

Vulnerable Adults Policy

Introduction

This document sets out the policies on vulnerable adults involved in sport that should be adopted by sports organisations. It focuses on how sports organisations should respond once risk of abuse is suspected, or has been identified or disclosed. It must be recognised that all sports organisations have a responsibility to help reduce the risks of vulnerable adults being subject to abuse of any kind and promote best practice in sport and that a pro active approach is adopted.

1.1 Vulnerable adults refers to all those adults (over 18) who have a physical disability, suffering from mental illness, have a learning disability or who, through illness or injury, are unable to provide adequately for themselves at that point

Risk refers to any situation or behaviour by an individual or others which presents a real or potential threat or harm to a person's health, safety or well being.

These policies and procedures also relate to staff and volunteers on whom someone described above is significantly dependant for their care and who may be at risk as a result of that person's behaviour or action.

1.2 Individual rights

Every person has the right to a lifestyle which maintains personal independence, safeguards privacy, offers genuine and informed choices, provides opportunities to enjoy and contribute to society and enables them to have their social, cultural and individual needs met. They also have the right to protection from harm or exploitation.

1.3 Positive aspects of risk taking

The vast majority of vulnerable adults live active and independent lives. This inevitably involves varying degrees of risk taking as a normal part of day to day living, and without which there would be a significant reduction in quality of life.

Risk taking therefore needs to be viewed positively in those circumstances where people are able to make reasonable, informed and calculated decisions involving risk taking and safety.

2 Types of risk

2.1 There are many and varied circumstances in which vulnerable adults might be considered at risk requiring a response. These fall into two broad categories

- People at risk because of self neglect or as a result of their own behaviour or lifestyle. Through direct contact with a vulnerable adult a member of staff or volunteer may become concerned about potential risk that may require action.

- People at risk because of the actions or behaviours of others.

2.2 Risk arising from self-neglect or a person's own behaviour or lifestyle.

- A. A vulnerable person may require assessment or investigation from an the appropriate agency (Health or Social Services) where
- They are unable to provide adequate care for themselves, or
 - They are unable to obtain care necessary for their needs, or
 - They are unable to make reasonable decisions because of their state of mental health, or
 - They are living in insanitary/unsafe accommodation or are homeless, or
 - They have refused essential services, without which their health and safety needs cannot be met, or
 - Their behaviour is such that it presents a real or potential threat of harm to their own health, safety or well being or to that of others.
- B. While many risk situations will come to attention through one significant incident that may involve immediate physical danger, equally serious situations develop more slowly through marginal changes or gradual deterioration in an individuals circumstances which can be more difficult to identify. For example, people suffering from dementia may need particular consideration due to the progressive nature of their condition.
- C. The following are typical of some of the risk factors which might be identified
- Physical, e.g. accidents including fire malnutrition, hypothermia, neglect, and alcohol or drug misuse, including prescribed medication.
 - Mental health- e.g. depression, dementia, fears, guilt, paranoia and suicidal tendencies
 - Social-e.g. social isolation, exploitation, antagonism, marital difficulties, relationship problems, sexual dishinibition
 - Psychological- e.g trauma arising from past experience of abuse, serious accident or sudden loss

2.3 Risk arising from the behaviour of others

A number of vulnerable adults are at risk as a result of the actions or behaviours of other people, either intentionally or unintentionally.

The main categories of abuse are listed below, although this is not exhaustive. Abuse exists in the context of the relationship and means that both the behaviour of the abuser and the effects on the abused come into the definition

- Physical abuse
Typical examples of physical abuse are slapping, hitting, physical restraint, over-use of medication, pushing, forcing people to do things against their will and deprivation of care including food and medication.

Typical effects of the physical abuse are bruises, burns, fractures, pressure sores, malnutrition or impaired health. Examples of physical abuse that may occur in sport may include be when the nature and intensity of training and competition exceeds the capacity of the athlete; where drugs are used to enhance performance; where physical punishments are used.

- Psychological abuse

This can be referred to as emotional abuse, mental abuse and verbal abuse. Typical examples of behaviours are blame, insults, humiliation, swearing, threats, neglect and denying a person of the right to make their own decisions. Typical effects are mental anguish, fear and depression. Psychological abuse in sport may occur if athletes are subjected to constant criticism, name-calling, and sarcasm, bullying or unrealistic pressure to perform to high expectations.

