



Safeguarding service users from Abuse

Revised April 2013

Safeguarding Service Users from Abuse

Care home name: Wellbeing Residential Group

Policy Statement

Wellbeing Residential believes that service users must be safeguarded from all forms of abuse. It recognises that it must at all times protect its service users from the risk of abuse and identify and deal with specific instances of abuse if they occur.

Wellbeing Residential is always be aiming for the very best quality of care and will not be satisfied with anything that falls short of this. It takes every possible action to prevent abuse and to deal with it as promptly and effectively as possible if it occurs.

Aim of the Policy

The central aim of the home's safeguarding policy is to set out for all relevant parties the:

- principles and values underlying the home's approach to the safeguarding of its service users
- ways in which the home does this
- steps taken to avoid abuse taking place
- actions taken to deal with abuse if it occurs.

Legislation

This care home seeks to work in line with local safeguarding authority policies and procedures and guidance from the Care Quality Commission (CQC). It recognises the importance of national guidance such as that contained in *No Secrets* (Department of Health), and seeks to comply in all respects with current safeguarding legislation and regulations.

The care home recognises that service users who lack mental capacity are particularly vulnerable to abuse and exploitation. 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, eg by seeking the services of independent advocates.

Defining Abuse

The home recognises that abuse of service users may take the following forms:

- physical abuse
- financial or material abuse
- psychological abuse

- sexual abuse
- neglect
- discriminatory abuse
- self-harm
- inhuman or degrading treatment
- inappropriate or excessive restraint and other forms of institutional abuse.

Identifying Abusers

The home accepts that abuse can be committed by a range of possible people. It therefore accepts its responsibility to protect the people who live in the home from possible abuse from all sources, which include:

- the staff and management of the home
- volunteers working in the home
- visiting health and social care practitioners and other official visitors
- service users/friends and relatives
- people who have contact with service users while they are temporarily outside the premises
- other service users.

The Role and Accountability of Staff in Relation to Abuse

The home insists that all its staff have a responsibility to:

- provide service users with the best possible care
- desist from any abusive action in relation to service users
- report anything they witness which is or might be abusive
- co-operate in every possible way in any investigation into alleged abuse
- participate in training activities relating to abuse and protection.

The home requires its managers to take responsibility for:

- developing the systems and structures within which it is possible to deliver the best possible care
- encouraging a culture and ethos for the home that is hostile to any sort of abuse
- producing and regularly revising the policies and procedures to combat abuse
- operating personnel policies which identify, appropriately deal with and if necessary exclude from practice potential or actual abusers
- providing training for staff in all aspects of abuse and protection
- investigating any evidence of abuse speedily and sympathetically
- implementing improvements to procedures if an investigation into abuse reveals deficiencies in the way in which the home operates

- collaborating with all other relevant agencies in combating abuse and improving the protection of service users.

Recruitment Practices

The care home 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 initiatives regarding the sharing of information on care workers who are found to be unsuitable to work with vulnerable people. The home ensures that new employees are checked through the CRB against the POVA list (as it operates currently) and the ISA's Vetting and Barring Scheme when that becomes fully operational.

Preventing Abuse from Occurring

The home is committed to taking all possible steps to prevent abuse from occurring including:

- setting out and making widely known the procedures for responding to suspicions or evidence of abuse
- operating personnel policies which ensure that all potential staff are rigorously checked, by the taking up of references and clearance through CRB checks and the ISA's Vetting and Barring Scheme with equivalent checks for staff employed from overseas
- incorporating material relevant to abuse into staff training at all levels
- maintaining vigilance concerning the possibility of abuse of service users from whatever source
- encouraging among staff, service users and all other stakeholders a climate of openness and awareness that makes it possible to pass on concerns about behaviour that might be abusive or that might lead to abuse
- devising systems that minimise the risk of abuse of service users by other service users by understanding and dealing appropriately with any form of aggression
- maintaining robust procedures for regulating any contact the staff of the home need to have with service users' property, money or financial affairs
- communicating concerns to the appropriate officers of the local Safeguarding (Protection of Vulnerable Adults) Authority, and Care Quality Commission in line with current policies and authoritative professional guidance
- helping service users as far as possible to avoid or control situations or relationships that would make them vulnerable to abuse.

