

# ISLINGTON & SHOREDITCH HOUSING ASSOCIATION

## PROTECTION FROM ABUSE POLICY (VULNERABLE ADULTS)

### 1. Policy Statement

Islington & Shoreditch Housing Association believes that every individual living in one of its properties has the right to a life free from fear, to be treated with dignity and respect, to have their choice respected and not to be forced to do anything against their will. ISHA is committed to preventing abuse and protecting its tenants.

ISHA is committed to securing peoples' freedom from neglect, abuse, exploitation, harassment and discrimination. Abuse of vulnerable persons constitutes a clear infringement of their rights and violates this principle.

This policy recognises that all tenants and members of their households are potentially open to abuse, but that those defined as 'vulnerable adults' are particularly at risk. This policy aims to minimise the possibility of abuse happening.

### 2. Definitions

#### 2.1 Abuse

Abuse is described as **“a violation of an individual’s human or civil rights by any other person or persons.”** (*No Secrets*, Department of Health, 2000)

It is **“a single or repeated act, or lack of appropriate action, usually occurring within a relationship where there is an expectation of trust, and which causes significant harm or distress to a person.”** (Adapted from *Action on Elder Abuse's* definition of elder abuse)

It may be an act of neglect or an omission to act or may occur when a vulnerable person is persuaded to do something that he or she has not consented or cannot consent to.

ISHA recognises that abuse may be perpetrated as a result of deliberate intent, negligence or ignorance. There may be one specific incidence of abuse or a series of repeated acts which individually may mean little, but taken together may present reasonable grounds for concern. ISHA aims to consistently look beyond any single incident or

breach of policy and practice within its services in order to identify any underlying patterns of harm.

There are 7 recognised types of abuse:

- Discrimination (includes social abuse)
- Financial or material
- Institutional
- Neglect and acts of omission
- Psychological and emotional
- Physical
- Sexual

## 2.2 Who is a vulnerable adult?

A vulnerable adult is defined as a person who **“is or may be in need of 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, or is unable to protect him or herself against significant harm or exploitation.”** (*Who Decides*, Lord Chancellor’s Department, 1997 and *No Secrets*, Department of Health, 2000)

Adults outside of this definition may also be vulnerable to abuse due to low self-esteem, social exclusion, drug or alcohol misuse, offending history, homelessness, domestic violence, ethnicity, immigration status, gender or sexuality. They too should be protected from abuse under this policy.

## 2.3 Significant Harm

In determining what degree of seriousness or extent of abuse justifies intervention, a useful starting point is consideration of the concept of ‘significant harm’. This is described as including: **“not only ill treatment (including sexual abuse and forms of ill treatment which are not physical), but also the impairment of, or an avoidable deterioration in, physical or mental health; and the impairment of physical, intellectual, emotional, social or behavioural development.”** (*Mental Incapacity*, Law Commission for England and Wales 1995 Report No. 231)

## 3. Scope of the Policy

Under this policy, all vulnerable adult tenants including older tenants, those in ISHA’s sheltered schemes, and those living in Rough Sleeper Initiative (RSI) properties will be protected from abuse. The policy will cover abuse of vulnerable adult tenants by anyone in a relationship of trust with them – including friends, relatives, care staff, housing staff, external support staff, contractors etc.

Sometimes an act between tenant and tenant will also come within the scope of this policy rather than the Anti-Social Behaviour Policy because of the vulnerability of the victim and the nature of the act.

This policy **does not** cover harassment of staff by staff and abuse of staff by tenants. Such occurrences are covered by other policies (see point 14 below) The policy does not cover incidents outside the context of a relationship, for example, a single act of theft by a person unknown to the victim, muggings or other street crimes in public places carried out by person/s unknown to the victim.

#### **4. Intention of the Policy**

To ensure tenants living in accommodation owned and/or managed by ISHA are safeguarded from abuse by effectively integrating policies, strategies and procedures in working practices.

To raise awareness and understanding of what is expected of ISHA's staff. Guidelines and procedures are provided for staff in a separate document so that they may act appropriately to protect tenants who may be at risk of abuse.

#### **5. Duties of Staff**

Any member of staff in any section of the organisation may have dealings with a tenant who is being abused. Equally any member of staff may be in a position to abuse a tenant.

It is the duty of all staff to treat all tenants with dignity and respect whatever their individual circumstances.

Staff must be familiar with the signs that indicate possible abuse taking place. (See Guidelines and Procedures document.)

It is the duty of all staff to report to their manager any concerns about a potentially abusive situation involving a vulnerable adult.

The Tenancy Services Manager or Supported Housing Manager will have overall responsibility for implementing this policy through an agreed procedure. Supported housing staff and Tenancy Services Managers will be responsible for implementing this policy and the procedure in liaison with their manager and other agencies if appropriate.

ISHA will respect and support staff who stand up for anyone who is suspected of being abused. Staff will not be penalised for reporting suspected abuse even when the alleged abuser is another member of staff (see policy on Whistle Blowing).

