

North Music Trust – Employment Policies Handbook

Vulnerable Adult Policy

Revision Summary		
Version	Reason for change / key changes	Date
1	New Policy created HR	Jan 2012
2	Updated by HR in line with legislation CRB - DBS	August 2013
3	Updated with revised Head of HR	April 2019

Policy Approval		
3C's 9 March 2012	Directorate 11 June 12	F & O Committee 27 June 12

Roles and responsibilities

Any adults working with or on behalf of vulnerable adults have a responsibility to protect them. There are many people within NMT and the local authority who have specific responsibilities under protection procedures.

Within NMT these are:

The Designated Child Protection Officer (DCP) will also be responsible for Vulnerable Adults

NMT representative - Steve Jinski, Head of Youth Participation Telephone 07580 078925

The Designated Child protection officer must be contacted in the first instance where any **Vulnerable Adults** protection issue arises. They will determine the appropriate action to be taken and notify the local authority in accordance with relevant protocols of any issues.

Deputy Designated Child Protection/ Vulnerable Adults Officers

NMT representatives – Ian Burke, Head of HR, Paul Marshall, Head of Operations

Where the designated the DCP cannot be contacted, all Vulnerable Adults protection issues must be brought to the attention of one of the Deputy Designated Child Protection/ Vulnerable Adult Officers so that they can ensure the appropriate action is taken and local authority notified.

Within the local authority the following agencies may be contacted (Please note employees should always refer to the DCP or Deputy Designated DCP where they have any Vulnerable Adult protection concerns, where this is not possible, they may contact the sources below):

- Adult Social Care Direct on: 0191 433 7033 Monday to Thursday 9am-5pm 4.30pm Fridays) Email adultsocialcaredirect@gateshead.gov.uk
- Out of Hours in an emergency situation after 6pm: Emergency Duty Team on: 0191 477 0844
- If you need further help or advice please ring: Commissioning and Safeguarding Team on: 0191 433 3210
- Gateshead Police on: 03456 043 043

Intent

This policy aims to safeguard and promote the welfare of vulnerable adults. Although the safeguarding process will be used when abuse has occurred, the aim is to be proactive and ensure that everyone is treated with understanding and respect and is free from any form of abuse.

Definitions

The Safeguarding Vulnerable Adults Groups Act 2006 defines vulnerable adults as people aged 18 and over who are:

- Living in residential accommodation e.g. care home /special school;
- Receiving a service or participating in any activity for those with particular needs because of their age or any form of disability;
- Receiving a welfare service, to develop or support an individual's capacity to live independently;
- Receiving direct payments in lieu of social care services;
- Under the supervision of the probationary services;
- Receiving any form of healthcare (treatment, therapy or palliative care);
- Is expectant or nursing mother living in residential care;
- Living in sheltered housing/receiving domiciliary care in own home;
- Detained in lawful custody.

A vulnerable adult is someone over 18 years of age who has a physical condition, a learning disability or difficulty, or a mental health condition which affects their ability to protect themselves from significant harm and the increased risk of mistreatment and abuse by other people.

Safeguarding adults: is all work which enables any adult 'who is or maybe be eligible for community care services' to retain independence, well being and choice and to access their human right to live a life that is free from abuse and neglect.

Procedures

This policy applies to all activities where vulnerable adults are present and to all members of staff, volunteers or any person engaged by North Music Trust to work on such activities.

North Music Trust will take all reasonable steps to protect the rights, health and well-being of vulnerable adults who take part in any activities organised by the organisation. The exact definition of what is a reasonable level of care will vary according to the circumstances (including length, intensity and location) of the project and the extent to which it is a partnership with other agencies. In the case of partnership or commissioned work we will look to the partner or commissioner to provide all relevant information to enable us to enact this policy, this will be stipulated in any contracts or partnership agreements.

The policy addresses issues relating to the potential abuse by

- Staff, volunteers or other persons engaged by the organisation.
- Other participants.
- Third parties.

The policy covers 7 areas of potential abuse

Physical Abuse – physical ill treatment such as hitting, slapping, pushing and holding down

Sexual abuse – the touching or forcing of someone to take part in sexual activities that they do not want or agree to; or the inappropriate use of access to vulnerable adults to facilitate sexual activities - even with their consent.

Emotional abuse – threatening or emotional ill treatment which causes individuals to feel worthless, inadequate, unloved or unvalued.

Financial or material – taking of an individual's money or belongings without permission, not allowing an individual to specify how their money is spent or inappropriate encouragement of gifting from individuals – e.g. drinks / snacks / concert tickets etc.

Neglect – failure to meet an individual's basic physical and or psychological needs, such as a carer failing to provide adequate food, heating, and clothing.

Discrimination – less favourable treatment because of gender, race, culture, background, age, sexual orientation, or disability.

Institutional - when the lifestyles and choices of individuals are sacrificed in favour of the routines and restrictive practices of the home or care setting.

