

WHITSTABLE BAPTIST CHURCH
Protection of Vulnerable Adults Policy
Agreed and Accepted 25th September 2014

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A. General Policy Statement

As a Church Leadership, Membership and Congregation, we commit ourselves to the care, protection and safeguarding of vulnerable adults associated with the Church and will pray for them regularly.

The welfare of vulnerable adults is everyone's responsibility, particularly when it comes to protecting them from danger, abuse and reporting concerns. We fully acknowledge this and also set it in the wider context of our Saviour's loving concern for the vulnerable and His stress on 'loving our neighbour'.

OUR MISSION STATEMENT

"As followers of Jesus we seek to be a centre of Christian Worship, Fellowship and Service by nurturing our own Church family and reaching out with fellow Christians to the whole community."

As an integral part of that goal, we hold various worship services and provide a range of events and activities that might possibly attract the attendance of vulnerable adults and their carers. We recognise that we have a moral and legal duty to ensure that we function with a view to safeguarding and promoting the welfare of vulnerable adults. We are committed to fulfilling the requirements of the Safeguarding Vulnerable Groups Act 2006 and the Protection of Freedoms Act 2012 and other relevant legislation aimed at the protection of vulnerable adults.

In pursuit of these aims and legal obligations we commit ourselves to adopting appropriate policies and to the development of procedures and codes of practice to ensure their implementation.

The policies and procedures below apply to all employees, volunteers and helpers. The word "staff" is used for ease of description and covers everyone in those categories

Throughout these policies and procedures, reference is made to "adults". This term is used to mean "those aged 18 and over". The Diaconate of Whitstable Baptist Church, which consists of our Minister and Deacons and which constitutes our Charity Trustee body, recognises that some adults are vulnerable to abuse and, accordingly, the procedures below relate to allegations of abuse and the protection of vulnerable adults. (Please see the current legal definition of vulnerable adult as set out in section E. below.)

Our Diaconate, Church Membership and regular Congregation are committed to ensuring that the Whitstable Baptist Church

- Relates in a loving and wise manner towards vulnerable adults and their carers
- Provides a safe environment for vulnerable adults
- Identifies vulnerable adults who are suffering harm (see definition of harm in section B. below)
- Takes appropriate action to see that such vulnerable adults are kept safe from harm again see definition of 'harm' below)

In pursuit of these aims, the Church will approve and annually review policies and procedures with the aim of:

- Raising awareness of issues relating to the welfare of vulnerable adults and the promotion of the safety of the vulnerable adults it encounters and works with
- Providing procedures for reporting concerns
- Establishing procedures for reporting and dealing with allegations of abuse against members of staff
- The safe recruitment of all staff including pastoral workers and those working with vulnerable adults

Whitstable Baptist Church has appointed 'Nominated Staff with Responsibility for Vulnerable Adult Protection' – a 'Safeguarding Trustee/ Deacon' and a 'Designated Person' (see further under section C. below) to advise and report on safeguarding issues pertaining to all our Church activities and to all staff. These two key officers have undertaken appropriate training and have appropriate experience and will seek to keep up to date on vulnerable adult protection issues.

Any employees and volunteers who will work directly with vulnerable adults will receive training adequate to familiarise them with vulnerable adults' protection issues and responsibilities and with our procedures and

policies, with refresher training at least every 3 years. The Diaconate will also ensure that it is kept up to date with current safeguarding requirements, including management responsibilities.

The Diaconate and Church Membership will receive a joint annual statement from our Safeguarding Trustee/Deacon and our Designated Person for Safeguarding reviewing how our vulnerable adult protection duties have been discharged.

