

POLICY & GUIDELINES FOR PROTECTING VULNERABLE PEOPLE

This document refers to the protection of vulnerable people who seek therapeutic help from Wellspring (and should be read in conjunction with Wellspring's Child Protection Policy & Procedures). It aims to ensure that they are protected while making use of Wellspring's services.

STATEMENT OF INTENT

Wellspring provides services to a wide range of individuals and organisations. All staff members and volunteers can play an important part in promoting the safety of those who seek Wellspring's help. We aim to ensure that any vulnerable people, whether children, young people or vulnerable adults, are treated with dignity and respect and are protected and kept safe from harm while they are with therapists, employees and volunteers in Wellspring. To this end we will ensure that our staff are carefully selected, screened, trained and supervised.

In addition to this policy, Wellspring has a framework of policies which are designed to ensure the emotional and physical safety of service users, staff and volunteers. It includes:

- *Child Protection Policy & Procedures*
- *Recruitment, Selection, Training & Support Policy and Procedures*
- *Policy on the Recruitment of Ex-Offenders*
- *Principles & Practice of Confidentiality*
- *Confidentiality Guidelines/Confidentiality Agreements*
- *Health & Safety Policy & Practice*
- *Policy & Guidelines on Handling Violent and Aggressive Behaviour*

- *Grievance and Disciplinary Policy & Procedures*
- *Complaints Procedure*
- *Policy on Bullying & Harassment*

WHO ARE WE PROTECTING?

CHILDREN

Anyone under the age of sixteen

VULNERABLE ADULTS

Any person aged sixteen or over who:

- receives personal care or nursing or support to live independently in their own home
- receives any health or social care services
- has a substantial learning difficulty or a disability
- has a physical or mental illness, chronic or otherwise, including addiction to alcohol or drugs
- has a substantial reduction in physical or mental capacity due to advanced age or illness

WHAT CONSTITUTES ABUSE?

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

- It may consist of a single act or repeated acts
- It may be physical, verbal or psychological
- It may be an act of neglect or an omission to act
- It may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which they have not consented, or cannot give informed consent
- Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it

THE MAIN DIFFERENT FORMS OF ABUSE

(see also Child Protection Policy & Procedures)

- **physical abuse** including hitting, slapping, pushing, kicking, misuse of medication, inappropriate restraint, inappropriate sanctions
- **sexual abuse** including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or was pressured into consenting
- **psychological abuse** including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, intimidation, harassment, verbal abuse, isolation or withdrawal from services or supportive networks
- **financial or material abuse** including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits
- **neglect or acts of omission** including 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 adequate nutrition, adequate heating, medication
- **discriminatory abuse** including racist, sexist, that based on a person's disability, and other forms of harassment, slurs or similar treatment

Any of these types of abuse may be perpetrated as the result of deliberate intent, negligence or ignorance.

ACTION ON DISCLOSURE OF ABUSE

- **Guidelines on how to receive the reporting of abuse** by a child, young person or vulnerable adult are to be found in **Appendix 1** and should be followed.
- **Any allegation of abuse in respect of a Wellspring staff member or volunteer** will immediately be communicated to the Co-ordinator of Clinical Services. When this is not possible, a designated member of the Executive Group will be informed. Should the Co-ordinator be the subject of the allegation this will be reported to the Chair of the Management Committee or their nominated representative.

- **Disclosure of abuse by a child client occurring outwith Wellspring** will be dealt with according to Wellspring's Child Protection Policy & Procedures.
- **Disclosure of abuse by a vulnerable adult service user occurring outwith Wellspring** will be communicated to the Co-ordinator of Clinical Services, or to a designated member of the Executive Group if the Co-ordinator is unavailable.

REPORTING PROCEDURE

To fulfil their duty of care, it is vital that staff raise all instances of suspected or alleged abuse and follow the procedures laid down in this policy. There may already have been concerns expressed by other members of staff and failure to report concerns may put a child, young person or vulnerable adult at risk.

- All Wellspring staff and volunteers (where appropriate) will be familiar with the Guidelines on immediate action (see Appendix 1).
- Any disclosure or suspicion of abuse will be reported to the Co-ordinator of Clinical Services as soon as possible. If he or she is unavailable a designated member of the Executive Group will be contacted.
- Wellspring's Child Protection Procedures will be followed for any person under sixteen years of age.
- Care will be taken that those making a complaint or allegation
 - # understand the procedure that will be followed
 - # are told that it may not be possible for Wellspring to maintain confidentiality if they or others are at significant risk
 - # are reassured that they will be protected from any risk of reprisals or intimidation
 - # are told that they will be kept informed of action that has been taken, and its outcome
- Disclosures by service users aged 16 or over will be dealt with by the Co-ordinator of Clinical Services. He or she will gather further information and details by interviewing the person making the report. In the absence of the Co-ordinator a designated member of the Executive Group will undertake this task.
- The Co-ordinator (or designated Executive Group member) may then convene a small group drawn from the therapists' team to devise a plan

of action, in consultation with appropriate professionals where necessary. The exact nature of the action will be determined by individual circumstances, and may include involvement of external authorities such as the Social Work Department, referral organisations and the Police. Contact numbers are listed at the end of this policy.

