

6. ROLES AND RESPONSIBILITIES OF KEY AGENCIES:

- **Local Authorities** - The welfare and protection of vulnerable adults is the corporate responsibility of each and every local authority working in partnership with other public agencies, the voluntary sector and service users and contracted services.
- **Social Service Authorities** - The *In Safe Hands* guidance, published by the Welsh Assembly Government through the Social Services Inspectorate, has designated that each Social Service Authority in Wales will have the lead role in co-ordinating the development of local policy guidance for the protection of vulnerable adults at risk of abuse. This guidance is issued under Section 7 of the Local Authority Social Services Act 1970, which requires local authorities in their social service functions to act under the guidance of the National Assembly for Wales. As the lead agency responsible for safeguarding and promoting the welfare of vulnerable adults, Social Service Authorities undertake to work in partnership with other public agencies, the independent and voluntary sectors and service users to develop inter-agency policies and practices to protect vulnerable adults from abuse in all settings. Social Services have a statutory responsibility to provide a wide range of care and support for vulnerable adults, and where a vulnerable adult is at risk of significant harm, Social Services will be responsible for co-ordinating an assessment of the adult's needs and to promote their welfare. Where an adult is at continuing risk of significant harm, Social Services will be responsible for co-ordinating an inter-agency plan to safeguard the adult which will be implemented by a multi-agency group.
- **Local Health Boards** - The Local Health Boards have a statutory duty to work together, in partnership with other local organisations, to produce strategies for improving health, well-being and social care for people living in their area. The Local Health Board plans and pays for most hospital and family health service and as such must be assured that the services provided through commissioning have the appropriate procedures and policies in place to protect the vulnerable adult in all care settings. Should a deficit in care occur resulting in the Vulnerable Adult Policy being invoked it is the expectation of the Local Health Board reflected in service commissioning arrangements that they will be kept informed at all times.
- **Health Providers** - All those working in the field of Health have a professional responsibility to protect vulnerable adults and their participation in inter-agency support to social services is essential if the interests of these individuals are to be safeguarded. All health professionals must be aware of and understand current guidance from their professional bodies, defence societies and trusts in respect of the protection of vulnerable adults and the sharing of information and the limits of confidentiality. Each health professional has an individual

responsibility to protect vulnerable adults in addition to their agency role. All those working in the health field should have basic awareness regarding the protection of vulnerable adults and be alert to signs of abuse which is physical, sexual, emotional or caused by neglect. They should be aware of adult protection procedures and referral pathways. For more detailed advice health professionals should refer to their local agency guidelines. The following Health Providers are:

- **General Practitioners and Primary Health Care Staff -** General Practitioners (GPs) and other members of the primary health care team (PHCT) are well placed to recognise when a vulnerable adult is potentially in need of extra help or services to promote their health and development, or is at risk of harm. They are also well placed to recognise when other adults have problems which may affect their capacity as a parent or carer, or which may mean that they pose a risk of harm to a vulnerable person. The GP, members of the primary health care team and all practice staff should be alert to the indicators of abuse and know how to make an adult protection referral to social services. The GP should be kept informed of any referral, but this must not delay the referral. The general practitioner and other members of the primary health care team (PHCT) should be aware of the network of named, lead and designated health professionals who are available for advice. GPs and other members of the primary health care team have an important role in all stages of the vulnerable adult protection process and should be prepared to share relevant information with social services, and attend or supply a report for the adult protection conference. Other health professionals attending an adult protection conference may be in a position to explain or clarify aspects of a GP's report, but not in a position to advocate on his/her behalf.
- **NHS Trusts and Secondary Health Care providers -** NHS Trusts are responsible for providing secondary and tertiary in-patient, outpatient, daycase and community health services. All hospital and community staff will have basic awareness regarding vulnerable adult protection and be alert to the possibility of all potential forms of abuse and neglect. They must know how to make an adult protection referral and be aware of the network of named, designated and lead professionals available for advice.
- **Private Health Care providers -** Private health care may be provided within private hospitals, clinics, nursing homes and in the community and the home. All staff providing private health care should be aware of the local protection procedures for vulnerable adults and of the adult protection referral routes, and receive appropriate training in vulnerable adult protection awareness. It is recommended that Private hospitals etc appoint a lead person for adult protection and liaise closely with designated and lead professionals within the NHS.

