

Reachout With Arts in Mind

Safeguarding Vulnerable Adults Policy

Purpose

This policy, and the Code of Conduct, establish the roles and responsibilities of staff and volunteers in relation to the protection and safeguarding of vulnerable adults at Reachout.

Reachout with Arts in Mind defines a vulnerable adult based on the Scottish Law Commission's definition ie a person aged 16 or over who is unable to safeguard their own welfare, property or financial affairs and is in need of care and attention by reason either of infirmity or of the effects of ageing, suffering from illness or mental disorder or is substantially impaired by disability.

A vulnerable adult may be at risk of harm in different ways – neglect and acts of omission, financial harm and or exploitation, psychological, physical or sexual harm, and discriminatory harm.

Reachout commits to following the principles of relevant legislation and guidance relating to the protection of vulnerable adults, which includes –

- Mental Health (Scotland) Act 1984
- National Assistance Act 1948
- National Assistance (Amendment) Act 1951
- Social Work (Scotland) Act 1968
- Adults with Incapacity (Scotland) Act 2000
- Human Rights Act 1998
- The Age of Legal Capacity (Scotland) Act 1991
- Race Relations Act 1976
- Sex Discrimination Act 1995
- Protection of Vulnerable Groups (Scotland) Act 2007
- Adult Support and Protection (Scotland) Act 2007
- Criminal Justice and Licensing (Scotland) Act 2010
- Equality Act 2010
- The Children and Social Work Act 2017
- Working Together to Safeguard Children (2018)
- Keeping Children Safe in Education 2019
- Sexual Violence and Sexual Harassment between Children in School and Colleges 2018
- Mental Health, Care and Treatment (Scotland) Act 2003

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Scope & Aim

The management of Reachout recognises -

- the protection and safety of vulnerable adults is everyone's responsibility
- the welfare of the vulnerable adult is of paramount consideration
- all vulnerable adults, regardless of age, disability, gender, racial or ethnic origin, religious belief and sexual orientation have a right to protection from harm or abuse whilst participating in activities at Reachout or with Reachout staff, including online activities
- all necessary disclosure checks will be made to ensure staff and volunteers' suitability to work with vulnerable adults
- all staff and volunteers have an understanding of the importance of the implementation of this policy, appropriate procedures and good practices

In relation to recruitment and selection of staff (refer to the Recruitment policy), trustees and volunteers, this will also include ensuring that all criminal disclosures are made in line with current disclosure legislation eg type of offence, date of conviction etc and references taken which refer to candidates' suitability to work and have contact with children. PVG and disclosure checks will be carried out where appropriate, and only with the consent of the individual.

As part of our safeguarding policy, Reachout with Arts in Mind will:

- promote and prioritise the safety and wellbeing of vulnerable adults
- ensure everyone understands their roles and responsibilities in respect of safeguarding and is provided with appropriate learning opportunities to recognise, identify and respond to signs of abuse, neglect and other safeguarding concerns relating to vulnerable people
- all studio staff and volunteers will undergo Child Protection Training
- all staff, volunteers and directors will undergo Safeguarding Training
- ensure appropriate action is taken in the event of incidents or concerns of abuse and support provided to the individual/s who raise or disclose the concern
- ensure that confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored (refer to the Retention policy)
- prevent the employment/deployment of unsuitable individuals
- ensure robust safeguarding arrangements and procedures are in operation
- ensure carers and parents are informed of the policy and procedures as appropriate
- all concerns, and allegations of abuse will be taken seriously by trustees, staff and volunteers and responded to appropriately - this may require a referral to social care services, the independent Local Authority Designated Officer (LADO) for allegations against staff, trustees and other volunteers, and in emergencies, the police
- reference to principles, legislation and guidance that underpin the policy
- make reference to all associated policies and procedures which promote vulnerable adults' safety and welfare eg health and safety, anti-bullying, protection of vulnerable adults online, and photography

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- make reference to guidelines and policies issued by partner organisations that we may be working in collaboration with. Partner protection procedures will be discussed and reviewed by Reachout staff prior to engagement.

This policy and related procedures will be widely promoted and are mandatory for everyone involved in Reachout with Arts in Mind. Failure to comply with the policy and procedures will be addressed without delay and may ultimately result in dismissal or exclusion from the organisation.

