

# WHEATSHEAF TRUST



## **CHILD PROTECTION POLICY & PROCEDURES**

### **CHILD PROTECTION**

#### **Section 1 Policy and Statutory Framework**

##### **1 Scope**

This policy deals with the protection of children. Children are those clients under 18 years and those under 18 accompanying clients. A separate policy covers 'Vulnerable Adults'.

##### **2 Policy Statement**

- Wheatsheaf Trust will carry out its responsibilities under all relevant legislation, regulations and formal guidance for the protection of children.
- Wheatsheaf Trust holds as one of its highest priorities the health, safety and welfare of all children involved in activities which come under its responsibility.
- Wheatsheaf Trust and its staff have a collective and individual duty to ensure that they fulfil their responsibilities to safeguard and promote the welfare of children, and to prevent child abuse and to report any abuse discovered or suspected.
- Wheatsheaf Trust will advise children who are Participants on its projects about the standards of behaviour and conduct they can expect from staff and volunteers and of what to do if they experience or suspect abuse.
- Wheatsheaf Trust will work with appropriate local agencies, and in particular the Area Child Protection Committee, Social Services and the Police Child Protection Team, to ensure that children are safeguarded through the effective operation of Wheatsheaf Trust's Child Protection Procedures.
- Wheatsheaf Trust recognises that any child can be subject to abuse and all allegations of abuse will be taken seriously and treated in accordance with these procedures.
- Wheatsheaf Trust recognises that it is the responsibility of all staff to act upon any concern no matter how small or trivial it may seem.

- Wearsheaf Trust recognises its responsibility to implement, maintain and regularly review the procedures that are designed to prevent or notify suspected abuse.
- Wearsheaf Trust requires all staff to follow the Code Of Behaviour On Child Protection, which is appended to this policy document, and will draw the attention of staff to this code of conduct and procedures in induction and relevant training.
- Wearsheaf Trust is committed to supporting, resourcing and training those who work with, or who come into contact with, children and to providing appropriate supervision.
- Wearsheaf Trust will prepare and implement an action plan to ensure that it fulfills its duties to protect children.

### **3 Statutory Framework**

- a. The Children Act 1989 provides the legal framework for the protection of children in the UK. Under the Children Act a child is defined as any person under 18 years of age.
- b. The Protection of Children Act 1999 requires employers to carry out Criminal Record Checks before employees are allowed to come into contact with children. Wearsheaf Trust is required under this legislation to apply for an enhanced disclosure from the Criminal Records Bureau for staff who are working, or likely to work, with children.
- c. Working Together to Safeguard Children, 1999 is a Government Guidance document which sets out how all agencies and professionals should work together to promote children's welfare and protect them from abuse and neglect and requires all educational organisations to follow the procedures for protecting children from abuse which are established by the Area Child Protection Committee.

The guidance makes clear that educational organisations are also expected to ensure that they have appropriate procedures in place for responding to situations in which they believe that a child has been abused or is at risk of abuse – these procedures should cover circumstances in which a member of staff is accused or suspected of abuse.

- d. DfEE Circular 10/95 (Protecting Children From Abuse: The Role Of The Education Service) derives from the Education Act 2002 and places the following responsibilities on all educational organisations:
  - Staff should be alert to signs of abuse and know to whom they should report any concerns or suspicions.

- A Designated Child Protection Coordinator should have responsibility for co-coordinating action within the organisation and for liaising with other agencies.
- Staff with designated responsibility for child protection should receive appropriate training.
- Educational organisations should be aware of and follow the procedures established by the Area Child Protection Committee and, where appropriate, by the Local Education Authority or Social Services Department.
- Educational Organisations should have procedures, of which all staff are aware, for handling suspected cases of abuse of children, including procedures to be followed if a member of staff is accused of abuse.

Circular 10/95 also states that "parents should be made aware of the (educational organisation's) child protection policy and the fact that this may require cases to be referred to the investigative agencies in the interests of the child."

Wheatsheaf Trust follows the detailed guidelines set out in Circular 10/95 in dealing with all cases of abuse or suspected abuse against children.

#### Section 175 of the Education Act 2002

This section of the Act requires colleges to safeguard and promote the welfare of children. Wheatsheaf Trust will follow any guidance issued on this section of the Act.

Wheatsheaf Trust will keep its policy and procedures on child protection under review to take account of any new Government legislation, regulations or best practice documents to ensure that staff are kept fully up to date with their responsibilities and duties with regard to the safety and well-being of children.

## **CHILD PROTECTION**

### **Section 2 : Procedures**

These procedures should be read in conjunction with the Department of Health document 'What to do if you're worried a child is being abused (Summary)' 19 May 2003.

- 1** The purpose of these guidelines is to ensure that the rights of children are protected through staff awareness of the issues and the following of the statutory and local guidelines in the reporting of concerns.

It is the responsibility of all staff working within Wheatsheaf Trust to record and report Child Protection concerns, i.e. where they believe a child has been or is at risk of abuse, neglect or significant harm. This responsibility extends to all staff and not just those specifically working with under 18s.

- 2 Wicketsheaf Trust will take steps to identify a child on enrolment. Additional supervision measures will be put in place for all children and such children will come under the provisions of this policy.