There are four main elements of our vulnerable adults Policy

1. **Prevention**
2. **Protection**
3. **Actions to be taken if abuse is suspected**
4. **Support.**

Strategy for Safeguarding and Protecting Vulnerable Adults

1) Prevention

In most circumstances, effective Vulnerable Adults protection can be ensured by good health and safety practice combined with clear codes of behaviour strictly adhered to. A well-planned project is likely to create few circumstances where individuals are vulnerable.

Disclosure and Baring Service (DBS) – As no employee or volunteer of North Music Trust will carry out a regulated activity when working with Vulnerable Adults a DBS check will not be required

A regulated activity is if in the course of your duties an employee or volunteer is expected to carry out of the following

- Providing health care either by or under the supervision of a health care professional

- Assisting an adult with eating, drinking, toileting, washing, bathing, dressing, oral care, care of the skin, hair, nails or teaching someone to do one of these tasks
- The provision of social work by a social care worker in connection with any health or social services
- Assistance with cash, bills and/or shopping because of an adult's age, illness or disability
- Assistance with the conduct of an adult's own affairs, e.g. enduring powers of attorney or deputies appointed under the Mental Health Act
- Transporting an adult to or from their place of residence and a place where they have received or will receive health care, personal care or social care? (Excludes taxi drivers)

Training – Training will be made available to all members of staff who work with Vulnerable Adults. This training will enable staff to recognise and understand abuse, respond appropriately to allegations, suspicions or instances of abuse and understand the reporting procedure.

2) Protection

Risks are minimised when staff working with vulnerable adult are in sight of another responsible adult. One-to-one teaching should always take place in a room with a glass panel in the door.

Staff should follow the code of conduct below.

Staff Behaviour Guidelines

Visibility

Be publicly open when working with vulnerable adults and avoid situations where staff and an individual are completely unobserved. One-to-one teaching should take place in a room with a glass panel in the door; where this is not possible, the door should be left open.

As a basic principle, when running activities you should ensure that there is always another staff member, volunteer, or employee of a partner organisation in the building who is aware of the work that is taking place.

Physical contact

Physical contact between staff and vulnerable adults is likely to be inappropriate; even in the few circumstances where it can be justified, it is open to misinterpretation. It is therefore advised that there is no physical contact between staff and participants at any time unless it is required for teaching / facilitation purposes and then always ask permission and explain the reason for any need to touching before you do so i.e. to assist the learner to find their finger/hand position on an instrument in the manner required to play the instrument.

Any form of physical punishment is forbidden, even if a carer requests it.

Do not engage in rough, sexually provocative games at any time and be watchful for inappropriate contact between participants during physically active games and activities.

Personal activities

Do not do things of a personal nature that the Vulnerable Adult can do for themselves, encourage the person to do these things for themselves. If a participant requires help with personal care / feeding etc. refer them to their support worker as these are tasks which require appropriate training and experience to carry out.

In the event that there is a need to undress, individuals should be encouraged to undress themselves as far as is possible and if they require assistance to help each other in groups. If help is necessary from a staff member, two members of staff should be present – this help should be provided by staff accompanying participants with these needs.

Assistance with toileting should only be carried out by suitable experienced and qualified people whose duties include personal care – NMT staff should not be involved in these activities except in case of emergency.

Behaviour towards vulnerable adult

You should behave towards a vulnerable adult as you would towards any other adult – respectfully and appropriately to the situation you are in. You should praise positive behaviour and criticism should always be constructive. A verbal assault can be as damaging as a physical one.

Do not make sexually suggestive comments – even in fun.

If a member of staff accidentally hurts or distresses an individual in any way or if the individual misunderstands something that has said or done, the staff member should inform the Designated Child Protection Officer and an incident form should be completed and the carer contacted.

Staff members should provide positive role models with regards to friendliness, care, courtesy and valuing individuals but should maintain appropriate boundaries at all times. It is understood that vulnerable adults may sometimes refer to staff as their friends and it is suggested that the staff members reinforce the correct nature of their relationship with that person i.e. facilitator / tutor etc. rather than 'go along with it' as this will enable proper boundaries to be maintained.

Occasionally members of staff may experience inappropriate behaviour from Vulnerable Adults, including approaches of a sexual or provocative nature. These can be addressed by a response which is clearly discouraging without being insensitive, supported by strict adherence to the principles of openness outlined above, and by behaviour which consistently and visibly treats all individuals equally. Any instances of such inappropriate behaviour should immediately be reported to the Designated Child Protection Officer, who will record the details, ensure that the staff member is never left unsupported in a vulnerable situation, and address the issue with the individual and their carer where necessary.

Vulnerability to other vulnerable adult

Vulnerable adults should be given a clear code of behaviour which emphasises that the health, safety and welfare of participants in a project are everyone's responsibility. In an extended project, vulnerable adults should be expected to sign up to an agreed code of behaviour. Where appropriate these expectations should be outlined with partner organisations / commissioning agencies– e.g. within a service level agreement.

