

Independent Advocacy Perth and Kinross

PROTECTION OF VULNERABLE ADULTS POLICY AND PROCEDURE

1. Introduction

The characteristics of adult harm can take a number of forms and cause victims to suffer pain, fear and distress reaching well beyond the time of the actual incident(s). Victims may be too afraid or embarrassed to raise any complaint. They may be reluctant to discuss their concerns with other people or be unsure who to trust or approach with their worries.

There may be some situations where victims are unaware that they are being harmed, or have difficulty in communicating this information to others.

2. Aim of this Policy

The aim of this policy is to ensure the safety of vulnerable adults by outlining clear procedures and ensuring that all staff members, volunteers and students understand their responsibilities to report any suspicions that they might have concerning harm.

3. Definition

A vulnerable adult is a person aged 18 years or over who may be unable to take care of themselves or protect themselves from harm or from being exploited. 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.

4. What is Harm?

Harm 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 harm, e.g. hitting, pushing, shaking, inappropriate restraint, force-feeding, forcible administration of medication, neglect or abandonment
- sexual harm, e.g. involvement in any sexual activity against his/her will, exposure to pornography, voyeurism and exhibitionism
- emotional/psychological harm, e.g. intimidation or humiliation
- financial harm, e.g. theft or exerting improper pressure to sign over money from pensions or savings, etc.
- neglect or acts of omission, e.g. being left in wet or soiled clothing, or malnutrition.
- discriminatory harm, 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 and opinions
- institutional harm, e.g. failure to provide a choice of meals or failure to ensure privacy or dignity.

5. Rights of Vulnerable Adults

Vulnerable adults have the right to:

- be made aware of this policy
- to have alleged incidents recognised and taken seriously
- to receive fair and respectful treatment throughout
- to be involved in any process as appropriate
- to receive information about the outcome.

6. Reporting Procedures

All those making a complaint, allegation, or expression of concern, whether staff, volunteers, students, people receiving advocacy, or members of the public should be reassured that:

- they will be taken seriously
- their comments will usually be treated confidentially, but their concerns may be shared if they or others are at significant risk
- if advocacy partners, they will be given immediate protection from the risk of reprisals or intimidation
- if staff, they will be given support and afforded protection.

If an allegation is made to a volunteer, student or member of staff, or there is a suspicion of harm, then they should inform the Chief Executive as soon as possible.

The Chief Executive should make a written record of the allegation or suspicion of harm (see Appendix 1) and contact Perth and Kinross Health and Social Care Partnership.

If a staff member, volunteer or student has been told about the allegation of harm in confidence, they should attempt to gain the consent of the person to make a referral to another agency. However, gaining consent is not essential in order for information to be passed on. Consideration needs to be given to:

- the scale of the harm
- the risk of harm to others
- the capacity of the victim to understand the issues of harm and consent.

If there is any doubt about whether or not to report an issue to Perth and Kinross Health and Social Care Partnership, then it should be reported. Decisions on whether to pass this information on must not be made by the individual member of staff, volunteer or student; all concerns must always be discussed with a line manager.

In emergency situations (e.g. where there is the risk or occurrence or severe physical injury), where immediate action is needed to safeguard the health or safety of the individual or anyone else who may be at risk, the appropriate emergency services must be contacted.

IAPK has a legal duty to inform Disclosure Scotland, where a staff member or volunteer has been dismissed from post because of the risk of harm or actual harm to the people IAPK support.

Where a crime is taking place, has just occurred, or is suspected, the Police must be contacted immediately.

7. Recruitment and Learning Opportunities

Adult protection should not be treated in isolation. This policy applies to regulated work with Adults as defined in the Protection of Vulnerable Groups (Scotland) Act 2007. IAPK aims to ensure that all adults are kept safe from harm while they are with staff, volunteers or students in this organisation. In order to achieve this, we will ensure our staff, volunteers and students are carefully selected, screened, access to learning opportunities and supported.

Selection

- All applicants to our organisation will complete an Application Form.
- Short-listed applicants will be asked to attend an interview.
- Short-listed applicants will be asked to provide 2 references, and these will always be taken up prior to confirmation of an appointment.
- Applicants will be asked to complete a self-declaration form.
- We will make a request for previous addresses, employment or voluntary positions on volunteer/job application forms.
- If necessary, we will follow up each reference with a telephone call or personal contact during which we will discuss the applicant's suitability to work with vulnerable adults. (A record of this discussion will be kept in the applicant's file.)
- We will note at interview all previous experience of volunteers and staff in working with vulnerable Adults.

Screening

The successful applicant will be asked to apply for PVG Scheme membership when employed to do Regulated Work.

Learning Opportunities

The successful applicant will receive induction which will give an overview of the organisation to ensure they know its' purpose, values, resources and structure. Relevant learning opportunities and support will be provided on an on-going basis, and will cover information about their role, and opportunities for practicing skills needed for work. Learning opportunities will be available on specific areas such as health and safety procedures, identifying and reporting abuse, and confidentiality will be given as a priority to new staff, volunteers and students and will be regularly reviewed.

Support

All staff, volunteers and students will have a designated line manager who will provide regular feedback and support. Every member of staff will attend an annual review, where their performance, skills, motivation and expectations will be discussed. Annual reviews will be minuted and copies made available to the member of staff. Volunteers and students will receive on-going support and have the opportunity to reflect on their advocacy partnership.

Consideration for Listing and Removal from the PVG Scheme

If Independent Advocacy Perth and Kinross is notified by Disclosure Scotland that a staff member or volunteer is 'under consideration' for listing in respect of PVG Scheme membership:

- Independent Advocacy Perth and Kinross will carry out a risk assessment, which takes account of all the circumstances of the case, and the staff members work
- the staff member may be suspended on full pay or placed on reduced duties until outcome of consideration is established
- The student or volunteer may be asked to refrain from meeting with their advocacy partner until the outcome of consideration is established.

If the outcome is that the staff member, student or volunteer is no longer 'under consideration' for listing, Independent Advocacy Perth and Kinross will request a Scheme Record Update to see whether the consideration process has resulted in any new vetting information coming to light. Independent Advocacy Perth and Kinross is entitled to consider this information as part of its on-going evaluation and management of staff, volunteers and students.

If, after consideration, the staff member or volunteer is listed and can no longer be a PVG Scheme member for the type(s) of regulated work to which the listing relates, they would be removed from Regulated Work. The outcome could result in a change of role within the organisation that does not involve Regulated Work or potential termination of employment if this is deemed fair and reasonable.

8. Protection of Vulnerable Groups

As part of the recruitment procedure, all newly appointed staff, volunteers and students that do Regulated Work with children and vulnerable adults will undergo an application for PVG Scheme membership. Independent Advocacy Perth and Kinross may request a Scheme Record Update periodically for staff, volunteers and students to check for new vetting information. Independent Advocacy Perth and Kinross is entitled to consider this information as part of its ongoing evaluation and management of staff, volunteers and students.

9. Related Policies

- Recruitment and Selection Policy
- Recruitment of Ex-Offenders
- Enhanced Disclosure Policy
- General Data Protection Regulations
- Induction Procedure
- Training Policy
-

**PROTECTION OF VULNERABLE ADULTS
(COMPLIANCE WITH ADULT SUPPORT AND PROTECTION ACT)**

SAMPLE INCIDENT REPORT FORM

Name:

—

Role:

—

Address:

—

Telephone:

Briefly describe what happened (include times and dates):

Names and contacts of witnesses:

—

Name of person completing form:

Date:

—

Action taken: