilities fall within the six safeguarding principles:

1. Empowerment - People being supported and encouraged to make, their own decisions, and informed consent.
2. Prevention - It is better to take action before harm occurs.
3. Proportionality - The least intrusive response appropriate to the risk presented.
4. Protection - Support and representation for those in greatest need.
5. Partnership - Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
6. Accountability - Accountability and transparency in safeguarding practice.

All actions taken should fit within these principles.

Roles and Responsibilities

Within our day to day work we will be called to exercise Safeguarding Responsibilities either as an alert or referral

Alert

This is where the individual makes you aware of a safeguarding concern or you observe something that immediately triggers your concern. First Housing staff should ensure that potential or actual safeguarding concerns are raised, discussed and recorded. Remember if the person themselves is making the disclosure record in their own words and do not ask questions.

Referral

A referral will be actioned by The Designated Officer who has received appropriate training, he/she will make the decision that the Safeguarding concern should be reported to Adult Safeguarding Team. All managers within First Housing have been trained as Designated Officers. They have a responsibility to raise the concern in the following manner

Raising a concern

A concern should be raised with the Adult Safeguarding Team if a person

a) Has care and support needs

and

b) Is experiencing, or is at risk of, abuse or neglect

and

c) As a result of their care and support needs is unable to protect themselves against the (risk of) abuse or neglect.

Who may be the alleged Abuser?

Adults at Risk may be abused by a wide range of people including relatives and family members, professional staff, paid care workers, other vulnerable adults, volunteers, other service users, neighbors, friends, associates, people who deliberately exploit vulnerable people, strangers and opportunistic people.

Staff should be aware that by the nature of their work with vulnerable people they too fit in to the above list of potential abusers. Working with vulnerable people puts us in a position of power and sometimes this power can be abused.

First Housing has a Code of Conduct and Professional and Personal Boundaries Policy in place to protect both service users and staff. These and other related policies outlined in this document form part of our safeguarding children, young people and Adult at Risk procedures and practices.

Professional Abuse

A professional is any one who is in a contractual relationship with an agency which results in them being in a position of trust in relation to a vulnerable adult, their family and carers.

Professional abuse is seen to be significant harm caused by professionals.

Examples of professional abuse,

- ❖ To take advantage of the service users trust
- ❖ To exploit their vulnerability
- ❖ Fail to act in their best interests
- ❖ Fail to keep professional boundaries

Rights of Adult at Risk

The Adult at Risk has the right to:

- ❖ Be made aware of this policy
- ❖ Have alleged incidents recognised and taken seriously
- ❖ Receive fair and respectful treatment throughout
- ❖ Be involved in any process as appropriate
- ❖ Receive information about the outcome
- ❖ The protection of the Law

Everyone within First Housing who makes a complaint/allegation or expression of concern whether, staff, service users or members of the public can be re-assured that they will be taken seriously, be treated with respect, be treated with confidentiality or made aware that their concerns may be shared if they or others are at risk of significant harm. In matters relating to allegations of abuse, the safety of the alleged victim and other Adult at Risk must take priority.

Initial action and multi-agency discussion will include the police where a possible crime has been committed and will also include contacting appropriate registration bodies where the allegation relates to a regulated or registered service. Where the sharing of information is necessary this should be fully explained to the adult at risk, and where appropriate their carer and recorded in the service user file.

If the complaint/allegation is from a service user they will be given immediate protection from the risk of reprisal or intimidation.

If a staff member has raised concerns, or made an allegation they will be given support and protection from the risk of reprisal or intimidation.

First Housing will endeavor to safeguard Adults at Risk by:

- Adhering to our Adult at Risk safeguarding policy and ensuring that it is supported by robust procedures
- Carefully follow the procedures laid down for the recruitment and selection of staff and volunteers
- Provide effective management of staff and volunteers through supervision, support and training
- Implement clear procedures for raising awareness of and responding to abuse within the organisation and reporting concerns to statutory agencies that need to know whilst involving adults at risk.
- Ensuring general safety and risk management procedures are adhered to
- Promoting full participation and having clear procedures for dealing with concerns and complaints

- Manage personal information, confidentiality and information sharing
- Safeguard Adult at Risk by implementing a code of conduct for all those involved with the organisation including visitors

