

THE PROTECTION OF VULNERABLE ADULTS

Policy & Procedures

1. INTRODUCTION:

- 1.1 These procedures seek to embrace the guidance commended by the Welsh Assembly Government's publication *In Safe Hands* – 'Implementing Adult Protection Procedures in Wales'.
- 1.2 As with the original policy, once ratified and published by the South Wales Adult Protection Forum, the support and endorsement of Chief Officers from each participating core agency will need to be formally obtained in respect of this revised policy and procedures document.
- 1.3 The print-format and presentation of these procedures take account of the Disability Wales guidance on 'Access to information and means of communication'. Copies of the procedures will also be made available in Braille and audio versions and will be retained by each Social Service Authority.
- 1.4 This revised policy is available in both English and Welsh language versions and a bilingual transcript of these together with copies of VA documentation will be available on the South Wales Adult Protection Forum web-site: www.swapforum.org
- 1.5 These procedures may contain references or terms that some readers may not necessarily be familiar with. To facilitate a better understanding of these, readers may wish to refer to the 'Glossary of Terms' that is included in these procedures (see Section 15: Glossary of Terms).
- 1.6 A 'Contact List' containing details of all the posts held by Senior Co-ordinating Officers and Designated Lead Managers in each core agency referred to in these procedures can be found on pages 148-160 of Section 16: Contact List of Individual Partner Agencies. Whilst the South Wales Adult Protection Forum will make every effort to circulate these contact details to all key agencies involved in the care, support and protection of vulnerable adults, they will also be available on the SWAP Forum web-site (see paragraph 1.4 above for details).
- 1.7 The development and implementation of effective policy and professional practices for responding to the abuse of vulnerable adults requires a multi-agency approach, co-ordinated locally by each local authority social services department and involving the core services of health and police together with those agencies tasked with the care, support and protection of vulnerable adults.

- 1.8 A Flow Chart illustrating the ‘**Adult Protection Inter-Agency Referral and Decision Making Process**’ (details of which are outlined more fully in Section 9 of these procedures) can be found on page 89. This sets out the various stages to be followed during the ‘Referral and Decision Making’ process and managers, practitioners and service users may wish to use this as an *aide memoire* for their initial guidance. It recommends that a copy of this Flow Chart is produced in poster format for display in key locations to assist employed staff and the public when seeking advice on what action they should take if they suspect abuse has taken place.
- 1.9 The South Wales Adult Protection Forum fully recognises the part played by the development of positive service cultures in the primary prevention of the abuse of vulnerable people. The focus of these procedures is on responding to abuse and the protection of vulnerable adults through effective joint working. Partner agencies are also committed through their own policies and practices to preventing and reducing the risk of abuse.
- 1.10 In furtherance of this philosophy, agencies will also need to consider other established procedures that they may have in place which contribute to the protection process – (See Section 4: Prevention of Abuse - Developing Positive Service Cultures – paragraph 4.10 - ‘Other related policies and procedures’)
- 1.11 The South Wales Adult Protection Forum currently consists of the following core membership:
- Bridgend County Borough Council Personal Services Directorate
 - Cardiff Council – Adult Services
 - Merthyr Tydfil County Borough Council Social Services
 - Neath Port Talbot County Borough Council Social Services
 - Rhondda Cynon Taff County Borough Council Social Services
 - City and County of Swansea Council Social Services
 - Vale of Glamorgan Council Social Services
 - South Wales Police Authority
 - Bro Morgannwg NHS Trust
 - Cardiff and Vale NHS Trust
 - North Glamorgan NHS Trust
 - Pontypridd and Rhondda NHS Trust
 - Swansea NHS Trust
 - Velindre NHS Trust
 - Bridgend Local Health Board
 - Cardiff Local Health Board
 - Merthyr Tydfil Local Health Board
 - Neath Port Talbot Local Health Board
 - Rhondda Cynon Taff Local Health Board

- Swansea Local Health Board
- Vale of Glamorgan Local Health Board
- National Public Health Service
- Care Standards Inspectorate for Wales
- Crown Prosecution Service (South Wales Area)
- National Probation Service (South Wales Area)
- Care Forum Wales (Independent Sector)
- The South Wales User/Carer/Voluntary Sector Forum

1.12 This Policy and Procedures document is the property of the South Wales Adult Protection Forum. Its aim is to provide a consistent framework for action and inter-agency support across all partner agencies. In acknowledging that each partner agency will have different organisational structures and core responsibilities, it may be necessary for individual core agencies to supplement these procedures with their own 'Adult Protection Guidelines'.

