

Manchester's Multi-agency Policy for the Protection of Vulnerable Adults from Abuse

no secrets



Manchester Multi-agency
management

FOREWORD

MANCHESTER'S MULTI-AGENCY POLICY FOR THE PROTECTION OF VULNERABLE ADULTS FROM ABUSE

Protecting Vulnerable Adults from abuse is an issue which concerns all Manchester Residents.

Numerous reports and research studies have proven the need to be pro-active in this area by developing greater awareness, responding effectively and working together to minimise the possibility of such situations.

Manchester is pleased to have a Multi-agency Policy for the Protection of Vulnerable Adults from Abuse which aims to encourage effective joint working across the vast range of agencies involved with vulnerable people and their carers.

It is hoped that the measures outlined in this document will enable the creation of a more alert and responsive culture across the city, providing increased safety for those who need it most.

We would like to thank all those individuals and organisations within the city who made contributions to the work which has led to the policy being developed.



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ACKNOWLEDGEMENTS

MANCHESTER'S MULTI-AGENCY POLICY FOR THE PROTECTION OF VULNERABLE ADULTS FROM ABUSE

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THOSE WHO GAVE COMMENT WERE:

Manchester Learning Disability Partnership
Manchester Registration and Inspection Authority
Manchester Social services Department
Manchester Mental Health Partnership
North, Central and South Manchester Primary Care Trusts
Greater Manchester Police
Manchester Adult Education Services
Manchester Housing Department
Manchester Probation Service
North, Central and South Hospital Trusts
Various Manchester Advocacy Groups
Various Culturally based Community Groups
Manchester Carers Centre
Various Manchester Voluntary Groups
Various Independent Sector Service Providers

References:

Manchester Learning Disability Partnership
Manchester Social Services Older Peoples Services
Knowsley Joint Protection Policy
City of Leeds Adult Protection Policy
Blackburn and Darwin Adult Protection Committee
Bolton Adult Protection Policy
Gloucestershire Multi-agency Risk Management Project
The Ann Craft Trust
Age Concern
Respond

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SECTION 1 BACKGROUND

MANCHESTER'S MULTI-AGENCY POLICY FOR THE PROTECTION OF VULNERABLE ADULTS FROM ABUSE

VULNERABLE ADULTS DEFINED

This Policy and its accompanying procedures, applies to people living in, or ordinarily resident in, Manchester who are aged 18 years and over, and:

Who are, or may be, in need of Community Care Services because of learning or physical disability, older age or physical or mental illness;

Who are, or may be, unable to take care of themselves, or unable to protect themselves from harm or exploitation by others.

The aim of this Policy is to ensure the protection from, and the prevention of, the abuse of Vulnerable Adults.

ABUSE DEFINED

Abuse is the violation of an individual's human and civil rights by any other person or persons. This occurs in many forms and may consist of a single act or repeated acts. It may also be shown by failure to act in order to protect vulnerable people. Abuse may, or may not, result in the person being physically injured or ill.

Consent

Consent is crucial in determining whether a particular act, relationship or situation is abusive of the person concerned. It is always necessary to determine whether the person **could and did give informed consent** to whatever took place.

Consent is defined as a voluntary, uncoerced decision, made by a sufficiently competent or autonomous person on the basis of adequate information and deliberation, to accept rather than reject a proposed course of action that will affect him or her.

This requires a process of ensuring that the person receives sufficient information in such a manner that he or she is able to understand the risks, benefits and likely consequences. The person should also be afforded sufficient time to make a full consideration of the proposal and to consult with others where possible.

In the case of vulnerable adults, the person may be unable to give informed consent because of the severity of their disability, living situation or health status. This can significantly undermine their understanding of the basic elements of another person's behaviour or communication.

There are a range of policies regarding the issue of consent e.g. legal consent, or medical consent and where such policies exist they should always be referred to as there are some key differences in permitted actions.

POWER AND UNEQUAL SITUATIONS

Even if an individual can make judgements about another person's behaviour, they may be in a situation, or relationship, where they cannot give meaningful consent. Such situations are essentially those where power and inequality are involved. The following considerations may be useful in judging whether or not any form of abuse has taken place:

- Parental or familial relationships where one person has the physical or emotional control of others
- A custodial or care taking relationship on which the individual relies
- The use of threat or reprimand by another person
- Where an individual has poor communication and relies on another person for their communication to others

FORMS OF ABUSE

- **Physical Abuse**
includes: hitting, slapping, pushing, kicking, squeezing, shaking, pinching, mis-use of any medication, undue restraint, or force feeding.
- **Sexual Abuse**
includes: sexual assault, rape or other sexual acts, the inappropriate touching of the individual's sexual areas, or coercion into the viewing of pornographic materials.