### 3 Categories of Abuse

Children can be potentially abused within the family, community, and in organisations by employees (including those employed to promote their welfare and protect them from abuse), volunteers, visitors, and fellow Wicketsheaf Trust clients. The following are broad categories of abuse.

- **Physical Abuse:**  
may involve hitting, shaking, throwing, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child who they are looking after. This is commonly described using terms such as 'fictitious illness by proxy' or 'Munchausen's syndrome by proxy'.
- **Emotional Abuse:**  
is the persistent emotional ill-treatment of a child such as to cause severe and persistent effects on the child's emotional development. It may involve conveying to children that they are worthless and unloved, inadequate, or valued only so far as they meet the needs of another person. It may involve age or developmentally inappropriate expectations being imposed in children. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone.
- **Sexual Abuse:**  
involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (eg rape) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic materials or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.
- **Neglect:**  
is the persistent failure to meet the child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failure to protect a child from physical harm or danger, or failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.
- **Significant Harm**  
Some children may be in need because they are suffering or likely to suffer significant harm. The Children Act V section 47 (1) introduced the

concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interest of the children.

- **Financial Abuse**

Some children may be abused or exploited financially including fraud and extortion.

#### **4 Child Protection Coordinator**

Wheatsheaf Trust is required to have a designated member of staff, who is assigned to act upon child protection concerns. At Wheatsheaf Trust this person is called the Child Protection Coordinator and he/she is responsible for co-ordinating action within the institution and liaising with other agencies. The Wheatsheaf Trust Child Protection Coordinator is:

Jackie Powers  
Operations Manager

The Child Protection Coordinator is required to know:

- how to identify the signs and symptoms of abuse and when to make a referral
- the local Area Child Protection Committee child protection procedures and the Child Protection Coordinator's role within them
- the role and responsibilities of the investigating agencies and how to liaise with them
- the requirements of record keeping
- the conduct of a child protection conference and how the Child Protection Coordinator or other members of staff can make an appropriate contribution to it.

#### **5 Advice to Staff on When to Take Action & How**

Once you suspect or know of any abuse of any child, you should immediately inform Wheatsheaf Trust's Child Protection Coordinator in person or by telephone. Even if you have only heard rumours of abuse, or you have a suspicion but do not have firm evidence, you should still contact the Child Protection Coordinator to discuss your concerns. You should also contact the Child Protection Coordinator if you know or suspect that a member of staff or client has a previous history of abuse of children or vulnerable adults. She will discuss the case with the Chief Executive so that appropriate action can be taken.

If the Child Protection Coordinator is not immediately available you should then contact the Chief Executive, and if he is not available contact the Chair of Trustees or a member of the management team.

You must not try to investigate the matter on your own. Staff are not equipped or qualified to do so.

If, following your initial contact with the Child Protection Coordinator, it is decided that the matter should be taken further, a written report must be

prepared. A written report is essential to prevent any misrepresentation of your findings, and should be sent to the Child Protection Coordinator within 24 hours of the suspicion arising. The report should be factual and should not include opinions or personal interpretations of the facts presented. The report should contain as much detail as possible, including any apparent physical signs of abuse or other circumstances which led to your suspicions, or the account given to you of abuse by the child concerned, as accurately as you are able to record it. The report should be signed, dated and a copy stored in a secure place. If you are unsure about what to write, you can get advice from the Child Protection Coordinator.

If a child comes to you to report apparent abuse, you should listen carefully to the child, using the following guidelines. When listening to a child staff must:

- allow the child to speak without interruption
- never trivialise or exaggerate the issue
- never make suggestions
- never coach or lead the child in any way
- reassure the child, let them know you are glad they have spoken up and that they are right to do so
- always ask enough questions to clarify your understanding, do not probe or interrogate – no matter how well you know the child – spare them having to repeat themselves over and over.
- be honest – let the child know that you cannot keep this a secret, you will need to tell someone else.
- try to remain calm – remember this is not an easy thing for them to do.
- do not show your emotions – if you show anger, disgust or disbelief, they may stop talking. This may be because they feel they are upsetting you or they may feel your negative feelings are directed towards them
- let the child know that you are taking the matter very seriously
- make the child feel secure and safe without causing them any further anxiety.

The Child Protection Coordinator will be responsible for recording essential information about each case and for collecting reports and notes as appropriate.

Any detailed information about a case will be confined to the Child Protection Coordinator and the Chief Executive and (if not involved in the allegations) the parents/guardians/carers, but where a referral to an external agency is to be made the Chief Executive will advise the Chair of Trustees.

Staff reporting the allegations will be kept informed of the progress of the case on a 'need to know' basis.

## **6 What Happens Next**

Taking into account all the information available, the Child Protection Coordinator will decide on the next steps, which may include taking no further action. Where the Child Protection Coordinator decides that further action is necessary, this may be to:

- Seek further advice from Social Services
- Make a referral to Social Services
- Report the incident to a designated Social Worker
- Report the matter to the police if a crime is suspected

If a referral is made, this must be confirmed in writing to the appropriate agency within 24 hours.

The Child Protection Coordinator may consider that those involved may require counselling. Where it is felt there is a need for counselling (which could be for the child/ren, other clients, staff, parents or carers involved) the Child Protection Coordinator will make the necessary arrangements.

