



Adult Protection Procedure

Throughout this policy we may make reference to Age Concern Liverpool & Sefton, the Organisation or ACL&S. This means however that the policy is applicable to the Charity, Age Concern Liverpool & Sefton, the trading company, Age Concern Liverpool (Services) Ltd and any subsequent company within the group.

Staff training on the Adult Protection Procedure is provided on induction and reoccurs every three years. Online training is also undertaken by staff and supported by their line manager.

All staff should circulate any new official, relevant documents relating to changes in legislation and reporting procedures around safeguarding.

Staff, in relevant posts, are required to have a Disclosure and Barring (DBS) check prior to commencement of work with ACL&S paid for by Age Concern Liverpool & Sefton and repeated every three years. All details regarding this are contained in our Criminal Records Disclosure Policy and Procedure.

Definition of a Vulnerable Adult

The “No Secrets” guidance cites the broad definition of a vulnerable adult referred to in the Lord Chancellor’s Department’s consultation document “Who Decides”, 1997, as a person, aged 18 or over, who;
“...is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation”.

The person currently responsible for Adult Protection within Age Concern Liverpool & Sefton is Elaine Middleton on 0151 330 5678.

For detailed guidance please refer to the City of Liverpool Inter-Agency Safeguarding Policy and Procedure 2018 or the relevant Adult Safeguarding Policy and Procedure for the particular local authority.

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Overview

Age Concern Liverpool & Sefton Adult Protection Procedure is developed in line with the City of Liverpool Adult Protection Procedures Manual 'Safeguarding Adults Procedure 2013' and 'Sefton Safeguarding Adults Framework for Action - 2009'. Copies can be obtained from Liverpool and Sefton Council's website or the Staff Portal.

This document is applicable to safeguarding adults in Liverpool and Sefton only. The framework is based on the Government guidance 'No Secrets' (DH 2000) and the eleven standards set out in Safeguarding Adults (ADSS 2005).

Defining Principles

The defining principles for safeguarding adults are that

- Everyone has the right to live their life free from violence, fear, abuse and neglect
- All adults have the right to be protected from harm and exploitation
- All adults have the right to independence and choice, which involves a degree of risk

Implementing the Procedures

Our primary aim at Age Concern Liverpool & Sefton should be to prevent abuse wherever possible and have robust procedures for dealing with it.

Although the Local Authority is the lead agency in working with those who are vulnerable to abuse, safeguarding adults from abuse is not the sole responsibility of any one agency, and all Age Concern Liverpool & Sefton staff must be alert to potential indicators of abuse and neglect

There are three distinct roles within adult protection:

- Alerter
- Investigator
- Manager

In this case the Manager and the Investigator are those from Liverpool City Council.

Everyone must be clear as to which role they occupy. If the roles are not clearly understood the result can often be confusion, loss of evidence and the continuation of abuse. Full details of these roles can be found in the City of Liverpool Adult Protection Procedure - Safeguarding Adults - 2013 And the Sefton Safeguarding Adults Framework for Action 2009. There are also roles of referrer, and the Councils' Safeguarding Adults Coordinator, responsible for overseeing the process, central record keeping and multi agency cases.

Definition of Abuse

Abuse is any behaviour towards a person that deliberately or unknowingly causes him or her harm, endangers their life or violates their rights.

Abuse may be physical, sexual, psychological, financial or through neglect.

An individual, a group or an organisation may perpetrate abuse.

Abuse concerns the misuse of power; control and/or authority and can manifest itself as:

- Domestic Violence (Abuse), sexual assault or sexual harassment
- Institutional abuse
- Forced Marriages

Hate Crimes which includes abuse or discrimination on the basis of:

- Any incident which may or may not constitute a criminal offence, which is perceived by the victim or other person as being motivated by prejudice or hate
- The prejudice or hate can be based on any identifying factors including disability, race, religion, sexual orientation or transgender
- race, colour, ethnic origin, nationality or national origins
- religion
- gender or gender identity
- sexual orientation
- disability

Harm

Harm is defined as:

- Ill treatment both physical and emotional
- Impairment of physical or mental health
- Avoidable deterioration in physical or mental health
- Impairment of physical, emotional, social or behavioural development

The last two categories may be very important to an individual's ability to recover from an illness or have the best possible quality of life.

This list is not exhaustive. Any member of staff or volunteer must discuss any doubts they have about the definition of an abusive situation with their line manager. Guidance must be sought when required.

Settings

People can be abused in any setting. People may experience abuse where they live, that is, in their own home, residential or nursing homes and in places where they spend their days, that is, in day centres, places of work, hospitals or colleges.

