



SECTION 7

Phab's Child & Vulnerable Adult Protection Policy & Good Practice Procedures

Definition of a Vulnerable Adult

Here are some definitions:

- Someone aged 18 years and over who may be unable to take care of or protect themselves because they have a physical or mental health problem, disability or are elderly.
Waltham Forest Adult Protection Unit
- Vulnerable adults are those who are not able to defend themselves, protect themselves, or get help for themselves when injured or emotionally abused. A person may be vulnerable because of a physical condition or illness (such as weakness in an older adult or physical disability) or a mental or emotional condition.
WebMD
- A vulnerable adult is a person aged 18 years or over who may be unable to take care of themselves, or protect themselves from harm or from being exploited. This may be because they have a mental health problem, a disability, a sensory impairment, are old and frail, or have some form of illness.
Northamptonshire County Council

Phab is committed to all aspects of good practice that protect children and vulnerable adults from harm.

Staff and volunteers in Phab and those affiliated clubs/projects/PAC's will accept and recognise their responsibilities to develop awareness of the issues, contained in the associated guidelines, that may cause harm to children or vulnerable adults.

We will endeavour to safeguard children and vulnerable adults by:

- Stating that the welfare of children/vulnerable adults is paramount.
- Adopting child protection/vulnerable adult guidelines through a code of practice for staff, volunteers and members.
- Sharing information about child protection and good practice with children/vulnerable adults, parents/guardians and volunteers.
- Sharing information about concerns with agencies that need to know, and involving parents/guardians and children/vulnerable adults where appropriate.
- Investigating and responding to all suspicions and allegations of abuse.
- Following carefully the procedures for recruitment and selection of staff and volunteers.
- Providing effective management for staff and volunteers through supervision, support and training.
- Phab child/vulnerable adult protection policies and guidelines are there to be acted upon to protect volunteers as well as children and vulnerable adults.
- Child/vulnerable adult abuse can and does occur outside the family setting. Although it is a sensitive and a difficult issue, child/vulnerable adult abuse has occurred and does occur within institutions and may occur within other settings.
- Phab is committed to reviewing its policy and good practice guidelines at regular intervals.

Definitions of Abuse

Emotional Abuse

Persistent lack of love and affection, where a child/vulnerable adult may be constantly shouted at, threatened or taunted, may make the child/vulnerable adult nervous or withdrawn. Emotional abuse may also occur if there is constant overprotection, or there is neglect, physical or sexual abuse.

Psychological/Mental Abuse

This type of abuse is similar to emotional abuse and can be in the form of threats, intimidation, harassment, stopping a child/vulnerable adult from seeing friends and family or invasion of privacy.

Neglect

Occurs when the child/vulnerable adult's basic needs such as food, warmth, and adequate clothing are not provided, as well as a failure or refusal to give love, affection and attention. It can also occur when there is inadequate supervision or the child/ vulnerable adult is left alone.

Physical Abuse

Where adults physically hurt or injure children/vulnerable adults by hitting, shaking, squeezing, burning, and biting or use excessive force when trying to restrain a child/vulnerable adult, or by giving children alcohol, inappropriate drugs etc.

Sexual Abuse

Some adults - both male and female - may seek to satisfy their own sexual needs by abusing girls, boys and vulnerable adults. This could include full sexual intercourse, masturbation, oral sex, anal intercourse and fondling. Showing children/vulnerable adults pornographic material is also a form of sexual abuse.

Financial Abuse

This includes: fraud; stealing; pressuring a child/vulnerable adult to part with money, benefits, possessions or property. Abuse may involve/occur in one or more of the above.

Consequences of Abuse

Abuse in all forms can affect a person at any age. The effects are so damaging that, if not tackled, they can affect an individual for the rest of their life. For example, an adult who has been abused as a child may find it difficult or impossible to maintain a stable trusting relationship, become involved with drugs or prostitution, attempt suicide or even go on to be an abuser themselves.

The effects on disabled children/vulnerable adults may have an increased impact on their lives, as these groups already suffer from many additional disadvantages.