If a member of staff does not agree with a decision of the Wheatsheaf Trust's Child Protection Coordinator that no further action is necessary, the member of staff should refer these concerns in the first instance to the Chief Executive. If the Chief Executive does not recommend further action and the member of staff still has concerns, then the member of staff has the right and duty to refer the case directly to Social Services Child Protection service.

The Child Protection Coordinator will keep the member(s) of staff who raised the concerns informed as the progress/ outcome of the case.

## **7 Confidentiality**

Confidentiality and trust should be maintained as far as possible, but staff must act on the basis that the safety of the child is the overriding concern. The degree of confidentiality will be governed by the need to protect the child. The child should be informed at the earliest possible stage of the disclosure that the information will be passed on. All conversation regarding a child should always be held in private.

Wheatsheaf Trust complies with the requirements of the Data Protection Act 1998, which allows for disclosure of personal data where this is necessary to protect the vital interests of a child.

Whatever happens, you should always be open and honest with the child if you intend to take the case further.

Staff must not discuss the case with anyone other than those involved in the case. If staff have any concerns about the progress of the case or have any other concerns these must be discussed with the Child Protection Coordinator.

## **8 Allegations Against Staff**

The primary concern of Wheatsheaf Trust is to ensure the safety of the child. It is essential in all cases of suspected abuse by a member staff that action is taken quickly and professionally whatever the validity.

There are occasions where a child will accuse a member of staff of physically or sexually abusing them. In some cases this may be false or unfounded. However in some cases the allegations may be true.

Any instance of a child being abused by a member of staff is particularly serious. On the other hand for an innocent person to be accused of such an act, is a serious ordeal which can result in long term damage to their health and career.

In the event that any member of staff suspects any other member of staff of abusing a client, it is their responsibility to bring these concerns to the Child Protection Coordinator and the Chief Executive except where the suspect is either.

If the allegation concerns the Chief Executive, the matter should be discussed with the Child Protection Coordinator who will discuss it with the Chair of Trustees, in addition to following the normal procedures for Child Protection

If the allegation concerns the Child Protection Coordinator the matter should be discussed with the Chief Executive who will discuss it with the Chair of Trustees, in addition to following the normal procedure for Child Protection.

The member of staff will be advised to:

- contact their union representative if applicable
- keep records of all conversation, meetings attended, letters received and telephone calls relating to the allegation.

If a decision is made to pursue an allegation of abuse against a member of staff, this will be dealt with under Wheatsheaf Trust disciplinary procedures.



## **CODE OF BEHAVIOUR ON CHILD PROTECTION FOR WHEATSHEAF TRUST STAFF**

- 1** Wicketsheaf Trust recognises that it is not practical to provide definitive instructions that would apply to all situations at all times whereby staff come into contact with children and to guarantee the safeguarding and protection of children and staff.
- 2** However, below are the standards of behaviour required of staff in order to fulfil their roles and duty of care within Wicketsheaf Trust. This code should assist in the safeguarding and promotion of the welfare of children and in the protection of both children and members of staff.
- 3** These guidelines also apply to volunteers who work in an unpaid capacity on Wicketsheaf Trust projects.
- 4** Staff must:
  - implement the Child Protection Policy and Procedures at all times, including acting to promote children's welfare, prevent abuse and report any abuse discovered or suspected.
- 5** Staff must never:
  - engage in rough, physical games including horseplay with children/ clients.
  - allow or engage in inappropriate touching of any kind. The main principles of touch are:
    - touch should always be in response to the child's need
    - touch should always be appropriate to the age and stage of development of the child.
    - touch should always be with a child's permission
  - do things of a personal nature for children that they can do for themselves or that their parent can do for them.
  - Physically restrain a child unless the restraint is to prevent physical injury of the child/other children/visitors or staff/yourself. In all circumstances physical restraint must be appropriate and reasonable, otherwise the action can be defined as assault.
  - make sexually suggestive comments to or within earshot of a child.
  - have children on their own in a vehicle.
  - take a child to the toilet unless another adult is present or has been made aware (this may include a parent, group leader)
  - spend time alone with a child on his/her own, outside of the normal advice/training situation. If you find you are in a situation where you are alone with a child, make sure that you can be clearly observed by others.
  - engage in a personal relationship with a child/client, or a child who becomes a client, beyond that appropriate for a normal Adviser / client relationship.

### **6. Implications for staff**

Staff who breach any of the above may be subject to the disciplinary procedure. If an allegation against a member of staff has occurred then an investigation will be carried out in accordance with the procedure for dealing with such allegations. The investigating officer will be required to liaise with

the Child Protection Coordinator to clarify if she/he has any relevant records or any other child protection information in relation to the individual.

If a member of staff is suspended or dismissed in relations to allegations of child abuse, Wheatsheaf Trust will usually have a duty to report this to social services or another appropriate body.

# **VULNERABLE ADULT PROTECTION Policy and Procedures**

## **VULNERABLE ADULT PROTECTION**

### **Section 1 Policy and Statutory Framework**

#### **1 Scope**

This policy deals with the protection of Vulnerable Adults (as defined in section 3 below). A separate policy covers Child Protection. (Children are those under 18 years of age.)