Staff Roles and Responsibilities

Staff members have a duty to adhere to the Adult at Risk Safeguarding Policy and Procedures and to notify their Designated Officer on any matters regarding safeguarding vulnerable adults. However, they do need to pass on any concerns they have through the Adult at Risk Safeguarding reporting procedures. It is crucial that staff members do not attempt to deal with the situation alone. First Housing have in place within each project and service Designated Safeguarding Officers, they will liaise with the relevant safeguarding agencies who in turn will offer guidance and advice on how best to proceed with perpetrators of abuse if they are located within our services. Refer to flowchart at Page 9

First Housing have in place a Safeguarding Champion Eileen Best

Designated Offices need to establish:

- Current level of risk and what immediate steps are needed to ensure safety.
- The individual's wishes and views about the safeguarding issue including their views regarding sharing information with other agencies i.e. the local authority or the police. Wherever possible safeguarding concerns should be raised with the consent of the service user
- Whether the adult at risk has mental capacity to make decisions regarding their own protection and to understand the safeguarding process.
- In the event that people lack the capacity to provide consent, action should be taken in line with the Mental Capacity Act 2005. Please refer to the MCA guidance.

Overriding the wishes of the adult at risk

In the majority of cases staff will follow the wishes of the service users regarding the sharing of information with others. However, where there is a potential risk to other adults at risk or to children and young people, the wishes of the individual may be overridden. Where the sharing of information to prevent harm is necessary consent can also be overridden.

Reporting to the local authority

Record your concern to be communicated to the local Safeguarding Authority without delay using the procedures set out by First Housing
Safeguarding concerns are reported using the adult safeguarding alert form
A safeguarding enquiry (previously known as a safeguarding investigation) will be the responsibility of the local authority

Record keeping

Concerns should be fully documented in the Service User records by the first person to report the suspected abuse, and at all subsequent stages by those concerned in the investigation.

The Designated Officer will monitor and record the ongoing support and wellbeing of the Service User during any investigation and will ensure that all external professionals involved in the care of the Service User are kept informed. The outcome of the safeguarding enquiry should be clearly documented in the Service User File

Supporting Staff

First Housing recognizes that involvement in any aspect of identification or reporting of suspected abuse of a vulnerable adult can be stressful for staff. It is therefore committed to supporting staff through the process of raising a safeguarding concern. Staff should raise concerns directly with their line manager who will be available to offer support.

First Housing has conducted a training needs analysis and details of training arrangements on adults at risk are contained in the Staff Induction Policy and Procedure. All staff has a responsibility to undertake required First Housing and /or aligned local authority safeguarding adults at risk training commensurate with their role.

Refer to Flowchart page 8 of this document

Allegations in relation to a staff member

If the allegation of abuse relates to a staff member, the manager should only clarify the basic facts of the suspected abuse on the grounds of suspicion. The manager should understand that their role is supportive rather than investigative. At this stage they should not ask leading questions.

In cases of suspected abuse of Adult at Risk against a staff member, Nominated Officers will carry out investigations in conjunction with Human Resources. This enquiry will be conducted separately from the enquiry or investigation under Protection of Adult at Risk Policy although there may be a need for simultaneous action and for the co-ordination and sharing of information. Where a criminal investigation is taking place, the internal

investigation may not be carried out/completed, or any potential disciplinary procedures initiated until the outcome of the case is known.

First Housing will report concerns about the suspected abuse by staff to the relevant statutory agency RQIA and the Northern Ireland Social Care Council where appropriate.

Recruitment and Training

First Housing will ensure that all staff whose roles include working with Adults at Risk are carefully selected, screened and supervised. Staff are also responsible for ensuring that they undertake the relevant training identified for their post. It is important for staff to know that they are not responsible for deciding whether abuse has occurred or not; nor are they responsible for conducting any investigations (this is the role of the Health & Social Care Trusts and the PSNI).

Disclosure Checks

As part of the recruitment procedure, all newly appointed staff receive an enhanced Access NI Check

First Housing is committed to reviewing our policy, procedure code of conduct at regular intervals at least once every three years.

