



# **POVA Policy**

## **(Protection of Vulnerable Adults)**

**Damask Community Outreach**

**Updated 25<sup>th</sup> March 2020**

## **1. INTRODUCTION**

The objectives of this policy are:

- (a) To protect vulnerable adults from abuse
- (b) To help staff and volunteers identify cases of harm against this user group
- (c) To highlight staff and volunteers' responsibilities and to provide clear guidelines

## **2. GENERAL PRINCIPLES**

Damask Community Outreach upholds fundamental values including:

- (a) Everyone has the right to live his or her life free from fear, violence or harm
- (b) All adults have the right to be protected from harm or abuse
- (c) Everyone has the right to an independent lifestyle and the right to make choices, some of which may involve a degree of risk

## **3. LEGISLATION and OFFICIAL POLICIES**

Children's Act 1989

The Protection of Children and Vulnerable Adults (NI) Order 2003

Safeguarding Vulnerable Groups Order 2007

The Sexual Offences (amendment) Act 2000

Home Office Document- Caring for Young People and the Vulnerable

Northern Ireland 'Adult Safeguarding: Prevention and Protection in Partnership', July 2015, published by The Department of Health, Social Services and Public Safety (DHSSPS) and the Department of Justice (DOJ)

The Care Act (2014)

Safeguarding incorporates **prevention, empowerment and protection** to enable adults who are in circumstances that may place them at risk of abuse to retain independence, wellbeing and choice, and to access their right to a life free from abuse and neglect.

**The Care Act (2014)** outlines the following aims of Safeguarding in respect of Adults at Risk:

- Prevent harm and risk of abuse or neglect to adults with care and support needs,

- Stop abuse or neglect wherever possible,
- 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 adults concerned,
- Raise public awareness so that communities and organisations as a whole, alongside professionals, play their part in preventing, identifying and responding to 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 concern about the safety and wellbeing of an adult, and
- Address what has caused abuse or neglect.

## **4. DEFINITIONS**

### **(a) A vulnerable adult**

A vulnerable adult is any person over 18 years of age who is unable to protect themselves against significant harm or exploitation. It can include a young adult leaving care, an elderly person, a person with learning, physical or sensory disabilities or any person suffering from mental illness, including addiction and dementia.

### **(b) Abuse**

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

### **(c) Physical abuse**

This is violence, often resulting in bodily harm where the injury was deliberately inflicted or knowingly not prevented. It includes assault, unjustified denial of rights, and restrictions on freedom of movement.

### **(d) Sexual abuse**

This includes rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent to or was pressurised into consenting to.

### **(e) Psychological abuse**

This includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal

abuse, isolation or withdrawal from services or supportive networks. It also includes denial of basic rights, inclusive of choice, opinion or privacy.

**(f) Financial or material abuse / personal benefit**

This involves an individual's funds or resources being inappropriately used by a third person, and normally includes material exploitation, personal exploitation or theft. Material exploitation is the misuse, exploitation or misappropriation of the vulnerable person's money, property, inheritance, possessions or insurance or blocking access to these material goods.

Personal exploitation is denying the right of citizenship of a competent adult, for example, to the right to independent legal advice, the right to vote, the right to complain and the right to draw up a will.

Theft is stealing the vulnerable adult's money, property, possessions or insurance or extortion through threats and misappropriation of such through deception including fraud.

**(g) Neglect and acts of omission**

Neglect is the deliberate withholding or intentional failure to provide appropriate and adequate care and support which is necessary for the adult to carry out daily activities. This includes the physical neglect of someone to such an extent that health, development and/or general wellbeing is being impaired, the withholding of the necessities of life, such as medication, adequate nutrition or heating or failure to intervene in situations that are assessed as being dangerous to the vulnerable adult.

**(h) Discriminatory abuse**

Treating people differently because of race, religion, gender, disability, age, sexual orientation or nationality. Any or all of these types of abuse may be perpetrated as the result of deliberate intent, negligence or ignorance.

**(I) Institutional abuse**

The mistreatment of people brought about by poor or inadequate care in formal settings such as residential or nursing homes or hospital.

## **5. STAFF ROLES AND RESPONSIBILITIES**

Overall responsibility for this policy rests with the Board of Damask Community Outreach which has responsibility for monitoring this policy and reviewing any investigations arising as an outcome of using this policy.