Safeguarding

Protection of vulnerable adults covers, but is not limited to, safeguarding both their physical and mental wellbeing. Every effort will be made to protect vulnerable adults who use our services, and precautionary measures will be taken to prevent any contact with persons who may have a negative impact on our members. It is the responsibility of management, staff, members and third parties to notify the Executive Arts Director or a Board Director of concerns or issues and to allow precautionary measures to be put in place. Precautionary measures will form the basis of a risk assessment and will be shared with relevant parties associated with a reported concern. All staff should be aware of the Lone Worker Policy, and avoid being in a situation where they are working alone in the studio, in outreach locations or online with members or children. Management will take all necessary steps to provide additional staffing or support to protect staff in this manner.

As stated in the Code of Conduct, individuals may be asked to leave Reachout if their behaviour is found to be unacceptable and having a detrimental impact on another individual in the studio.

Procedure

Management recognises that if vulnerable adults are to be protected at Reachout (in the studio and outreach programmes), it is essential that everyone in contact with vulnerable adults is involved in the support of those individuals. The procedures that follow recognise and are consistent with that objective and have been designed to complement Local Authority procedures.

In operating this policy, staff must also be aware that, in order to protect vulnerable adults, in some circumstances it will be necessary to share what might normally be regarded as confidential information. The following principles should be adhered to:

- Information will only be shared on a need to know basis
- Information will only be shared when it is in the best interests of the service users
- Confidentiality must not be confused with secrecy
- Informed consent should be obtained but if this is not possible and other vulnerable adults are at risk it may be necessary to override it

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Guidance provides staff with procedures which not only help to protect vulnerable adults, but will also help to identify any practices which could be mistakenly interpreted and lead to false allegations. Staff should familiarise themselves with these and if it is necessary to carry out practices contrary to it, only do so after discussion with, and the approval of, the management.

The first priority should always be to ensure the safety and protection of vulnerable adults - it is the responsibility of all staff and volunteers to act on any suspicion or evidence of abuse or neglect.

Monitoring

This policy and its procedures and practices only remain effective if they are regularly monitored and reviewed to ensure that they are still applicable and relevant. Over time there will be changes, whether internally within Reachout's structure or externally with legislation or agreed best practice, and these changes will need to be reflected in Reachout's policy. It is also possible that once the policy is implemented it is identified that there are issues or circumstances that had not been considered but should be included.

To address these concerns this policy will be reviewed on an annual basis and endorsed by the board of directors of Reachout with Arts in Mind, or more frequently based on -

- changes in legislation and/or government guidance
- as a result of any other significant change or event

All staff will familiarise themselves with this policy and any updates thereafter.

The review should involve those individuals with responsibility for carrying out or overseeing the actions described in this policy and be led by the Finance & Governance Manager.

Vulnerable Adults procedures for groups in Scotland (1)

PROCEDURE TO BE FOLLOWED IF YOU THINK A VULNERABLE ADULT MAY BE AT RISK OF ABUSE, IS BEING, OR HAS BEEN, ABUSED EITHER BY:

- a member of staff
- a member of their family
- any other person, including another vulnerable adult

The management of Reachout with Arts in Mind is responsible for ensuring that all staff are aware of and understand the importance of implementing these procedures.

It is recognised that a percentage of the vulnerable adults that staff come into contact with may, through the nature of their experiences, demonstrate behaviours that might be indicators of abuse, often as a result of the combination, frequency and duration of these indicators. These may include, but are not limited to –

- physical bruising, bite marks, suspicious burns
- inappropriate language or subject matter
- inappropriate physical contact with others
- sallow or sickly appearance
- untreated medical conditions
- secretive, demanding or disruptive behaviour

Many factors associated with disadvantage can also result in a vulnerable adult's behaviour being affected, thereby making the identification of abuse even more difficult. Staff are not expected to show expertise in the protection of vulnerable adults nor diagnose or investigate any potential abuse. Staff are, however, expected to comply with the following procedures if there is evidence of out-of-character behaviour -

- Staff who become concerned that a vulnerable adult may be at risk of abuse, is being, or has been abused must immediately report that concern to management
- Management will discuss the concerns with the staff member to clarify their cause and obtain all relevant information. This will be forwarded to the appropriate local Social Work Department stating that it concerns the protection of a vulnerable adult
- In the absence of management, concerns should be reported to a Board director and to the local Social Work Department. Management should be reported as soon as possible thereafter. Should the concern relate to staff management, it should be raised with a Board director

Vulnerable Adults procedures for groups in Scotland (2)

PROCEDURE TO BE FOLLOWED IF A VULNERABLE ADULT TELLS YOU THAT THEY ARE BEING, OR HAVE BEEN, ABUSED:

Vulnerable adults will occasionally disclose abuse to an individual they have come to feel they can trust. This happens for many reasons but they are usually doing so in the hope that action will be taken to stop it happening, even if they have spoken in confidence.

