

Policy Circular

Document No 06/06

Owner: Strategy & Communications Directorate
Subject: Safeguarding of Children & Vulnerable Adults
Version: 4 of 4
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Next Review: December 2012

1.0 Background

THIS POLICY APPLIES TO ALL ILF CLIENTS.

There may be situations where ILF staff receives information indicating that an ILF user may be the subject of abuse.

The Department of Health definition of **abuse** is as follows:

Abuse is a violation of an individual's human and civil rights by another person or persons.

Abuse, as defined by the Department of Health, may be of a physical, mental, sexual, financial, neglectful or discriminatory nature.

Examples include:

- Where a physically disabled person is being handled in an unnecessarily uncomfortable way.
- Where a third party is using a vulnerable adult's money for his or her own purposes.

Independent Living Fund

Equinox House, Island Business Quarter, City Link, Nottingham NG2 4LA

Tel: 0845 601 8815 or 0115 945 0700, Fax: 0115 945 0945, Textphone: 0845 601 8816

Email: funds@ilf.org.uk, Website: www.dwp.gov.uk/ilf

The Independent Living Fund is an Executive Non-Departmental Public Body of the Department for Work and Pensions

- Where pressure is put on a vulnerable adult for care tasks to be performed by somebody who they do not wish to do so.
- Where a child or vulnerable adult with learning difficulties is being forced to take part in sexual activities they do not have the ability to consent to.

2.0 Policy & Procedure

Where there is any indication that an ILF user is being abused, ill-treated or neglected, the ILF has a legal duty to act, with or without the consent of the ILF user or of the person providing the information.

2.1 Allegations of Abuse

Where information of alleged abuse is received, the member of ILF staff receiving the information should attempt to obtain the name and contact details of the person making the claim. If the information is received by phone, the person reporting the abuse should be informed that the case will be referred to the ILF Social Work team for further action and that they will be contacted for further discussion. At the same time the person reporting the abuse should be encouraged to report the concern directly to the relevant Local Authority.

The person receiving the information should record all details of the conversation and refer the case **immediately** to the social work team. Wherever possible, the information received should be verbally discussed with a Senior Social Work Manager. In the event of there being no Senior Social Work Manager or Social Work Director available when the allegation is received, the case should be referred to a manager who should immediately follow the process described at Appendix 1.

2.2 Other Indications of Abuse

Where a local authority is taking action under any protection legislation the case should be referred **immediately** to the Social Work Team for consideration of the impact on ILF funding. In the event of there being no Senior Social Work Manager or Social Work Director available when the allegation is received, the case should be

referred to a manager who should immediately follow the process described at Appendix 1.

Where the ILF receives information that suggests a Personal Assistant may be on a barred list, the file should be referred to the ILF social work team. ILF will not agree to any funding being used to pay a personal assistant who is known to be on the barred lists.

Any member of staff in Nottingham who has suspicions or concerns that a client may be suffering abuse should refer the case to the ILF Social Work team **immediately** in order for the same action to be taken. In the event of there being no Senior Social Work Manager or Social Work Director available when the concern first arises, the case should be referred to a manager who should immediately follow the process described at Appendix 1.

2.3 ILF Assessors

Where an allegation of abuse is made to an ILF Assessor, or where an ILF Assessor has suspicions or concerns that a child or vulnerable adult may be suffering abuse, that Assessor should report the matter, as soon as possible, directly to the relevant Local Authority.

The Assessor may also wish to discuss the allegation or concern with a Senior Social Work Manager at the ILF, but if they have already reported the situation to the Local Authority, the ILF Assessor should also advise the Senior Social Work manager that they have taken this action.

Any action they take should also be recorded in the visit report.

3.0 Handling Sensitive Information

The Social Work team will decide whether further action should be taken to keep someone safe whilst having regard to the provisions of the relevant guidance and legislation in respect of protection of children and vulnerable adults, and the Data Protection Act. In addition the Senior Social Work Manager will take responsibility for liaising with and informing the relevant Local Authorities.

Any disclosure of allegations or suspicions of abuse made by members of the ILF Social Work team to any third party will be recorded by the ILF Social Work Team.

A request made to ILF by a Local Authority to disclose information about an individual in connection with a Protection of Vulnerable Adult investigation should be treated as any other request for personal data and referred immediately to the ILF Information Manager.

4.0 Source

Trustees Audit Committee meeting December 2008
SW Meeting 16 December 2010

5.0 Cross References

Criminal Records Checks (15/08) Policy
Department of Health guidance-“No secrets”
Welsh Assembly guidance – “In Safe Hands”
Safeguarding Vulnerable Groups Act 2006
Safeguarding Vulnerable Groups (Northern Ireland) Order 2007
Adult Support and Protection (Scotland) Act 2007

6.0 History Date Reviewed

16 December 2010

Appendix 1

In the event that there are no Senior Social Work Managers or Social Work Director available when the ILF receives an allegation of abuse, please refer the case to a regional manager and the following process should be followed.

The regional manager should:

- Contact the relevant local authority (this may be LA Contact Team or the Duty Social Worker)
- Inform the local authority of the nature of the allegation and the name and contact details of the person making the allegation (if available)
- Record the details of the discussion with the LA representative. This should include the name and contact details of the LA representative, any action the local authority proposes to take and any additional information they may have provided or any comments made.
- Refer the above information and any outcome to a Senior Social Work Manager or Social Work Director immediately when next available for further consideration

Equality Impact Assessment

Screening Template

This preliminary impact assessment form is to help you screen your policy, project, function or new service. It should help you consider whether a full Equality Impact Assessment is required by looking at whether there is a potential negative or positive impact on any of the equality groups, if there is an opportunity to promote equality, and whether further data is needed.

Title of policy, project, function or service:

Allegations of Abuse towards Clients
(Protection of Vulnerable Adults)

Short description of aims and objectives

ILF's position on dealing with allegations of abuse.

Thinking about each group below, does (or could) the policy, project, service or function have an impact on members of each equality group? If so, how?

Equality Group	Yes – negatively	Yes – positively	Unclear	No impact
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transgender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socio-economic groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

What information or research has been considered in judging these impacts?

Department of Health (DOH) document entitled “No Secrets”. (January 2003)
Data Protection Act 1998
Care Standards Act 2000

You should consider a full Equality Impact Assessment (EIA) if:

- (a) you feel one or more equality groups will be negatively impacted by the policy, project or service, or
- (b) there is an opportunity to promote equality and eradicate discrimination.

You may also consider further research if it is unclear, at this stage, what the impact may be.

Based on your findings, is a full EIA required?

Yes No

Please provide a short summary of your decision-making below:

The policy is informed by and complies with the relevant legislation. It is in place to protect our users from abuse.

Notes:

- The completed EIA Screening Template should be sent to Jon Duckworth, User Liaison Manager for approval by the Equality Impact Assessment Board (EIAB).
- We will contact you with any comments or queries about the completed form.

**This form was
completed by:**

Tristram Walker