- Any allegation made against a member of staff or volunteer will be reported to the Co-ordinator of Clinical Services who will investigate and take action in accordance with Wellspring's Disciplinary Procedure. Where an allegation is made against the Co-ordinator this will be reported to the Chair of Management or their nominated representative.

GUIDELINES FOR INVESTIGATING ALLEGATIONS OF ABUSE MADE BY VULNERABLE ADULTS

(Guidelines in respect of children are contained in the Child Protection Policy and Procedures)

The seriousness or extent of abuse is often not clear when anxiety is first expressed. It is therefore important, when considering the appropriateness of intervention, to approach reports of incidents or allegations with an open mind. In making any assessment of seriousness the following factors need to be considered:

- the **vulnerability** of the individual
- the **nature and extent** of the alleged abuse
- the **length of time** it has allegedly been occurring
- the **impact** on the individual
- the risk of **repeated or increasingly serious** acts involving this or other vulnerable adults

It will be necessary to establish:

- whether the person is suffering harm or exploitation.
- whether it is appropriate for confidentiality to be breached, in the light of confidentiality guidelines and the degree of vulnerability of the individual. All people have the right to make choices and to take risks. A

vulnerable person's capacity to make decisions about arrangements for investigating or managing the abusive situation should be taken into account.

- whether the intervention is in the best interests of the vulnerable person and/or in the public interest.

THE OBJECTIVES OF AN INVESTIGATION within Wellspring are:

- to establish the facts
- to establish whether or not persons or agencies outwith Wellspring need to be involved
- to assess immediately the needs of the vulnerable person for protection, support and redress

Serious allegations and **possible criminal situations** *must* be reported to the Police or Social Work Department, as appropriate. Individuals within Wellspring should not take responsibility for trying to establish whether or not abuse has taken place.

It is important to work jointly with other agencies so that evidence is shared and repeated interviewing is avoided, to lessen the risk of distress to the person who may have suffered abuse.

In the case of a complaint or allegation against a Wellspring staff member or volunteer Wellspring's Complaints Procedure will be followed. This may operate in co-ordination with other agencies. The individual complained against will be made aware of his or her rights under employment legislation, if applicable, and under Wellspring's disciplinary procedures. Appropriate action will be taken to protect vulnerable clients from risk of reprisal, and any staff member not yet found guilty of an offence, from premature censure.

Careful record keeping throughout all stages of an investigation is essential. Clear and accurate records should be made during or as soon after an interview, discussion, decision etc has been made or taken place. Records should be signed and dated. They must be kept securely and be accessible only to those who require to see them in order to carry out the investigation.

IF ABUSE IS ESTABLISHED and was perpetrated by a Wellspring staff member or volunteer

- The Co-ordinator of Clinical Services with at least one other appropriate Wellspring staff member and a member of the Management Committee must make decisions as to what follow-up actions should be taken with regard to the perpetrator, the service or its management if they have been culpable, ineffective or negligent. This may involve reporting the perpetrator to their professional body.
- Ways of ensuring the future protection of the person who has suffered abuse and of other service users must be rigorously considered.
- There must be a review of relevant policies and procedures, dealing with areas such as recruitment, supervision, monitoring and the protection of children and vulnerable adults in an effort to ensure that abuse is not repeated.

CONTACT ADDRESSES

Lothian & Borders Police **554 9350**
Queen Charlotte Street
Leith

Edinburgh Social Work Headquarters **554 4301**
Shrubhill House
7 Shrub Place
Edinburgh
EH7 4PD

Emergency Social Work Service **554 4301**

Victim Support **668 2556**
2 Nicholson Square
Edinburgh
EH8 9BH

APPENDIX 1

Guidelines on how to receive the reporting by a child, young person or vulnerable adult of having been subjected to abuse

- React calmly so as not to frighten or deter them.
- Reassure them that you are glad they have told you. It may also be helpful to reassure them that it is not their fault.
- Do not promise to keep it to yourself. As soon as you can, remind them of the relevant Wellspring confidentiality policy and explain what this means. (The seriousness of the abuse and degree of vulnerability of an adult will play a part in determining further action).
- Explain that you need to make sure that they will be safe and may have to pass the information to somebody trusted to deal with it appropriately.
- Listen carefully and take them seriously.
- Allow them to tell you in their own words what happened.
- It is important to clarify what you have heard and to establish the basic facts. Avoid leading questions and do not ask them specific questions about explicit details.
- If possible make brief notes during the initial disclosure, explaining to them why you are doing this. Otherwise, make notes as soon as possible afterwards. All notes should be signed and dated by the person taking them. The information recorded should include:
 - The nature of the allegation or suspicion.
 - A description of any visible injury.
 - Dates and times and any other factual information.
 - The distinction between fact, opinion or hearsay.