

Title:	SAFEGUARDING VULNERABLE ADULTS
Type:	POLICY
Policy Group:	SAFEGUARDING
For:	Kyra Women's Project

Leads:	Lisa Barker	Role	Chair of Trustees
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Agreed by:	Safeguarding & Wellbeing Committee	Signature:	
Date:		Name:	
Agreed by:	Board of Trustees	Signature:	
Date:		Name:	

Review Frequency:	1 year
Next Review Process to Start:	March 2019

This document will remain valid during the review process.

SAFEGUARDING ADULTS

Sections:

1. **Key principles**
2. **Legal definition**
3. **Key procedures – National Guidance**
4. **Key procedures – adult**

1. **KEY PRINCIPLES**

- 1.1 Vulnerable adults, disabled and non-disabled, have the human rights to be safe from abuse and neglect, to be protected from harm, including bullying
- 1.2 The Safeguarding Vulnerable Adults' Policy and Procedure should always be used when there is an allegation or suspicion that a vulnerable adult is being abused or neglected i.e. being caused significant harm by another person or group of people.
- 1.3 In order to ensure that the welfare of vulnerable adults is safeguarded and promoted, it needs to be recognised that additional action is required. Research and inspection indicate that disabled children and vulnerable adults face an increased risk of abuse or neglect. Vulnerable adults can be abused and neglected in ways that others cannot.
- 1.4 At KYRA, the client group is specifically children and young adults who are disabled, and vulnerable to harm. Therefore, all who are employed to work at KYRA must be committed to safeguarding, must undergo safeguarding training. All staff must be aware of the different requirements and procedures in relation to children and those aged 18 years and over. The Safeguarding Adults procedures apply to all young people aged 18 years and over, both in the school and social care provision. KYRA has a fundamental duty to ensure that this is the case.
- 1.5 KYRA has a legal duty to follow The City of York Safeguarding Adults Policy and Procedures, who have a decision-making and coordinating role in regard to safeguarding adults.
- 1.6 All safeguarding work with adults should incorporate the principles of empowering adults, with a focus on meeting the desired outcomes of the adult.
- 1.7 KYRA enforces zero tolerance in regard to abuse, and will treat all reports and allegations seriously.
- 1.8 This policy outlines KYRA 's key safeguarding principles, policies & procedures, documents, training, people, meetings, and involved partners & agencies.
- 1.9 The Care Act 2014 and the Care Act guidance set out statutory requirements to develop and assess the effectiveness of safeguarding arrangements founded on six key principles:



Empowerment – people being supported and encouraged to make their own decisions.

Prevention – it is better to take action before harm occurs

Proportionality – the 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.

Kyra women's Project is committed to upholding these key principles.

2. LEGAL DEFINITIONS

2.1 Definition of Vulnerable Adult

- 2.1.1 "A vulnerable adult is a person aged 18 years or over who 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 himself or herself, or unable to protect him or herself against significant harm or exploitation" No Secrets (DH/Home Office 2000).
- 2.1.2 The Association of Directors of Adult Social Services (ADASS) National Framework of Standards (2005) argues against the use of the word "vulnerable" and suggests that local safeguarding adults' procedures should apply to "every adult who is or may be eligible for community care services".
- 2.1.3 The Safeguarding Vulnerable Groups Act (2006) uses the term "vulnerable adult" in a much wider context to apply to people using certain types of services or residing (even temporarily) in certain types of places.
- 2.1.4 The adults using Futures services – Accommodation, Life Skills Centre, the Hub and Pathways, will all meet the above classifications.