Identifying Actual or Possible Abuse

The home aims to identify any instances of actual or possible abuse involving our service users by all possible means including:

- fostering an open and trusting communication structure within the home so that staff, service users and others feel able to discuss their concerns with someone authorised to take action
- ensuring that all staff and service users know whom they may turn to for advice and action if they become aware or suspect that abuse is occurring

- encouraging staff to recognise that a commitment to the highest possible standards of care must, when necessary, overrule loyalty to colleagues individually or corporately
- making it clear to staff that failing to report incidents or suspicions of abuse is itself abusive and may lead to disciplinary or criminal proceedings
- operating systems of management, supervision, internal inspection and quality control that have the potential to reveal abuse where it exists.

Procedures for When Abuse has Occurred or is Alleged to Have Occurred

If abuse is clearly occurring or is alleged to have occurred, the home takes swift action to limit the damage to service users and to deal with the abuse, as follows.

Initial Procedures

- A staff member who witnesses a situation in which a service user is in actual or imminent danger must use their judgment as to the best way to stop what is happening without further damage to anyone involved including themselves, either by immediately intervening personally or by summoning help.
- Any staff to whom actual or suspected abuse is reported - usually the manager or a senior staff member - must immediately take any further action necessary to provide protection, support or additional care to a service user who has been harmed.
- The senior staff member or manager (or whoever has authority at the time) must without delay alert the local safeguarding unit and follow its procedures and guidance from that point on. This will usually involve a strategy meeting and an action plan to be implemented from the strategy meeting.
- In some instances the registered manager might need to report the matter directly to the police and take guidance from them on the measures to be taken.
- The registered manager must take steps to ensure that there is no further risk of the victim being abused by the alleged or suspected perpetrator.
- The registered manager must ensure that the needs of the alleged victim of the abuse for any special or additional care, support or protection or for checks on health or wellbeing are met at the outset and subsequently throughout the proceedings.
- If the alleged abuser is a staff member and there is sufficient evidence that abuse has or might have occurred, the registered manager will suspend the person from duty pending the outcome of a disciplinary investigation. The manager will receive guidance on the steps to be taken following the local safeguarding authority strategy meeting, which will be held following the reporting of the abuse or suspected abuse.
- If the evidence is insufficiently strong to warrant suspension the staff member against whom the allegation has been made will be instructed not to have further unsupervised contact with any service users.

Investigating Alleged Abuse

In many cases an investigation will be carried out or led by a member of an external agency in line with the action plan determined by the initial strategy meeting convened by the local safeguarding authority. If a staff member is expected to carry out an investigation the following

guidance should be followed.

- An appointed investigating officer will usually consult the person who may have been abused to hear their account of what has occurred and their views about what action should be taken, involving the service user's relatives, friends or representatives if that is appropriate and in line with the wishes of the service user.
- The investigating officer is expected to take into account in his or her conducting of the investigation:
 - the fears and sensitivity of the abused person
 - any risks of intimidation or reprisals
 - the need to protect and support witnesses
 - any confidentiality or data protection issues
 - the possible involvement of other agencies, including the police, local safeguarding team and the CQC
 - the obligation to keep the abused person and in specific instances the alleged perpetrator on the progress of the investigation.
- The investigating officer will assure the person who may have been abused that they will be taken seriously, that the comments will as far as possible be treated confidentially, that they will be protected from reprisals and intimidation, and that they will be kept informed of actions taken and of the outcome.
- The investigating officer will consider whether the service user needs independent help or representation in presenting their evidence and, in conjunction with the registered manager if necessary, will arrange for the appropriate help or support to be made available.
- If the service user expressly states a wish that no further action should be taken, the investigating officer will consider whether a danger to others exists from not investigating further, whether or not in the light of that assessment it is possible to follow the service user's wishes, and whether in any case precautionary measures should be taken to protect others from the possibility of abuse from the same source, and the service user will be informed of what is to happen.
- If it is decided that an investigation should proceed, the investigating officer will, as discreetly and confidentially as possible, look into all aspects of the situation.
- The investigation will include interviewing the staff involved in the incident up to that point, hearing and assessing evidence from any others who might be in a position to supply information, exploring every other possible source of evidence, maintaining appropriate contact with any other agencies involved, and if necessary seeking expert advice on any technical aspects of the situation which are outside the knowledge or expertise available within the organisation.
- Any staff from whom evidence is taken will be assured that they will be dealt with in a fair and equitable manner and informed of their employment, legal and procedural rights.
- The alleged victim of the abuse, and where appropriate their relatives, friends or representatives, will at all times be kept as fully informed as possible of what is happening regarding the suspected abuse.
- The investigation will be carried out as quickly as possible and the findings presented to the local safeguarding strategy group, which will then decide what further action to take.