Perpetrators

Perpetrators of abuse can be any of the following;

- Informal carers, including neighbours, friends and relatives.
- Partners, ex-partners and other family members.
- People in a position of trust.
- People paid to offer care or services.
- Other users of services.
- Strangers.
- Organizations by the way they conduct their day to day practice can abuse and cause harm.

Those who deliberately target others, whom they perceive as vulnerable, in order to exploit them.

Categories of Abuse

Abuse can be viewed in terms of five main categories:

- Physical
- Sexual
- Financial
- Neglect
- Psychological

Discriminatory abuse or Hate Crimes are also forms of abuse. This abuse is motivated by discriminatory and oppressive attitudes towards:

- Substance misuse
- Race
- Gender
- Gender orientation
- Cultural background
- Religion
- Learning difficulties
- Physical and/or sensory impairment
- Sexual orientation
- Disability including Deprivation of Liberty under the Mental Capacity Act 2005 where it happens in a hospital or care setting

Domestic Violence (Abuse) is a form of abuse. This is any form of threatening behaviour, violence or abuse (psychological, sexual, financial, or emotional)

between adults aged 18 or over who are or have been intimate partners or family members regardless of gender or sexuality.

A Forced Marriage is one in which one or both spouses do not consent to the marriage and some element of duress is involved, including the use of physical and emotional pressure. Forced Marriage is not sanctioned within any culture or religion.

The Government regards Forced Marriage as an abuse of human rights and a form of domestic abuse and, where it affects children and young people, child abuse.

Many situations will involve a combination of different kinds of abuse. However, it is useful to start by considering the definition of each category in turn, together with the indicators

The Relationship between DoLS and Safeguarding Adults

The **Deprivation of Liberty** Safeguards (**DoLS**) are part of the Mental Capacity Act 2005. They aim to make sure that people in care homes, hospitals and supported living are looked after in a way that does not inappropriately restrict their freedom.

When a safeguarding adults process will not need to be applied:

Authorisations for a DoL will only be granted for registered residential care homes or hospital wards where the Authority is completely satisfied that the restrictions are absolutely necessary and that the person meets all of the criteria required by the safeguards.

Such cases would be viewed as upholding best practice and having gone through the DoLS process would be seen as legitimate and lawful. Therefore they should not come under the Safeguarding Adults process.

When the safeguarding adults process will need to be applied:

There are several circumstances where the DoLS process may identify a safeguarding alert or where the Safeguarding Adults process recommends an application for a DoLS authorisation.

DoLS to Safeguarding Adults

1. If an application for a DoLS authorisation and on assessment the care plan, which is already being applied, is
 - unacceptable and abusive a safeguarding alert will be made
 - If the DoLS assessment process refuses to authorise a deprivation of liberty, but the process proceeds with the care plan regardless, a Safeguarding Adults alert should be made.

2. Safeguarding Adults to DoLS

- If, during the Safeguarding Adults process at strategy meetings or case conferences, it is identified that an unlawful DoL is occurring, or a DoL is being recommended, the co-coordinating manager should instruct that an application is made. This can be done, less formally, as part of the meeting, or a separate request can be made using the DoLS standard procedure.

If an application is not made in a timely manner (usually within 24 hours) the co-coordinating manager should inform the DoLS service that an unlawful deprivation is occurring or could occur in the near future.

- If a person is already subject to a DoLS authorisation but also comes under the Safeguarding Adults process and it is felt that the authorised care and treatment is not.

ALERTING

For the purpose of this document only the Alerter is relevant and is explained below

Although Social Services are the lead agency in working with those who are vulnerable to abuse, protecting adults from harm is not the sole responsibility of any one agency.

All agencies and professionals should;

- Be alert to potential indicators of abuse and neglect.
- Understand their responsibility to alert other agencies to adults they feel are at risk or who are suffering abuse in any form.
- Share and assist in analyzing information in order that a comprehensive assessment of the situation can be carried out.
- Contribute to whatever actions are needed to safeguard the person who is at risk.

Everyone reading this procedure must regard himself or herself as an alerter.

Alerting means;

- Recognising signs of abuse.
- Recognising signs of bad practice.
- Responding to a disclosure.
- Reporting a concern.
- Reporting an allegation.
- Reporting a disclosure.

- Recording initial information.
- Working strictly in accordance with anti-discriminatory practice.

As an alerter you are:

- NOT being asked to verify or prove that information is true. Only the police have the responsibility to establish if a criminal offence has been committed.
- Required to log your concerns and report them to your manager. If you suspect your manager is involved in the abuse you must report to a senior manager as soon as possible.

Failure to report a concern, allegation or disclosure may be regarded as colluding with the abuse and may result in:

- Criticism of your practice.
- Disciplinary action.
- Suspension.
- Dismissal.
- A report being forwarded to your professional body.

