

SWINDON HINDU TEMPLE TRUST
(hereinafter referred to as "Trust")



VULNERABLE ADULT PROTECTION POLICY AND PROCEDURES

[to be used in conjunction with the separate Child Protection Policy]

SECTION 1: POLICY AND STATUTORY FRAMEWORK

1.1 Scope

This policy deals with the protection of Vulnerable Adults (as defined in section 1.3 below). [Children are those under 18 years of age and a separate policy covers Child Protection.]

1.2 Policy Statement

1.2.1 Trust holds as one of its highest priorities the health, safety and welfare of all vulnerable adults involved in courses or activities which come under the responsibility of Trust.

1.2.2 Trust has a duty to ensure that its members fulfil their responsibilities to prevent abuse of vulnerable adults and to report any abuse discovered or suspected.

1.2.3 Trust will advise all parents/ guardians/ carers of vulnerable adults of the existence of Trust's Vulnerable Adult Protection Policy and Procedures, and the fact that this may require cases to be referred to the investigative agencies in the interests of the vulnerable adult.

1.2.4 Trust will work with appropriate local agencies, and in particular Swindon Social Services, to ensure that vulnerable adults are safeguarded through the effective operation of Trust's vulnerable adult protection procedures.

1.2.5 Trust recognises that any vulnerable adult can be subject to abuse and all allegations of abuse will be taken seriously and treated in accordance with the organisation's procedures.

1.2.6 Trust recognises that it is the responsibility of all members to act upon any concern no matter how small or trivial it may seem.

1.2.7 Trust recognises its responsibility to implement, maintain and regularly review the procedures that are designed to prevent or notify suspected abuse.

1.2.8 Trust is committed to supporting, resourcing and training those who work with, or who come into contact with, vulnerable adults and to providing appropriate supervision.

1.3 Statutory Framework

1.3.1 The Police Act 1997 (Enhanced Criminal Record Certificates) (Protection of Vulnerable Adults) Regulations 2002 require employers to carry out Criminal Record Checks before employees are allowed to come into contact with vulnerable adults.

1.3.2 A vulnerable adult is defined (under the Protection of Vulnerable Adults Regulations 2002) as:

'a person aged 18 or over who is receiving services of a type listed in paragraph (2) below and in consequence of a condition of a type listed in paragraph (3) below has a disability of a type listed in paragraph (4) below.

(2) The services are –

- (a) accommodation and nursing or personal care in a care home;*
- (b) personal care or nursing or support to live independently in his own home;*
- (c) any services provided by an independent hospital, independent clinic, independent medical agency or National Health Service body;*
- (d) social care services; or*
- (e) any services provided in an establishment catering for a person with learning difficulties.*

(3) The conditions are -

- (a) a learning or physical disability;*
- (b) a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs; or*
- (c) a reduction in physical or mental capacity.*

(4) The disabilities are -

- (a) a dependency upon others in the performance of, or a requirement for assistance in the performance of, basic physical functions;*
- (b) severe impairment in the ability to communicate with others; or*
- (c) impairment in a person's ability to protect himself from assault, abuse or neglect.*

1.3.3 Trust will keep its policy and procedures on vulnerable adult protection under review to take account of any new Government legislation, regulations or best practice documents to ensure that members/volunteers are kept fully up to date with their responsibilities and duties with regard to the safety and well-being of vulnerable adults.

SECTION 2: PROCEDURES

- 2.1 The purpose of these guidelines is to ensure that the rights of vulnerable adults are protected through members awareness of the issues and the following of the statutory and local guidelines in the reporting of concerns.

It is the responsibility of all members working within Trust to record and report vulnerable adult protection concerns, i.e. where they believe a vulnerable adult has been or is at risk of abuse, or significant harm. This responsibility extends to all members and volunteers and not just those specifically working with vulnerable adults.

- 2.2 Trust will take steps to identify a vulnerable adult when he/she is approached or is referred to Trust for services.

2.3 Vulnerable Adult Protection Officer [VAPO]

- 2.3.1 Trust has a designated member of members, who is assigned to act upon vulnerable adult protection concerns. At Trust this person is one of the Executive Committee Members ("the VAPO") and he/she is responsible for coordinating action within the organisation and liaising with other agencies.

