

Nottingham and Nottinghamshire Safeguarding Adults Defining 'Vulnerable Adult' and 'Abuse'

Introduction

This Nottingham and Nottinghamshire multi agency Policy, Procedure and Guidance, whilst working towards a preventive strategy, acknowledges that abuse may take place as a result of:

- ◆ A direct act by one or more individuals;
- ◆ A failure to act or provide proper care;
- ◆ Preventing others from providing proper care;
- ◆ Failure to refer alerts/disclosures/suspicions.

Vulnerable Adult

A 'Vulnerable Adult' as defined by *No Secrets (DH 2000)* is:

'A person aged 18 years or over who is or maybe in need of community care services by reason of mental or other disability, age or illness;

AND

Who is or maybe unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.'

Significant harm refers to: 'ill treatment (including sexual abuse and forms of ill treatment that are not physical); the impairment of or an avoidable deterioration in physical or mental health; and the impairment of physical, emotional, social or behavioural development.' ("Who decides?" Law Commission 1997).

It should also be noted that when the death of a vulnerable adult is caused by suspected abuse or neglect, this multi agency policy, procedure and guidance should still be considered along with any other actions that may be necessary.

The term **adult abuse** is subject to wide interpretation. 'No Secrets' provides the following definition as a starting point: **Abuse is a violation of an individual's human and civil rights by any other person or persons.**

For the purposes of this document **community care services** are taken to include all care services provided in any setting or context. The term describes care in its widest sense.

Those in need of community care services may include:

- People with a Learning Disability
- People with a Physical Disability
- People with Mental Ill Health
- People who are Profoundly Deaf
- People who are Visually Impaired
- People who are Deaf/Blind
- People over 65
- People with HIV/AIDS

Carers of people in need of community care services may also be vulnerable adults and subject to abuse from the people they care for. (Note: the term 'carer' does *not* include those paid to provide care or acting as volunteers).

Nottingham and Nottinghamshire Safeguarding Adults The Referral



Maximum timeframe for Referral is: Within 24 hours of the Alert being received.

Introduction

The **referrer** is the person responsible for deciding whether an incident they are informed of, or become aware of, should be referred to the Adult Social Care Department within either the City or the County as a Safeguarding Adults referral. If a decision is made that an incident should be referred, the referrer is the person responsible for doing this.



It is the responsibility of each organisation to have their own internal procedures which must detail nominated staff able to take on this role (see Page 75 - Internal Procedures).

Immediate Safety

When you first become aware of an incident your first concern must always be the immediate safety of the vulnerable adult allegedly abused and anyone else at risk. Remember, this may include the alleged perpetrator.

Information Gathering

When you are informed or become aware of an incident, and you are the person responsible for 'referring' as detailed in your organisation's internal procedures, you will need to carry out some initial information gathering to decide if the incident should be referred to Adult Social Care.

When carrying out initial information gathering, you need to consider the following:

- Could the event(s) have happened as alleged – You should not start the interview/investigation process, however it may be necessary to ask the alleged victim some **CLARIFICATION** questions to gain an understanding of the allegation. If sufficient information has been received about the incident at disclosure **THIS WILL NOT BE NECESSARY;**
- Has the suspected abuses or neglect resulted in a death - when the death of a vulnerable adult is caused by suspected abuse or neglect, this multi agency policy, procedure and guidance should still be considered along with any other actions that may be necessary;
- What procedures should be used to ensure the immediate safety of the vulnerable adult, for example any disciplinary measures that may need to be addressed urgently such as suspension from duties;
- The information gathering should take place within appropriate timescales (e.g. bruising will fade if left too long before logging/photographing);
- Discussing with the relevant manager(s) on duty at the time – what was said, seen, responded to – how was the information recorded;

1.1 Alerting



The timescale for 'Alerting' is **immediately**.

1.1.1 **Alerting** occurs when a member of staff is informed, or has concerns, that abuse or neglect has occurred, or is suspected. The member of staff becomes the 'Alerter'. For example, Alerters might be; care assistants, housing wardens, support workers, community nurses or Police Officers.

When the suspected abuse or neglect of an individual results in death, this multi agency policy, procedures and guidance must still be considered along with any other actions that may be necessary.

1.1.2 Alerters **have a duty to share the information** with the person within their organisation responsible for referring (and their line manager if this is different), but should not discuss their concerns with anyone else (unless 1.1.3 below applies).



Having a 'duty to share information' means; **you are not at liberty to keep concerns to yourself and you should never promise to keep secrets.**

1.1.3 If you feel that you are not able to share information with your manager, the person responsible for referring, or another manager within your organisation, as you believe that they are implicated or colluding with the alleged abuse, you should, in the first instance, follow your organisation's own 'Whistleblowing Policy'. If your organisation does not have such a policy or you are unable to follow this because of those implicated in the alleged abuse you should contact the regulatory body (i.e. Commission for Social Care Inspection or Healthcare Commission).

For more information about
whistleblowing visit
www.pcaaw.co.uk

1.1.4 If your manager or the person responsible for making a referral makes a decision not to refer and you are unhappy with this decision you still have a duty share information. This should be done by speaking to the next senior person in your organisation.

1.1.5 When acting in the role of Alerter you should:

- Always take any concerns seriously, however insignificant they may seem to you;
- Where the concern comes directly from the vulnerable adult allegedly abused, accept it and avoid making comments other than to comfort or be sympathetic;
- Ensure the immediate safety and welfare of the vulnerable adult allegedly abused. (This may include urgent medical attention);
- Report the concerns **urgently** to the person within your organisation who is responsible for referring to Adult Social Care