ALERTING PROCEDURE

In an emergency dial 999 for either the police or an ambulance. Do NOT put yourself in danger but try to ensure immediate safety of the person

Consider whether evidence needs to be preserved. Do not touch anything in the room where the person alleges they were abused.

Make a clear record of all details regarding the environment. I

If the person has been harmed, including psychological harm you must make a referral to:

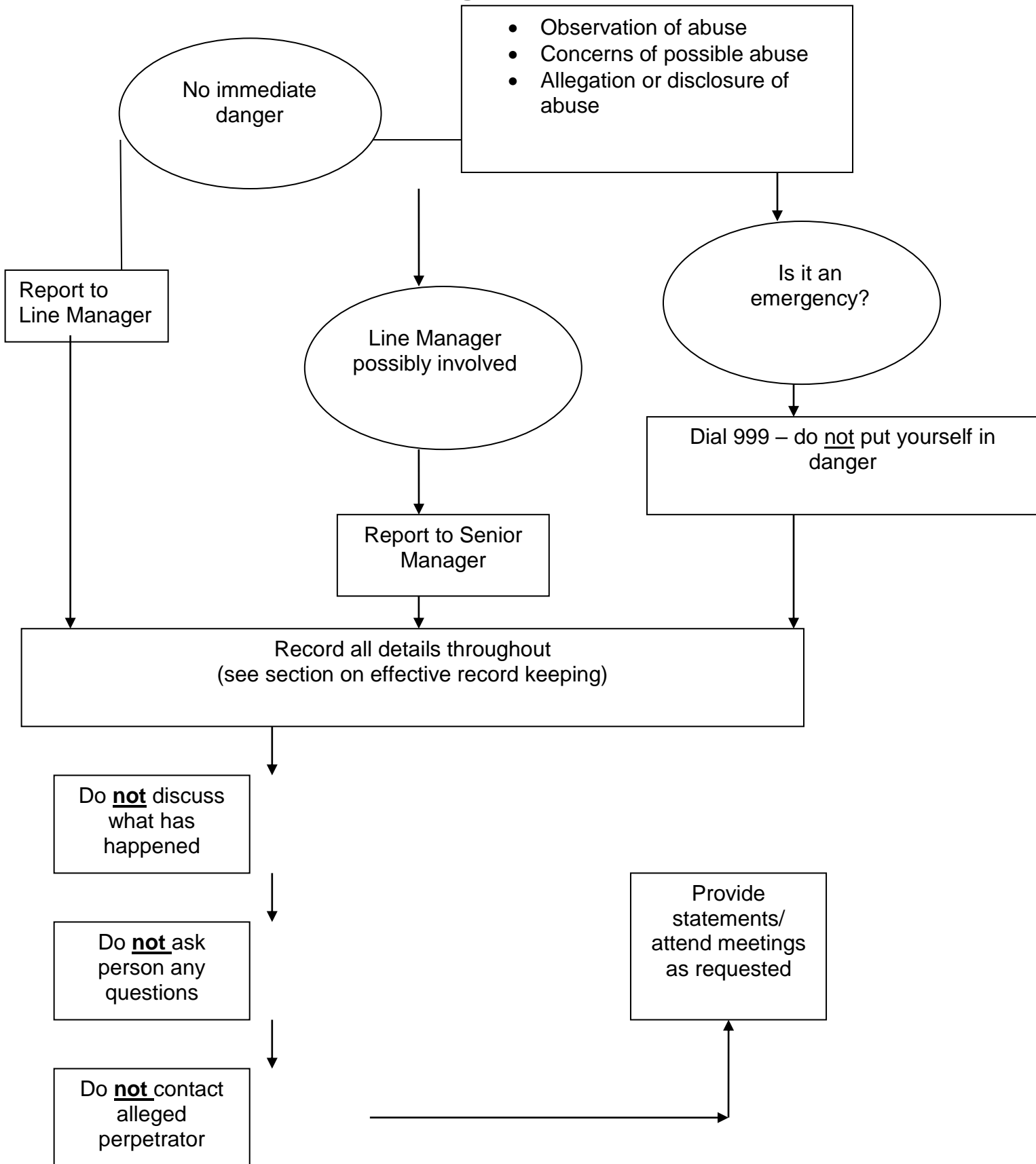
- **Careline 0151 233 3800 for Liverpool**
- **Sefton Council contact Sefton Plus on 0845 140 0845. This number is during normal working hours (Monday – Thursday 9.00am – 5.30-pm and Friday 9.00am – 4.00pm) or the Emergency Duty Team outside of these hours: Out of Hours 0151 920 8234.**

In cases of allegation or disclosure:

- Make a note as soon as possible of what they said. Make sure you use the person's own words.
 - Stay calm and try not to show shock

- Listen sympathetically and carefully
- Tell the person they did the right thing to tell you, that you are treating the information seriously and that you will have to report the information to your manager.
- Do not start the investigation yourself by asking the person questions about the incident.
- All records must be signed, stating time and date.
- **You must never keep secrets.** Even if the person asks you not to tell anyone else. You must always report back to your manager.
- **Do not** make promises you cannot keep such as 'this will not happen to you again'.
- **Do not** be judgmental.
- Inform your manager as soon as possible. If you suspect your manager is involved in the abuse you must report to a senior manager as soon as possible.
- If the alleged perpetrator contacts you, you must not give them any information about the person or the incident.
- Do not discuss what has happened with carers, relatives of the person or other workers. Do not gossip about the incident.
- You will receive feed back from your manager within 14 days to confirm that the incident is either in the process of being dealt with, or has been dealt with.
- You may be required to provide a statement, attend a meeting or be interviewed by the police. You will be required to cooperate with the investigation.

Alerting Flow Chart



EFFECTIVE RECORD KEEPING

If a person discloses or alleges abuse, you **MUST** record all details of the incident;

- Document fact only, not opinion.
- Facts should be accurate, records should be written up as soon as possible.
- Write in legible, clear writing, in black ink.
- Use only the person's words as they described the incident to you, describing the circumstances in which the disclosure came about.
- Note the setting and anyone else who was there at the time of the disclosure.
- Details should be understandable by all concerned. Key information should be highlighted.
- Use plain language, not abbreviations or jargon.
- All information should be complete, concise and confidential.
- Recording must not be judgmental.
- Any injuries observed must be described, including size, shape, colour.
- Any statements by witnesses / information from a third party must be recorded separately
- All entries should be dated (day, month, and year) and full signature used.
- If possible and appropriate, request that the person read, sign and date the report also, as well as any witnesses.
- Include your contact details.

Keep it simple, clear, concise and **SAY WHAT YOU SEE**

Recording information effectively is **essential** in order to act as a legal record of a disclosure made to you. Your documents may be used in an investigation and are admissible as evidence in a court case

REMEMBER: If it has not been documented it has not been done

The Role of the Manager

DO	DO NOT
Support the person	Interview the person
Support staff	Take witness statements
Preserve evidence	Prevent the person or staff from raising the concern
Consider suspension if alleged perpetrator is a member of staff	Interview the alleged perpetrator
Make a referral to Safeguarding	Conduct an internal investigation at this stage (this will be decided at network/strategy stage)
Make notes	

On Receipt of the Alert

- Immediately begin the process of networking with other agencies to establish whether an interagency investigation is necessary.
- Age Concern Liverpool and Sefton's internal lead is Elaine Middleton on 0151 330 5678 or elaine.middleton@ageconcernliverpoolandsefton.org.uk
- You must make a referral, giving all relevant information and making it clear that it is an adult protection issue, to Social Services through:
- **Liverpool Careline – 0151 233 3800**
- **Sefton Council Contact Sefton Plus on 0845 140 0845. This number is during normal working hours (Monday – Thursday 9.00am – 5.30-pm and Friday 9.00am – 4.00pm) or the Emergency Duty Team outside of these hours: Out of Hours 0151 920 8234.**

If you are regulated by the Care Quality Commission you must inform them by completing the appropriate notification form (Regulation 18(2)) available on the CQC website www.cqc.org.uk and send to HSCA_notifications@cqc.org.uk

CQC Tel: 0151 225 2709 Fax: 03000616171

Enquiries@cqc.org.uk

Allegation against an ACL&S Staff member

- If an allegation involves a member of staff, Age Concern Liverpool & Sefton's Human Resources Manager – **Elaine Middleton 0151 330 5678** should be consulted about action to be taken including the possibility of suspension from work.
- Be mindful that Age Concern Liverpool & Sefton have a Whistle blowing policy for staff to use.
- Continue to keep accurate records of both incident and action taken.
- You may be requested to attend a strategy meeting.
- It may be decided at this stage that you have to conduct an investigation through your organisations internal procedures.

USEFUL CONTACTS

Liverpool: Careline – 0151 233 3800

Sefton Council Contact Sefton Plus on 0845 140 0845. This number is during normal working hours (Monday – Thursday 9.00am – 5.30-pm and Friday 9.00am – 4.00pm) or the Emergency Duty Team outside of these hours: Out of Hours 0151 920 8234.

CQC Tel: 0151 225 2709

Fax:03000 616 171

E-mail:Enquiries@cqc.org.uk

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Version 11
Owner Charity Services Manager
Reviewed February 2020
Next Review April 2023