2.4 Advice to Members/Volunteers on When to Take Action & How

- 2.4.1 Once you suspect or know of any abuse of any vulnerable adult, you should immediately inform Trust's VAPO in person or by telephone.
- 2.4.2 Even if you have only heard rumours of abuse, or you have a suspicion but do not have firm evidence, you should still contact the VAPO to discuss your concerns. You should also contact any of the Executive Committee Members if you know or suspect that a Trust member of members or service user has a previous history of abuse of children or vulnerable adults. He/she will discuss the case with the VAPO so that appropriate action can be taken.
- 2.4.3 If the assigned VAPO is not available you should contact any of the Executive Committee Members.
- 2.4.4 You must not try to investigate the matter on your own. Members/volunteers are not equipped or qualified to do so.

- 2.4.5 If, following your initial contact with the VAPO, it is decided that the matter should be taken further, a written report from you is essential to prevent any misrepresentation of your findings, and should be sent to the VAPO within 24 hours of the suspicion arising. The report should be factual and should not include opinions or personal interpretations of the facts presented.
- 2.4.6 The report should contain as much detail as possible, including any apparent physical signs of abuse or other circumstances which led to your suspicions, or the account given to you of abuse by the vulnerable adult concerned, as accurately as you are able to record it. The report should be signed, dated and a copy stored in a secure place. If you are unsure about what to write, you can get advice from the VAPO. If a vulnerable adult comes to you with a report apparent abuse, you should listen carefully to him/her, using the following guidelines. When listening to the vulnerable adult members must:
- ❑ allow the vulnerable adult to speak without interruption
 - ❑ never trivialise or exaggerate the issue
 - ❑ never make suggestions
 - ❑ never coach or lead the vulnerable adult in any way
 - ❑ reassure the vulnerable adult, let them know you are glad they have spoken up and that they are right to do so
 - ❑ always ask enough questions to clarify your understanding, do not probe or interrogate, no matter how well you know the vulnerable adult
 - ❑ spare them having to repeat themselves over and over
 - ❑ be honest. Let the vulnerable adult know that you cannot keep this a secret, you will need to tell someone else.
 - ❑ try to remain calm. Remember this is not an easy thing for them to do.
 - ❑ not show your emotions. If you show anger, disgust or disbelief, they may stop talking. This may be because they feel they are upsetting you or they may feel your negative feelings are directed towards them
 - ❑ let the vulnerable adult know that you are taking the matter very seriously
 - ❑ make the vulnerable adult feel secure and safe without causing them any further anxiety.
- 2.4.7 The VAPO will be responsible for recording essential information about each case and for collecting reports and notes as appropriate. Any detailed information about a case will be confined to the VAPO, the Chairperson and (if not involved in the allegations) the parents/ guardians/carers, but where a referral to an external agency is to be made. The VAPO will advise the Chairperson of Trust and members reporting the allegations will be kept informed of the progress of the case on a 'need to know' basis.

2.5 What Happens Next

2.5.1 Taking into account all the information available, the VAPO will decide on the next steps, which may include taking no further action. Where the VAPO decides that further action is necessary, this may be to:

- ❑ Seek further advice from Social Services
- ❑ Make a referral to Social Services
- ❑ Report the incident to a designated Social Worker
- ❑ Report the matter to the police if a crime is suspected

2.5.2 If a referral is made, this must be confirmed in writing to the appropriate agency within 24 hours. If a member of members does not agree that with a decision of Trust's VAPO that no further action is necessary, the member of members should refer these concerns in the first instance to the Trust Chairperson. If the Chairperson does not recommend further action and the member of members still has concerns, then the member of members has the right and duty to refer the case directly to Swindon Social Services and should at the same time alert the Chair of Trust or any other Trust Executive Committee Member.

2.5.3 The VAPO may consider that those involved may require counselling. Where it is felt there is a need for counselling (which could be for the vulnerable adults, other service users, members, parents or carers involved) the VAPO will make the necessary arrangements.

2.5.4 The VAPO will keep the member(s) of members who raised the concerns informed as the progress/ outcome of the case.

2.6 Confidentiality

2.6.1 Confidentiality and trust should be maintained as far as possible, but members must act on the basis that the safety of the vulnerable adult is the overriding concern. The degree of confidentiality will be governed by the need to protect the vulnerable adult. The vulnerable adult should be informed at the earliest possible stage of the disclosure that the information will be passed on. All conversation regarding a vulnerable adult should always be held in private.