2.2 Definition of Safeguarding

- 2.2.1 Safeguarding adults can be defined as: "All work which enables an adult who is or may be eligible for community care services to retain independence, well-being and choice to access their right to live a life that is free from abuse and neglect." ADASS National Framework of Standards (2005).
- 2.2.2 The Care Quality Commission states that Safeguarding adults includes:
- Protecting their rights to live in safety, free from abuse and neglect.
 - People and organisations working together to prevent the risk of abuse or neglect, and to stop them from happening.
 - Making sure people's wellbeing is promoted, taking their views, wishes, feelings and beliefs into account.
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- 2.2.3 The YCC Safeguarding Policy defines safeguarding as 'protecting an adult's right to live in safety, free from abuse and neglect.' Their policy states their aims 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 adults concerned
 - Raise public awareness so that communities as a whole, alongside professionals, play their part in identifying and preventing abuse and neglect

- Provide information and support in accessible ways to help people 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.
- Address what has caused the abuse or neglect

2.3 **Types of Abuse** (Care Act 2014)

2.3.1 The main categories of abuse as recognised by the Care Act 2014 are:

2.3.1.1 Physical abuse: examples include slapping, rough handling, twisting of limbs/ extremities, misuse of medication, or inappropriate sanctions or restraint.

2.3.1.2 Sexual abuse: examples include rape and sexual assault or sexual acts to which the vulnerable adult has not consented, could not consent or was pressured into consenting. Non-contact abuse such as voyeurism, involvement in pornography.

2.3.1.3 Psychological/Emotional Abuse: Examples include: verbal assault or intimidation, emotional abuse, deprivation of contact verbal abuse, threats of harm or abandonment, humiliation or blaming, overriding of consent, choices or wishes, felling worthless, frightened or unloved. NB: Psychological/emotional abuse will usually occur in conjunction with other forms of abuse

2.3.1.4 Financial Abuse: Examples include: theft, fraud, exploitation, and pressure in connections with wills, property, possessions or benefits.

2.3.1.5 Neglect and acts of omission: Examples include: 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.

2.3.1.6 Discriminatory Abuse: This abuse is usually motivated by discriminatory and oppressive attitudes towards race gender, culture background, religion physical and/ or sensory impairment, sexual orientation and age.

2.3.1.7 Institutional abuse, neglect and poor practice: This may take the form of isolated incidents of poor or unsatisfactory professional practice at one end of the spectrum, through to persuasive ill treatment or gross misconduct.

2.3.1.8 Self-neglect: has been recognised within the Care Act 2014 as part of the safeguarding framework.

2.3.2 In 2013, the Home Office announced changes to the definition of Domestic Abuse to include safeguarding work where there are concerns of domestic abuse within a person home.

2.3.3 Prevent is part of the government's counter terrorist strategy, aiming to stop people becoming terrorists or supporting terrorism. KYRA staff need to be aware of safeguarding adults from radicalisation.

2.3.4 Modern Slavery exists in the UK and includes exploitation in the sex industry, forced labour, domestic servitude in the home and forced criminal activity. KYRA staff need to be aware of the potential indicators.

3. Key procedures - National Guidance

- 3.1 KYRA follows national and local guidelines. In regard to adults, KYRA works within the guidance of the YCC Safeguarding Adults Policy and Procedure
- <https://www.safeguardingadultsyork.org.uk/the-board/policy-and-procedures/>
- 3.2 The Care Act received Royal Assent on 14th May 2014 and for the first time placed Safeguarding on a statutory footing. The Care Act introduced major reforms to the legal framework for adult care and support and places specific duties onto local authorities which states they must:
- 3.2.1 Lead a multi-agency local adult safeguarding system that seeks to prevent abuse and neglect and stop it quickly when it happens
- 3.2.2 Make enquiries, or request others to make them, when they think an adult with care and support needs may be at risk of abuse or neglect and they need to find out what action may be needed
- 3.2.3 Establish Safeguarding Adults Boards, including the local authority, NHS and police, which will develop, share and implement a joint safeguarding strategy
- 3.2.4 Carry out Safeguarding Adults Reviews when someone with care and support needs dies as a result of neglect or abuse and there is a concern that the local authority or its partners could have done more to protect them
- 3.2.5 Arrange for an independent advocate to represent and support a person who is the subject of a safeguarding enquiry or review, if required.
- <https://www.gov.uk/government/publications/care-act-2014-part-1-factsheets/care-act-factsheets#factsheet-7-protecting-adults-from-abuse-or-neglect>

