

# MICKLEFIELD PARISH COUNCIL

## VULNERABLE ADULTS POLICY STATEMENT

This policy became effective on and from :

21<sup>st</sup> August 2006

SIGNED :



DATE :

21/8/2006.

Cllr. Jon A. Crossley ( Chairman )

SIGNED :



DATE :

21/8/2006.

Joanne Hebden ( Clerk to the Council )

\* Note: by the above signatures it is hereby confirmed that all Councillors and Officers of Mickfield Parish Council, and all relevant volunteers, are aware of, and committed to following, the policy outlined.

Micklefield Parish Council, as a Local Authority, Body Corporate, and Sole Trustee of Mickfield Recreation Ground Charity, recognises that the protection and safety of vulnerable adults is everyone's responsibility. Mickfield Parish Council defines a vulnerable adult based on the Law Commission's definition – that is a person 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 against significant harm or exploitation'*.

In clarifying this further, Mickfield Parish Council adopts the Department of Health's guidance in that an 'adult' refers to a person aged 18 years and over and that people with learning difficulties, mental health problems, older people and people with a disability or impairment will be included within this definition, particularly when their situation is complicated by additional factors, such as physical frailty or chronic illness, sensory impairment, challenging behaviour, drug or alcohol problems, social or emotional problems, poverty or homelessness.

This Policy, the related Procedures and the Code of Good Practice, which follow, establishes the roles and responsibilities of staff<sup>1</sup>, Councillors and volunteers in relation to the protection of vulnerable adults, with whom their work or activities brings them into contact. In relation to vulnerable adults, the approach Mickfield Parish Council will take is based on, and reflects, the principles of relevant legislation and guidance relating to the protection of vulnerable adults<sup>2</sup>.

<sup>1</sup> Within this document, the term "staff" refers to any person, either paid or unpaid, carrying out any duties on behalf of Mickfield Parish Council.

<sup>2</sup> Carers (Recognition and Services) Act 1995, Disability Discrimination Act 1995, Disabled Persons (Services, Consultation and Representation) Act 1986, Employment Rights Act 1996, Enduring Power of Attorney Act 1995, Health Act 1999, Health Services and Public Health Act 1968, Housing Act 1985 & 1996, Human Rights Act 1998, Local Authority Social Services Act 1970, Mental Health Act 1959 & 1983, National Assistance Act 1948, National Health Service and Community Care Act 1990, National Health Service Act 1977, Police and Criminal Evidence Act 1984, Power of Attorney Act 1971, Public Health Acts 1936 & 1961, Public Interest Disclosure Act 1998, Registered Homes Act 1984, Registered Homes (Amendment) Act 1991, Sexual Offences Act 1956 & 1967, Sexual Offences (Amendment) Act 2000, Chronically Sick and Disabled Persons Act 1970, and Data Protection Act 1998

- > the welfare of the vulnerable adult is the paramount consideration
- > all vulnerable adults, regardless of age, disability, gender, racial or ethnic origin, religious belief and sexual orientation have a right to protection from harm or abuse.

The Full Council is responsible for the protection of vulnerable adults within Micklefield Parish Council. The Full Council has designated the Clerk to oversee this on its behalf. This will include ensuring the implementation and monitoring of this policy. The Chairman of the Parish Council will deputise at times when the Clerk is on leave or otherwise unavailable.

In relation to the recruitment and selection of staff, and the activities of Councillors and volunteers, this will also include ensuring that, where relevant, all criminal disclosures are made regardless of when they were committed or whether they were of major or minor consequence including spent convictions under the rehabilitation of Offenders Act, and references taken which refer to candidates' suitability to work/have contact with vulnerable adults.

It is also the responsibility of the Full Council of Micklefield Parish Council, to ensure that all staff and volunteers, for whom the Parish Council is responsible, and all Councillors, are aware of and understand the importance of implementing this Policy and the related Procedures and Code of Good Practice.

The Full Council recognises that if vulnerable adults are to be truly protected it is essential that everyone working with vulnerable adults contributes to the work of those with direct responsibility for the protection of vulnerable adults. The procedures that follow recognise and are consistent with that objective and have been designed to complement the procedures of Leeds City Council as the Principal Local Authority.

As a responsible body, we cannot and should not restrict our sense of duty to those vulnerable adults we identify as our service users. Staff, Councillors and volunteers, through their work and activities, come into contact with a number of vulnerable adults each and every year. By being vigilant and acting where concerns exist, we can play an important part in their protection.