#### **2 Policy Statement**

- Wicketsheaf Trust holds as one of its highest priorities the health, safety and welfare of all vulnerable adults involved in courses or activities which come under the responsibility of SAFE
- Wicketsheaf Trust and its staff have a collective and individual responsibility of duty of care to ensure that it's staff fulfil their responsibilities to prevent abuse of vulnerable adults and to report any abuse discovered or suspected.
- Wicketsheaf Trust will advise all parents/ guardians/ carers of vulnerable adults of the existence of its Vulnerable Adult Protection Policy and Procedures, and the fact that this may require cases to be referred to the investigative agencies in the interests of the vulnerable adult.
- Wicketsheaf Trust will advise vulnerable adults about the standards of behaviour and conduct they can expect from staff and volunteers and of what to do if they experience or suspect abuse.
- Wicketsheaf Trust will work with appropriate local agencies, and in particular Social Services, to ensure that vulnerable adults are safeguarded through the effective operation of these vulnerable adult protection procedures.
- Wicketsheaf Trust recognises that any vulnerable adult can be subject to abuse and all allegations of abuse will be taken seriously and treated in accordance with these procedures.
- Wicketsheaf Trust recognises that it is the responsibility of all staff to act upon any concern no matter how small or trivial it may seem.

- Wicketsheaf Trust recognises its responsibility to implement, maintain and regularly review the procedures that are designed to prevent or notify suspected abuse.
- Wicketsheaf Trust requires all it's staff to follow the Code of Behaviour on Vulnerable Adult Protection which is appended to this policy document, and will draw the attention of staff to this code of conduct and procedures in induction and relevant training.
- Wicketsheaf Trust is committed to supporting, resourcing and training those who work with, or who come into contact with, vulnerable adults and to providing appropriate supervision.

### **3 Statutory Framework**

The Police Act 1997 (Enhanced Criminal Record Certificates) (Protection of Vulnerable Adults) Regulations 2002 require employers to carry out Criminal Record Checks before employees are allowed to come into contact with vulnerable adults. Wicketsheaf Trust is required under this legislation to apply for an enhanced disclosure from the Criminal Records Bureau for staff working with such clients.

A vulnerable adult is defined (under the Protection of Vulnerable Adults Regulations 2002) as :

'a person aged 18 or over who is receiving services of a type listed in paragraph (2) below and in consequence of a condition of a type listed in paragraph (3) below has a disability of a type listed in paragraph (4) below.

#### **2. The services are -**

- (a) accommodation and nursing or personal care in a care home;
- (b) personal care or nursing or support to live independently in their own home;
- (c) any services provided by an independent hospital, independent clinic, independent medical agency or National Health Service body;
- (d) social care services; or
- (e) any services provided in an establishment catering for a person with learning difficulties.

#### **3. The conditions are -**

- (a) a learning or physical disability;

- (b) a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs; or (c) a reduction in physical or mental capacity.

#### **4. The disabilities are -**

- (a) a dependency upon others in the performance of, or a requirement for assistance in the performance of, basic physical functions;
- (b) severe impairment in the ability to communicate with others; or
- (c) impairment in a person's ability to protect them self from assault, abuse or neglect.

Wheatsheaf Trust will keep its policy and procedures on vulnerable adult protection under review to take account of any new Government legislation, regulations or best practice documents to ensure that staff are kept fully up to date with their responsibilities and duties with regard to the safety and well-being of vulnerable adults.

## **VULNERABLE ADULT PROTECTION**

### **Section 2 : Procedures**

1. The purpose of these guidelines is to ensure that the rights of vulnerable adults are protected through staff awareness of the issues and the following of the statutory and local guidelines in the reporting of concerns.

**It is the responsibility of all staff working within Wheatsheaf Trust to record and report vulnerable adult protection concerns, i.e. where they believe a vulnerable adult has been or is at risk of abuse, or significant harm. This responsibility extends to all staff and not just those specifically working with vulnerable adults.**

2. Wheatsheaf Trust will take steps to identify a vulnerable adult on enrolment.. Other additional supervision measures will be put in place for all clients defined as vulnerable adults, and such clients will come under the provisions of this policy.

3. **Vulnerable Adult Protection Coordinator**

Wheatsheaf Trust has a designated member of staff, who is assigned to act upon vulnerable adult protection concerns. At Wheatsheaf Trust this person is called the Vulnerable Adult Protection Coordinator and he/she is responsible for co-ordinating action within the institution and liaising with other agencies. Wheatsheaf Trust Vulnerable Adult Protection Coordinator is:

Jackie Powers  
Operations Manager

#### **4. Advice to Staff on When to Take Action & How**

Vulnerable adults can potentially be abused within the family, community and organisations by employees (including those employed to promote their welfare and protection from abuse), visitors, volunteers, and fellow clients.

Once you suspect or know of any abuse of any vulnerable adult, you should immediately inform Wheatsheaf Trust's Vulnerable Adult Protection Coordinator in person or by telephone. Even if you have only heard rumours of abuse, or you have a suspicion but do not have firm evidence, you should still contact the Vulnerable Adult Protection Coordinator to discuss your concerns. You should also contact the Child Protection Coordinator if you know or suspect that a member of staff or client has a previous history of abuse of children or vulnerable adults. She will discuss the case with the Chief Executive so that appropriate action can be taken.

If the Vulnerable Adult Protection Coordinator is not available you should contact the Chief Executive, and if he is not available then you should contact the Chair of Trustees.

You must not try to investigate the matter on your own. Staff are not equipped or qualified to do so.

