



**THE REFUGEE COUNCIL**

<p style="text-align: center;"><b>SAFEGUARDING VULNERABLE ADULTS</b></p>
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# **SAFEGUARDING VULNERABLE ADULTS**

## **1. Policy Statement**

The Refugee Council is committed to protecting all the children, young people and vulnerable adults that use our services. We believe that everyone working and volunteering for the Refugee Council has a responsibility to promote the welfare of all children and young people, to keep them safe and to practise in a way that prioritises their protection.

We will make sure that all children and young people, and vulnerable adults have the same protection regardless of refugee status, age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation.

We recognise the additional needs of children and vulnerable adults with refugee or asylum status, minority ethnic groups and disabilities and the barriers they may face, especially around communication.

## **2. The Implementation of this Policy**

The Board of Trustees of the Refugee Council is ultimately accountable for ensuring that the Refugee Council abides in full with its legal and regulatory safeguarding obligations.

It discharges that responsibility by:

- ensuring this policy is legally compliant and consonant with best safeguarding practice at all times,
- regarding safeguarding as a governance and risk management priority for the organisation,
- delegating operational responsibility for the implementation and periodic, external, review of this policy to the Senior Management Team and Designated Safeguarding Officer of the charity,
- requiring regular reports from the DSO to the Board on all key safeguarding risks.

## **3. Aims of this Policy**

- 3.1. The Refugee Council strives to be an effective advocate of refugee protection rights and believes in its responsibilities to safeguard vulnerable adults.
- 3.2. This policy is relevant both for staff and volunteers in a work context and for us all as we go about our daily lives as members of the community. It is the responsibility of all of us to act if we have concerns about the safety of vulnerable Adults. The Refugee Council upholds the six principals of adult safeguarding:

- Empowerment. People are supported and encouraged to make their own decisions and informed consent.
- Prevention. It is better to take action before harm occurs.
- Proportionality. The least intrusive response appropriate to the risk presented.
- Protection. Support and representation for those in greatest need
- Partnership. Working in and with communities.
- Accountability. Transparent in safeguarding.

3.3. This policy has been written to provide easily accessible and practical advice for Refugee Council staff and volunteers who have concerns about adults they come across in their direct work.

3.4. This policy should be read in conjunction with Safeguarding children and young people Policy, Code of Conduct, Dignity at work policy, Speaking Out and Whistleblowing Policy, Recruitment and Selection Policy, Lone Working Policy.

#### **4. Context**

4.1. A vulnerable adult is a person aged 18 or above who requires support, assistance, advice or counselling due to particular needs related to age, state of physical or mental health, including refugee status.

#### **4.2. Mental Capacity Act 2005**

Its general principle is that everybody has capacity unless it is proved otherwise, that they should be supported to make their own decisions, that anything done for or on behalf of people without capacity must be in their best interests and should be the least restrictive intervention.

#### **4.3. The Care Act 2014 – statutory guidance**

The Care Act introduces new responsibilities for local authorities. It also has major implications for adult care and support providers, people who use services, carers and advocates. It replaces No Secrets and puts adult safeguarding on a statutory footing.

#### **4.4. Sexual Offences Act 2003**

The Sexual Offences Act introduced a number of new offences concerning adults at risk and children.

#### **5. Scope**

5.1. This policy covers people aged 18 and above; people aged under 18 fall within the scope of our Safeguarding Children and Young People Policy.

5.2. All projects should work in conjunction with Local Authorities and their local procedures.

- 5.3. This policy should be read in conjunction with Safeguarding Children and Young People, Code of Conduct, Disciplinary procedures, Dignity at work policy, Speaking Out and Whistleblowing Policy, GDPR, Recruitment and Selection Policy and Lone working Policy.