1.13 The South Wales Adult Protection procedures require each Local Authority to establish an Area Adult Protection Committee to oversee and co-ordinate policy and practice relating to Vulnerable Adults throughout their respective local authority areas. As a consequence of this requirement, an Adult Protection Committee has now been commissioned in each local authority area. These multi-agency groups are 'chaired' by a senior manager from the Social Services with clearly designated formal responsibility. Their membership includes representation from all core agencies and extends to other relevant statutory agencies and organisations in the voluntary and independent sector. (See Section 12: Monitoring & Evaluation, paragraph 12.17)

1.14 **Partner agencies are both accountable and responsible for the implementation of their own agency procedures and instigation of any disciplinary proceedings that may arise from a breach of these procedures.**

1.15 Whilst the following agencies are not currently included as core partners in these procedures, it is anticipated that each Area Adult Protection Committee will at the earliest opportunity, work with these agencies in an effort to integrate their activities with vulnerable adults into the core procedures:

- L.A. Housing Departments
- Supported Housing Groups
- Primary Health Care Groups
- Wales Ambulance Services Trust
- Mid, West and South Glamorgan Fire Authorities
- Department of Work and Pensions
- Voluntary/Independent Sector Groups
- Victim Support Organisations

2. JOINT POLICY STATEMENTS:

- 2.1 The seven Social Service Authorities within South Wales have the lead role in co-ordinating the development of policy guidance for the protection of vulnerable adults at risk of abuse.
- 2.2 All partner agencies (see Section 15: Glossary of Terms for meaning of the term 'partner agencies') have a responsibility to respond to suspicions, allegations or incidents of abuse as described in these procedures. Where appropriate, agencies will undertake to arrange protection, support and/or care for vulnerable adult client groups and to take action against those who deliberately abuse vulnerable adults and to support those who find themselves over stretched in their caring responsibilities.
- 2.3 Local policies should be designed so that they draw on other policy frameworks, thus ensuring that a consistent response is given to vulnerable adult(s) when concerns are raised, whether these are reported:
- under the rubric of a complaints procedures;
 - through inspection or registration activity;
 - through care management contract monitoring arrangements;
 - as a result of disclosure on part of the vulnerable adult(s) or their carer(s); or
 - as a result of 'whistle-blowing' (See Section 15: Glossary of Terms for the meaning of the term 'whistle-blowing'. Also see supplementary guidance for practitioners who may wish to make a confidential disclosure under the Public Interest Disclosure Act 1998 – Appendix 'B')
- 2.4 All partner agencies and organisations must co-operate with each other on issues relating to the identification, investigation, treatment and prevention of abuse of vulnerable adults. In this respect:
- Each agency has a responsibility to share information on a 'need to know' basis so that effective decisions can be made and appropriate preventative action taken. (Further guidance on this can be found in Section 7: Inter-Agency Protocols – The Sharing of Information).
 - Any action taken must be co-ordinated against perpetrators to ensure that parallel processes are dovetailed including prosecution, disciplinary action and removal from, or notification to, professional registers and similar bodies e.g. POVA List (see paragraph 4.4 for further guidance on this).

2.5 **Policy - Guiding Principles:**

2.6 All partner agencies/organisations must adhere to the following guiding principles which are to:

- Apply the core principle of equal opportunities to all vulnerable adults regardless of ethnicity, nationality, age, gender, sexuality, marital status, disability, culture, religious beliefs or except where it is strictly relevant, their possession of a criminal record.
- Apply the doctrine of equality to all vulnerable adults regardless of their age, race, gender, sexuality, class, religion, culture or disability.
- Continuously strive to improve the effectiveness of responding to abuse.
- Actively promote the empowerment and well being of vulnerable adults through the services they provide.
- Ensure the safety of vulnerable adults by integrating strategies, policies and services relevant to abuse within a legislative framework (For further guidance on this, see Section 14: Legal Context).
- Act in a way that supports the rights of the individual to lead an independent life based on self-determination and personal choice.
- Recognise people who are unable to take their own decisions and/or to protect themselves, their assets or bodily dignity.
- Recognise that the right to self-determination can involve risk. Any significant risk of harm should be managed following a risk assessment.
- Ensure that when the right to an independent lifestyle and choice is at risk, the individual concerned receives appropriate help, including advice, protection and support from relevant agencies, including an independent advocate.
- Ensure that the law and statutory requirements are known and used appropriately so those vulnerable adults receive the protection of the law and access to the judicial process.