If, following your initial contact with the Vulnerable Adult Protection Coordinator, it is decided that the matter should be taken further, a written report from you is essential to prevent any misrepresentation of your findings, and should be sent to the Vulnerable Adult Protection Coordinator within 24 hours of the suspicion arising. The report should be factual and should not include opinions or personal interpretations of the facts presented. The report should contain as much detail as possible, including any apparent physical signs of abuse or other circumstances which led to your suspicions, or the account given to you of abuse by the vulnerable adult concerned, as accurately as you are able to record it. The report should be signed, dated and a copy stored in a secure place. If you are unsure about what to write, you can get advice from the Vulnerable Adult Protection Coordinator.

If a vulnerable adult comes to you to report apparent abuse, you should listen carefully to him/her, using the following guidelines. When listening to the vulnerable adult staff must:

- allow the vulnerable adult to speak without interruption
- never trivialise or exaggerate the issue
- never make suggestions
- never coach or lead the vulnerable adult in any way
- reassure the vulnerable adult, let them know you are glad they have spoken up and that they are right to do so
- always ask enough questions to clarify your understanding, do not probe or interrogate – no matter how well you know the vulnerable adult – spare them having to repeat themselves over and over.
- be honest – let the vulnerable adult know that you cannot keep this a secret, you will need to tell someone else.
- try to remain calm – remember this is not an easy thing for them to do.

- do not show your emotions – if you show anger, disgust or disbelief, they may stop talking. This may be because they feel they are upsetting you or they may feel your negative feelings are directed towards them
- let the vulnerable adult know that you are taking the matter very seriously
- make the vulnerable adult feel secure and safe without causing them any further anxiety.

The Vulnerable Adult Protection Coordinator will be responsible for recording essential information about each case and for collecting reports and notes as appropriate.

Any detailed information about a case will be confined to the Vulnerable Adult Protection Coordinator, the Chief Executive, and (if not involved in the allegations) the parents/ guardians/ carers, but where a referral to an external agency is to be made the Chief Executive will advise the Chair of Trustees.

Staff reporting the allegations will be kept informed of the progress of the case on a 'need to know' basis.

## **5. What Happens Next**

Taking into account all the information available, the Vulnerable Adult Protection Coordinator will decide on the next steps, which may include taking no further action. Where the Vulnerable Adult Protection Coordinator decides that further action is necessary, this may be to:

- Seek further advice from Social Services
- Make a referral to Social Services
- Report the incident to a designated Social Worker
- Report the matter to the police if a crime is suspected

If a referral is made, this must be confirmed in writing to the appropriate agency within 24 hours.

If a member of staff does not agree with a decision of the Wheatsheaf Trust Vulnerable Adult Protection Coordinator that no further action is necessary, the member of staff should refer these concerns in the first instance to the Chief Executive. If the Chief Executive does not recommend further action and the member of staff still has concerns, then the member of staff has the right and duty to refer the case directly to Social Services

The Vulnerable Adult Protection Coordinator may consider that those involved require counselling. Where it is felt there is a need for counselling (which could be for the vulnerable adults, other clients, staff, parents or carers involved) the Vulnerable Adult Protection Coordinator will make the necessary arrangements.

The Vulnerable Adult Protection Coordinator will keep the member(s) of staff who raised the concerns informed as the progress/ outcome of the case.

## **7. Confidentiality**

Confidentiality and trust should be maintained as far as possible, but staff must act on the basis that the safety of the vulnerable adult is the overriding concern. The degree of confidentiality will be governed by the need to protect the vulnerable adult. The vulnerable adult should be informed at the earliest possible stage of the disclosure that the information will be passed on. All conversations regarding a vulnerable adult should be held in private.

Wheatsheaf Trust complies with the requirements of the Data Protection Act 1998, which allows for disclosure of personal data where this is necessary to protect the vital interests of a vulnerable adult.

**Whatever happens, you should always be open and honest with the vulnerable adult if you intend to take the case further.**

Staff must not discuss the case with anyone other than those involved in the case. If staff have any concerns about the progress of the case or have any other concerns these must be discussed with the Vulnerable Adult Protection Coordinator.

## **8. Allegations Against Staff**

The primary concern of Wheatsheaf Trust is to ensure the safety of the vulnerable adult. It is essential in all cases of suspected abuse by a member staff that action is taken quickly and professionally whatever the validity.

There are occasions where a vulnerable adult will accuse a member of staff of physically or sexually abusing them. In some cases this may be false or unfounded. However in some cases the allegations may be true.

Any instance of a vulnerable adult being abused by a member of staff is particularly serious. On the other hand for an innocent person to be accused of such an act is a serious ordeal which can result in long term damage to their health and career.

In the event that any member of staff suspects any other member of staff of abusing a client, it is their responsibility to bring these concerns to the Vulnerable Adult Protection Co-ordinator and the Chief Executive except where the suspect is either.

If the allegation concerns the Chief Executive, the matter should be discussed with the Vulnerable Adult Protection Co-ordinator who will discuss it with the Chair of Trustees, in addition to following the normal procedures for Vulnerable Adult Protection

If the allegation concerns the Vulnerable Adult Protection Co-ordinator the matter should be discussed with the Chief Executive who will discuss it with the Chair of Trustees, in addition to following the normal procedure for Vulnerable Adult Protection.

The member of staff will be advised to:

- contact their union representative if applicable



- keep records of all conversation, meetings attended, letters received and telephone calls relating to the allegation.