## 6. Purpose

- 6.1. This policy exists to help the Refugee Council prevent and respond to the abuse or exploitation of people using our services.
- 6.2. Many people who use our services can be vulnerable to abuse and exploitation because of their personal difficulties and experiences. Such experiences may include mental illness, trauma and distress, violence and rape. Some people may have been subject to abuse in their country of origin or on their journey to the UK, and we can help them deal with the effects of that through our therapeutic services, but this policy deals with safeguarding and therefore is focused on addressing current risks to our clients or potential risks faced by others accessing other services.
- 6.3. A key element of the Refugee Council's work is to assist clients to make appropriate decisions about different aspects of their lives and to enhance their independence and integration.
- 6.4. Adults have a right to independence, choice and self-determination including control over information about themselves. In the context of adult safeguarding these rights can be overridden in certain circumstances. It is always best practice to obtain consent for sharing information, however, in some circumstances where that may not be possible, it may be in the person's best interest to share concerns.**

## 7. TYPES OF ABUSE AND EXPLOITATION

### 7.1 Physical Abuse

7.1.1 The use of force which results in pain or injury. The non-accidental infliction of physical force that results in bodily injury, pain or impairment.

7.1.2 Examples of this are:

- Physical injuries, which have not been adequately explained and suspicion that they have been inflicted intentionally
- Bullying
- Forced medication
- Prolonged physical restraint

## **7.2 Sexual Abuse**

7.2.1. Sexual abuse is the direct or indirect involvement of the adult at risk in sexual activity or relationships, which they:

- Do not want or have not consented to
- Cannot understand and lack the mental capacity to be able to give consent to
- Have been coerced into because the other person is in a position of trust, power or authority (for example a care worker)

## **7.3 Emotional and Psychological Abuse**

7.3.1 Emotional abuse includes actions or behaviour that have a harmful effect on the emotional, health and/or development of an adult who is at risk. For example, threats, deprivation of contact, shouting, ignoring, cruelty, bullying, humiliation, coercion, negating the right of the adult at risk to make choices and undermining self-esteem.

7.3.2 Further examples of this are:

- Humiliating someone in private or public
- Rejecting or ignoring them
- Making someone afraid
- Making someone unnecessarily dependent
- Abuse through social media and cyber bullying

## **7.4 Financial and Property Abuse**

7.4.1 Financial abuse is the use of a person's property, assets, income, funds or any resources without their informed consent or authorisation. Financial abuse is a crime. It includes:

- Theft or fraud
- Exploitation
- Undue pressure in connection with wills, property, inheritance or financial transactions
- The misuse or misappropriation of property, possessions or benefits
- The misuse of an enduring power of attorney or a lasting power of attorney, or appointeeship

7.4.2 This is also the misappropriation of money or property. Examples of this are:

- The control of a client's financial affairs by an appointee or another party, but a refusal to meet their financial needs
- Money being spent by the appointee or another party on their or other's benefit without this having been intended by the owner

- Disposal or sale of possessions by another party

## **7.5 Neglect and Acts of Omission**

7.5.1 Neglect and acts of omission – the failure of any person, who has responsibility for the charge, care or custody of an adult at risk, to provide the amount and type of care that a reasonable person would be expected to provide. Neglect can be intentional or unintentional.

Examples of this are:

- Depriving someone of everyday essentials like food, clothes, warmth and hygiene needs
- Depriving someone of a service

## **7.6 Discriminatory Abuse**

7.6.1 Discriminatory abuse occurs when values, beliefs or culture result in a misuse of power that denies opportunity to some groups or individuals. It can be a feature of any form of abuse of an adult at risk, but can also be motivated because of age, gender, sexuality, disability, religion, class, culture, language, and race or ethnic origin.

7.6.2 It can result from situations that exploit a person's vulnerability by treating the person in a way that excludes them from opportunities they should have as equal citizens, for example education, health, justice and access to services and protection.

## **7.7 Institutional**

7.7.1 Institutional abuse is the mistreatment, abuse or neglect of an adult at risk by a regime or individuals. It can take place within settings and services that adults at risk live in or use, and it violates the person's dignity, resulting in a lack of respect for their human rights.

7.7.2 Institutional abuse occurs when the routines, systems and regimes of an institution result in poor or inadequate standards of care and poor practice. It can take the form of an organisation failing to respond to or address examples of poor practice brought to their attention.

7.7.3 It can take place in various places, for example day care, care homes, hostels, supported housing, hospitals, supported housing and detention centres. It can be difficult to identify the difference between a poor service and institutional abuse.