There have been a number of studies which have shown that disabled children are at an increased risk of abuse through various factors, such as stereotyping, prejudice, discrimination, isolation and an inability to protect themselves or they may have difficulty communicating the fact that abuse has occurred.

Children from ethnic minorities, who may experience racial discrimination, could be doubly at risk.

Evidence of Abuse

Evidence that a child/vulnerable adult may be being abused could include:

- Unexplained or suspicious injuries such as bruising, cuts or burns, particularly if sustained on part of a body not normally prone to such injuries.
- A situation in which the explanation for an injury seems inconsistent or unlikely.
- The child/vulnerable adult describes what appears to be an abusive act involving him/her.
- Unexplained changes in behaviour e.g. becoming withdrawn or displaying sudden outbursts of temper.
- Inappropriate sexual awareness.
- Engaging in sexually explicit behaviour.
- Distrust of adults, particularly those with whom a close relationship would normally be expected.
- Difficulty in making friends.

- Not socialising with their peers.
- Displaying variations in eating patterns including overeating or loss of appetite.
- Loss of weight for no apparent reason.
- Becoming increasingly dirty or unkempt.

It should be noted that this list is not exhaustive and the presence of one or more indicators is not proof that abuse is taking place.

Listening to the Child/Vulnerable Adult

If a child/vulnerable adult says or indicates that he/she is being abused or has been abused, the person receiving this information should:

- React calmly so as not to frighten the child/vulnerable adult.
- Tell the child/vulnerable adult she/he is not to blame and that it is right to tell.
- Take what the child/vulnerable adult says seriously, recognising the difficulties inherent in interpreting what a child/vulnerable adult who has an impairment is implying.
- Keep questions to a minimum to ensure a clear and accurate understanding of what has been said. Give time to listen to the child/vulnerable adult without prompting. Ask open questions, see the Volunteer Guidelines for examples of different types of questions.
- Reassure the child/vulnerable adult, but do not make promises of confidentiality that may not be feasible in the light of subsequent developments.
- Make a full record of what has been said, heard and/or seen as soon as possible.

It may occur that a child/vulnerable adult wishes to have a third party friend or parent/guardian/carer present before they will offer any information. This is perfectly acceptable and should be encouraged. However, great care must be taken not to let the other person speak for the child/vulnerable adult especially where that person is the child's/vulnerable adult's parent/guardian or carer.

Responding to Suspicions or Allegations

Before commencing any action we recommend that you:

- Inform a child protection officer at Social Services or the NSPCC.
- Inform Phab England. If no one is immediately available, do not delay taking further action.
- Agree that any third party (guardian/parents or carer) will tell no one else what has been said.
- Agree that any third party can act only as a supporter.

It is not the responsibility of anyone working within the Phab network in a voluntary or paid capacity, or others working within Phab clubs and projects to decide whether or not child/vulnerable adult abuse is taking place. However, there is a responsibility to protect children in order that the appropriate agencies can make inquiries and take any necessary action to protect the child/vulnerable adult.

The Social Services Department/NSPCC has a statutory duty under The Children's Act 1989 to ensure the welfare of a child/vulnerable adult. When a child protection referral is made its staff has a legal duty to investigate. This may involve talking to the child/ vulnerable adult and family/guardian or carer and gathering information from other people who know the child/vulnerable adult. Enquiries may be carried out jointly with the police.

What do you do if you have concerns?

There is usually a commitment with parents and carers where there are concerns about a child/vulnerable adult. Therefore in most situations, it would be important to talk to parents/guardians or carers to help clarify any initial concerns. For example, if a child/vulnerable adult seems withdrawn he/she may have experienced bereavement in a family.

However, there are circumstances in which a child/vulnerable adult may be placed at a greater risk if such concerns were shared (e.g. where a parent/guardian or carer may be responsible for the abuse or not able to respond to the situation appropriately). In these circumstances, or where concerns still exist, any suspicion, allegation or incident of abuse must be reported either to Social Services/NSPCC or Phab England staff, who will in turn contact Social Services.

If you contact Social Services/NSPCC you are also required to inform Phab England, Summit House, Wandle Road, Croydon CR0 1DF, Tel: 020 8667 9443, Fax: 020 8681 1399.

