

Scottish Episcopal Church

Office for the Protection of Children and
Vulnerable Adults



Protecting Vulnerable Adults

SECOND EDITION
JULY 2013

POLICY STATEMENT

The Scottish Episcopal Church recognises the special status of all vulnerable people, particularly those who, because they are affected by disability, mental disorder, illness, infirmity or ageing, are unable to protect themselves from abuse, or more vulnerable to being abused than persons who are not so affected. Because of their vulnerability, such people will be awarded special protection. They are to be respected as persons in their own right, created and loved by God. We, therefore commit ourselves to take all steps within our power to keep vulnerable people safe from harm and from an abuse of trust.

CODE OF GOOD PRACTICE

- 1) Adopt the Policy Statement and Code of Good Practice of the SEC regarding the welfare and protection of vulnerable people. Vestries appoint a coordinator for the Protection of Vulnerable Adults.
- 2) Plan the care of the vulnerable so as to minimise situations where an abuse of trust or a lack of standards may occur and cause distress or harm. Ensure that all people working with vulnerable adults have had appropriate training.
- 3) Introduce a system whereby the vulnerable, or their relatives or carers, may speak to an independent person.
- 4) Use supervision of staff and volunteers as a means of protecting the vulnerable from distress and harm. Have a probationary period for new workers.
- 5) RECRUITMENT: Treat all applicants for any position involving regular work with the vulnerable in the same way. Have a job description, use an application form and obtain references.
- 6) PRE-APPOINTMENT: Find out whether an applicant has any conviction for criminal offences which could reflect on their suitability for the post. Complete PVG Scheme Membership applications for all new workers undertaking regulated work.
- 7) Issue guidelines on how to deal with and report the allegation, suspicion or discovery of harm or abuse of vulnerable people.

GUIDELINES

- 1) **Adopt the Policy Statement of the SEC regarding the welfare and protection of vulnerable people. Appoint a co-ordinator for the Protection of Vulnerable Adults**

The Co-ordinator for the Protection of Vulnerable Adults will be supported by the Vestry, who will write to the Bishop enclosing a reference supplied by the Co-ordinator, and the Bishop will ratify the appointment.

- 2) **Plan the care of the vulnerable so as to minimise situations where an abuse of trust or a lack of standards may occur.**

Disclosure Scotland defines a protected adult as an individual aged 16 or over who is provided with a type of welfare service which includes any service which provides support, assistance, advice or counselling to individuals with particular needs. The service must be a service that:

- (a.) is provided in the course of work to one or more persons aged 16 or over,
- (b.) is delivered on behalf of an organisation (the SEC),
- (c.) requires training to be undertaken by the person delivering the service, and
- (d.) has a frequency and formality attached to the service

The SEC recognises that adults may be vulnerable through a variety of circumstances and the Church's definition of a vulnerable adult is more widely defined to be:

Adults who, because they are affected by mental or physical illness, disability or disorder or are aging and are unable to protect themselves from abuse, or are more vulnerable to being harmed, abused or exploited than persons who are not so affected.

The definition of abuse is:

Abuse includes any conduct which harms or exploits an individual, and in particular includes –

- a) physical or sexual abuse***
- b) emotional or psychological abuse***
- c) theft, fraud, embezzlement and extortion***
- d) neglect***
- e) institutional abuse or discrimination***
- f) any other conduct which causes fear, alarm or distress or which dishonestly appropriates property***

Vulnerable Adults or Adults at Risk have the right to:

- Be treated with respect and dignity
- Privacy
- Be able to choose how they lead their lives
- The protection of the law
- Have their rights upheld regardless of their ethnic origin, gender, sexuality, impairment or disability, age, religious or cultural background
- Being spoken to in their chosen language or other means of communication

Good Practice:

- Treat people with respect, referring to them by name. Act respectfully such as knocking before entering their room/house, ask permission to join them and respect their privacy and possessions. Identity cards or letters of authority should be used when visiting and business cards can be left with staff or in a prominent place in a person's home so that a Church contact can be found when necessary. Respect differences, likes and dislikes. Respect dignity and feelings; ask about personal preferences, forms of address and how much help might be required. Confidentiality is important – only share information on a 'need to know' basis.

- There may be circumstances where a person representing the church has Guardianship or Power of Attorney for a vulnerable adult. This should be carefully monitored by Clergy or another person.
- Make the whole Church premises and environment accessible and welcoming, not simply for those people who use wheel chairs, or have difficulty walking, but also for those people who cannot hear or see everything, and for those who cannot ask for or read anything.
- Think about appropriate forms of worship and provide them
- Ensure clear sight lines for anything being presented, and consider the use of hearing loops in halls and meeting rooms.
- Take care over language used – be positive, eg a person *has* a physical, mental or learning disability, they *are not* the disability. Use appropriate language and provide for those who do not have spoken language. Include all in conversation or question and answer sessions.
- Remember the needs of carers.
- Be aware that harm and abuse does happen. Create an informed listening, watching and caring culture with this in mind.
- Ensure that all workers with vulnerable adults have had appropriate training.

3) Introduce a system whereby the vulnerable, their relatives or carers may speak to an independent person.

Display posters of appropriate help lines such as Age UK, Victim Support, Cruse, Shelter, Enable Scotland and Debtline. The Vestry may also choose to appoint an independent person who will listen to problems and identify appropriate help and support.

4) Use supervision of staff and volunteers as a means of creating a protective environment for vulnerable people. Have a probationary period for new workers

Where there is, for example, a team of pastoral visitors, new members should receive training and there should be regular meetings where issues are discussed with the member of Clergy or

the person leading the team. This should be supportive and would be about the health, emotional state, extent of care being given and required and any other relevant concerns about the welfare of people who are being visited. The good practice listed in Section 1 of this Booklet should be constantly kept in mind.

If a group of vulnerable adults meets regularly as a Church group, those who plan and deliver the activities should monitor the behaviour of volunteers and be prepared to discuss issues with them. It is best to have initial training and then arrange regular 'get-togethers' for all those involved in this area of Church activity. This will give support and opportunity for airing ideas and views and flag up the importance of the immediate reporting of any concerns about harm to a vulnerable person.

This system of supervision should be used more regularly - one leader to one new worker - during a 3 month probationary period for those starting out in the role. For the first 2 sessions there should be time set aside at the end for discussion of problems, behaviour, etc. There should be similar time set aside after this on a monthly basis until three months is up. If there are problems which cause concern regarding a new worker, these must be discussed, and, if necessary, the person should be told that they should not continue in the task. The Provincial Officer **MUST** be approached for advice and support in such cases, as a referral to the Disclosure Scotland might be necessary.

- 5) RECRUITMENT: Treat all applicants for any position, both paid and voluntary, involving regular work with the vulnerable in the same way. Use the Application Form and obtain a Reference and complete the Job Description Form.**

It is unwise and naive to assume that a volunteer, or worker, or someone in licensed ministry will never abuse trust.

Remember that equal opportunities legislation exists and prohibits discrimination against candidates on the grounds of race, gender, disability, religion and belief, sexual orientation or age.

For volunteers doing regulated work with vulnerable adults the PVG Scheme Membership application form should be used and the optimum time to complete and sign it would be during an informal interview. This would provide an opportunity to discuss previous experience and explain the SEC Policy on the Protection of Vulnerable Adults. Paid workers undertaking regulated work would have a more formal interview with more than one person present and membership of the PVG Scheme would be a requirement for taking up the position.

Everyone doing regulated work with vulnerable adults should receive a copy of this Booklet and undertake appropriate training.

The PVG Co-ordinator is responsible for keeping a copy of the Job Description form and the Application Form.

Before a volunteer or paid worker is accepted, a reference should be sought in writing – a sample letter for this purpose is available on the SEC Website. It should be made clear that the person is to work with vulnerable adults and that it is opinion on their suitability for this role which is required. If replies seem vague or unclear, they should be followed up as a matter of priority. If there is serious doubt about a candidate's suitability the Provincial Officer should be consulted. Confidentiality is important.

Everyone should be clear as to what is expected of them and good practice is to prepare a job description, even for a voluntary role, – the form is in the Pack. Job descriptions should be completed by all existing staff and volunteers as well as those taking up roles with vulnerable adults for the first time. All workers should be informed that the Church has a legal obligation to refer workers to Disclosure Scotland in circumstances where workers are suspected of harming the vulnerable and breaching SEC Policy in this respect.

The Vestry is responsible for arranging for a copy of this booklet to be given to each paid worker and volunteer.

It is difficult to turn down a volunteer, but it is better to do this than to recruit someone unsuitable for the task. There may be other areas of responsibility in the church which would be more suitable.

6) RECRUITMENT: Find out whether an applicant has any convictions for criminal offences which could reflect on their suitability for the post. Complete PVG Scheme Membership applications for all new workers.

It is an offence to knowingly employ someone to work, whether in a paid or voluntary role, with vulnerable adults who is on the 'Disqualified from Working with Adults List', which is managed by Disclosure Scotland. Access to this List is by applying for a PVG Scheme Membership.

If someone comes from outside the UK or the UK Armed Forces, they should be asked to bring the original copy of their criminal records check with them, or if this is not possible, alternative arrangements should be sought through the Provincial Officer.

In the Pack there is advice about completion of PVG Scheme Membership applications and the Caring for the Vulnerable Declaration which every applicant must complete before appointment. These documents should be sent to the Office for the Protection of Children and Vulnerable Adults at the General Synod Office.

7) Guidelines on how to deal with the allegation, suspicion or discovery of the abuse of vulnerable people.

Whilst many people have heard of child abuse, the abuse of vulnerable adults receives much less attention. However, the abuse of vulnerable adults does take place and is more common than most people are aware.

Types and forms of abuse

Abuse can, and does, take many forms. Some vulnerable adults are subjected to more than one type of abuse, others to one. Some are victims of single incidents and others experience 'serial abuse'. The following descriptions are the most common.

PHYSICAL ABUSE – the deliberate infliction of pain, physical harm or injury, for example:

- Hitting, slapping, punching, pushing, kicking, hair pulling
- Misuse or withholding medication
- Misuse of restraint
- Use of inappropriate sanctions

Indicators include:

- Bruising
- A history of unexplained falls and/or minor injuries
- Fractures not consistent with falls or explanations of the injury
- Finger marks
- Burns not consistent with possible explanations
- Excessive consumption of alcohol, which is unusual for the person

There can be rare circumstances where some restraint is necessary to ensure the safety of the vulnerable adult. A relative being cared for at home might be locked in while the carer goes out for a short time, to prevent the relative from wandering, for instance.

SEXUAL ABUSE – any act with a sexual content to which a vulnerable adult has not given consent, or could not consent to, or was pressurised into consenting to and may include:

- rape or sexual assault
- sexual intercourse
- fondling or inappropriate touching

- sexual innuendoes
- offensive or suggestive language
- sexual activity or viewing sexually explicit materials

Indicators include:

- unexplained behaviour change – becoming aggressive, withdrawn, moody
- unwillingness to be with a particular person
- difficulties in walking
- indicators that will only be apparent to medical, nursing or someone entrusted with personal care

PSYCHOLOGICAL AND EMOTIONAL ABUSE – any pattern of behaviour by another person that results in the psychological harm to a vulnerable adult and may include:

- threats of harm or abandonment
- insults, ridicule, verbal abuse
- bullying, intimidation and harassment
- enforced isolation or deprivation of contact
- lack of privacy or choice and denial of dignity
- humiliation, blaming, controlling or coercion
- withdrawal from services or supportive networks

Indicators include:

- strain within the relationship
- indications that the abuser acts differently with another person present from when alone with the vulnerable adult
- an air of silence when the alleged abuser is present
- a general lack of consideration for the needs of the vulnerable adult
- refusal to allow the vulnerable adult an opinion of their own
- denial of privacy in relation to care, feelings or other aspects of life

- denial of access to services or support especially where the vulnerable adult is in need of assistance which they will consequently not receive
- denial of freedom of movement, for example locking the person in a room or tying them to a chair
- alterations in the psychological state, possibly withdrawal or fear

FINANCIAL OR MATERIAL ABUSE – the misappropriation of the funds, theft or misuse of property of a vulnerable adult and may include:

- misuse of finances
- theft or fraudulent use of money
- theft of property
- embezzlement
- pressure in connection with wills or property or inheritance or financial transactions
- misuse or misappropriation of property, possessions or benefits

Indicators include:

- situations where, despite having a personal income/pension, the adult is without money soon after its receipt, particularly where that person is not able to spend money without assistance
- unexplained shortage of money despite a seemingly adequate income
- unexplained withdrawals from savings accounts
- unexplained disappearance of financial documents, for example building society books and bank statements and pension book.

We need to be aware that a symptom of a person's increasing confusion or dementia may be an allegation of misuse of property or misuse of finances and may not be financial abuse. Such allegations should not be dismissed, but should be investigated having regard to the possibility that it may not be true.

NEGLECT AND ACTS OF OMISSION – MAY BE DELIBERATE OR BY DEFAULT. THE ABUSER MAY NOT BE ABLE TO PROVIDE THE CARE NEEDED

AND MAY NOT RECOGNISE THE NEED FOR THAT CARE TO BE GIVEN. The carer may also be neglecting her/himself.

Indicators include:

- persistent hunger and loss of weight
- poor hygiene and inappropriate dress
- consistent lack of supervision for long periods, especially during activities which hold danger for the individual
- denial of religious or cultural needs
- constant fatigue or listlessness
- physical problems and medical needs that are not addressed
- failure to provide access to appropriate health, social care or educational services
- withholding the necessities of life, such as medication, adequate nutrition and heating

DISCRIMINATORY ABUSE – can occur in many ways and frequently will include a combination of forms of abuse. What differentiates it from the other categories is that the abuse is motivated by prejudice and discrimination against the individual because he or she is perceived to belong to a specific group or groups. These may be:

- age
- gender
- sexual orientation
- race
- religion
- cultural background
- disability

Abuse may include:

- bullying
- humiliation
- harassment
- slurs or similar treatment

INSTITUTIONAL ABUSE/ABUSIVE REGIMES – Institutions may develop practices that may intentionally or unintentionally cause the abuse of service users/residents/patients. It is abuse that can become commonplace in a service or institutional setting and which restricts the freedom of service users, harms them or denies them human rights. This includes:

- under provision or under funding of care
- poor management of cleanliness and issues such as incontinence and personal hygiene
- ignoring people's beliefs
- expecting them to conform to the majority
- disregarding special diets
- providing a minimum 'standard' service and disregarding the individual needs of a person
- running the service for the benefit of the staff rather than the service users.

In residential and nursing homes and hospitals indicators may include:

- lack of flexibility and choice for residents in waking/bed times
- lack of opportunity to obtain drinks and snacks
- lack of choice of meals
- lack of appropriate bedding
- lack of appropriate heating
- lack of personal possessions
- lack of procedures in financial management, medical requirements and other matters pertaining to the person's care
- lack of privacy in personal care, such as toileting, bathing, dressing, editing mail, restricting visits

- derogatory remarks
- public discussion of matters private to residents
- restraint of residents which cannot be justified
- lack of action to deal with abuse
- odours arising from poor management of incontinence
- unwillingness to consider the requests of relatives or nominated representatives or advocates in regard to the person's needs

In supported and sheltered housing indicators may include:

- staff using master keys without due cause
- staff entering flats/rooms without permission or not waiting for reply after knocking
- breaches of residents' confidentiality
- restrictive practices in the use of communal facilities

More than one of these types of abuse may occur, although only one may present itself initially.

SPIRITUAL ABUSE – forcing people to accept religious ideas or values including the misuse of authority or leadership, leading to discipline, oppressive teaching, obtrusive healing or deliverance ministries, and extreme pastoral interference in personal matters which may reduce individual choice and responsibility. Adults who are vulnerable may be more susceptible to suggestion. We need to take care when interpreting their wishes on spiritual matters.

CIRCUMSTANCES, SETTINGS AND ENVIRONMENTS WHERE ABUSE MIGHT OCCUR:

Where:

- The person's own home
- Another person's home
- A residential care home or nursing home or other institutional setting
- A day centre, community centre or other non-residential group setting, such as groups meeting on Church premises
- On any form of transport

- Whilst on holiday
- Supported housing schemes
- Whilst out and about in the street, in a public area or when in a social, church or work environment

WHO MIGHT ABUSE? Abusers may be individuals, groups or organisations.

Individual Abusers:

Potentially anyone could be an abuser of an adult. Abuse will sometimes be deliberate but it may also be unintended or a consequence of ignorance, lack of awareness or it may arise from frustration or lack of support. The following is a check-list of some of the possible people who may abuse:

- Medical, care or nursing staff in care homes, nursing homes, hospitals, general practice, day centres, supported housing services or people from domiciliary support services
- Health care workers in a health care setting, in the person's home or a care setting
- Social workers
- Relatives of the vulnerable person including husband, wife, partner, son, daughter, etc. This will sometimes include a relative who is the main carer.
- Church members, whether voluntary – undertaking tasks on behalf of the church with a vulnerable person, or professional – a member of clergy or other paid church worker
- Visitors to a vulnerable person
- Neighbours
- Lawyers
- People who are themselves vulnerable or are users of a care service
- Complete strangers who seek out vulnerable people for the purposes of abusing them
- Confidence tricksters and salespeople who prey on vulnerable people in their own homes.

Abuse by groups and organisations

Abuse can and does occur because of the failure of groups or organisations providing support or services to vulnerable adults. This may be a direct failure to provide an appropriate service or an indirect failure because it has failed to train, support, supervise or monitor those providing the service on their behalf.

Other circumstances where abuse might occur: - relationships where there is:

- Domestic violence
- Situations of fear where the vulnerable person may be afraid of the perpetrator of the abuse or may be afraid of the threat of other acts from the perpetrator
- Where there is use or abuse of alcohol, drugs or other substances
- Counselling the bereaved/distressed

Relatives who are main carers will often experience stress, distress, frustration and lack of respite from the caring role. This may lead to the unintended abuse of the person for whom they are providing care. Relatives who are main carers may be subject to abuse by the person for whom they are providing care. This abuse is often endured for long periods, is unreported and unnoticed.

ACTION TO TAKE

If you are a Church worker who becomes aware of an adult who is being, or has been abused, or you suspect is being or has been abused, the following action should be taken:

- **If the adult is in immediate danger *or* has sustained a serious injury, contact the emergency services, police or ambulance, by dialling 999.** Anything that may be required by the police or forensic team, such as physical evidence, clothing, blood, body tissue or other body fluid should not be disturbed.
- Safeguard the person, if this is necessary. This may simply be making them comfortable or ensuring that a reliable person stays with the

abused person until the emergency services arrive. The adult may be distressed, in which case someone will be required to remain with her/him while with the emergency services.

- If the vulnerable person discloses the abuse directly to you, listen carefully to what is said. Be sensitive to the fact that the person may be from a different cultural, religious or language background or gender from yourself.
- **Make a note** of the words which are used, recording the details as fully as possible, including the time, date and location that the disclosure was made and the time, date and location and nature of the alleged abuse. Do this as soon as possible after the disclosure is made. Use the form in the pack.
- Only seek clarification about the details of what has occurred. Do not prompt the person or ask leading questions. Remember that you are only receiving information that the person feels it necessary to tell you. **You are not the investigating officer.**

If the danger to the vulnerable person is not immediate, contact the following *within an hour* of becoming aware of the abuse and make sure that you carry the necessary contact details or have them readily available to you. Remember to write down a record of the incident/s.

- **The Provincial Officer for the Protection of Children and Vulnerable Adults**
- **The Coordinator for Vulnerable Adults in your Church**
- **Your member of Clergy, unless she/he is suspected of being the perpetrator**
- **The Social Services Vulnerable Adults Officer/Team**
- **The Care Inspectorate (if the concern is about someone who is living in residential care or a nursing home)**
- **In most circumstances the primary carer should be informed unless this person is suspected of being the perpetrator**

If a Church worker or member of clergy is suspected or alleged to have abused a vulnerable adult you should contact the Provincial Officer immediately.

You may have reason to feel that an allegation is unfounded or exaggerated. However, it remains your responsibility to report the allegation or suspicion as outlined above. You should record your misgivings.

Principles:

- Any information gained about a vulnerable adult should be handled with sensitivity and should not be disclosed to others except on a 'need to know' basis. It will be necessary to provide relevant information to the person to whom you are responsible for your work and in particular to give details of any concerns about an adult, especially if you think the person may be a victim of abuse. The person who discloses the alleged abuse should be made aware of this.
- The wishes of the person who may be experiencing abuse must be respected, unless there is a responsibility to override them. ***An individual's wishes cannot undermine the Church's legal duty to act.*** This would need to be explained.
- Where a person does not have the mental capacity to decide how to protect her/him from abuse an independent advocate should be sought to represent their interests during protection procedures.
- Any intervention in a person's life, including that for immediate protection and its outcome, should, where possible, match the wishes of the vulnerable person as closely as possible.
- In achieving protection, the life of the person experiencing abuse should be left as unchanged as possible, unless they request otherwise.
- Information shared between organisations for the purposes of protecting an adult at risk will be done according to an information sharing protocol.

People are often afraid of reporting/complaining for fear of reprisals, or because they have simply run out of emotional energy to do so. The same applies to carers revealing that they are suffering, because it reflects badly on their loved one. Sometimes you have to be cruel to be kind. It doesn't help to collude with some behaviour, even when those concerned are vulnerable. You might actually increase their vulnerability by letting a situation continue.

IMPORTANT CONTACT INFORMATION

PVG Co-ordinator:

Provincial Officer:

Diocesan Protection Officer:

Social Work Vulnerable Adults Officer:

Local Police Phone number (non emergency):

Care Inspectorate:

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