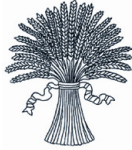
If a decision is made to pursue an allegation of abuse against a member of staff, this will be dealt with under Wheatsheaf Trust disciplinary procedures

## **CODE OF BEHAVIOUR ON VULNERABLE ADULT PROTECTION FOR WHEATSHEAF TRUST STAFF**

1. Wheatsheaf Trust recognises that it is not practical to provide definitive instructions that would apply to all situations at all times whereby staff come into contact with vulnerable adults and to guarantee the protection of vulnerable adults and staff.
2. However, below are the standards of behaviour required of staff in order to fulfil their roles and duty of care within Wheatsheaf Trust. This code should assist in the protection of both vulnerable adults and members of staff.
3. These guidelines also apply to volunteers who work in an unpaid capacity on Wheatsheaf Trust projects.
4. Staff must:
  - implement the Vulnerable Adult Protection Policy and Procedures at all times
5. Staff must never:
  - engage in rough, physical games including horseplay with vulnerable adults/ clients.
  - allow or engage in inappropriate touching of any kind.
  - do things of a personal nature for vulnerable adults that they can do for themselves
  - Physically restrain a vulnerable adult unless the restraint is to prevent physical injury of the vulnerable adult/other vulnerable adults/visitors or staff/yourself. In all circumstances physical restraint must be appropriate and reasonable, otherwise the action can be defined as assault.
  - make sexually suggestive comments to or within earshot of a vulnerable adult.
  - have vulnerable adults on their own in a vehicle.
  - take a vulnerable adult to the toilet unless another adult is present or has been made aware (this may include a parent, group leader)
  - spend time alone with a vulnerable adult on his/her own, outside of the normal advice situation. If you find you are in a situation where you are alone with a vulnerable adult, make sure that you can be clearly observed by others.
  - engage in a personal relationship with a vulnerable adult/ client, or a vulnerable adult who becomes a client, beyond that appropriate for an adviser / client relationship.

## **6 Implications for Staff**

Staff who breach any of the above may be subject to the disciplinary procedure. If an allegation against a member of staff has occurred, then an investigation will be carried out in accordance with the procedure for dealing with such allegations. The investigating officer will be required to liaise with the Vulnerable Adult Protection Coordinator to clarify if she/he has any relevant records or any other vulnerable adult protection information in relation to the individual.



# WHEATSHEAF TRUST



## **VULNERABLE ADULT PROTECTION Policy and Procedures**

### **Vulnerable Adult Protection Section 1 Policy and Statutory Framework**

#### **1. Scope**

This policy deals with the protection of Vulnerable Adults (as defined in section 3 below). A separate policy covers Child Protection. (Children are those under 18 years of age.)

#### **2. Policy Statement**

- Wheatsheaf Trust holds as one of its highest priorities the health, safety and welfare of all vulnerable adults involved in courses or activities which come under the responsibility of SAFE
- Wheatsheaf Trust and its staff have a collective and individual responsibility of duty of care to ensure that its staff fulfil their responsibilities to prevent abuse of vulnerable adults and to report any abuse discovered or suspected.
- Wheatsheaf Trust will advise all parents/ guardians/ carers of vulnerable adults of the existence of its Vulnerable Adult Protection Policy and Procedures, and the fact that this may require cases to be referred to the investigative agencies in the interests of the vulnerable adult.
- Wheatsheaf Trust will advise vulnerable adults about the standards of behaviour and conduct they can expect from staff and volunteers and of what to do if they experience or suspect abuse.
- Wheatsheaf Trust will work with appropriate local agencies, and in particular Social Services, to ensure that vulnerable adults are safeguarded through the effective operation of these vulnerable adult protection procedures.
- Wheatsheaf Trust recognises that any vulnerable adult can be subject to abuse and all allegations of abuse will be taken seriously and treated in accordance with these procedures.
- Wheatsheaf Trust recognises that it is the responsibility of all staff to act upon any concern no matter how small or trivial it may seem.

- Wheatsheaf Trust recognises its responsibility to implement, maintain and regularly review the procedures that are designed to prevent or notify suspected abuse.
- Wheatsheaf Trust requires all its staff to follow the Code of Behaviour on Vulnerable Adult Protection which is appended to this policy document, and will draw the attention of staff to this code of conduct and procedures in induction and relevant training.
- Wheatsheaf Trust is committed to supporting, resourcing and training those who work with, or who come into contact with, vulnerable adults and to providing appropriate supervision.

### **3. Statutory Framework**

The Police Act 1997 (Enhanced Criminal Record Certificates) (Protection of Vulnerable Adults) Regulations 2002 require employers to carry out Criminal Record Checks before employees are allowed to come into contact with vulnerable adults. Wheatsheaf Trust is required under this legislation to apply for an enhanced disclosure from the Criminal Records Bureau for staff working with such clients.

A vulnerable adult is defined (under the Protection of Vulnerable Adults Regulations 2002) as :

'a person aged 18 or over who is receiving services of a type listed in paragraph (2) below and in consequence of a condition of a type listed in paragraph (3) below has a disability of a type listed in paragraph (4) below.