It is the responsibility of Phab England Staff to ensure that the Social Services Department has been informed. If Phab England staff are unavailable, the person discovering or being informed of the abuse should immediately contact their local Social Services Department/NSPCC. The number is in your telephone directory (in the first instance, it would be best to contact Social Services).

The Social Services Department, together with the Phab staff where appropriate, will decide how and when parents/guardians or carers will be informed.

If you are in any doubt, please contact Phab England.

Records and information

Information passed on to Social Services or the Police, must be as helpful as possible, hence the necessity of making detailed records. Information should include the following:

1. The nature of the allegation.
2. A description of any visible bruising or other injuries.
3. The child/vulnerable adult's account, if given, of what happened and how any bruising or other injuries occurred.

Reporting the matter to the police or Social Services Department/NSPCC should not be delayed by attempts to obtain more information.

Wherever possible, referrals telephoned to the Child Protection Unit/NSPCC should be confirmed in writing within 24 hours. A record should be made of the name and designation of the Social Service/NSPCC member of staff or police officer to whom the concerns were passed, together with the time and date of any call, in case any follow up is needed.

Please also complete the Record of Alleged Abuse Form at the end of this section, PRIOR to contacting Social Services or the Police.

If you are unsure of what action to take, use the flow chart on the next page.

Complaints against Staff/Volunteers

This includes anyone working with children/vulnerable adults in a paid or voluntary capacity in Phab clubs or another Phab Club/Project member.

The Phab leader or another responsible person (if the complaint is against the leader) may be informed of situations where they are unsure about whether the allegation constitutes abuse or not, and are therefore not sure what action to take.

There may be circumstances where allegations are about poor practice rather than abuse, but those volunteers who have been informed of the allegation of poor practice should consult Phab staff and gain advice from Social Services. This is because it may be just one of a series of other instances which together cause concern.

It is acknowledged that feelings generated by the discovery that a member of staff or volunteer is, or may be, abusing a child/vulnerable adult, will raise concerns among other staff or volunteers. This includes the difficulties inherent in reporting such matters. However, it is important that where there is concern for the welfare of a child/vulnerable adult due to reported abuse or harassment action should be immediate.

Phab assures all staff/volunteers that it will fully support and protect anyone who, in good faith, reports his or her concern that a colleague is, or may be, abusing a child/vulnerable adult.

Where there is a complaint of abuse against a volunteer/member of staff, there may be 3 types of investigation:

1. A disciplinary or misconduct investigation
2. A child/vulnerable adult protection investigation
3. A criminal investigation

The result of the police and Social Services investigation may well influence the disciplinary investigation, but not necessarily.

Referring Allegations

If, following consideration, the allegation is clearly about poor practice the Phab leader/club committee should deal with it as a misconduct issue as opposed to child abuse. An example is where a leader has requested a volunteer to assist moving a member of the club/project without appropriate training.

If the allegation is about poor practice by the person in charge, or if the matter has been handled inadequately and concerns remain, it should be referred to Phab England staff who will decide how to deal with the allegation.

Any allegation/suspicion that a child/vulnerable adult has been abused, either by a member of staff or a volunteer, should be reported to the Phab leader or a responsible volunteer/staff member. He/she will take such steps as considered necessary to ensure the safety of the child/vulnerable adult in question and any other child/vulnerable adult who may be at risk. They will follow the procedures as set out in the guidelines. All enquiries should be made in confidence.

The club leader/responsible person will refer the allegation to the Social Services Department/NSPCC who may involve the police.

The parents/guardians of the child/vulnerable adult will be contacted as soon as possible following advice from the Social Services Department.

The club leader should also notify Phab England staff, who will offer support.

Good Practice

All children/vulnerable adults have a right to be safe and be treated with dignity and respect. False allegations of abuse are rare but the following basic guidelines will help safeguard children/vulnerable adults, staff, volunteers and Phab.

Recruitment and Selection of Staff/Volunteers

Anyone may have the potential to abuse children/vulnerable adults in some way; it is therefore important that all reasonable steps are taken to ensure unsuitable people are prevented from working with children/vulnerable adults. It is essential the same procedures be used consistently whether for staff or volunteers (see Phab's Volunteers Guidelines).