## **6. Training**

Appropriate training on dealing with abuse will be given to staff that work with vulnerable adults. Support will also be given to staff dealing with cases of serious abuse, so as to develop awareness and skills in preventing abuse.

## **7. Record keeping**

Staff must ensure that all records of incidents, referrals, case conferences are accurate, concise, up-to-date, legible, dated and factual. Opinions should be kept to a minimum and backed up by factual evidence. These records must be stored in an individual file and in a secure manner that safeguards the individual's privacy and security. These records must be made available to the individual on request and may be used as evidence in civil/criminal prosecutions or in disciplinary proceedings.

## **8. Confidentiality**

Information given to an individual member of staff belongs to the Association and not to the individual employee. A staff member cannot give a personal assurance of confidentiality to a vulnerable adult, and should explain this to the vulnerable adult at the outset.

Information given to staff in confidence will not be passed on to a third party unless it is justified by a risk assessment of the vulnerable adult, or required by a contract with Social Services or agreed in an inter-agency formal protocol.

Informed consent should be obtained before sharing information about a vulnerable adult. Where the vulnerable adult does not have the mental capacity to give informed consent, a decision to share information should be made on the basis of their best interests and a record made of that decision.

Difficulties in working with the principles of maintaining the confidentiality of the vulnerable adult should not lead to failure to take action to protect that adult from abuse. Confidentiality must not be confused with secrecy.

## **9. Independence and Choice**

Vulnerable adults, for reason of age, illness, disability or social circumstances, will be respected with regards to privacy, independence and choice.

Staff will be encouraged to assist victims by informing them about and putting them in touch with independent advocates.

## **10. Risk and Protection**

It is acknowledged that some individuals, in exercising their right to an independent life, will expose themselves to a certain degree of risk. Where the individual chooses to accept this risk, can understand the risk and has the ability to anticipate the risk, this right will be respected. However, where a number of individuals are at risk, a decision may need to be made to protect others which goes against an individual's wishes.

## **11. Independent Safeguarding Authority (ISA)**

The Independent Safeguarding Authority (ISA) was created in 2009 as part of the Government's Vetting and Barring Scheme (VBS) to help prevent unsuitable people from working with children and vulnerable adults. The ISA works in partnership with the Criminal Records Bureau (CRB) to help ensure that there is 'no known reason' why individuals who work or wish to work or volunteer with children or vulnerable adults shouldn't do so.

ISHA staff should familiarise themselves with the ISA by looking at their website on [www.isa.gov.org.uk](http://www.isa.gov.org.uk)

## **12. Vulnerable Adult's Barred List (VABL)**

ISHA recognises that perpetrators of abuse can be persons placed in positions of authority e.g. staff or other agencies, and operates safe recruitment procedures which includes checking the VABL. In addition, ISHA requires staff working closely with vulnerable adults to undergo Criminal Record Bureau (CRB) checks. These are carried out on appointment and then every three years.

If a member of staff is disciplined for abusing a vulnerable adult tenant, then ISHA will ensure they are added to the 'Vulnerable Adult's Barred List' which is administered by the ISA.

## **13. Collaboration with other agencies**

Protecting vulnerable adults from abuse is a complex process. Staff assessment and action on abuse must almost always be in co-operation and collaboration with other agencies, such as social services, health services and the police.

ISHA is committed to interdisciplinary working with these and other agencies, working within the guidelines of *No Secrets* and other government guidance.

Staff should make contact with lead link abuse officers employed by Social Services and the police in their localities, assist in the

development of multi-agency procedures if invited and tap into multi-agency training opportunities.

#### **14. Links to other Policies and Procedures**

Staff must also familiarise themselves with ISHA's organisational policies and procedures that link to this policy. These include:

- Equal Opportunities Statement
- Grievance Procedure
- Disciplinary Procedure
- Official conduct/Accountability and Whistle Blowing
- Risk Assessments in Supported Housing
- Anti-Social Behaviour
- Confidentiality/Data Protection/Information Sharing
- Lone Worker
- Professional Boundaries

Staff should also be familiar with the joint policies which have been agreed by ISHA, Outward, Family Mosaic and the London Borough of Hackney's Provided Services section for the Supported Living Schemes (20 Penn Street and Liz McKeon House). Particularly relevant is the Safeguarding Policy (still in draft at June 2010).

#### **15. Managing Agents**

Where ISHA's properties are managed by Managing Agents on ISHA's behalf, ISHA expects each Managing Agent to have their own policy and procedures in place for dealing with abuse of vulnerable adults, including monitoring systems. ISHA will monitor Managing Agents' performance under these policies during Annual Monitoring of Managing Agents.

#### **16. Tenants Summary:**

A tenant friendly summary of this Policy will be given to all new residents signing a tenancy agreement for an ISHA directly managed supported housing property. Where necessary they will be given sufficient explanation so that they understand the Policy. This is a requirement of Supporting People Quality Assessment Framework.

#### **17. Policy Review Date:**

This policy will be reviewed in three years (June 2013) or if there is a change in legislation prior to next review date.

June 2010