

Safeguarding Vulnerable Adults and Children

Customer
Focus

Respect

Communication

Integrity



www.clochhousing.org.uk



1 Introduction

- 1.1 Cloch Housing Association provides housing and services to a wide range of people some of which may, at some point, be vulnerable to abuse or neglect. This policy tells you what we will do if suspected abuse or neglect is reported or identified. It covers all residents and/or users of our services, including children, who may be vulnerable to abuse at any time and for any reason.
- 1.2 We have a duty to tell the Social Work Department if there are any safeguarding concerns about any of our residents, whether they are identified by staff or directly reported to them.

2. Aims and Objectives

- 2.1 The aim of this policy is to set out what actions are required of staff working for Cloch when dealing with child protection and vulnerable adults to ensure effective links with the relevant local authority Inter Agency Adult Support and Protection Procedures.

3 Legal Framework

- 3.1 In all aspects of safeguarding vulnerable children and adults, the Association will seek to conform and comply with all legislation, performance standards, guidance and good practice that directly or indirectly affects the process.
 - **Adults with Incapacity (Scotland) Act, 2000.** This Act imposes duties on, and assigns functions to, local authorities in relation to the making of enquiries in respect of adults who lack capacity, and the creation, application and supervision of proxy decision making powers in respect of such adults.
 - **Mental Health (Care & Treatment) Scotland Act, 2003.** This Act imposes duties on, and assigns functions to, local authorities and health boards in respect of social and mental health well-being, the making of enquiries in respect of persons who appear to have a mental disorder, and (where necessary) the application of compulsory measures in relation to the assessment and treatment of persons having a mental disorder.
 - **Adult Support and Protection (Scotland) Act 2007.** This Act imposes duties on, and assigns functions to, local authorities in respect of the making of enquiries, the conduct of investigations, the application for protective powers in respect of adults defined by the legislation to be at risk of actual or suspected harm. This Act also brought about the creation of Adult Protection Committees in every local authority
 - **The Children (Scotland) Act 1995** as amended by the **Children and Young People (Scotland) Act 2014**, outlines the legislative framework for Scotland's child protection system covering parental responsibilities and rights and the duties and powers local public authorities have for supporting and promoting the safety and welfare of children.

4 Understanding our customers

- 4.1 We will treat everyone fairly and work to eliminate discrimination through promoting equality of access and opportunity for everyone regardless of age, gender, race, religion or belief, sexual orientation or disability.
- 4.2 We will ensure that members of these all groups are treated in ways that meet their needs, and that they have equal access to services or activities within the association wherever possible. We promote their inclusion and will challenge discrimination against them.

5 Definitions of ‘children’ and ‘vulnerable adults’ and ‘abuse’

5.1 Definition of a Child

The ‘National guidance for child protection in Scotland’ document notes that a child can be defined differently in different legal contexts however, the guidance is designed to include children and young people up to the age of 18 and therefore for the purposes of this policy the association will consider this to be the case. The fact that a child has reached 18 years of age, is living alone, is in further education, is a member of the armed forces, is in hospital, is in prison or in a young offenders’ institution is irrelevant – they are still defined as child under the terms of the guidance and it will be for the local authority to determine which legislation or policy, if any, can be applied

5.2 Definition of a vulnerable adult (adults at risk)

The Adult Support and Protection (Scotland) Act 2007 defines adults at risk (or vulnerable adults) as those aged 16 years and over who:

- are unable to safeguard their own wellbeing, property, rights or other interests
- and are at risk of harm
- and because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected

It places a duty on local authorities to inquire and investigate cases where harm is known or suspected.

5.3 Definition of abuse

Abuse is a violation of an individual’s human and civil rights by any other person or persons. Friends, strangers, family members, and professional staff can all be guilty of abuse. Abuse can include physical, mental, sexual, financial, discriminatory abuse and neglect.