This Policy has been updated and amended June 2019 and has been approved by the board of directors and

Authorised by:

Kevin Wright (Name)

Chief Officer (Position)

This policy should be read in association with other Related Policies

Code of Conduct / Professional and Personal Boundaries Policy

Recruitment and Selection Policy

Data Protection Policy

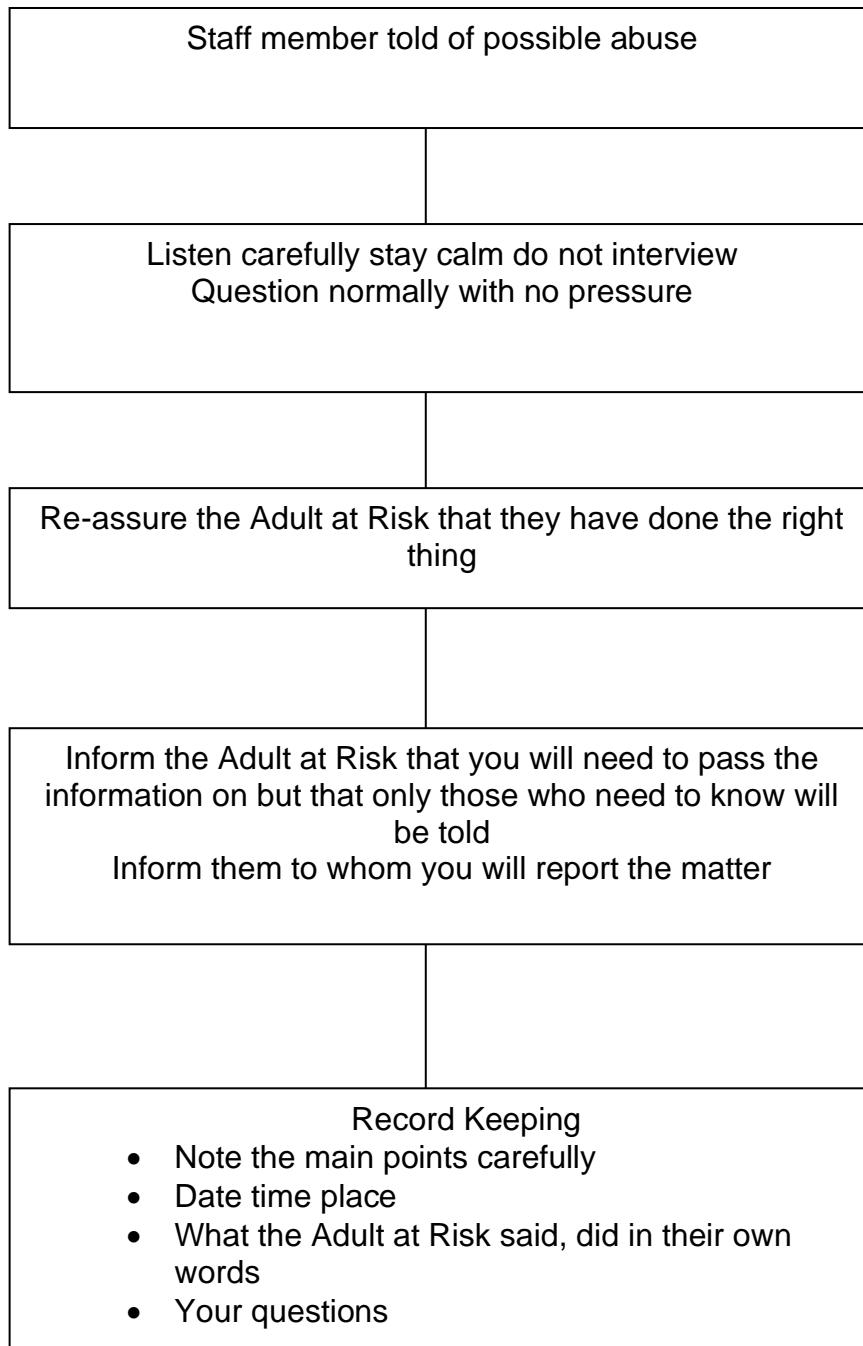
Staff Training and Development Policy

Confidentiality Policy

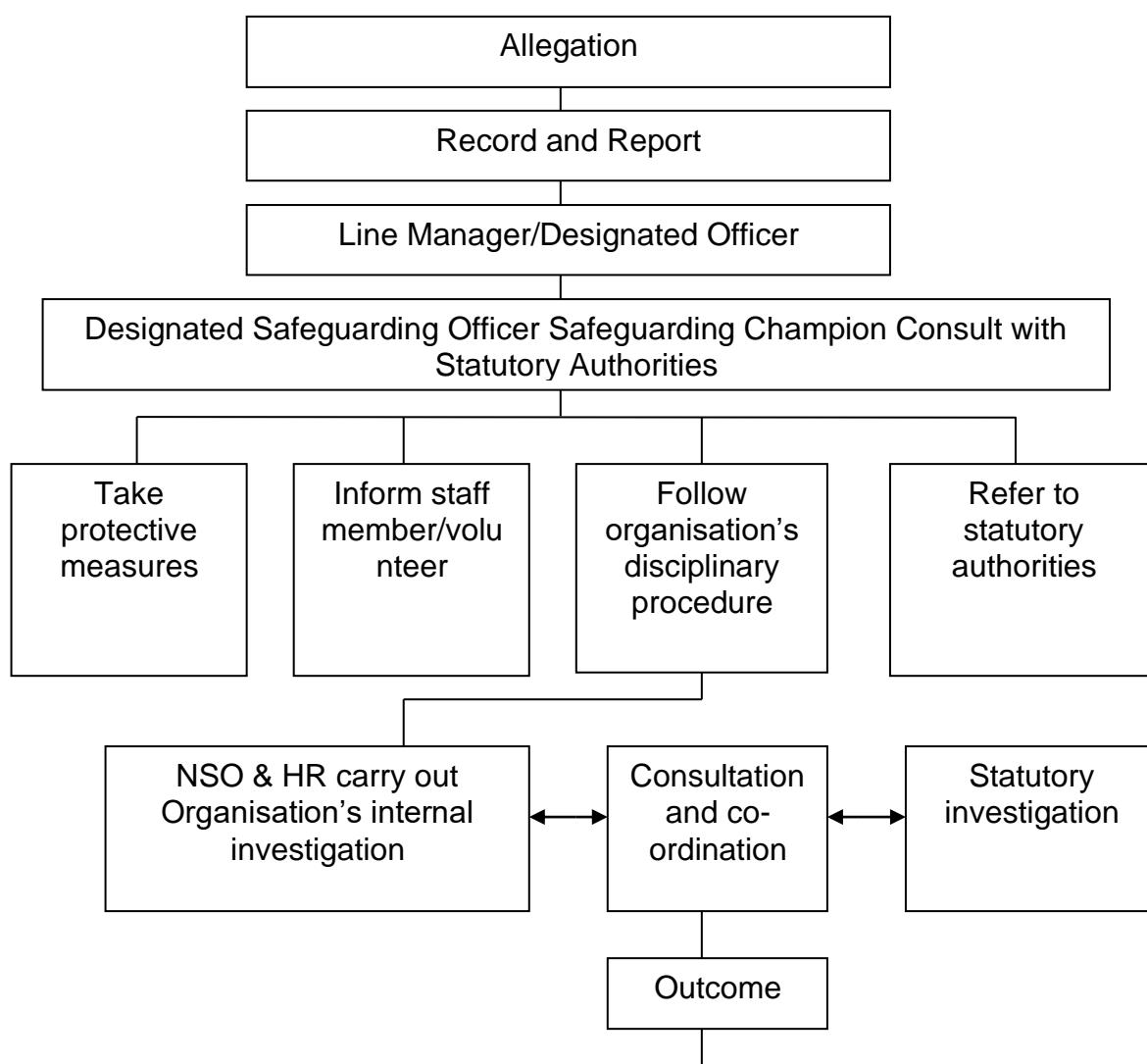
Lone Working

First Housing Whistle blowing Policy

PROCEDURE FOR DEALING WITH ABUSE AND REPORTING CONCERNS