4. Key procedures – Adults

- 4.1 Anybody can raise a safeguarding concern for themselves or another person. Even where an issue may not appear to be described as abuse or neglect, it is important that anyone concerned should seek advice and support. This information must be shared with Adult Social Care and/or the Designated Adult Safeguarding Manager. **It is important to remember that there may be concerns that have been identified or raised by others of which you may not be aware. Passing on your concerns can enable serious abuse or harm to be prevented from happening or from continuing.**

KYRA also has internal procedures to support adult safeguarding. All staff are trained to know that any concerns should be raised with a member of the KYRA's Safeguarding team. This information gives contact information for **York City Council contact adult social care, tel: 01904 555111 (office hours) or fax**

01904 554055 hearing impaired customers can use the text facility 07534 437804 and generic fax number 01904 554017 - out of hours, tel: 01609 780780

4.3 The flowchart (FIG 1) describes the process to follow if abuse or neglect of an adult is discovered or suspected. This follows the guidance from the YCC Safeguarding Adults Policy and Procedures.

4.4 In **ALL** adult safeguarding concerns, North Yorkshire Adult Social Care **must** be contacted.

The local authority has a duty to undertake an enquiry to ascertain if the concern meets three basic checks:

- an adult who has needs for care and support (whether or not any of those needs are being met);
- may be experiencing, or at risk of, abuse or neglect; and
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of, abuse or neglect.

4.5 If the concern meets the basic checks, the local authority's duty to undertake an enquiry under Section 42 of the Care Act is triggered. An Enquiry Manager will be appointed who will have overall responsibility for co-ordinating responses and decision making. The local authority may decide to ask KYRA to carry out an investigation, but this should only happen once requested, and not before adult social care is contacted. The outcome of any KYRA investigation will be returned to adult social care so that the appointed Enquiry Manager can conclude the case.

4.6 As with the Part 1 of this policy (Child Protection) a Sharing Information Pro-Forma will be used for any concern raised, to ensure key safeguarding staff are always promptly informed of any safeguarding concerns, across both KYRA and CHCS. (APPENDIX 1)

4.7 All adults have a legal right to make decisions about their own lives. If the person raising the safeguarding concern is not the adult themselves, every possible effort should be made to seek their views and agreement, **unless** doing so it likely to increase the risk of harm to themselves or others

4.8 Wherever possible there should be communication with the adult to establish their views, taking the following into consideration:

- Choose a private space where the adult is likely to feel secure.
- If the adult has raised the concern, use open questions e.g. 'tell, explain, describe' to gain an understanding of the concern. Do not ask leading questions or begin to investigate.
- If someone else has raised a concern, inform them sensitively and note their response.
- In all cases, attempt to get the adult's views on what they want done about the concern.