In operating this policy, staff, Councillors and volunteers must also be aware that in order to protect vulnerable adults, in some circumstances it will be necessary to share what might normally be regarded as confidential information. The following principles should be adhered to:

- Information will only be shared on a need to know basis.
- Information will only be shared when it is in the best interests of the service users.
- Confidentiality must not be confused with secrecy.
- Informed consent should be obtained but if this is not possible and other vulnerable adults are at risk it may be necessary to override it.

Guidance in the form of a Code of Good Practice has also been developed to provide staff, Councillors and volunteers with ideas that not only will help to protect vulnerable adults, but will also help to identify any practices, which could be mistakenly interpreted and perhaps lead to false allegations of abuse. Staff, Councillors and volunteers should familiarise themselves with this and if it is necessary to carry out practices contrary to it, only do so after discussion with, and the approval of, the Clerk or, in the Clerk's absence, the Chairman of the Parish Council.

Remember, the first priority should always be to ensure the safety and protection of vulnerable adults and that it is the responsibility of all staff, Councillors and volunteers to act on any suspicion or evidence of abuse or neglect.

END OF VULNERABLE ADULTS POLICY STATEMENT

# MICKLEFIELD PARISH COUNCIL

## VULNERABLE ADULTS PROCEDURES

### Part One

#### **PROCEDURE TO BE FOLLOWED IF YOU THINK A VULNERABLE ADULT MAY BE AT RISK OF ABUSE, IS BEING, OR HAS BEEN, ABUSED EITHER BY:**

- >• a member of staff
- >• a Councillor
- >• a volunteer
- >• a member of the vulnerable adult's family
- >- any other person, including another vulnerable adult

The Full Council of Micklefield Parish Council is responsible for ensuring that all staff and volunteers, for whom the Full Council is responsible, and all Councillors, are aware of and understand the importance of implementing these procedures. Even though the overwhelming majority of vulnerable adults, which you will come into contact with through your work and activities on behalf of the Parish Council are likely to experience a perfectly safe and happy life.

It is recognised as well, that a percentage of the vulnerable adults that you come into contact with will, through the nature of their experiences, demonstrate behaviours which might be indicators of abuse. Many factors associated with disadvantage can also result in a vulnerable adult's behaviour being affected, thereby making the identification of abuse even more difficult. You are not expected to suddenly become expert in the protection of vulnerable adults nor are you expected to investigate abuse. You are, however, expected to comply with these procedures.

Staff, Councillors or volunteers, who for any reason become concerned that a vulnerable adult may be at risk of abuse, is being, or has been, abused must immediately report that concern to the Clerk or, in the Clerk's absence, the Chairman of the Parish Council.

The Clerk or the Chairman will discuss your concerns with you to clarify their cause and obtain all the known relevant information. This will then be forwarded to the appropriate local Social Services Department stating that it concerns vulnerable adult protection.

In the absence of the Clerk or the Chairman you should report the concerns directly to the local Social Services Department and then inform the Clerk or the Chairman as soon as possible.

Should the concern relate to the Clerk or the Chairman, regardless of the availability of either, you should contact the Social Services Department directly.

**END OF VULNERABLE ADULTS PROCEDURES PART ONE**

# MICKLEFIELD PARISH COUNCIL

## VULNERABLE ADULTS PROCEDURES

### Part Two

#### PROCEDURE TO BE FOLLOWED IF A VULNERABLE ADULT TELLS YOU THAT THEY ARE BEING, OR HAVE BEEN, ABUSED:

Vulnerable adults will occasionally disclose abuse to an individual they have come to feel they can trust. This happens for many reasons but the important thing to remember is that if they do tell you, they are doing so in the hope that you will act to stop it happening, even if they ask you not to do anything with the information.

Vulnerable adults may feel as if they are betraying someone they are close to and whom they love. It is not unusual for a vulnerable adult to love the abuser but want the abuse to stop, especially when that person is a family member or carer. Equally, it may be someone they fear eg. a person whom they perceive to be able to influence decisions concerning their future. Either way, it takes great courage for a vulnerable adult to talk about abuse and your response can be crucial.