## 7.8 Domestic Violence or Abuse

7.8.1. Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse:

- psychological
- physical
- sexual
- financial
- emotional

7.8.2. Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour. Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.”\*

7.8.3. \*This definition includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

7.8.4. Women in Initial Accommodation: In July 2019, the Home Office published their [revised Domestic Abuse Guidance](#) setting out how the Home Office, accommodation providers and Migrant Help should respond to reports of people seeking asylum at risk of domestic abuse. The new guidance contains a number of safeguards to improve the protection available to victims of abuse including:

- the presumption is that the victim should be believed, at this stage corroborating evidence is not required
- the person and their children must immediately be offered safe alternative accommodation and if that offer is accepted, transferred without delay
- some victims may wish to remain in their current accommodation and, in these cases, consideration must be given to relocating the perpetrator

- there is no need for accommodation providers to obtain prior Home Office consent to transfer the victim and their children to alternative accommodation, but a report to the Home Office must be made without delay
- the victim must be referred to a specialist organisation for assessment and supported by a domestic violence specialist worker

## **7.9 Types of modern slavery**

7.9.1. Slavery is an umbrella term for activities involved when one person obtains or holds another person in compelled service.

- Human trafficking
- Forced labour
- Domestic servitude
- Sexual exploitation, such as escort work, prostitution and pornography
- Debt bondage – being forced to work to pay off debts that realistically they never will be able to

## **7.10 Self-neglect**

7.10.1. Self neglect is a behavioral condition in which an individual neglects to attend to their basic needs such as personal hygiene, appropriate clothing, feeding or tending appropriately to any medical conditions they have.

7.10.2. Types of self-neglect:

- Lack of self-care to an extent that it threatens personal health and safety
- Neglecting to care for one's personal hygiene, health or surroundings
- Inability to avoid self-harm
- Failure to seek help or access services to meet health and social care needs
- Inability or unwillingness to manage one's personal affairs

## **7.11. Self-harm and suicide ideation**

People who self-harm must be considered under the Adult Safeguarding Policy. Due to trauma and distress in adults, depression and low self esteem, and as these factors increase, they can lead to suicide ideation, where a person may be presenting as high risk. These may not always be verbalized but show signs in their behavior.

## **7.12. Hate and Mate crime**

People who suffer from hostility or prejudice based on their disability, religion, gender or identity. It should be noted that this definition is based on the perception of the victim.



Mate crime is defined where vulnerable people are befriended by members of the community who go on to exploit and take advantage of them.

## **8. SAFEGUARDING VULNERABLE ADULTS PROCEDURE**

### **8.1. Alertness and Recognition**

8.1.1. It is often difficult to recognise abuse and/or exploitation. Staff should be alert to changes in a client's disposition or demeanor. Staff may see abuse occur, or may also overhear indications of abuse or exploitation, or be informed directly.

8.1.2. Whatever the source of the information or suspicion, this must be recorded on the client's file. This includes anonymous information or information from people who do not want to be identified.

8.1.3. The abuse must be reported to the Manager and to the Designated Officer via a safeguarding report form.

### **8.2. Actions and Reporting on Abuse or Exploitation**

8.2.1. **Respond:** When a client discloses abuse to a worker it is important that the person disclosing the information is treated sympathetically. The worker will need to outline the steps that they will take with or on behalf of the client and inform them that they will need to share this information with their manager or another agency to get the most appropriate support. The worker must not investigate or ask leading questions. Ask the client to tell, explain and describe what has happened.

8.2.2. **Record:** A record of the conversation should be made in agreement with the client.

8.2.3. **Refer:** Discuss with your manager, or another colleague, refer internally using the attached form Appendix 1, and or refer externally to social services, MARAC or the police, emergency services.

8.2.4. Many clients will have experienced abuse in the past and may wish for no action to be taken, or indeed action may not be possible or practical. Then we will continue to work with the client and seek the most appropriate support.

8.2.5. Staff who suspect abuse or exploitation should share this with their manager at the earliest opportunity. This must be recorded in a way which gives precise details of the injuries or allegation.

8.2.6. The manager must inform their line manager, and agree any immediate action that should be taken to protect a person who is in imminent danger of serious

injury/abuse. If immediate action needs to be taken then the police should be called.