6 Responding to suspected or alleged abuse or neglect

- 6.1 If a member of staff suspects abuse or has received a report of abuse they will:
- report it to their line manager or another manager immediately. Staff will not investigate suspected abuse or neglect. Safeguarding of children and

vulnerable adults is a complex area which must be dealt with by the appropriate agencies and channels

- refer any concerns over the abuse or neglect of a child or a vulnerable adult to Social Work in the first instance and where appropriate, the Police.
- record any discussions and actions carried out following suspected or alleged abuse or neglect accurately, thoroughly and promptly
- fully co-operate with any agencies involved with cases of alleged abuse or neglect.
- work with other agencies to Investigate any alleged breach of tenancy agreement and take action through policies and procedures where appropriate

6.2 We are subject to Inverclyde Council's detailed procedure that covers the management and reporting of abuse and neglect towards vulnerable adults, these procedures can be found on Inverclyde Council's Website: <https://www.inverclyde.gov.uk/health-and-social-care/public-protection/adult-protection/adult-protection-professional-information>

6.3 Similarly, should a member of staff suspect that there is a child protection issue then the staff member should follow the West of Scotland Inter-Agency Child Protection Procedures: <http://www.proceduresonline.com/westofscotland>

6.4 If a resident witnesses or suspects abuse or neglect they should report it to their local Social Work Department or the Police. They can also report any suspected or identified abuse or neglect to us.

7 How are we involved in the prevention of abuse?

7.1 Our frontline staff may enter residents' homes to carry out maintenance inspections or at the resident's request. These staff may see evidence of abuse or neglect and will report any concerns they have to the appropriate agency, for example Social Work.

7.2 As a provider of social housing we play an important role in building and maintaining partnerships with council departments and key specialist agencies and we will work with them on a regular basis to safeguard children and vulnerable adults.

7.3 Staff will refer vulnerable individuals to support agencies where appropriate. We will also work with the resident's current support network such as family and other agencies wherever possible. Staff will work with local council departments and agencies to make sure they link up with local procedures for safeguarding vulnerable adults and children.

8 Staff training, recruitment and conduct

8.1 Cloch's recruitment, selection, support, supervision and training of staff will consider the need to promote the health and safety of residents and customers and safeguard them from abuse.

- 8.2 All members of frontline staff who have regular contact with vulnerable adults and/or children will be subject to employment checks and Criminal Records Bureau / Protection of Vulnerable Groups (PVG) checks, where appropriate.
- 8.3 As part of their induction into Cloch, all appropriate staff will be required to read and understand all relevant policies and procedures, including this policy. All appropriate staff will be trained in the implications and processes involved with the safeguarding of vulnerable adults and children and will be trained in how to identify signs of abuse and neglect.
- 8.4 Where a person suspected of abuse or neglect is a member of staff, a disciplinary investigation will be carried out immediately. Appropriate action taken will be taken in line with our Disciplinary procedures.
- 8.5 In order to protect themselves from allegations of abuse, or situations that could be misunderstood, staff members will maintain strong professional boundaries as detailed in the Staff Code of Conduct.
- 8.6 If a member of staff suspects that any other member of staff is involved in abuse or neglect they should report this through the correct channels as detailed in our Whistleblowing Policy.
- 8.7 We will always treat any sensitive or personal information given to us as confidential in accordance with Data Protection legislation and will only pass this information onto third parties such as statutory organisations, if:
- We are required by law to do so - either for the prevention or detection of crime or the apprehension or prosecution of offenders
 - There is an information sharing protocol/agreement, contract or confidentiality agreement in place
 - The person who gave us the information is happy for us to share the information.
- 8.8 However in some cases we will not need consent to share information if where doing so would:
- place a child at increased risk of significant harm
 - place an adult at increased risk of serious harm
 - prejudice the prevention, detection or prosecution of a serious crime, or
 - lead to unjustified delay in making enquiries about allegations of significant harm or serious harm

9 Public relations - photos and film

- 9.1 Any publications or communications we produce, that contain photos or videos of children or vulnerable adults, will not contain personal information about them that could identify their whereabouts.
- 9.2 Only staff or approved, professional photographers and film makers may be employed by Cloch to take photographs and video footage of events and other community activities.

