



## Procedure Document

# Safeguarding Vulnerable Adults

Abuse of vulnerable adults can occur in any setting or situation, within their own home or another person's home, day services and in public.

The abuser may be anyone including a member of the family, friend, neighbour, partner, care worker, manager, another service user or any other person who comes into contact with the vulnerable adult.

Abuse can be defined under the following categories:

- **Physical abuse** – non accidental infliction of physical force that results in bodily injury or pain e.g. hitting, pushing, physical restraint, harassment, inappropriate use of medication.
- **Sexual abuse** – direct or indirect involvement in sexual activity without consent.
- **Neglect** – repeated deprivation of some assistance that the person needs for activities of daily living.
- **Psychological/Emotional abuse** – e.g. shouting, swearing, intimidation, harassment, humiliation.
- **Financial/Material abuse** – unauthorized, fraudulent, improper use of funds/property of a vulnerable person.
- **Abuse of individual rights** – vulnerable person feels unable to exercise the same civil rights as the rest of society e.g. invasion of privacy and restricted access.

All employees have a duty to protect customers from any form of abuse. If abuse of a customer is expected or discovered by a colleague or another resident, the manager or person in charge must be informed immediately.

If it is suspected that the manager or person in charge is implicated, the Surrey Emergency Duty team must be contacted as well as company directors or HR manager if possible. It is the duty of employees to protect customers in their care, failure to report could cause a situation to become much worse for the customer.



### **Deprivation of Liberty Safeguards**

Deprivation of liberty includes making decisions or placing restrictions that could include deciding on the person's routine, stopping them from walking about at night, or preventing them from leaving. All employees should make sure that customers' personal needs are as free from restriction as possible. However, sometimes it will be necessary to take away some of the person's freedom to provide them with the care they need.

Sometimes, taking away a person's freedom in this way can amount to a deprivation of liberty. A deprivation of liberty occurs when a person is under continuous supervision and control and is not free to leave, and the person lacks capacity to consent to these arrangements.

If a care agency plans to deprive a person of their liberty in the ways listed above, they must get permission. To do this, they must follow strict processes called the Deprivation of Liberty Safeguards (DoLS). DoLS are a set of checks that are designed to ensure that a person who is deprived of their liberty is protected, and that this course of action is both appropriate and in the best interests of this person. The definition of what counts as a deprivation of liberty is wide, and so most customers with learning disabilities will receive care that falls under the definition. DoLS offer protection to ensure that, when someone's freedom is restricted, it is both in their best interests and, where possible, done in the least restrictive way.

The key elements of these safeguards are

- to provide the person with a representative – a person who is given certain rights and who should look out for and monitor the person receiving care
- to give the person (or their representative) the right to challenge a deprivation of liberty through the Court of Protection
- to provide a mechanism for a deprivation of liberty to be reviewed and monitored regularly

### **The DoLS Assessment**

An assessment will decide whether the deprivation of liberty is allowed to happen or not. A DoLS assessment will take place if it is felt that a customer is being, or will be, deprived of their liberty. If the customer is living in supported living, there is a different system for having a deprivation of liberty authorised.

Usually, the care provider will request the DoLS assessment. However, if employees feel that someone is being deprived of their liberty, they should speak to the person in charge of their care as soon as possible. The first step is to talk about whether changes can be made to the way care is provided so that the



person's freedom is not restricted. However, if the person in charge of their care believes that restricting the person's freedom is necessary to keep them safe, they must apply for a deprivation of liberty authorisation.

### **Mental Capacity Act**

To have capacity to make a decision, someone must be able to understand the information about the decision, retain that information long enough to be able to make a decision, weigh up the information available and understand the consequences of the decision and communicate the decision – this could be by any possible means, such as talking, using sign language or even simple muscle movements like blinking an eye or squeezing a hand.

More information about Mental Capacity is provided in the Mental Capacity Policy.

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