Phab Standards

All existing and new Phab clubs/projects are required by law to have all staff and volunteers checked through the Criminal Records Bureau (CRB). CRB checking is not optional. Further information is at the end of this section.

All Phab clubs/projects must submit a list of all volunteers and a list of children in their care to Phab England. If new volunteers or children join, Phab England must be informed.

All Phab clubs/projects undertaking holidays, including overnight trips with children and/or vulnerable adults, must inform staff and volunteers of Phab's Child and Vulnerable Adult Protection Policy.

If Phab becomes aware or is informed of information from a reputable source (e.g. Police, NSPCC, Social Services etc.) that an individual is not suitable to attend a Phab club, Phab has the right to stop the individual from attending any further Phab clubs/projects or associated events.

Phab leaders/management committees must inform parents and volunteers of Phab's child/vulnerable adult protection policy/procedures.

Phab staff will be able to provide advice on child/vulnerable adult protection to clubs/projects. Phab England staff will undertake inspections of Phab clubs/projects to check compliance and understanding.

Phab's complaints procedure is in The Background Work section and should be made available to Phab volunteers, staff and members.

The Phab club leader/management committee must report all incidents to Phab's insurers, where the club/project is covered by the Phab insurance policy.

Please note that these standards may change in light of Government legislation (if clubs/projects have their own child/vulnerable adult protection policy, they must accept and adopt these standards).

Good Practice in the Care of Children/Vulnerable Adults

Promoting good practice can reduce the possibility of potentially abusive situations and help to protect staff/volunteers. The following are more specific examples of care which should be taken when working within Phab:

- Always be publicly open when working with children/vulnerable adults. Avoid situations where a volunteer and an individual child/vulnerable adult are working completely unobserved. E.g. if assistance is required when toileting, 2 helpers should be present.
- If any form of physical manual support is required two members of staff should always be present. Care is needed, as it is difficult to maintain hand positions when a child/vulnerable adult is constantly moving. Some parents/guardians are becoming increasingly sensitive about physical manual support and their views should always be carefully considered.
- Where a mixed group of boys & girls are on holiday or participating in a trip, male & female volunteers/members of staff should accompany them.

As a general rule it makes sense for staff/volunteers not to:

- Spend excessive amounts of time alone with children/vulnerable adults.
- Take children/vulnerable adults alone on car journeys, however short. Sometimes it is required, but you will need parental consent for young people under the age of 18.
- Take children/vulnerable adults to their home where they will be alone.
- If the case arises where situations are unavoidable they should only occur with the full knowledge and consent of the Phab club/project leader or the child's parents/guardians. You should never:
 - Engage in rough, physical, sexually provocative games or horseplay.
 - Share a room with a child alone.
 - Allow or engage in any form of inappropriate touching.
 - Use or allow the use of inappropriate language.
 - Make sexually suggestive comments to a child/vulnerable adult, even in fun.

- Allow allegations made by a child/vulnerable adult to go unchallenged, unrecorded or not acted upon.
- Do things of a personal nature for children/vulnerable adults they can do for themselves.
It may sometimes be necessary for staff or volunteers to do things of a personal nature for children/vulnerable adults, particularly if they are young or have impairments. These tasks should only be carried out with the full consent of parents and the children/ vulnerable adult's involved. There is a need to be responsive to the child's/vulnerable adult's reactions - if an individual is fully dependent upon you, talk with him/her about what you are doing, give choices where possible. This is particularly so if you are involved in assisting with any dressing or undressing, or where there is physical contact or lifting or assisting a child to carry out a particular activity.

Parents/guardians or carers should be informed of any incident that involves a child/vulnerable adult:

- Being accidentally hurt
- Who seems distressed in any manner
- Who appears to be sexually aroused by your actions or misunderstands or misinterprets something you have done.

Any such incident should also be reported to another colleague as soon as possible and a brief written note made of it.

You may also find the following guidelines useful.

Safe from Harm – The Home Office Code of Practice

Safe from Harm was prepared to provide voluntary organisations with guidelines for safeguarding the welfare of children and young people in their care.

It applies to all workers in voluntary organisations and encourages the development of good policies and good practice to prevent the physical, emotional and sexual abuse of children and young people whilst they are in their care.

At the same time it protects those who work with children and young people from unfounded accusations or from behaving in ways which may be well intentioned but inadvisable.

The 13 Home Office Guidelines

1. Adopt a policy statement on safeguarding the welfare of children – as per this section.
2. Plan the work of the organisation so as to minimise situation where the abuse of children/vulnerable adults may occur.
3. Introduce a system whereby children may talk with an independent person.
4. Apply agreed procedures for children/vulnerable adults to all paid staff and volunteers.
5. Give all paid staff and volunteers clear roles.
6. Use supervision as a means to protecting children/vulnerable adults.
7. Treat all would-be paid staff and volunteers as job applicants for any position involving contact with children/vulnerable adults.
8. Gain at least one reference from a person who has experience of the applicant's paid work or volunteering with children/vulnerable adults.
9. Explore the applicant's experience of working or contact with children/vulnerable adults in an interview before appointment.
10. Find out whether an applicant has any conviction for criminal offences against children/vulnerable adults (Criminal Records Bureau checks can be done through Phab).
11. Make paid and volunteer appointments conditional on the successful completion of a probationary period.
12. Issue guidelines on how to deal with disclosure or discovery of abuse.
13. Train paid staff and volunteers, their line managers or supervisors and policy makers, in the prevention of child/vulnerable adult abuse – as per this section.

Criminal Records Bureau (CRB)

What is the CRB?

The Criminal Records Bureau (CRB), an Executive Agency of the Home Office, provides wide access to criminal record information through its Disclosure Service. This service enables organisations in the public, private and voluntary sectors to make safer recruitment decisions by identifying candidates who may be unsuitable for certain work, especially that involving children or vulnerable adults. The CRB was established under Part V of the Police Act 1997 and was launched in March 2002.

Prior to 2002, access to police checks was mainly confined to organisations in the statutory sector for staff who had 'substantial unsupervised access' to children. There were many other organisations that could not access these checks and yet had staff with similar access to vulnerable groups. The CRB enables many more organisations to access these checks as a part of good recruitment practice.

Organisations wishing to use the service can ask successful job applicants to apply for one of two types of check. The type of check required will depend on the nature of the position. These are called Enhanced and Standard Disclosures, both require a fee but are free of charge to volunteers.

The CRB Service at a Glance

The CRB acts as a 'one-stop-shop' for organisations, checking police records and, in relevant cases, information held by the Department of Health and the Department for Education and Skills.

The two CRB checks are available in cases where an employer is entitled to ask exempted questions under the Exceptions Order to the Rehabilitation of Offenders Act 1974. Standard Disclosures show current and spent convictions, cautions, reprimands and warnings held on the Police National Computer. If the post involves working with children or vulnerable adults, the following may also be searched:

- Protection of Children Act List.
- Protection of Vulnerable Adults List.
- Information that is held under Section 142 of the Education Act 2002 (formerly known as List 99).

Enhanced Disclosure

This is the highest level of check available to anyone involved in regularly caring for, training, supervising or being in sole charge of children or vulnerable adults. Enhanced Disclosures contain the same information as the Standard Disclosure but with the addition of any relevant and proportionate information held by local police forces. All Phab volunteers are checked at this level. A copy of the Standard or Enhanced Disclosure will be sent out to the applicant as well as the Registered Body. Any questions or requests for CRB forms should be directed to Matthew Joyce at Phab.



RECORD OF ALLEGED ABUSE FORM

Reporting Officer's Details

Name.....

Address.....

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Tel No..... Role.....

Details of person for whom there is suspicion of abuse

Name.....

Address.....

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Tel No..... Date of Birth.....

Parent/Guardian (if appropriate)

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GP's Details

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School (if appropriate)

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Specific Requirements

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Language/Communication Issues

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Details of incident being reported – include any physical and/or behavioural signs. Include information on what has prompted concerns such as dates, times, details of specific incidents.

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(continue on a separate sheet if necessary)

Social Services Contact Details

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Police Contact Details

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Date and Time of Report

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Note : The Child Protection Flowchart will be available as a separate document