B. Definitions of ‘Harm’ and ‘Abuse’ and Categories of Abuse

HARM

In order to fulfil the above duty of care, the Diaconate, the Designated Person and the Membership will keep in mind the following definition of ‘harm’ –

‘Harm’ as a key concept in adult safeguarding work is regarded as:

- ill treatment (including sexual abuse and forms of ill-treatment that are not physical)
- the impairment of development and/ or an avoidable deterioration in, physical or mental health and
- the impairment of physical, emotional, social or behavioural development or the impairment of health
- conduct which appropriates or adversely affects property, rights or interests (for example theft, fraud, embezzlement or extortion)

(Taken from: ‘Who Decides?’ Lord Chancellor’s Department 1997; and ‘*The Law Commission Review of Adults’ Social Care Law consultation 2010*).

ABUSE

The Diaconate, the Designated Person and the Membership will also keep in mind the following definitions of ‘abuse’ –

‘No Secrets: Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse’ (Department of Health 2000) states: ‘Abuse is a violation of an individual’s human and civil rights by any other person or persons. In giving substance to that statement, however, consideration needs to be given to a number of factors. Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it’.

For vulnerable adults the statutory authorities use the following categories: physical abuse, neglect or act of omission, sexual abuse, psychological and emotional abuse, financial or discriminatory abuse, and institutional abuse. In addition, we have noted the category of spiritual abuse.

Thus Whitstable Baptist Church acknowledges that harm includes those aforementioned categories of abuse, as further detailed below:

1. Physical Abuse

Physical abuse causes harm to a vulnerable adult’s person. It may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning or suffocating or other physical harm. It may be done deliberately or recklessly, or be the result of a deliberate failure to prevent injury occurring.

2. Neglect or Act of Omission

This is the persistent or severe failure to meet a vulnerable adult’s basic physical and/or psychological needs, including the failure to intervene in behaviour which is dangerous to the vulnerable adult or to others. It will result in serious impairment of the vulnerable adult’s health, general well-being or development.

3. Sexual Abuse

Sexual abuse involves a vulnerable adult or young person being forced or coerced into participating in or watching sexual activity. It is not necessary for the vulnerable adult to be aware that the activity is sexual and the apparent consent of the vulnerable adult is irrelevant.

4. Psychological and Emotional Abuse

Psychological abuse includes a range of non-physical controlling behaviours that cause emotional damage and undermine a person's sense of well-being. Emotional abuse occurs where there is persistent emotional ill treatment or rejection. It causes severe and adverse effects on the vulnerable adult's or young person's behaviour and emotional development, resulting in low self-worth. Some level of emotional abuse is present in all forms of abuse.

5. Financial or Material Abuse

This is the inappropriate use, misappropriation, embezzlement or theft of money, property or possessions.

6. Discriminatory Abuse

This is the inappropriate treatment of a vulnerable adult because of their age, gender, race, religion, cultural background, sexuality, disability etc. Discriminatory abuse exists when values, beliefs or culture result in a misuse of power that denies opportunity to some groups or individuals. Discriminatory abuse links to all other forms of abuse.

7. Institutional Abuse

This is the mistreatment or abuse of a vulnerable adult by a regime or individuals within an institution (e.g. hospital or care home) or in the community. It can be through repeated acts of poor or inadequate care and neglect or poor professional practice.

8. Spiritual Abuse

This abuse occurs when someone uses their power within a framework of spiritual belief or practice to dominate and control people in order to satisfy their own needs at the expense of others.

All our staff will receive training which informs them of these categories of abuse and which helps them recognize the symptoms.

C. Designated Staff with Responsibility for Protection of Vulnerable Adults

THE SAFEGUARDING TRUSTEE/ DEACON

We will appoint [NAME] to raise awareness of and promote training on relevant vulnerable adult welfare and protection issues; to highlight our safeguarding policies, procedures and codes of practice and ensure our staff are fully conversant with them; to monitor implementation and promote best practice; to ensure safe recruiting procedures; to receive reports from and liaise with the 'Designated Person for Safeguarding. He/ She will undertake these crucial duties with the purpose of ensuring the welfare and safety of vulnerable adults who attend and take part in our activities.