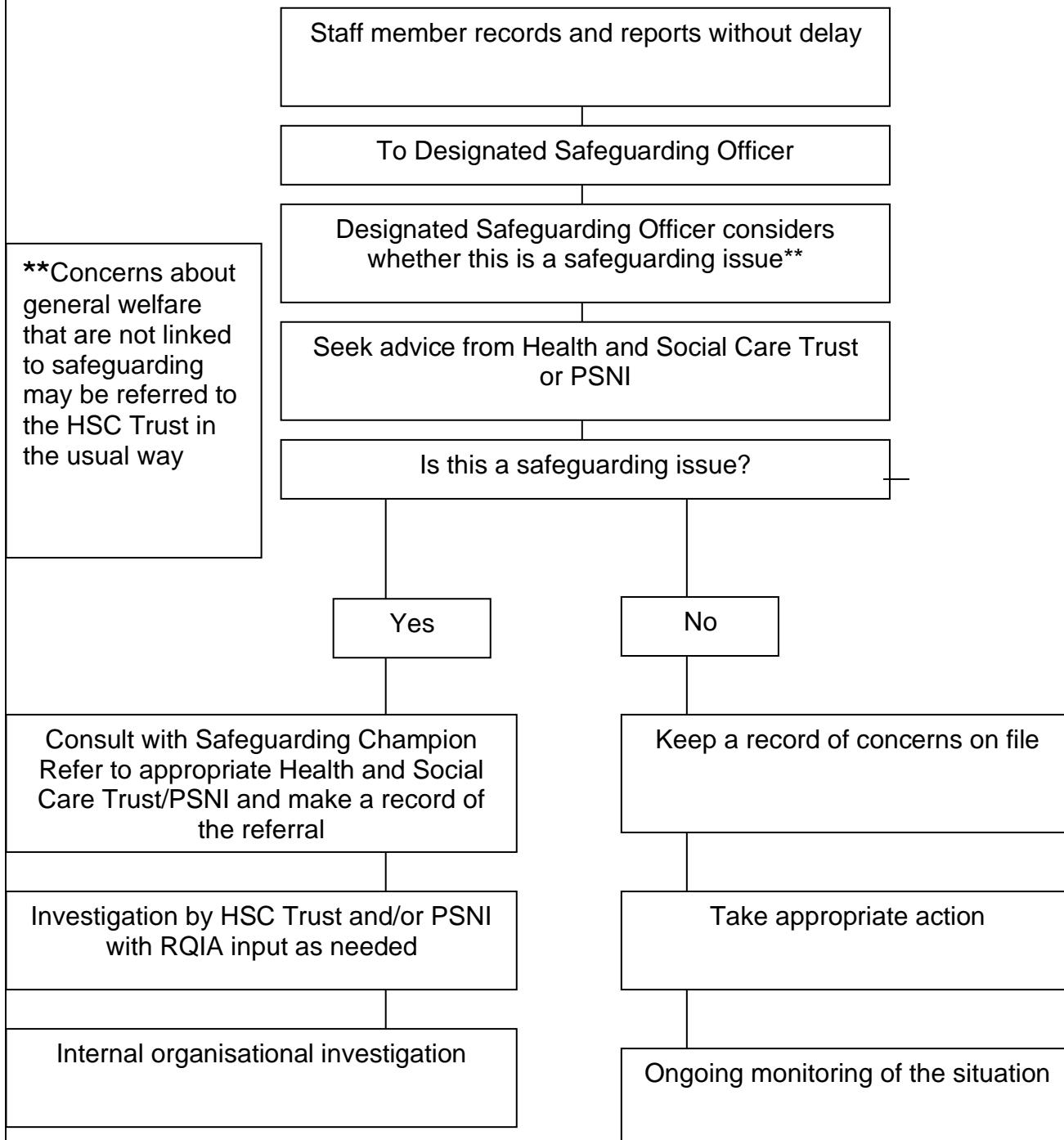


ALLEGATIONS OF ABUSE AGAINST A STAFF MEMBER/VOLUNTEER PROCESS FLOWCHART



<u>1</u>	Allegation of harm/risk of harm substantiated - individual removed from regulated activity <u>or</u>	Refer the individual to the ISA and inform appropriate professional body
<u>2</u>	Allegation of harm/risk of harm substantiated - individual reinstated to regulated activity <u>or</u>	Appropriate sanction should be applied, training/retraining undertaken, appropriate support and supervision provided. Inform appropriate professional body
<u>3</u>	Allegation of harm/risk of harm unsubstantiated - ongoing concerns, e.g. practice concerns <u>or</u>	Staff member should be offered additional support, training/retraining and supervision if necessary. If relevant, inform appropriate professional body
<u>4</u>	Allegation of harm/risk of harm unsubstantiated - no ongoing concerns	Staff member should be offered additional support, training/retraining and supervision if necessary

REPORTING PROCEDURE - FLOW CHART



Useful Contact Numbers for Adult Protection

Missing Persons 101 or 999

Western Adult Protection Gateway Service Covers Omagh and Enniskillen

Adult Safeguarding 02871611366 up to 5 pm

Out of Hours after 5 pm 02895049999