All Damask Community Outreach staff and volunteers have a duty to help and protect vulnerable adults from abuse or the risk of abuse. They should be alert to the indicators of abuse and must immediately report any concerns, suspicions or allegations to the Chairperson or to a member of the Management Committee. Staff and volunteers working with vulnerable adults are required to know this policy and its procedures.

## **6. THE ROLE OF SOCIAL SERVICES**

Social Services have a statutory duty to investigate any information which suggests that a vulnerable adult may be in need of care, protection or control, unless satisfied that such enquiries are unnecessary. Their primary objective is to ensure the safety and welfare of the vulnerable adult, whether this may be by providing supportive services to him/her and his/her family, or by providing alternative care. They also take the lead role in coordinating the work of all the agencies and professionals concerned with their safety.

## **7. NOTIFICATION TO THE POLICE**

The decision to involve the police is normally taken at a multi-disciplinary level involving Damask Community Outreach and Social Services. When deciding whether the police should be notified, these agencies will consider:

- (a) Is there a legal requirement to do so? This will override all other considerations.
- (b) The service user's expressed wish, if capable of making this judgment.
- (c) The assessed implications for the continuity of the relationship between the vulnerable adult and the abuser
- (d) Whether or not police action will be possible e.g. in the absence of a complaint.

If a police investigation is undertaken the implementation of Damask Community Outreach's procedures may have to be suspended.

## **8. RIGHTS OF VULNERABLE ADULTS**

### **(a) Privacy**

Privacy includes the right to be left alone and free from intrusion into a person's affairs. All vulnerable adults have a right to privacy which must be remembered particularly in relation to issues of personal hygiene. If supervision is necessary, it must protect the privacy and dignity of the person concerned whilst ensuring their safety.

### **(b) Dignity**

Recognition of the intrinsic value of people regardless of their circumstances by acknowledging their uniqueness and treating them with respect.

### **(c) Independence**

The opportunity to act and think without reference to another person, including a willingness to incur a degree of calculated risk.

### **(d) Choice**

The opportunity to select independently from a range of options.

### **(e) Rights**

Full entitlements associated with citizenship.

### **(f) Fulfillment**

The realisation of personal wishes and abilities in all aspects of daily life.

### **(g) Equal opportunities**

Taking people's uniqueness into account and avoiding discrimination.

### **(h) Partnership**

Right to be kept informed of and involved in all aspects of care and support as agreed within the context of a personal support plan.

### **(i) Minimum intervention**

No intervention beyond the necessary or desired level as agreed within the context of a personal support plan.

## **9. CARE, CONTROL AND DISCIPLINE**

It is essential that staff and volunteers exercise the correct balance between care and control. The physical and emotional welfare of the vulnerable adult

must be protected and respected at all times. Physical punishment must never be exercised. Threatening, violent or degrading behaviour from staff or volunteers is also totally unacceptable at any time.

## **10. CONSENT**

Damask Community Outreach will seek to obtain the service user's consent before investigating reports of abuse. If the service user does not give their consent for the alleged/suspected abuse to be investigated, this right can be overridden in specific circumstances including:

- a) the service user is at risk of abuse reoccurring
- b) other individuals are at risk of abuse
- c) it is a legal matter

## **11. MEDICAL TREATMENT**

No medication will be given to a vulnerable adult without their or a doctor's written consent. In the event of a medical emergency, staff and volunteers are responsible for seeking immediate professional assistance.

## **12. RECRUITMENT AND SELECTION OF STAFF AND VOLUNTEERS**

Damask Community Outreach will take reasonable steps to ensure that unsuitable people are prevented from working with the vulnerable adults in its care. Staff and volunteers who will have substantive access to vulnerable adults will be vetted through the **Access Northern Ireland** check in addition to the normal reference checks during selection.

All appointments are conditional on the successful completion of a trial period. During this period the new staff member should be assessed as to their ability in working with vulnerable adults, and his/her commitment to preventing their abuse.

## **13. STAFF NAMED IN AN ALLEGATION OF ABUSE**

Staff named in an allegation of abuse will be notified, both in person and in writing by the Chairperson and may be suspended from normal duty on full pay until the matter is fully resolved.

Staff cleared of allegations of abuse will be reinstated on full pay and the investigation records will show the member of staff to be blameless.

Where a member of staff or volunteer has been alleged to have abused a vulnerable adult and this is shown to be justified, Damask Community Outreach may dismiss the member of staff under the terms of gross misconduct. Damask Community Outreach will refer the details of the member of staff to the Department of Health, Social Services and Public Safety.