It is important to remember too, that it can be more difficult for some vulnerable adults to tell than for others. Vulnerable adults who have experienced prejudice and discrimination through racism may well believe that people from other ethnic groups or backgrounds don't really care about them. They may have little reason to trust those they see as authority figures and may wonder whether you will be any different.

Vulnerable adults with a disability will have to overcome barriers before disclosing abuse. They may well rely on the abuser for their daily care and have no knowledge of alternative sources.

If a vulnerable adult discloses abuse to you, in the course of your work or activities on behalf of the Parish Council, it is important to react appropriately.

#### Do:

- Remain calm and receptive
- Listen without interrupting
- Only ask questions of clarification if you are unclear what the vulnerable adult is saying
- Make it clear you take them seriously
- Acknowledge their courage in telling you
- Tell them they are not responsible for the abuse
- Let them know you will do what you can to help them and, where possible, get their consent to inform the Clerk or, in the Clerk's absence, the Chairman of the Parish Council and the local Social Services Department

#### Do NOT:

- Allow your shock or distaste to show
- Probe for more information/ask other questions
- Make assumptions or speculate
- Make negative comments about the abuser
- Make promises you cannot keep
- Agree to keep the information secret

It is, therefore, essential that everything possible is done to protect the vulnerable adults who place their trust in us. If a vulnerable adult tells you that they are being, or have been, abused you must:

- >- Make an immediate record of what the vulnerable adult has said, using their own words
- >\* Follow the instructions for reporting to the Clerk or the Chairman of the Parish Council, as set out in procedure one
- >• Tell them that you will have to inform the Clerk or, in the Clerk's absence, the Chairman of the Parish Council and that, if appropriate, the relevant authorities will also have to be informed

END OF VULNERABLE ADULTS PROCEDURES PART TWO

# **MICKLEFIELD PARISH COUNCIL**

## **VULNERABLE ADULTS**

### **CODE OF GOOD PRACTICE**

The following Code has been developed to provide you with advice that not only will help to protect vulnerable adults, but will also help you and your colleagues identify any practices which could be mistakenly interpreted and perhaps lead to false allegations of abuse.

Good practice will also protect Micklefield Parish Council through reducing the possibility of anyone using their role to gain access to vulnerable adults, in order to abuse.

While it is not intended that this code should restrict staff, Councillors and volunteers from normal ways of working and carrying out activities on behalf of the Parish Council, e.g., comforting a distressed vulnerable adult through providing a hug, there is much they can do to avoid situations that may give rise to misinterpretation, which will also work to protect vulnerable adults.

If in doubt, consider how an action or activity may be perceived as opposed to how it is intended.

Wherever possible, you should be guided by the following advice.

If it is necessary to carry out practices contrary to the following Code of Good Practice, you should only do so after discussion with, and the approval of, the Clerk or, in the Clerk's absence, the Chairman of the Parish Council.

## **Vulnerable Adults Code of Good Practice**

- Avoid unobserved situations of one - to - one contact with a vulnerable adult. If it is unavoidable, always keep a door open and ensure you are within the hearing of other adults
- Never invite a vulnerable adult to your home without the knowledge and consent of the carers and the Clerk/Chairman of the Parish Council
- Never offer to or take a vulnerable adult alone in your own vehicle without the knowledge and consent of the carers and the Clerk/Chairman of the Parish Council
- If it is necessary to do things of a 'personal' nature for a vulnerable adult, e g, toileting if they are disabled, ensure these are carried out with the full knowledge of the carers and the Clerk/Chairman of the Parish Council
- Develop a culture in which staff, Councillors and volunteers feel comfortable enough to point out inappropriate attitudes and behaviours to each other
- Don't engage in or allow any sexually provocative games involving or observed by vulnerable adults, whether based on talking or touching
- Never make suggestive remarks or discriminatory comments to a vulnerable adult
- Don't engage in or tolerate any bullying of a vulnerable adult, either by vulnerable adults or other people
- Don't engage in or tolerate inappropriate physical activity involving vulnerable adults
- Never enter a room where a vulnerable adult may be changing their clothes or not be fully dressed, without first clearly getting their consent to enter
- Respect all vulnerable adults, regardless of their age, gender, ethnicity, disability or sexual identity
- Avoid 'favouritism' and singling-out 'troublemakers'
- Never trivialise abuse
- Never let allegations by a vulnerable adult go unreported, including any made against you

**END OF CODE OF GOOD PRACTICE**