- **National Public Health Service** - The National Public Health Service (NPHS) was established as an all Wales organisation in 2003, bringing together the public health resources that were available within the five former health authorities. The NPHS is an integral part of Velindre NHS Trust and works to the Trusts, policies, procedures and guidance. The NPHS does not have responsibility for the discharge of statutory functions. However, it does provide advice, guidance and support to partner agencies such as the Local Health Boards to inform and assist them in the discharge of these duties. The Vulnerable Adults Team within the NPHS is responsible, at an all-Wales level, for policy and guidance development for the following client group areas: asylum seekers, learning disability, mental health, older people, and substance misuse. This role is primarily advisory and does not involve direct contact with service users. However, some staff employed in other services within the NPHS have limited, direct contact with service users e.g. The Health Promotion Teams.

The NPHS provides a range of public health services. These include public protection; health needs assessment; advice on evidence based practice; health promotion; policy and guidance development. The key strategic aims of the NPHS are:

- ◆ Identify existing and potential threats to public health and provide information for the design, delivery, monitoring and evaluation of programmes and services to address these.
 - ◆ Protect health and secure health improvement through developing, providing and influencing the commissioning of high quality, evidence based:
 - Health promotion and disease prevention programmes, which address the wider determinants of health;
 - Public protection programmes which address specific threats to public health;
 - Diagnostic and patient care programmes and services, particularly in relation to infection and communicable disease.
 - ◆ Reduce inequalities and promote equity by improving the health of disadvantaged groups and populations.
 - ◆ Act as independent and authoritative advocates for public health.
 - ◆ Understand, and maintain the capability to be responsive to, the public health requirements of stakeholders.
- **Care Standards Inspectorate for Wales** - The Care Standards Inspectorate (CSIW) was formed in April 2002 as a result of the Care Standards Act 2000. Whilst being a division within the National assembly, it has full delegated responsibility for all of its regulatory decisions. In April 2002, the CSIW took over regulatory responsibility for all those services previously regulated by local social services authorities and health authorities, and undertakes new functions conferred by the Care Standards Act 2000 and the Children Act 1989. Whilst recognising that local authorities have the lead role in Adult

Protection, the CSIW has through locally agreed protocols, an essential part to play in the multi-agency approach to the protection of vulnerable adults within registered services and settings and is committed to raising public awareness of this. The unique role and responsibility of the CSIW is to ensure that the registered person/s comply with the statutory and regulatory requirements in order to safeguard and promote the welfare and wellbeing of vulnerable individuals. The CSIW will need to ensure the continued "fitness" of the registered person/s and consider whether they need to take any regulatory action or if the service can continue to operate. In line with local procedures the CSIW will investigate either jointly or individually any allegation of abuse in any setting or service it regulates, taking into consideration both adult protection and regulatory issues.

The CSIW has four core responsibilities:

- Registration - to decide who can provide services
- Inspection - to inspect those services and publish reports
- Complaints - to investigate and deal with complaints
- Enforcement - to make sure that regulations and national minimum standards are met

By April 2005 it will be responsible for registering and inspecting:

- Adult placement schemes (1.8.04)
- Care homes
- Children's homes
- Residential family centres
- Independent fostering agencies
- Voluntary adoption agencies
- Nurse agencies
- Domiciliary care agencies
- Private and voluntary healthcare services, including independent hospitals and clinics