#### **14. TRAINING AND SUPERVISION**

Staff who have, or who are likely to have, direct contact with vulnerable adults will attend appropriate training relative to the protection of these service user groups.

#### **15. MONITORING AND REVIEW**

The Management Committee will closely monitor the arrangements for the protection of vulnerable adults by reviewing and assessing this policy **every three years**.

The Chairperson will also report any cases concerning the protection of vulnerable adults as soon as possible to the Damask Board.

#### **16. PROCEDURE FOR REPORTING ALLEGATIONS/SUSPICIONS OF ABUSE**

- Report any concern of abuse to the Chairperson, or, in their absence, any member of the Management Committee, informing them of the reason for the concern stating if it is an observation, suspicion or comment.
- The Chairperson will inform Social Services within 1 working day.
- If a member of staff/volunteer is accused of abuse, they will be suspended on full pay until the matter is fully resolved.
- The matter will be investigated quickly and sensitively by Social Services.
- Social Services will inform Damask Community Outreach of conclusions of investigations and any actions that will be taken.

- Records of the investigation will be kept on file at Damask Community Outreach and persons concerned in the investigation will be informed of investigation and outcomes as appropriate.

## **17 PROCEDURE FOR STAFF IF A VULNERABLE ADULT MAKES A SERIOUS "DISCLOSURE"**

- Explain to the individual that whatever they tell you may not be able to remain confidential and that other people may need to be told.
- Remain objective and unemotional
- Do not try to lead the individual or ask specific questions Record all details of the allegations and any advice given
- Report the allegations to the Chairperson or member of the Management Committee. They will follow the procedure for dealing with allegations or suspicions of abuse
- The disclosure can only be discussed with relevant people (in line with the Confidentiality & Data Protection policy) and should be treated with as much confidentiality as possible
- The individual should be notified of the investigation and outcome

# **Appendix 1**

## **RANGE & INDICATORS OF ABUSE**

### **Physical Abuse**

- Physical assault / injury
- Deprivation of nutrition
- Force feeding
- Administration of inappropriate drugs
- Withholding of prescribed drugs
- Over sedation

### **Psychological Abuse**

- Intimidation, humiliation, threatening behaviour, causing fear, rejection or lack of appropriate stimulation, swearing / verbal abuse
- Denial of basic rights inclusive of choice, opinion or privacy
- Overprotection - not allowed to live a normal life
- Involuntary isolation

### **Financial Abuse**

The most common forms are:

- Withholding money
- Forcing dependents to sign over pension and not spending the money on them
- Withdrawing money from a client's account
- Coercion of older people to sign over money/property
- Depriving older people of appropriate care, by, for example, refusal to permit admission to residential or nursing home in order to retain benefits of both cash and kind
- Removing money from clients or their property without permission

### **Sexual Abuse**

This is the involvement of vulnerable people in sexual activities to which they have not consented or are unable to give consent, or that violate the social taboos of family roles.

## **Neglect**

Neglect can be both physical and emotional. It is defined in the Oxford Dictionary as:

*(1) To pay little or no attention to (ii) To fail to take proper care of (iii) To omit to do, to be remiss about*

## **Appendix 2**

### **MEASURES TO PROTECT AGAINST ABUSE / ALLEGATIONS OF ABUSE**

#### **Clients' Homes**

##### Access

Access to a client's home is only on the basis of prior consent, except for emergency situations e.g. when a client does not answer the door or phone and is believed to be in the house, or when alerted by a neighbour or member of the public who has legitimate cause for concern. If access is gained while the client is not there, a note will be left, informing the client that a member of staff has been in the house.

##### Working unattended

Under normal circumstances, staff will not work unattended in a client's home. If a DIY or similar job is being done, the client must be present unless it is unreasonable for them to be. In these cases, specific permission must be given by the client for the work to be done while they are absent.

#### **Gifts**

##### Personal

Personal gifts from clients will not be accepted by members of staff.

##### Donations

Donations to the project will not be accepted from any client (or member of the public) unless they are completely sober and able to express their intention for the donation.

All donations will be acknowledged, as normal, with a letter of thanks.

## **Version History:**

1 <sup>st</sup> drafted and approved by Damask Board :	September 2014
Revised and updated	25 March 2020
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