



Safeguarding of Service Users from Abuse Policy

This document outlines the service's policy on safeguarding vulnerable service users from possible abuse.

POLICY STATEMENT

The service recognises that service users must be safeguarded from all forms of abuse wherever and however it might occur: from within the family or others or from abusive behaviour on the part of the service's staff. It takes every possible action to prevent abuse and to deal with it promptly and effectively if it occurs, or is reported as occurring.

LEGISLATION

The service undertakes to work in compliance with No Secrets (the Department of Health guidance on multi-service policies and other national policy documents and procedures to protect vulnerable adults from abuse) as well as observing the relevant sections of the CQC's Essential Standards. The service works in accordance with its local Safeguarding Vulnerable Adults protocols and multi-service working guidelines (these should be available from the local authority's Safeguarding Protection of Vulnerable Adults unit).

The service recognises that service users who might lack mental capacity are particularly vulnerable to abuse and exploitations. It is accordingly mindful of the need to follow the principles and practice guidance that has accompanied the Mental Capacity Act 2005. These apply particularly to investigations of possible abuse in which it is important to seek means of ascertaining the experiences and views of any victim or indeed alleged perpetrator who might lack capacity, for example, by seeking the services of independent advocates. (See also the service's policy on Working with Service Users who Might Lack Mental Capacity.)

The service makes all staff aware of the policy and instructs them in the specific procedures for preventing, observing and reporting suspicions or signs of abuse. In reporting possible abuse, staff are made fully aware of the service's whistleblowing policy, which recognises that the safety of service users is always their paramount concern. All service users and stakeholders are made aware of the service's determination to take action where it comes across abuse. (See also policy on Whistleblowing.)

PRINCIPLES

The policy is based on the service's conviction that:

- vulnerable people are at risk of abuse in varied forms
- they are in a position to be abused by different people, including family members, friends, strangers and possibly service staff.
- it has a duty of care to do everything possible to prevent, report and tackle abuse wherever it is encountered.

RECOGNISING ABUSE

The service expects its staff to be vigilant regarding the welfare of service users. It provides staff training so that they can recognise the risks and signs of abuse. It acknowledges that abuse may take any of the following forms and more than one might be present in an abusive situation:

- physical abuse
- neglect
- psychological abuse
- financial or material abuse
- sexual abuse
- racial, discriminatory, religious or cultural abuse
- failure to prevent self-harm
- inhuman or degrading treatment.

REPORTING ABUSE

Any member of staff who knows or believes that abuse is occurring has an obligation to report it as quickly as possible to their manager. If the victim requests that the matter should not be reported, the staff member should inform them that they have a duty to report the matter. The staff member should then reassure the service user that the matter will not be taken further than the manager without their consent unless there are exceptional circumstances. The service will take vigorous action against anyone trying to suppress a possible report of abuse.

ACTION IN EMERGENCY SITUATIONS

If the situation is an emergency, with a service user in immediate danger, staff are instructed to call for assistance immediately. They should give any necessary first aid and contact appropriate emergency services if necessary. If the abuser remains present and poses a threat to any service staff present as well as the victim, staff are not expected to put themselves at risk of violence or other harm. They should then put into action service procedures on how to respond to abusive, aggressive or violent behaviour, which forms part of the service's policies on health and safety of its staff. (See policy on dealing with violence and aggression.)

IMMEDIATE ACTION TO BE TAKEN BY MANAGERS

When a manager receives a report of suspected, imminent or actual abuse, an investigation must be opened as soon as possible. The staff member investigating the abuse takes steps to arrange for the service user to be interviewed and, if possible, to give their consent to further investigation and action. If the service user refuses consent, their wishes must be respected unless the manager

judges that they or others are in serious danger or if they are clearly incapable of making an informed decision.

In cases of proven or suspected incapacity, the manager acts in accordance with the “best interests” principle laid down in the Mental Capacity Act 2005 and pursues the matter by obtaining the services of an independent advocate or another independent representative to elicit the service user’s views and wishes.

If the suspected abuser is a member of the service’s staff, the manager takes appropriate steps under the disciplinary procedure. The service expects its staff to take all possible steps to co-operate with further investigations by the local authority safeguarding unit, CQC investigating inspectors and the police if involved.

REFERRAL TO EXTERNAL AGENCIES

Where the vulnerable person is thought to be at risk of further abuse, the situation should be reported as soon as possible to the manager of the local authority safeguarding unit who will take a decision on whether further investigation is needed under the local authority’s safeguarding procedures.

REPORTING TO THE POLICE

If it is suspected that a criminal act might have been committed, the situation will be reported to the police. Every effort should be made not to interfere with possible evidence.

CONTACT DETAILS

The contact details of relevant organisations are as follows:

| | |
|--|----------------|
| Local Authority Safeguarding Unit | - 01803 208100 |
| Care Quality Commission | - 03000 616161 |
| Police | - 999 |

ACTION TO BE TAKEN IN THE ABSENCE OF CONSENT

Where there has been an allegation of abuse against a member of the service’s staff the manager will initiate an investigation within its disciplinary policy. This will include informing the CQC (as well as the local authority safeguarding unit and possibly the police). The service will take any necessary steps to safeguard the service user by keeping the situation under review in case it becomes possible or necessary to take further action.

KEEPING RECORDS

The service ensures that all details associated with allegations of abuse are recorded clearly and accurately. The records are kept securely and the service’s rules on confidentiality carefully followed. Reports are made as required to the Care Quality Commission and other safeguarding agencies involved.

The service complies with its legal requirement to refer care workers to the ISA Vetting and Barring lists where it has evidence that a staff member has been guilty of misconduct by harming or putting at risk a vulnerable adult (or child), during the course of their work, even if they have left the employment of the organisation.

TRAINING

All staff receive training in recognising abuse and carrying out their responsibilities under this policy as part of their induction programme and within six months of their employment. Their training is regularly updated in line with local authority's and national safeguarding policies.

RECRUITMENT

The service takes great care in the recruitment of staff, carries out all possible checks on recruits to ensure that they are of a high standard, and co-operates in all Government initiatives regarding the sharing of information on care workers who are found to be unsuitable to work with vulnerable people.