Vulnerable adults may feel they are betraying someone they are close to and whom they love. It is not unusual for a vulnerable adult to love the abuser but want the abuse to stop, especially when that person is a family member or carer. Equally, it may be someone they fear e.g, a person whom they perceive to be able to influence decisions concerning their future. Whatever the circumstances, it takes great courage for a vulnerable adult to talk about abuse and action must therefore be taken.

It can be more difficult for some vulnerable adults to confide in someone than for others. Vulnerable adults who have experienced prejudice and discrimination through racism may believe that people from other ethnic groups or backgrounds do not care about them, and have little trust of those in authority.

Vulnerable adults with a disability will have to overcome particular barriers before disclosing abuse. They may rely on the abuser for their daily care and have no knowledge of alternative sources.

If a vulnerable adult discloses abuse to staff at Reachout, it is important to react appropriately.

Do:

- Remain calm and receptive
- Listen without interrupting
- Only ask questions of clarification if you are unclear what the vulnerable adult is saying
- Make it clear you take them seriously
- Acknowledge their courage in telling you
- Tell them they are not responsible for the abuse
- Let them know you will do what you can to help them and, where possible, get their consent to inform management/director and local Social Work Department

Do NOT:

- Allow your shock or distaste to show
- Probe for more information/ask other questions
- Make assumptions or speculate
- Make negative comments about the abuser
- Make promises you cannot keep
- Agree to keep the information secret
- Say Yes or agree to anything without checking with management first

It is essential that everything possible is done to protect the vulnerable adults who place their trust in the staff at Reachout. If a vulnerable adult reports abuse, the following action must be taken:

- make an immediate record of what the vulnerable adult has said, using their own words
- follow the instructions for reporting to management, as set out in procedure Part 1
- tell them that you will have to inform management/directors and that if appropriate, the relevant authorities will also have to be informed
- In cases where a vulnerable adult is suspected of being in imminent or immediate harm or a crime has been committed, the emergency services should be called immediately
- All staff should be aware of the following contract details - [Adult Support and Protection \(clacks.gov.uk\)](#)

Vulnerable Adults code of good practice

This code has been developed to provide staff and volunteers with advice that not only will help to protect vulnerable adults, but will also help staff identify any practices which could be mistakenly interpreted and perhaps lead to false allegations of abuse.

While it is not intended that this code should restrict staff from normal working practices, there is much they can do to avoid situations that may give rise to misinterpretation, which will also work to protect vulnerable adults. If in doubt, consider how an action or activity may be perceived as opposed to how it is intended.

Wherever possible, you should be guided by the following advice (refer to the Lone Worker Policy). If it is necessary to carry out practices contrary to it, you should only do so after discussion with, and the approval of, management -

- avoid unobserved situations of one-to-one contact with a vulnerable adult. If it is unavoidable, keep a door open and ensure you are within hearing of other adults
- never invite a vulnerable adult to your home without the knowledge and consent of the carers and your manager
- never offer to or take a vulnerable adult alone in your own vehicle without the knowledge and consent of the carers and your manager
- if it is necessary to do things of a 'personal' nature for a vulnerable adult, e.g. toileting if they are disabled, ensure these are carried out with the full knowledge of the carers and your manager
- develop a culture in which staff feel comfortable enough to point out inappropriate attitudes and behaviours to each other
- don't engage in or allow any sexually provocative games involving or observed by vulnerable adults, whether based on talking or touching

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- never make suggestive remarks or discriminatory comments to a vulnerable adult
- do not engage in or tolerate any bullying of a vulnerable adult, either by vulnerable adults or other people
- do not engage in or tolerate inappropriate physical activity involving vulnerable adults
- never enter a room where a vulnerable adult may be changing their clothes or not be fully dressed, without first clearly getting their consent to enter
- respect all vulnerable adults, regardless of their age, gender, ethnicity, disability or sexual identity
- avoid 'favouritism' and singling-out 'troublemakers'
- never trivialise abuse
- never let allegations by a vulnerable adult go unreported, including any made against you

This policy will be reviewed annually, and updated in line with local and national government policies and guidelines.