(2) The services are -

(a) accommodation and nursing or personal care in a care home; (b) personal care or nursing or support to live independently in their own home; (c) any services provided by an independent hospital, independent clinic, independent medical agency or National Health Service body; (d) social care services; or (e) any services provided in an establishment catering for a person with learning difficulties.

(3) The conditions are -

(a) a learning or physical disability; (b) a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs; or (c) a reduction in physical or mental capacity.

(4) The disabilities are -

(a) a dependency upon others in the performance of, or a requirement for assistance in the performance of, basic physical functions; (b) severe impairment in the ability to communicate with others; or (c) impairment in a person's ability to protect them self from assault, abuse or neglect.

Wheatsheaf Trust will keep its policy and procedures on vulnerable adult protection under review to take account of any new Government legislation,

regulations or best practice documents to ensure that staff are kept fully up to date with their responsibilities and duties with regard to the safety and well-being of vulnerable adults.

## **Vulnerable Adult Protection Section 2 : Procedures**

1. The purpose of these guidelines is to ensure that the rights of vulnerable adults are protected through staff awareness of the issues and the following of the statutory and local guidelines in the reporting of concerns.

**It is the responsibility of all staff working within Wheatsheaf Trust to record and report vulnerable adult protection concerns, i.e. where they believe a vulnerable adult has been or is at risk of abuse, or significant harm. This responsibility extends to all staff and not just those specifically working with vulnerable adults.**

2. Wheatsheaf Trust will take steps to identify a vulnerable adult on enrolment.. Other additional supervision measures will be put in place for all clients defined as vulnerable adults, and such clients will come under the provisions of this policy.

3. **Vulnerable Adult Protection Coordinator**

Wheatsheaf Trust has a designated member of staff, who is assigned to act upon vulnerable adult protection concerns. At Wheatsheaf Trust this person is called the Vulnerable Adult Protection Coordinator and he/she is responsible for co-ordinating action within the institution and liaising with other agencies. Wheatsheaf Trust Vulnerable Adult Protection Coordinator is:

Jackie Powers  
Operations Manager

4. **Advice to Staff on When to Take Action & How**

Vulnerable adults can potentially be abused within the family, community and organisations by employees (including those employed to promote their welfare and protection from abuse), visitors, volunteers, and fellow clients.

Once you suspect or know of any abuse of any vulnerable adult, you should immediately inform Wheatsheaf Trust's Vulnerable Adult Protection Coordinator in person or by telephone. Even if you have only heard rumours of abuse, or you have a suspicion but do not have firm evidence, you should still contact the Vulnerable Adult Protection Coordinator to discuss your concerns. You should also contact the Child Protection Coordinator if you know or suspect that a member of staff or client has a previous history of abuse of children or vulnerable adults. She will discuss the case with the Chief Executive so that appropriate action can be taken. If the Vulnerable Adult Protection Coordinator is not available you should contact the Chief Executive, and if he is not available then you should contact the Chair of Trustees.

You must not try to investigate the matter on your own. Staff are not equipped or qualified to do so.

If, following your initial contact with the Vulnerable Adult Protection Coordinator, it is decided that the matter should be taken further, a written report from you is essential to prevent any misrepresentation of your findings, and should be sent to the Vulnerable Adult Protection Coordinator within 24 hours of the suspicion arising. The report should be factual and should not include opinions or personal interpretations of the facts presented. The report should contain as much detail as possible, including any apparent physical signs of abuse or other circumstances which led to your suspicions, or the account given to you of abuse by the vulnerable adult concerned, as accurately as you are able to record it. The report should be signed, dated and a copy stored in a secure place. If you are unsure about what to write, you can get advice from the Vulnerable Adult Protection Coordinator.

If a vulnerable adult comes to you to report apparent abuse, you should listen carefully to him/her, using the following guidelines. When listening to the vulnerable adult staff must:

- allow the vulnerable adult to speak without interruption
- never trivialise or exaggerate the issue
- never make suggestions
- never coach or lead the vulnerable adult in any way
- reassure the vulnerable adult, let them know you are glad they have spoken up and that they are right to do so
- always ask enough questions to clarify your understanding, do not probe or interrogate – no matter how well you know the vulnerable adult – spare them having to repeat themselves over and over.
- be honest – let the vulnerable adult know that you cannot keep this a secret, you will need to tell someone else.
- try to remain calm – remember this is not an easy thing for them to do.
- do not show your emotions – if you show anger, disgust or disbelief, they may stop talking. This may be because they feel they are upsetting you or they may feel your negative feelings are directed towards them
- let the vulnerable adult know that you are taking the matter very seriously
- make the vulnerable adult feel secure and safe without causing them any further anxiety.

The Vulnerable Adult Protection Coordinator will be responsible for recording essential information about each case and for collecting reports and notes as appropriate.

Any detailed information about a case will be confined to the Vulnerable Adult Protection Coordinator, the Chief Executive, and (if not involved in the allegations) the parents/ guardians/ carers, but where a referral to an external agency is to be made the Chief Executive will advise the Chair of Trustees.

Staff reporting the allegations will be kept informed of the progress of the case on a 'need to know' basis.

## 5. What Happens Next

Taking into account all the information available, the Vulnerable Adult Protection Coordinator will decide on the next steps, which may include taking no further action. Where the Vulnerable Adult Protection Coordinator decides that further action is necessary, this may be to :

- Seek further advice from Social Services
- Make a referral to Social Services
- Report the incident to a designated Social Worker
- Report the matter to the police if a crime is suspected

If a referral is made, this must be confirmed in writing to the appropriate agency within 24 hours.