- **Psychological Abuse**

includes: threats of harm, abandonment or withdrawal of social contact, humiliation, shouting, bullying, name calling, intimidation, harassment, or the denial of or withdrawal from required services, contacts and social or family networks.

- **Financial or Material Abuse**

includes: the withholding of money or possessions, intentional mismanagement of the person's finances or property, theft, fraud, embezzlement, misappropriation of finances or exploitation.

- **Neglect and Acts of Omission**

include: the failure to access appropriate services for recognised needs, avoidance of required health care, ignoring physical care needs, withholding of adequate nutrition, clothing or warmth, exposing the person to unacceptable risk, omitting to provide or ensure adequate supervision.

- **Discriminatory Abuse**

includes: any acts that use hurtful language, cause harassment or similar treatment of the individual because of their race, sex, age, disability, faith, culture or sexual orientation.

- **Institutional Abuse**

includes: the use of systems, routines, practice or care that neglect individual needs and create an imbalance and control within a managed setting such as residential/nursing care or day services.

- **Abuse of Civil Rights**

includes: the denial of, or coercive influence on, an individual's rights to be registered and to vote, the right to be treated as an equal with dignity and respect, the right of freedom of speech or movement

This is not an exhaustive list of examples, but merely a guide to the most regular forms of abuse. Any doubts on whether or not an act or omission is abusive should be checked with the appropriate agencies outlined in this policy.

SECTION 2 THE POLICY

MANCHESTER'S MULTI-AGENCY POLICY FOR THE PROTECTION OF VULNERABLE ADULTS FROM ABUSE

PRINCIPLES GOVERNING THE POLICY

The 'No Secrets Guidance' advises all local authorities in England to ensure arrangements for the provision of a multi-agency policy to protect vulnerable adults.

Manchester's Policy for the Protection of Vulnerable Adults is agreed by the range of agencies that have contact with vulnerable adults in, or supported by, the city. The basic foundation of the policy is the respect for the rights and dignity of all adults regardless of their age, gender, ethnic origin, faith, ability, or sexuality.

The inter-agency document is based on a collaborative partnership in the city, which supports effective joint working.

The principles underpinning the policy are:

- **Recognise**
those individuals to which the policy refers.
- **Work jointly**
based on the recommendations in the 'No Secrets' guidance.
- **Positively promote**
the rights and well being of vulnerable adults through service support and delivery.
- **Support the rights of individuals**
by respecting self-determination and informed choice.
- **Acknowledge risk**
as an integral part of choice and decision-making, but ensure that the risks taken are assessed, discussed recorded and, where possible, minimised.
- **Ensure that vulnerable adults are safeguarded**
by effectively integrating policies, strategies and procedures that are relevant to abuse and harm.
- **Safeguard the continuation of the right to independence**
of vulnerable adults by ensuring that risk packages, and appropriate support is provided when possible.
- **Understand the law and statutory requirements**
that provide protection and access to the judicial process for vulnerable adults.

STRUCTURE AND STRATEGY SUPPORTING THE POLICY

The structure, which supports Manchester's Policy on the Protection of Vulnerable Adults, is an inter-agency framework. The range of agencies involved in the policy and its operation are:

Commissioners of health and social care
Providers of health and social care
Providers of supported or wardened housing
Regulatory bodies for services and agencies
Voluntary and independent sector agencies
Carer support groups
User led groups and services
Advocacy services
Police force
Probationary services
Judicial and legal services
Benefit agency
Advice and support agencies
Community groups

An inter-agency policy management group, comprising lead senior officers, and led by the Director of Social Services (or delegated representative) is responsible for:

- reviewing the policy and accompanying procedures,
- co-ordinating effective activity between relevant agencies,
- ensuring joint training,
- ensuring public education,
- monitoring and reviewing the strategy that supports the policy,
- commissioning working groups that will inform the work of the management group.