- **Independent and Voluntary Sector** - The independent sector consists of a large number of voluntary/private organisations that have a wide range of functions and remits. Some are direct care service providers; some give advice and information; some advocate on behalf of others, some have a co-ordinating role; some are involved in community development, some are faith based groups, some represent the diversity of our communities and others lobby and campaign. All of these organisations, however, may at some time be in a position to identify abuse. This could come from direct contact with the person being abused or from another person. Independent and voluntary sector organisations have a responsibility to report any suspicions of abuse to the appropriate agencies, as determined by these procedures.
- **Police Service** - The Police Service has a primary duty and responsibility to protect life and property, to prevent crime and to uphold the law of the land. As with child protection procedures that have been established for many years, the police are equally

committed to a policy of inter-agency co-operation to ensure that any criminal allegation of abuse against vulnerable adults are investigated in a thorough and impartial manner. Such investigations will be conducted in a sensitive, sympathetic and professional way having due regard to matters of public interest and to the wishes of the adult concerned. Whilst it is important for the police to be involved in the investigation process at an early stage, it must also be recognised that their involvement does not necessarily mean that the investigation will automatically result in criminal proceedings being instigated. In this respect, it will be the responsibility of the Crown Prosecution Service to determine whether or not there is sufficient evidence and it is in the public interest to try the case at court. The best interests of the victim as well as their wishes will be always be paramount considerations when making these decisions.

- **National Probation Service** - The National Probation Service has a statutory duty to supervise offenders effectively in order to reduce offending and protect the public. The risk posed by these offenders may relate to vulnerable adults in the community or to specific adults with whom offenders are living. Equally, the offenders themselves may be vulnerable adults. New legislation (Criminal Justice and Court Services Act 2000 and Criminal Justice Act 2003), requires the Probation Service, Police, and the Prison Services to work together to assess and manage the risk posed to the public by known and suspected offenders. In meeting this responsibility, they usually work on a multi-agency basis involving all agencies who, under the new legislation have a 'duty to co-operate' together with other public, private and voluntary agencies who may be able to contribute. These inter-agency Case Conferences are normally convened under National Multi-Agency Public Protection Arrangements (MAPPA). The meetings focus on sharing information, assessing the risk of harm and re-offending and develop an Action Plan to manage the risk. In addition, the Criminal Justice and Court Services Act places a legal requirement upon the Probation Service to make contact with the victims of serious sexual and other violent crimes where the offender has been sentenced to twelve months or more imprisonment. Such responsibility offers a further opportunity for the Service to engage with the vulnerable adults and it will do so in close liaison with local Victim Support Schemes and other relevant agencies.
- **Crown Prosecution Service** - The Crown Prosecution Service (CPS) was set up in 1986 by the Prosecution of Offences Act, 1985. In accordance with the Act, the CPS is responsible for the prosecution of all criminal cases resulting from police investigations in England and Wales, with the exception of certain minor offences. The CPS is totally independent and whilst the Police Service retains the ultimate responsibility for investigating offences and deciding whether or not to charge or summons an offender, no prosecution can proceed without the authority of the CPS. Each case that the Police refer to the CPS is reviewed and carefully considered by a Crown Prosecutor to make

sure that it meets the evidential and public interest tests set out in the Code of Crown Prosecutors (issued under section 10 of the Act). The CPS applies the Code so that it can make fair and consistent prosecution decisions. The CPS prosecutes cases on behalf of the public at large and not just in the interests of any particular individual. However, when considering the public interest test, Crown Prosecutors should always take into account the consequences for the victim of the decision whether or not to prosecute, and any views expressed by the victim or the victim's family.

- **Housing Support Organisations** - Housing Support Organisations that offer tenancy and other support services will include local authorities as landlords, housing associations, voluntary housing organisations and organisations that are managing agents as distinct from landlords. The relevant officers from these organisations may play a major role in the instigation of an investigation into alleged abuse involving vulnerable adults and, where necessary, in seeking to arrange suitable appropriate alternative accommodation. If the vulnerable person lives in the local authority, housing association or private rented sectors, and is receiving tenancy support, then the appropriate Officer from any one of the housing support organisations may be the person with the most knowledge regarding the vulnerable adult's situation. In particular tenancy support officers, and wardens of sheltered accommodation have intimate knowledge regarding their service users.