He/ She is responsible for ensuring that pertinent and legally permissible questions are asked on relevant employment and volunteer application forms and/ or at interviews. It will be made clear that prior to any offer of appointment or confirmation of appointment, either as an employee or volunteer, all applicants will be subject to a criminal record check from the Disclosure and Barring Service and a probationary period. Whilst a criminal record will not automatically bar a person from being offered a post, all appointments will be governed by considerations relating to the nature of the post, the overall suitability of the candidate and the overriding desire to safeguard and promote the welfare of vulnerable adults.

THE DESIGNATED PERSON FOR SAFEGUARDING

We will appoint [NAME] to take a key role in enabling the Church to respond appropriately to safeguarding concerns and disclosures; to be responsible for ensuring that safeguarding concerns are taken seriously, carefully recorded and referred to BU/ SEBA as appropriate and disclosures of abuse referred as quickly as possible to Social Services/ Police. Reporting to the DBS and the Charity Commission may also be required and the Designated Person will be responsible for doing this in accordance with set procedures and as advised by the Churches Agency for Safeguarding.

He/ She will be the main contact point for vulnerable adult protection issues emerging directly from our activities and the work of our employees and volunteers and he/ she will have contact details for relevant organisations available for volunteers. This list will usually include contact details of relevant individuals and organisations such as Kent County Council Social Services and the relevant local Police Protection Unit. He/ She will liaise closely with the Safeguarding Trustee/ Deacon.

D. Dealing with Disclosure of Abuse and Procedure for Reporting Concerns

If a vulnerable adult or young person tells any member of staff about possible abuse, they should:

- a) *Listen carefully and patiently and stay calm. Recognise that a vulnerable adult may have difficulties in expressing themselves. Avoid showing disbelief or expressing shock or distaste.*
- b) *Resist any temptation to probe for more information than is offered. Avoid interviewing or pressurising the vulnerable adult, but use echoing plus non-leading and clarifying questions if necessary, in order to be sure that they understand what the vulnerable adults is telling them. These show you are listening, that you' have heard properly.*
- c) *Avoid speculating or making assumptions or putting words into the vulnerable adult's mouth.*
- d) *Reassure the vulnerable adult that, by telling them, they have done the right thing.*
- e) *Avoid making promises or agreeing to keep secrets. Avoid giving a guarantee of confidentiality. Inform the vulnerable adult that they must pass the information on, but that only those that need to know about it will be told. Inform them of to whom they will report the matter.*
- f) *Note the main points carefully and include a detailed note of the date, time, place, what the vulnerable adult said, did and their questions etc. Use straightforward language and differentiate between fact and opinion. Indicate any action you have taken and details of any other witnesses.*
- g) *Do not give false assurances that the issues disclosed will be easily resolved, but do endeavour to be sympathetic and supportive at all times and do try to end the conversation on a positive note.*
- h) *Avoid making negative comments about or approaching the person against whom the allegation has been made.*
- i) *Seek support shortly afterwards for themselves.*

THE BASIC REFERRAL CHAIN FOR REPORTING SAFEGUARDING MATTERS:

Member/ Attendee/ Worker to Designated Person to Statutory Authorities/ Police

Individuals will be instructed not investigate disclosures, concerns, allegations or incidents of abuse themselves, but to report them if at all possible immediately or within 2 hours – ideally using the supplied Incident Form where appropriate – to our Designated Person who in turn will notify our Safeguarding Trustee/ Deacon without delay. If the Designated Person and the Safeguarding Trustee/ Deacon are unavailable the Church Secretary or Minister should be contacted straightaway.

In the case of disclosures, serious concerns and allegations, or incidents of abuse the Designated Person should report to Social Services and the Police as soon as possible. No-one must divulge any details except to those who have a legal right to be informed. We acknowledge that a failure to report suspected abuse to the statutory authorities is unacceptable and a very serious matter, which the government is presently considering criminalising, and also that under the Police Act 1997, an unauthorised communication of a disclosure is already a criminal offence.