The management group will:

- determine how allegations of abuse should be reported, communicated to required agencies, investigated, and recorded for analysis in the city
- clarify the roles and responsibilities, at all predictable levels, for those who witness or have allegations of abuse disclosed to them
- commission research on the subject that will lead to a more effective way of responding to allegations and protecting potential victims

- Provide an annual report that evaluates the strategy, developments, and statistics including number of allegations, investigations, prosecutions and levels of training undertaken
- Ensure the inclusion of any new or reviewed policies that affect vulnerable adults
- Commission a regular audit of how agencies and providers are performing in relation to the requirements of the policy
- Ensure the inclusion of any new or reviewed legislation affecting vulnerable adults
- Review the policy at times of significant events and assess its effectiveness

The Strategy for the Protection of Vulnerable Adults describes the pattern for supporting the policy and ensuring that Manchester makes all attempts to protect the rights of such individuals. The main function of the strategy is to ensure:

- agencies have procedures relevant to the policy
- the existence of joint protocols for shared practice related to vulnerable adults
- identification of specifics which should be contained in the contracts of service providers who cater for vulnerable adults or potential abusers
- a plan of action for educating agency staff, officers, carers, service users and the general public
- an inter-agency development plan, supported by commissioners, to identify unmet need and the services required to alter the situation

The strategy is ratified by the Local Authority and is signed up to by all agencies in the city involved with vulnerable adults or their abusers.

APPLICATION OF THE POLICY

The tenets of this policy apply to all statutory, voluntary, independent and not for profit agencies in Manchester which are involved with vulnerable adults. There are no exclusions relating to the actual size of any of the agencies or the range of roles they play. Rather the policy, and its accompanying procedures, raise an expectation that all agencies in the city will respond to the need to afford a level of protection for those vulnerable adults that they serve. Failure to take reasonable action to protect, report and respond to potentially abusive situations can be considered as culpable negligence on behalf of those agencies entrusted with supporting the care of vulnerable adults.

The policy calls for co-operation between agencies and commissioners of service at all levels in order to ensure a proactive position on the protection of vulnerable adults. Managers and proprietors have an obligation to ensure that all their staff (contracted, sub-contracted and voluntary) are fully aware of the systems which are in place to support the effective operation of the policy. This requires clear lines of responsibility to be set in each organisation, with nominated post holders to act as key drivers for ensuring policy use.

- Each agency/organisation must have a nominated post/position with responsibility for the policy and monitoring in-house procedures
- All incidents related to the policy must be clearly recorded by the agency/organisation
- All personnel should be made aware of the in-house procedures relating to the reporting of allegations of abuse
- All agencies/organisations are required to ensure that all personnel have a base-line understanding of abuse and how it can be recognised
- All agencies/organisations need to be aware of how they link into statutory services for the purpose of reporting and responding to allegations of abuse

N.B. It is recognised that some organisations are so small that key roles are often carried by one or a few personnel, and that this can cause overload for such post holders. With this in mind, it will be advisable for **commissioners and contract managers** to discuss the operation of essential policies, such as this one, with the organisation and reach a conclusive, recorded agreement as to where responsibility for its application lies. For registered services, the decision about where such responsibilities lie will have to satisfy the **inspection authorities**.

SECTION 3 PROCEDURES FOR REPORTING AND RESPONDING TO ALLEGATIONS OF ABUSE

MANCHESTER'S MULTI-AGENCY POLICY FOR THE PROTECTION OF VULNERABLE ADULTS FROM ABUSE

PROCEDURES FOR REPORTING ALLEGATIONS OF ABUSE

Procedures for Members of the General Public

It is often very difficult for members of the general public to raise such concerns and, with this in mind, a one step procedure should be followed:

The concerned member of the public should report their concerns to one of the following:

- local Social Services office or ring 0161 255 8250
- local Health Centre
- local Police Station

Base-line Procedure for Staff

All staff have a duty to report concerns or allegations of abuse. Reporting these details, even when a colleague or the staff of another organisation may be involved, is **essential**. Managers have a duty to respond and provide effective support to staff at such times.

- Staff must ensure that the alleged victim is safe and supported
- **Do not** have discussions about the alleged abuse with the individuals involved or other staff
- Contact your line manager, or duty manager, as soon as the alleged victim is safe. In the absence of either of these contact the Social Services Department on 0161 255 8250
- If your manager is unavailable (or is the alleged perpetrator), you should contact your 'head office'. Failing this you may contact your local Social Services office for advice or ring 0161 255 8250.
- Record exactly what your concerns are, and why you have them. Be clear, factual and concise. Date and sign your recording
- If the alleged perpetrator is in your vicinity, **do not** confront them about the incident

- **If you suspect that physical or sexual abuse has taken place, DO NOT** assist the alleged victim to wash, bathe, change clothing or access food or drink. To do so could contaminate any evidence that the police would require. Greater Manchester Police must be contacted at the earliest possible moment in such instances and your manager will advise on this.
- Your line manager will inform you of any further requirements from yourself regarding the allegation or any further actions that will be required of you
- You must ensure that you seek effective support from your manager following your report

PROCEDURES FOR RESPONDING TO THE ABUSE OF VULNERABLE ADULTS

All agencies in the city must have their own approved procedures for dealing with allegations of abuse to a vulnerable adult. These procedures should be held at all levels in order to ensure the effectiveness of response required. These levels are:

- **Operational**
- **Supervisory management**
- **Senior management**
- **Corporate**
- **Chief officer (local authority)**
- **Local authority member (local authority)**

Each agency's procedures should meet a base line standard as outlined in the 'No Secrets' guidance and include sections which describe:

- Roles and responsibilities regarding allegations of abuse
- How to detail any allegation information (reported or witnessed)
- The system for reporting any allegations
- Effective recording of allegations
- Limitations of contact with the alleged victim regarding the allegation
- Boundaries of decision making
- Systems to ensure the ability to protect the individual from further abuse
- The provision of existing or new support
- The responsibility for negotiation with other required agencies e.g. police, medical, legal
- The involvement of regulatory or professional bodies
- The associated use of other relevant procedures e.g. disciplinary or reporting to a professional body

Where an agency does not feel able to produce its own procedures, the base-line procedures contained in this policy are an acceptable format for such agencies to adopt.

Base-line Procedures for Responsible Managers

Managers must respond to all reported allegations of abuse

- I** Record all details reported to you in a clear and concise manner
- II** Ensure that the alleged victim is safe and supported
- III** If the alleged perpetrator is another service user, ensure that they are also supported so that neither they nor anyone else is at risk
- IV** Instruct the reporting staff member, and others on duty, of their responsibilities
- V** Consider if the alleged victim requires urgent medical attention and, if so, make arrangements with an explanation to health staff the abuse is suspected. In cases of suspected sexual abuse, medical examination should be referred to the Crisis Centre at St Mary's Hospital
- VI** Contact the Social Services Department on 0161 255 8250 and inform them that you wish to make an allegation of abuse referral
- VII** With the Social Services Team Manager, decide on :
Medical examination/treatment,
Police consultation
Investigation team members
Informing contracts/Registration & Inspection Unit
- VIII** Ensure that the reporting staff are in a position to be able to continue with their duties. Where this is not possible, make arrangements for cover and ensure that the reporting staff member is supported until they are able to go home.
- IX** If the alleged perpetrator is a staff member, invoke the organisations procedures for staff investigation with possible suspension or removal from regular service user contact duties

- x** At the conclusion of the investigation, you should record all relevant management decisions e.g.:
 - Review of care need and plan
 - Disciplinary action
 - Change of staffing support
 - Environmental alterations
 - Re-writing of policies and procedures
 - Staff training

- xi** You should participate in the planning meeting which will be chaired by the Social Services Team Manager

CO-ORDINATION OF THE REPORTING OF ALLEGATIONS OF ABUSE

It is clear that, for the effective audit of responses to allegations of abuse, all allegations should be recorded at a central point. This requires a nominated post holder to receive information that will assist in:

- collating information regarding alleged victims and perpetrators in a confidential manner
- collating outcomes of investigations
- collating statistical data for the purpose of supporting the production of an annual report
- collating data that will assist with the development of the local supporting strategy
- provide advice and information relevant to the investigation team where applicable

In the absence of a central unit, or individual for the city, each section of the Social Services Department should nominate Lead Officers for the collation of allegation information within each vulnerable client group i.e.:

- elderly people
- people with mental health needs
- people with drug or alcohol dependency
- people with learning disabilities
- people with physical disabilities or sensory impairment
- people with HIV and AIDS

Where a case is alerted that is not covered by one of the above groups, any of the Lead Officers will give advice as first point of contact regarding the possibility of application of the policy. Out of office hours, the Duty Principle Manager for the city will take the role of Lead Officer where advice is required.

The Lead Officer(s) will have the responsibility of reporting on a regular basis to the Director of Social Services (who has the key responsibility for the policy in the city) to enable the formulation of an annual report. The Lead Officers will also be responsible for ensuring that issues are brought to the attention of the multi-agency management group, who are responsible for monitoring and reviewing the strategic operation of the policy.

Section 4 Appendices

MANCHESTER'S MULTI-AGENCY POLICY FOR THE PROTECTION OF VULNERABLE ADULTS FROM ABUSE

Relevant Statutes that Relate to the Policy

Carers (Recognition and Services) Act 1995
Mental Health Act 1959
Chronically Sick and Disabled Persons Act 1970
Mental Health Act 1983
Data Protection Act 1998
National Assistance Act 1948
Disability Discrimination Act 1995
National Health Service and Community Care Act 1990
Disabled Persons (Services, Consultation And Representation) Act 1986
National Health Service Act 1977
Employment Rights Act 1996
Police and Criminal Evidence Act 1984
Enduring Power of Attorney Act 1995
Power of Attorney Act 1971
Health Act 1999
Public Health Acts 1936 & 1961
Health Services and Public Health Act 1968
Public Interest Disclosure Act 1998
Housing Acts 1985 & 1996
Registered Homes Act 1984 (amended 1991)
Human Rights Act 1998
Sexual Offences Acts 1956 & 1967
Local Authority Social Services Act 1970

Key Personnel in Abuse Investigation and the Management of the Multi-agency Policy

Team manager: In Social Services, Community Care Teams.

Responsible for:

- ensuring that referrals relating to allegations of abuse are dealt with appropriately;
- the effective co-ordination of process;
- collating of reports from investigating officer and chairs planning meeting.

Investigating Officer: Responsible for:

- carrying out the investigation of the allegation according to policy and agreed practice, this can be the role of one or two individuals from one or two organisations;
- reporting to the responsible team manager.

Lead Officer: Senior role appointed by Social Services and is responsible for:

- gathering report forms from allegations and their investigation;
- reporting data to the Director of Social Services for the purpose of the formulation of the city's annual report;
- Monitoring that the investigation process information is being reported in a timely manner by the service involved;
- reporting to the multi-agency management group when issues arise.

Policy manager: Nominated post holder within each agency/organisation/establishment, who is responsible for:

- ensuring that the policy is in operation, understood and effective;
- reviewing the use of the policy after any incident within their organisation;

This role can be taken by e.g. registered managers, home owners, senior support workers, volunteer co-ordinators, personnel advisors etc and is responsible to the contracting authority/inspection authority.

Multi-agency policy management group: Identified senior personnel from key stakeholder organisations who meet at regular intervals and report to the Director of Social Services. Responsible for:

- managing the strategic support and development of the policy, and commissioning appropriate working groups to support this role.
- review the policy at regular intervals and evaluate its effectiveness.

Director of Social Services:

- Has the key responsibility to ensure that an appropriate policy, strategy, and multi-agency management group exists.
- Provide an annual report on activity around the policy and referrals/outcomes in the city

Manchester Multi-agency Management

MANCHESTER'S MULTI-AGENCY POLICY FOR THE PROTECTION OF VULNERABLE ADULTS FROM ABUSE

Manchester Social Services (Chair)

Manchester Health Authority

Manchester Hospital Trusts

Manchester North, Central and South Primary Care Trusts

Manchester Housing

Greater Manchester Police

Manchester Adult Education

Registration & Inspection

Manchester Alliance for Community Care

National Probation Service, Greater Manchester
Area - Manchester City District

Manchester Carers Centre

Contact Details

MANCHESTER'S MULTI-AGENCY POLICY FOR THE PROTECTION OF VULNERABLE ADULTS FROM ABUSE

Manchester Social Services Offices

Harpurhey District Office, Rochdale Road, Harpurhey,
Manchester M9 1DD

Moss Side District Office, Alexandra Park Estate, Moss Side,
Manchester M16 7AD

Longsight District Office, Stockport Road, Longsight,
Manchester M12 4LL

Wythenshawe District Office, Etrop way, Civic Centre,
Wythenshawe, Manchester M22 5RE

Tel: 0161 255 8250, Minicom:0161 272 8770, Fax: 0161 255 8266

Greater Manchester Police Contacts

'A' Division	Bootle St	856 3143	(City Centre)
	Collyhurst	856 3943	(Cheetham, Crumpsall, Blackley)
	Grey Mare Lane	856 3543	(Harpurhey, Newton Heath, Clayton)
'C' Division	Longsight	856 4243	(Ardwick, Longsight, Levenshulme)
	Greenheys	856 4443	(Moss Side, Hulme, Fallowfield, Whalley Range)
'D' Division	Elizabeth Slinger Rd	856 6143	(Chorlton, Didsbury, Withington)
	Hall Lane	856 4943	(Wythenshawe)