If a member of staff does not agree with a decision of the Wheatsheaf Trust Vulnerable Adult Protection Coordinator that no further action is necessary, the member of staff should refer these concerns in the first instance to the Chief Executive. If the Chief Executive does not recommend further action and the member of staff still has concerns, then the member of staff has the right and duty to refer the case directly to Social Services

The Vulnerable Adult Protection Coordinator may consider that those involved require counselling. Where it is felt there is a need for counselling (which could be for the vulnerable adults, other clients, staff, parents or carers involved) the Vulnerable Adult Protection Coordinator will make the necessary arrangements.

The Vulnerable Adult Protection Coordinator will keep the member(s) of staff who raised the concerns informed as the progress/ outcome of the case.

## 6. Confidentiality

Confidentiality and trust should be maintained as far as possible, but staff must act on the basis that the safety of the vulnerable adult is the overriding concern. The degree of confidentiality will be governed by the need to protect the vulnerable adult. The vulnerable adult should be informed at the earliest possible stage of the disclosure that the information will be passed on. All conversations regarding a vulnerable adult should be held in private.

Wheatsheaf Trust complies with the requirements of the Data Protection Act 1998, which allows for disclosure of personal data where this is necessary to protect the vital interests of a vulnerable adult.

**Whatever happens, you should always be open and honest with the vulnerable adult if you intend to take the case further.**

Staff must not discuss the case with anyone other than those involved in the case. If staff have any concerns about the progress of the case or have any other concerns these must be discussed with the Vulnerable Adult Protection Coordinator.

## **7. Allegations Against Staff**

The primary concern of Wheatsheaf Trust is to ensure the safety of the vulnerable adult. It is essential in all cases of suspected abuse by a member staff that action is taken quickly and professionally whatever the validity.

There are occasions where a vulnerable adult will accuse a member of staff of physically or sexually abusing them. In some cases this may be false or unfounded. However in some cases the allegations may be true.

Any instance of a vulnerable adult being abused by a member of staff is particularly serious. On the other hand for an innocent person to be accused of such an act is a serious ordeal which can result in long term damage to their health and career.

In the event that any member of staff suspects any other member of staff of abusing a client, it is their responsibility to bring these concerns to the Vulnerable Adult Protection Co-ordinator and the Chief Executive except where the suspect is either.

If the allegation concerns the Chief Executive, the matter should be discussed with the Vulnerable Adult Protection Co-ordinator who will discuss it with the Chair of Trustees, in addition to following the normal procedures for Vulnerable Adult Protection

If the allegation concerns the Vulnerable Adult Protection Co-ordinator the matter should be discussed with the Chief Executive who will discuss it with the Chair of Trustees, in addition to following the normal procedure for Vulnerable Adult Protection.

The member of staff will be advised to:

- contact their union representative if applicable
- keep records of all conversation, meetings attended, letters received and telephone calls relating to the allegation.

If a decision is made to pursue an allegation of abuse against a member of staff, this will be dealt with under Wheatsheaf Trust disciplinary procedures



## **CODE OF BEHAVIOUR ON VULNERABLE ADULT PROTECTION FOR WHEATSHEAF TRUST STAFF**

- 1**     Wheatsheaf Trust recognises that it is not practical to provide definitive instructions that would apply to all situations at all times whereby staff come into contact with vulnerable adults and to guarantee the protection of vulnerable adults and staff.
- 2**     However, below are the standards of behaviour required of staff in order to fulfil their roles and duty of care within Wheatsheaf Trust. This code should assist in the protection of both vulnerable adults and members of staff.
- 3**     These guidelines also apply to volunteers who work in an unpaid capacity on Wheatsheaf Trust projects.
- 4**     Staff must:
  - implement the Vulnerable Adult Protection Policy and Procedures at all times
- 5**     Staff must never:
  - engage in rough, physical games including horseplay with vulnerable adults/clients.
  - allow or engage in inappropriate touching of any kind.
  - do things of a personal nature for vulnerable adults that they can do for themselves
  - Physically restrain a vulnerable adult unless the restraint is to prevent physical injury of the vulnerable adult/other vulnerable adults/visitors or staff/yourself. In all circumstances physical restraint must be appropriate and reasonable, otherwise the action can be defined as assault.
  - make sexually suggestive comments to or within earshot of a vulnerable adult.
  - have vulnerable adults on their own in a vehicle.
  - take a vulnerable adult to the toilet unless another adult is present or has been made aware (this may include a parent, group leader)
  - spend time alone with a vulnerable adult on his/her own, outside of the normal advice situation. If you find you are in a situation where you are alone with a vulnerable adult, make sure that you can be clearly observed by others.
  - engage in a personal relationship with a vulnerable adult/ client, or a vulnerable adult who becomes a client, beyond that appropriate for an adviser / client relationship.
- 6**     **Implications for staff**

Staff who breach any of the above may be subject to the disciplinary procedure. If an allegation against a member of staff has occurred, then an investigation will be carried out in accordance with the procedure for dealing with such allegations. The investigating officer will be required to liaise with the Vulnerable Adult Protection Coordinator to clarify if she/he has any relevant records or any other vulnerable adult protection information in relation to the individual.