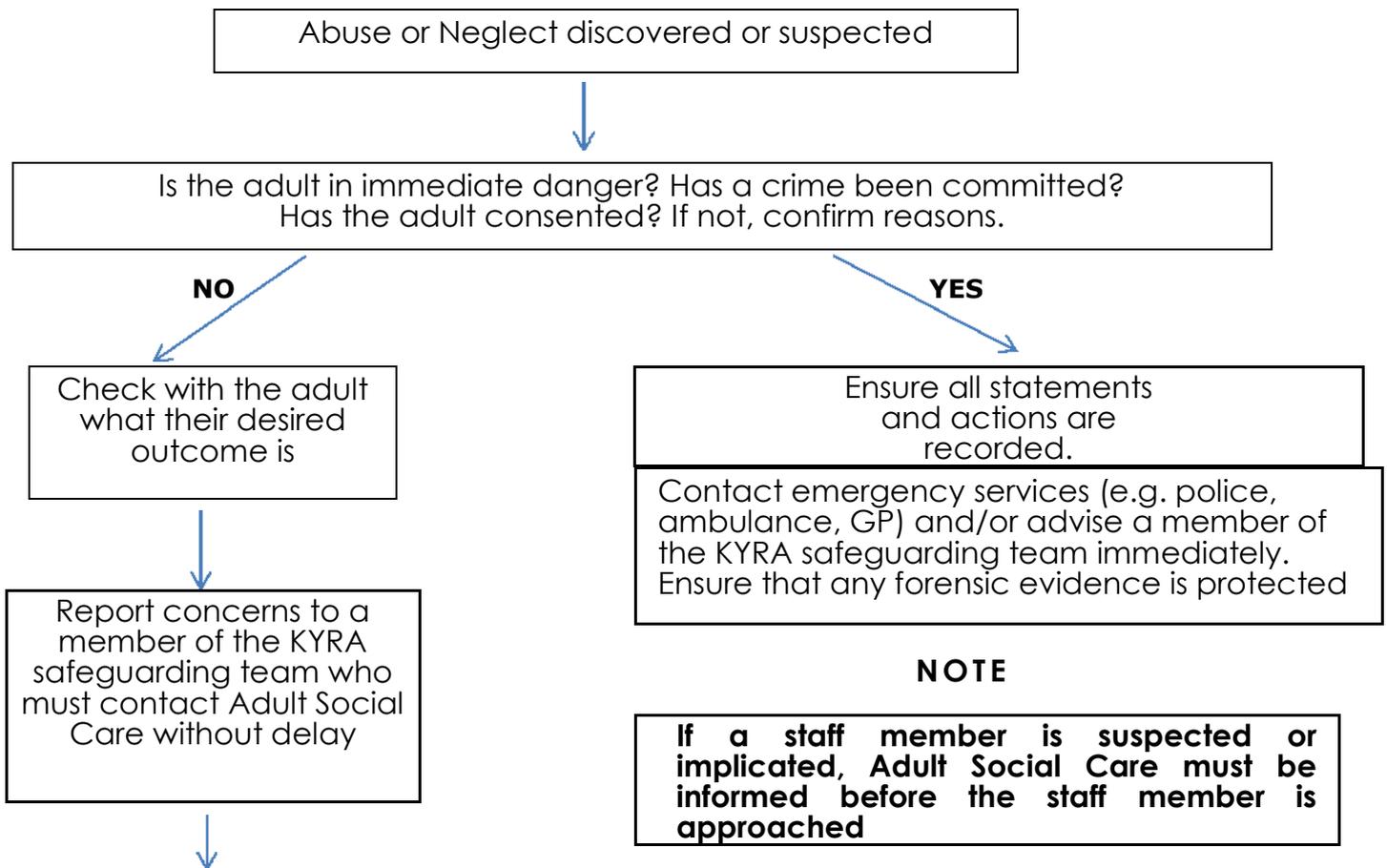
- Give the adult information about advice and support, and about the safeguarding procedures and how these will make them safer.
- Identify any relevant capacity issues the adult may have, including the potential need for support from an advocate.
- Explain what will happen next, and how they will be supported and kept informed.

4.9 If a safeguarding concern is raised in connection to an adult who is deemed not to have capacity, the principles of the Mental Capacity Act 2005 must be followed. All staff must receive relevant training in regard to the Mental Capacity Act.

4.10 If an adult who lacks capacity to make an informed decision about a safeguarding incident does not want a concern to be raised, a Best Interest decision, in line with the Mental Capacity Act, will need to be instigated.

4.11 If an adult **with** capacity does not want action to be taken in regard to a safeguarding concern, this does not override a staff member's responsibility to share key information with relevant professionals. If there appears to be significant risk to the adult, sharing this information will be a duty of care. In such circumstances, the adult must always be advised what information will be shared with whom, and the reasons for this. They must be reassured that their views and wishes will be respected as much as possible, and kept up to date with any discussions and actions.

Fig 1 Raising a safeguarding concern



Procedures must stay within safeguarding adult principles:

- Empowerment
- Prevention
- Proportionality
- Protection
- Partnership
- Accountability