- 8.2.7. If there is knowledge concerning a threat to life, suicide or indications of serious injury, then the emergency services will be immediately contacted.
- 8.2.8. In cases of domestic violence and honour based violence it is important to involve Social Services Multi Agency Risk Assessment Conference or MARAC. (if in doubt ring your local MARAC team for advice). Honour based violence is always considered high risk.
- 8.2.9. Living in a home where domestic abuse happens can have a serious impact on a child or young person's mental and physical wellbeing, as well as their behaviour. Parents who suffer domestic abuse don't always realise how it affects their child. They might think that because their child doesn't see what's happening that they're not affected. Domestic abuse can have a very serious impact on a child's behaviour and wellbeing, even if they're not directly harmed themselves. Children witnessing domestic abuse is recognised as 'significant harm' in law.
- 8.2.10. In initial accommodation for asylum seeking women there is a mechanism that allows the Home Office to fund specialist refuge accommodation for people at risk of abuse who are eligible for asylum support. The following steps should be taken in order to request refuge accommodation for such cases:
1. Encourage the woman to contact the [24hr National Domestic Violence helpline](#) to obtain specialist advice on the options available to her. The helpline can advise on the availability of refuge accommodation.
  2. Should the woman want to access refuge accommodation, contact one of the following to request Home Office funding for a refuge place.
    - Migrant Help – via their helpline
    - Accommodation provider (SERCO, Mears or Clearsprings)
    - The regional Home Office Asylum Safeguarding Hubs
  3. The Home Office will then authorise the funding and contact the relevant refuge provider confirming the placement and payment rates.
- 8.2.11. An allegation of abuse/exploitation by a staff or volunteer must be treated as an alleged act of Gross Misconduct under the Refugee Council's Disciplinary Procedures. The Designated Officer (Service Director) and HR must be made aware of the situation as soon as possible

### **8.3. Assessment, Planning and Review**

- 8.3.1. When a suspicion or allegation is made, staff should not undertake an investigation. This should only be carried out on a multi-agency basis referring to local safeguarding policy and procedure.

- 8.3.2. Managers will oversee allegations of abuse, which will be logged on the appendix attached. They will also ensure clients are informed of action taken or explain if and why no action has been taken.
- 8.3.3. All concerns will be reported to the Designated Officer who retains overall responsibility for safeguarding and protection within the Refugee Council. They also oversee the log of cases and outcomes, which shows what action has been taken. This role is also responsible for reviewing the effectiveness of this policy and procedure, including improving service delivery following incidents or client feedback.
- 8.3.4. The Refugee Council will work proactively with other agencies on safeguarding, including local safeguarding partnerships. This will be around particular incidents, possibly taking the lead in response to incidents, but also to promote awareness of abuse with clients.

#### **8.4. Allegations Against a Staff Member**

- 8.4.1. If the alleged abuser is a staff member, the investigation will follow the Refugee Council's disciplinary procedure. Abuse of service users is an act of gross misconduct and may also be a criminal offence.
- 8.4.2. All staff have a responsibility to report staff actions which are abusive/exploitative of service users or which are unethical.
- 8.4.3. The Refugee Council promotes ways to encourage the reporting of concerns, including letting clients know how to report concerns to outside organisations such as the Police or other statutory bodies.
- 8.4.4. Risk assessments for activities address the potential for staff to benefit personally (such as financially) from abuse, and these are regularly reviewed.
- 8.4.5. Any allegation against a member of staff must be reported to the designated officer a member of the executive and or HR immediately.

#### **8.5. Allegations Against a Client**

- 8.5.1. If the alleged abuser is a client, a risk assessment will be carried out and possible safeguarding measures introduced. Such clients will still be supported through the process rather than automatically excluded from the service, other than in exceptional circumstances where the risk to others is too great. Social services or the police may need to be informed.

## **8.6. Actions when Suspected Abuse or Exploitation is Taking Place Off-Site**

- 8.6.1. Staff may become suspicious that a person receiving a service is being abused/exploited and this is not connected to the project.
- 8.6.2. Staff should use opportunities with the client to discover what the circumstances are and if there is abuse and exploitation. The manager must be kept informed.
- 8.6.3. If there is evidence of abuse/exploitation and the client is vulnerable to the extent that they are unable to prevent it, or are unable to make an informed choice about consenting to it, then the details should be reported to Social Services/Adult Safeguarding or Protection Services and any other relevant agencies. If a crime has been committed staff should report this to the Police. Such disclosures should be logged on the client's file.