There needs to be a protocol that enables these Officers to pass on any concerns. In such situations all such Officers must be prepared to share information and attend relevant meetings.

A local authority's Homelessness Service will also have a statutory duty to assist in the provision of temporary accommodation in cases involving vulnerable adults who are homeless or threatened with homelessness, or are fleeing domestic violence.

All housing associations/organisations are required to have an internal policy that reflects the SWAP procedures for dealing with cases of alleged or suspected abuse of vulnerable adults.

- **Victim Support Organisations** - Victim Support (VS) is a national charity which helps people cope with crime. It is completely independent organisation, offering a free and confidential service, irrespective of whether or not a crime has been reported. Each year, VS offers help to over one million people who have been affected by crime. This help is provided through a network of local Schemes across the whole of England and Wales and staff and volunteers within these Schemes are trained to provide emotional support, information and practicable help to people who suffered the effects of crime ranging from burglary to murder of a relative. VS also runs the Witness Service, based in every Crown Court centre in England and Wales and in a growing number of Magistrates' Courts. Staff and volunteers are trained to provide support and information about the court process to

witnesses, victims and their families, before, during and after the trial. Witnesses in any of the criminal courts in England and Wales will be able to receive help. People affected by crime can also contact the Victim Support line using a national low-call telephone number. Trained staff and volunteers offer support to victims and witnesses of crime in complete anonymity and can put people in touch with local VS services and other relevant organisations if required. The VS contact numbers can be found in Section 16 of these procedures.

- **Wales Ambulance Services NHS Trust** - The Welsh Ambulance Trust seeks to ensure the recognition and safeguard of any adults deemed to be vulnerable or at risk, with a supporting process to enable a multi-agency approach for ongoing support and protection within the ability and function of ambulance care. Adults within society who are deemed vulnerable or at risk, require a process that is effective in providing the support and protection that these individuals require and the Trust is committed to supplying the highest possible clinical care in conjunction with sensitivity to any in psychological and sociological circumstance. The Trust will fulfil its obligation to develop procedures for recognising vulnerable persons and apply protocols for their protection and well-being. The Trust is committed to maintaining the dignity and priority of placing the vulnerable adult at the forefront of their care and with as far as possible, the full co-operation and wishes of the individual.

- **Department of Work and Pensions** - The Department for Work and Pensions was created in June 2001 and has four Executive Agencies:
 - Jobcentre Plus – which helps people of working age (people aged under 60) find work and receive the benefits to which they are entitled, and employers to fill their vacancies
 - The Pension Service – which delivers front-line services to pensioners (people aged 60 and over)
 - The Child Support Agency – which administers Child Support
 - The Appeals Service – which combines an independent tribunal body responsible for hearing appeals and administrative support for this function

In addition the Disability and Carers Service (not an Executive Agency) supports disabled people and their carers, whether or not they are able to work. Benefits administered are Disability Living Allowance, Attendance Allowance, Invalid Care Allowance and Vaccine Damage Payments.

The Pension Service has a network of pension centres supported by a local service and will:

 - Work out entitlement to State Pension and Pension Credit and Winter Fuel Payments

- Pay entitlements to customers and answer questions over the phone and by post and by e-mail
- Provide a face to face service for customers if the business cannot be dealt with over the telephone
- Tell customers how they can access other pension-related entitlements and services
- Work in partnership with other local organisations to deliver pension-related services.

Jobcentre Plus has a network of offices throughout the country and provides the following services to it's customers:

- A work-focus to the benefits system, for anyone using its services
- A dedicated service to enable employers to fill their vacancies quickly and successfully
- Active help from personal advisors to help people get and keep work; &
- Swift, secure and professional access to benefits for those entitled to them. (Benefits administered: Jobseeker's Allowance, Income Support, Incapacity Benefit, Severe Disablement Allowance, Maternity Allowance, Bereavement Benefit, Industrial Injury Disablement Benefits and Invalid Care Allowance and Social Fund for all DWP customers).