Any behaviour by one vulnerable adult which affects the well-being of another can be a form of abuse, and should be addressed firmly and in most cases publicly; inaction through fear of making things worse is almost never justified. Staff should talk to the designated officer to get advice on these situations – the officer may either speak directly with or recommend the activity leader to speak directly with those who support the vulnerable adult whose behaviour is causing difficulties in order that these behaviours can be appropriately challenged and a resolution appropriately supported.

Vulnerability to third parties

It is essential to have clear lines of communication with parents/carers, in order to communicate essential information quickly, especially for:

- emergencies
- missing vulnerable adult
- cancellation of the activity
- other unforeseen problems.

The beginning and end of sessions can be a time when vulnerable adults are at risk. Regular sessions need clear, consistent procedures to minimise that risk and a member of staff may need to take responsibility for the signing-in and collection of Vulnerable adults. These arrangements should be communicated clearly to those supporting the vulnerable adult in order that they have the information required to give their support.

Staff need to be able to identify any vulnerable adults who are absent, other than for drop-in sessions, with procedures for checking immediately for unexpected absences. There should be clear expectations of vulnerable adult's levels of commitment and the need to inform staff of unavoidable absences in advance.

There must be clear procedures and lines of responsibility in the case of an unavoidable delay or cancellation of a session, or the absence of staff. The duty of care towards vulnerable adult cannot be compromised by such circumstances.

Protection of staff

Staff need to be made aware of Vulnerable Adult protection issues through training, including the need to protect themselves from allegations of abuse

Allegations of abuse against members of staff

Any allegation of abuse against a member of staff will be considered a disciplinary issue and dealt with through the disciplinary procedure. The member of staff will be suspended from working with vulnerable adults whilst an investigation is carried out. This does not imply guilt but is imposed to protect the staff member during the investigation and is in line with Local Authority guidelines.

3) Guidance and procedures to follow where a disclosure is made

Abuse can cover a wide range of issues. All allegations, reports or suspicions of abuse will be treated seriously and with sensitivity. Where a Vulnerable Adult makes a disclosure to a member of staff, it is essential that the disclosure is dealt with in the following way:

- Listen – let the individual explain what they are feeling. Do not comment upon what has been said, or make suggest alternative explanations.
- The Vulnerable Adult should feel that they are being believed
- Do not pass judgement
- Do not ask leading questions i.e. questions that need a "yes" or "no" answer. Ask open questions to establish exactly what was done and who did it for example “what happened next”
- Do not promise that any particular course of action will be taken.
- Staff cannot promise confidentiality to any Vulnerable Adult who may disclose abuse to them. Where a vulnerable adult asks for secrecy, they should be told sensitively that the employee has a duty to refer allegations of abuse to the appropriate agency for their own sake. As an organisation NMT and its employees are legally obliged to inform the relevant authorities if they are aware of any abuse towards a vulnerable adult and for this reason confidentiality can never be assured.
- Do not rush the Vulnerable Adult – it may have taken them a great deal of thought and courage to make the disclosure
- Inform the participant as early as possible in the process of their disclosure that you have a legal responsibility to inform the Designated Child Protection Officer who has experience of dealing with similar cases

What to do after a disclosure has been made to you

Once a disclosure has been made to you, make an immediate detailed and careful note of what has been described to you, using the Vulnerable Adult's words wherever possible – these will be referred to later in the disclosure process. If there are any other members of staff who witnessed the disclosure ensure that they too make detailed notes.

Immediately inform the Designated Child Protection Officer. They will decide based upon the evidence and information provided to them, and where appropriate a possible further discussion with the participant. Once a disclosure has been made a multi agency referral form (appendix 1) must be completed within 24 hours and submitted to social services.

Record and maintain a record of the fact that you have made a referral to the Designated Child Protection Officer.

4) Support

Any member of staff working with Vulnerable Adults may find themselves in the position of discovering or suspecting that a vulnerable adult in their care is the victim of abuse. This can sometimes lead to difficult emotional pressures or apparent conflicts of interest.

Managers of staff who deal with Vulnerable Adults should be aware of these pressures, and look for signs that their staff may need additional support. Increased discussion, more frequent 121 meetings or referral to a 3rd party counselling service may be appropriate.

(Appendix I)

Incident Report Form

Please complete and submit this form ASAP to the Designated Child Protection Officer in the event of any incident taking place. In cases where the Designated Child protection officer cannot be contacted, please ensure this information is passed and received by a Deputy Designated child protection officer.

Details of the person making the report

Name	
Today's Date	
Job title/Position:	
Contact telephone Number	
Email address	
Address	

Details of the Vulnerable Adult affected:

Name	
Date of birth	

Please provide details of the incident.

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