## **8.7. Self-Neglect**

- 8.7.1. Staff may become suspicious or have evidence that a client is neglecting themselves.
- 8.7.2. In these circumstances staff should collect evidence to substantiate the suspicion and where possible address this through case work with the client. If there is neglect which is severely harmful to the health of the client and/or to others, and if the plan to remedy this situation is not effective, then a referral should be considered to Social Services and/or the police.

## **8.8. Suicidal ideation**

In these circumstances staff should stay calm and talk to the client to gather as much information as possible about their feelings and thoughts. Depending on their circumstances will depend on what support is available. See if you can get their consent for help from the community mental health services or another appropriate support service, friends or family.

If you are concerned there is a high risk then dial 999 and call the emergency services.

## **8.9. Safeguarding Children**

- 8.9.1. If a staff member obtains information about alleged physical or sexual abuse of a child who is under 18 years of age, please follow the procedure set out in the Safeguarding Children and Young People Policy. Children can be affected by adult

abuse of another adult in their presence, which may result in concerns being reported to Social Services.

## **9. Staff Recruitment, Training and Development**

- 9.1. The Refugee Council's Recruitment and Selection policy will be used when employing new staff or volunteers. This includes measures around safeguarding, such as seeking references and obtaining Disclosure and Barring (DBS) checks where appropriate. In addition, substantial unsupervised access to clients is not allowed until DBS checks are received. All DBS checks are updated at least every three years (or sooner, according to local contractual requirements). If a manager wants an appointed person to start before the DBS is received, then permission from a Director and or the designated officer will be required.
- 9.2. Safeguarding and protection from abuse training will be available to all new members of staff and volunteers doing client facing work, along with regular updates for existing staff. Staff and volunteers will be trained to identify the different types of abuse, the procedure to be taken when an allegation of abuse is made or detected, and the potential impact on themselves and clients of being involved in abuse cases.
- 9.3. Staff and volunteers may also attend other relevant trainings.
- 9.4. Staff and volunteers will be supported in safeguarding abuse issues through regular supervisions. Supervisions are also used to reinforce the limits to relationships between staff and clients and to prevent staff from benefiting personally when working with vulnerable people. **Staff will also receive external group supervision, and in extreme circumstances may be able to receive external one to one support.**
- 9.5. Consideration will be given to referring staff to **the police** if safeguarding concerns relating to working with vulnerable adults is evident.

### **For further advice or reading:**

Safeguarding adults: Ann Craft Trust <https://www.anncrafttrust.org/>

Gender based violence: <https://www.unhcr.org/uk/sexual-and-gender-based-violence.html>

Domestic abuse: [www.savelives.org.uk](http://www.savelives.org.uk)

Samaritans [www.samaritans.org](http://www.samaritans.org) tel: 116 123

## Safeguarding Report

## Appendix 1

1. Complete form after an adult protection incident and pass to the Service Manager
2. Service Manager to submit form to the Designated Officer (DO)

### Details of Adult

Name:		Refugee Status:
Inform Number:		
Gender:	Age and Date of Birth:	Nationality:
Ethnicity:	Language:	Additional needs:

### Your Details

Your name:	Your position:	Date and time of incident (if applicable):
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Are you reporting your own concerns or responding to concerns raised by someone else?

Own concerns

Concerns raised by someone else

If someone else please detail name, organisation and position in organisation:

Other agencies involved with client, if known:
Please provide details of the incident or concerns you have, including times, dates, description of any injuries, whether information is first hand or on the account of others, including any other relevant details:
Please detail the person's account/perspective, if possible:

Provide details of anyone who witnessed the incident and/or who shares the concerns:
<p>Has the situation been discussed with the Designated Officer?</p> <p>Yes / No (delete as appropriate)</p> <p>If so, please summarise the discussion:</p>
<p>Have you informed the statutory authorities:</p> <p><b>Police:</b> Yes / No (delete as appropriate)  Date and time:  Name and phone number of the person you spoke to:</p> <p><b>Local Authority Adult Social Care:</b> Yes / No (delete as appropriate)  Date and time:  Name and phone number of the person you spoke to:</p>
What has happened since referring to statutory agency(ies)? Include the date and nature of feedback from referral, outcome and relevant dates:
Details of any further steps taken to provide support to child and family and any other agencies involved:

Name ..... Position .....

Date ..... Signed .....

Manager's Name ..... Position .....

Date ..... Signed .....