2.6.2 Trust complies with the requirements of the Data Protection Act 1998, which allows for disclosure of personal data where this is necessary to protect the vital interests of a vulnerable adult.

2.6.3 Whatever happens, you should always be open and honest with the vulnerable adult if you intend to take the case further.

2.6.4 You must not discuss the case with anyone other than those involved in the case. If you have any concerns about the progress of the case or have any other concerns these must be discussed with the VAPO.

2.7 Allegations Against Members/Volunteers

- 2.7.1 The primary concern of Trust is to ensure the safety of the vulnerable adult. It is essential in all cases of suspected abuse by a member, that action is taken quickly and professionally whatever the validity.
- 2.7.2 There are occasions where a vulnerable adult will accuse a member of members/volunteer of physically or sexually abusing them. In some cases, this may be false or unfounded. However, in some cases the allegations may be true.
- 2.7.3 Any instance of a vulnerable adult being abused by a member of members is particularly serious. On the other hand, for an innocent person to be accused of such an act, is a serious ordeal which can result in long term damage to their health and career.
- 2.7.4 In the event that any member of members suspects any other member of members of abusing a Trust user, it is their responsibility to bring these concerns to the Chairperson and the VAPO except where the suspect is either.
- 2.7.5 If the allegation concerns a member of the Management Committee, the matter should be discussed with the VAPO who will discuss it with the Chairperson, in addition to following the normal procedures for Vulnerable Adult Protection.
- 2.7.6 If the allegation concerns the VAPO the matter should be discussed with the Chairperson who will discuss it with the Executive Committee Members, in addition to following the normal procedure for Vulnerable Adult Protection.
- 2.7.7 The member of members will be advised to:
 - keep records of all conversation, meetings attended, letters received and telephone calls relating to the allegation.
- 2.7.8 If a decision is made to pursue an allegation of abuse against a member, this will be dealt with under Trust disciplinary procedures related to vulnerable adult abuse allegations.

SECTION 3.0 CODE OF BEHAVIOUR ON VULNERABLE ADULT PROTECTION FOR Trust MEMBERS/VOLUNTEERS

- 3.1 Trust recognises that it is not practical to provide definitive instructions that would apply to all situations at all times whereby members come into contact with vulnerable adults and to guarantee the protection of vulnerable adults and Trust's members.
- 3.2 However, below are the standards of behaviour required of members/volunteers in order to fulfil their roles within Trust. This code should assist in the protection of both vulnerable adults and members of members.
- 3.3 These guidelines also apply to volunteers who work in an unpaid capacity in Trust's premises.
- 3.4 Members must implement the Vulnerable Adult Protection Policy and Procedures at all times.
- 3.5 Members must never:
- ❑ engage in rough, physical games including horseplay with vulnerable adult service users
 - ❑ allow or engage in inappropriate touching of any kind
 - ❑ do things of a personal nature for vulnerable adults that they can do for themselves
 - ❑ physically restrain a vulnerable adult unless the restraint is to prevent physical injury of the vulnerable adult/other vulnerable adults/visitors or members/yourself. In all circumstances physical restraint must be appropriate and reasonable, otherwise the action can be defined as assault
 - ❑ make sexually suggestive comments to or within earshot of a vulnerable adult.
 - ❑ have vulnerable adults on their own in a vehicle. Where circumstances require the transportation of vulnerable adults in their vehicle, another member/volunteer must travel in the vehicle. Also, it is essential that there is adequate insurance for the vehicle to cover transporting vulnerable adults as part of the business of your work. In extreme emergencies (for medical purposes) where it is required to transport a vulnerable adult on their own, it is essential that another leader and the parent is notified immediately
 - ❑ take a vulnerable adult to the toilet unless another adult is present or has been made aware (this may include a parent, group leader)
 - ❑ spend time alone with a vulnerable adult on his/her own, outside of the normal working relationship. If you find you are in a situation where you are alone with a vulnerable adult, make sure that you can be clearly observed by others
 - ❑ engage in a personal relationship with a vulnerable adult service user, beyond that appropriate for your professional role/relationship.

3.6 Implications for members

- 3.6.1 Members who breach any of the above may be subject to the disciplinary or complaints procedure. If an allegation against a member has occurred then an investigation will be carried out in accordance with the Complaints procedure. The investigating officer will be required to liaise with the VAPO to clarify if she/he has any relevant records or any other vulnerable adult protection information in relation to the individual.