- 9.3 Before we use an image of a child or vulnerable adult we will get consent from parents, guardians or carers. We will also get verbal consent from the child or vulnerable adult if they can communicate verbally.
- 9.4 If we go into schools to take photographs or record footage we will get written permission from the Head teacher on behalf of the pupils. Large group shots do not require consent; however, any parent, guardian or carer will be given the opportunity to withdraw their child from being photographed or recorded at any time.

10 Appeals and Complaints

- 10.1 Appeals or complaints against our operation of this policy will be processed through the Association's complaints handling procedure.
- 10.2 Every service user has final recourse to the Scottish Public Services Ombudsman, please refer to the separate Complaints Handling Procedure.

11 Equalities Commitment

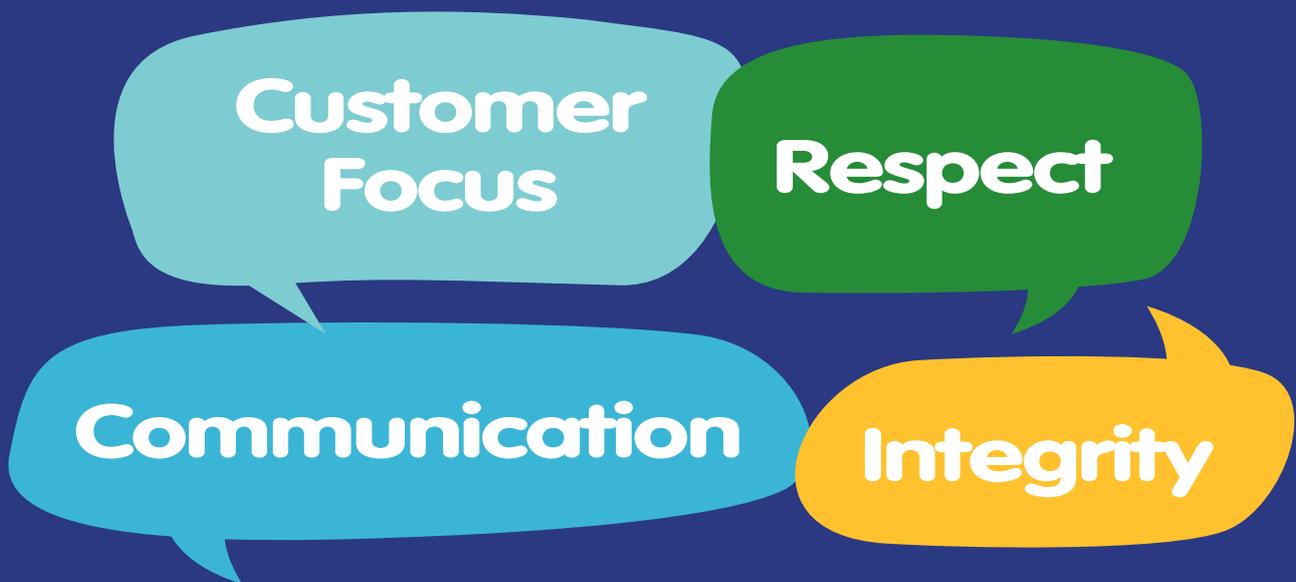
- 11.1 Cloch Housing Association Ltd is committed to tackling discrimination on the grounds of sex or marital status, racial grounds, or grounds of disability, age, sexual orientation, language, social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.
- 11.2 Cloch seeks to embrace diversity, promote equal opportunities for all and eliminate any unlawful discrimination in all areas of our work.

12 Policy Availability

- 12.1 This document can also be provided in large print, braille, audio or other non-written format and in a variety of languages, on request.

13 Monitoring and Review

- 13.1 This policy will be reviewed every three years or as legislative changes deem appropriate.



CLOCH HOUSING ASSOCIATION LTD	
Policy Name	Safeguarding Vulnerable Adults & Children
Policy Category	HM
Policy Number	092
Date Adopted	01/09/2008
This Review	27/11/2018
Next Review	November 2021
Equalities Impact Assessment Required	No
Link to other policies	Code of Conduct, Whistleblowing
Consultation	No
Need for Procedure	Inverclyde Council Procedures