Note:

- Reporting should not be delayed by a desire to gather more information.
- If the response from anyone in the referral chain is considered inadequate, the report should be passed directly to the Police.

We will do our very best to support pastorally those, including members of our staff, who witness abuse or who receive allegations or disclosures of abuse

E. 'Regulated Activity' and obtaining Enhanced Disclosure and Barring Service

Checks under Current Legislation

Whitstable Baptist Church fully recognises that the Protection of Freedoms Act 2012, chapter 5, defines a vulnerable adult as a person aged 18 and over who is in receipt of any of the following services –

- a. health care from a regulated health care professional - provided by, or under the direction or supervision of a regulated health care professional*
- b. Personal care for adults involving hands-on physical assistance - with washing and dressing, eating, drinking and toileting; prompting and supervising an adult with any of these tasks because of their age, illness or disability; or teaching someone to do one of these task*
- c. Assistance with social care - provision by a social care worker of social work which is required in connection with any health services or social services*
- d. Assistance with paying bills, shopping because of age, illness or disability arranged via 3rd party*
- e. Help with conducting own affairs under a formal appointment*
- f. Being conveyed for reasons of age, illness or disability to a place where they will receive health care, personal care or social work arranged by a third party*

– A person is not deemed vulnerable simply because of age or a disability they must be in receipt of any of the aforementioned welfare services specified by this Act.

We acknowledge that the definition of 'regulated activity' with vulnerable adults under the Protection of Freedoms Act 2012 is determined as follows –

- a. Anyone providing a vulnerable adult with any of the above services cited in sub-paragraphs a. to f. above is considered to be undertaking 'a regulated activity' under the Protection of Freedoms Act 2012 and must therefore have an Enhanced Disclosure and Barring Service check with barred list checks in order to perform the role.*
- b. The focus is now on activities needed by the vulnerable adult, not where the activity takes place.*
- c. An individual only needs to engage in the activities listed above once to be carrying out 'regulated activity' relating to adults.*
- d. The definition focuses on those activities which are required by any adult at any given point, this means that an adult is considered vulnerable at the point of receiving them and may not be a vulnerable adult once the service ceases.*
- e. A person whose role includes the day-to-day management or supervision of any person engaging in 'regulated activity' is also in 'regulated activity' even if they are not directly involved in providing the service.*
- f. 'Regulated activity' relating to adults excludes any activity carried out in the course of family relationships, and personal, non-commercial relationships.*

F. 'Relevant conduct' under the Safeguarding Vulnerable Groups Act 2006

In addition, the Diaconate accepts the following definitions of 'relevant conduct' under Schedule 3 of the Safeguarding of Vulnerable Groups Act 2006 in relation to the barring of those who pose of a risk of harm to vulnerable groups, including vulnerable adults. 'A relevant conduct' is a conduct which must be referred to the Disclosure and Barring Service and which could lead to a barring decision. It includes any:

- conduct which endangers a child or vulnerable adult or is likely to endanger a child or vulnerable adult
- conduct which if repeated against or in relation to a child or vulnerable adult would endanger that child or vulnerable adult
- conduct involving sexual material relating to children (including possession of such material)

- conduct involving sexually explicit images depicting violence against human beings
- conduct of a sexual nature involving a child or vulnerable adult (or in the case of a vulnerable adult - an act that is considered inappropriate)

G. Duty to refer to the Disclosure and Barring Service

- 1) The Safeguarding of Vulnerable Groups Act 2006 and Protection of Freedoms Act 2012 both make it mandatory to refer anyone known to pose a threat of harm to a child or vulnerable people to the Disclosure and Barring Service (DBS). We will seek to abide fully with the requirement that we must not knowingly employ anyone who poses a risk of harm to children or vulnerable adults, fully accepting that this includes anyone who is believed to have committed 'a relevant conduct' while serving as a member of our staff or who has a record of such conduct.
- 2) Whitstable Baptist Church has a legal duty to refer an employee or volunteer who poses a risk of harm to children or vulnerable adults to the DBS, recognising that failure to do so can result in a heavy fine and/or up to 5 years imprisonment. We acknowledge that there must be sufficient and solid evidence that the employee or volunteer poses a risk of harm before they can be referred to the DBS. We will also seek to inform the police and other relevant authorities if they believe 'a relevant conduct' has occurred.
- 3) We note that Referral Forms can be downloaded from the DBS's website – www.homeoffice.gov.uk/dbs