Following the Investigation

- If it seems from the investigation that on the balance of probabilities abuse did indeed take place, the registered manager will, if the abuser is a staff member, initiate and carry through proceedings according to the home's disciplinary policy or, if the abuser is not a member of staff, take action to involve other responsible bodies.
- If abuse is proved against a staff member, the registered manager will initiate appropriate action, which might include dismissal, other employment sanctions or, where there might have been mitigating or extenuating circumstances, retraining.
- The service user will be informed of the outcome of the investigation and any further action and will be consulted about whether any redress or apology would be appropriate and helpful to them.
- The registered manager will take appropriate steps to inform the Independent Safeguarding Authority for possible inclusion of the person on its Vetting and Barring Scheme as someone who is unsuitable to work again with vulnerable adults.
- At all stages of the process, a careful record will be kept of all action taken, paying particular attention to the sensitivity of the abused person.

Planning Further Action

At the end of an incident involving possible or actual abuse, managers should review what has happened with a view to assessing whether the home or its management has been in any way culpable, ineffective or negligent, learning lessons for the way the home should operate in the future, and passing on any appropriate information to other agencies.

If necessary the home's policies, procedures and training arrangements should be modified in response to any material that has emerged from the incident or the investigation. The home might carry this out with advice and guidance from the local safeguarding authority.

Contacts and Sources of Assistance

Local CQC Office Contact

Email: enquiries.eastern@cqc.gsi.gov.uk (Lincolnshire)
Enquires.northwest@cqc.gsi.gov.uk (Manchester)

Local Inspectors

Southernwood House CQC . Alison Jessop
Chevington House CQC- Tobias Payne
Broughton House - unknown due to privacy

Victim Support in Lincolnshire Southern Branch

The magistrates' court
Harlaxton Road
Grantham
NG31 7SB

Tel: 01476 562 858
Fax: 01476 562 858
Email: ewa.mebarki@victimsupport.org.uk

Victim support and witness service in Greater Manchester Area Office

153-157 Chorley Road
Swinton
Manchester
M27 4AE

Tel: 0161 727 0240
Fax: 0161 727 0249
Email: admin@victimsupport-gm.co.uk

Record Keeping

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

Referrals to ISA Barring Lists

The care home will always comply with its legal requirement to refer a care worker, where it has evidence that the staff member in question has been guilty of misconduct by harming or putting at risk a vulnerable adult (or child), during the course of their work, to the ISA's Vetting and Barring Scheme following the procedures issued by the ISA.

Related Policies

This policy should be read in conjunction with the several other policies of the home that relate to aspects of abuse or protection of service users. They include the home's policies on complaints, physical restraint, the management of service users' money and financial affairs, recruitment, induction, staff development and training, staff supervision and importantly whistleblowing. The home's policy on mental capacity will also be relevant in some circumstances.

Training

All staff receive training in recognising abuse and carrying out their responsibilities under this policy as part of their induction programme in accordance with Standard 5: *Recognise and Respond to Abuse and Neglect* and within six months of their employment.

Signed: _____

Date: _____

Policy review date: _____