H. The DBS's Barring Process

We have been advised by the Churches Agency for Safeguarding that:

- 1) Whenever new relevant information involving a risk of harm or harm (to a vulnerable person) becomes known to Whitstable Baptist Church, the information should be investigated and appropriately referred to the DBS for consideration. The applicant may be asked to step down from the role pending the outcome of the DBS's investigation. The DBS will consider this information, together with other information known on the individual, and decide whether it indicates that the individual has caused harm or poses a risk of harm to vulnerable groups. If so, the DBS will commence its barring process. The matter may also be reported to the local Police by the designated member of staff, if appropriate or necessary.
- 2) The applicant will be asked by the DBS to make a representation to the DBS regarding the referred information. The DBS will assess the information and representation and decide whether to bar the applicant. If there is sufficient barring evidence, the applicant will be placed on either the Children's Barred List or the Vulnerable Adults Barred List or both depending on the offence. The applicant must then be removed from regulated activity.
- 3) The applicant has the right of appeal to a tribunal and must be advised of this right. Serious offences committed against vulnerable people will lead to automatic barring and the applicant will have no right to make representations or to appeal against a barring decision.

I. Reporting and Dealing with Allegations of Abuse against Members of Staff

- 1) We note that in rare instances, the staff of Christian organisations have been found responsible for vulnerable adults abuse. Because of their frequent or occasional contact with vulnerable adults, there is a potential risk of our staff having allegations of vulnerable adult abuse made against them. Whitstable Baptist Church recognises that an allegation of vulnerable adults' abuse made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. It is imperative that those dealing with an allegation maintain an open mind and that any investigations are thorough and not subject to delay.
- 2) Our Diaconate acknowledges that the Vulnerable Adults Act 1989 stated that the welfare of the vulnerable adults is the paramount concern. It is also recognised that hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual's reputation, confidence and

career. Therefore, those dealing with such allegations within the organisation will do so with sensitivity and will act in a careful, measured way.

J. Safer Recruitment and Selection Procedures

Whitstable Baptist Church has recruitment and selection procedures. These will be reviewed annually in order to ensure that they fully take account of the need to safeguard vulnerable adults and of the following requirements (based on those pointed out by the Churches Agency for Safeguarding):

- *They should apply to staff and volunteers who may encounter, relate to or work with vulnerable adults.*
- *The post or role should be clearly defined.*
- *The key selection criteria for the post or role should be identified.*
- *Obtain professional and character references.*
- *Verify facts given verbally or on any application forms.*
- *Apply for Disclosure and Barring Service disclosure (and maintain sensitive and confidential use of the applicant's disclosure).*
- *Use a variety of selection and checking techniques (e.g. qualifications, previous experience, interview, reference checks).*
- *Formal references will be requested*
- *All prospective workers will have an interview.*
- *Where applicable an applicant's UK residency status and/or right to work in the UK will be checked.*

Each member of staff and worker with vulnerable adults, whether paid or voluntary, will be given a full copy of the Church's policy and procedures and will be required to follow them. These will also be given to any prospective staff/ workers and the practical expectations will be discussed with them at interview stage. The worker will be required to sign in acceptance of and in agreement with the procedures and codes of practice

A full copy of the policy and procedures will be made available on request to any member of the Church, the carers of any vulnerable adult who attends or takes part in the activities of the Church or any other person associated with the Church.

The policy and procedures will be monitored and reviewed at least annually.