- Financial abuse

This is sometimes referred to as material abuse and financial exploitation. Typical examples of behaviour are theft or misuse of property, possessions and insurance, blocking the access of a person to their assets, and extortion. Typical examples of effects are having inadequate money to pay bills including rent, having a "disappearing pension" and losing control of ones financial affairs.

- Sexual abuse

This can be any form of sexual exploitation, ranging from the inappropriate use of sexually explicit language that causes offence to forced penetration and includes the involvement of adults in sexual activities they do not fully comprehend or to which they have not given their consent or which violates the sexual taboos or family roles. Typical examples of effects are emotional distress, feelings of guilt or shame and withdrawn behaviour.

- Social abuse

Typical examples of behaviour are confining a person to a room on their own, preventing them from seeing friends or relatives or having other social contact, denying access to services and refusal of transportation. Typical examples of effects are withdrawn behaviour, prolonged loneliness, sense of isolation and depression.

3. Principles of intervention

3.1 Reasonable, informed and calculated risk taking play an important part in contributing to the quality of life of both young and old; this is a matter of choice, demonstrating an individual's right of self determination and autonomy. However, where the health, safety and well being of vulnerable adults are seriously threatened as a result of self-neglect or abuse by others, there is a commitment to make every effort to identify, prevent or minimise such risks. In exercising these responsibilities sports organisations must be aware of, and sensitive to, an individuals ethnic origin, culture, religious beliefs, gender and sexual orientation.

3.2 It is not the role of sports organisations to determine if an individual is at risk or experience abuse. The identification, assessment, protection and care of vulnerable adults is a multi-disciplinary, inter agency responsibility, which should involve anyone with relevant knowledge or involved in providing support to ensure the safety and well-being of individuals concerned. Sports organisations should work in partnership with statutory agencies.

3.3 In exercising their responsibilities sports organisations will recognise that vulnerable people and their carers have separate rights in relation to independence, decision making and choice. Every effort will be made to assist in reconciling differences when the rights and responsibilities of individuals conflict, but such reconciliation may not always be possible.

3.4 Where a person appears to be at risk, every reasonable effort will be made to identify the specific problems or dangers. The concerns should be discussed with the individual and also relatives and others providing care and support, and where possible agreement reached on actions which will reduce the risk to an acceptable level, taking into account the chosen lifestyle of the person concerned. Where a sports organisation identifies a concern this should be reported to the appropriate agency.

3.5 Where direct intervention in a person's life is required because of the level of risk to which he or she is exposed, or because of the limitations on his or her capacity to make informed decisions, the intervention should be at the level necessary to ensure appropriate and sensible protection is provided. In these circumstances the involvement of an advocate should also be considered to help protect the interests of the person concerned.

3.6 Where abuse has been identified it may be necessary to take immediate action to prevent or stop it. This might include ensuring that the alleged abuser no longer has access to the vulnerable person concerned. Where it appears that an offence has been committed against a vulnerable person who is unable to make informed decisions and that person remains in danger of physical harm, the police must be immediately notified.

4 Procedures for responding to concerns relating to vulnerable adults or others who are at risk.

4.1 Situations where vulnerable persons or others are considered to be at risk of abuse, or where actual abuse is suspected, or situations of serious self neglect should be referred to the Social Services Department.

4.2 Action if there are concerns

The following action should be taken if there are concerns

Poor Practice

- If, following consideration, the allegation is clearly about poor practice; the Club Welfare Officer will deal with it as a misconduct issue.

- If the allegation is about poor practice by the Club Welfare Officer, or if the matter has been handled inadequately and concerns remain, it should be reported to the relevant (*sport*) officer who will decide how to deal with the allegation and whether or not to initiate disciplinary proceedings.

Suspected Abuse

- Any suspicion that a child has been abused by either a member of staff or a volunteer should be reported to the Club Welfare Officer, who will take such steps as considered necessary to ensure the safety of the individual in question and any other's who may be at risk.
- The Club Welfare Officer will refer the allegation to the social services department who may involve the police, or go directly to the police if *out-of-hours*.
- The parents or carers of the individual will be contacted as soon as possible following advice from the social services department.
- The Club Welfare Officer should also notify the relevant (*sport*) officer who in turn will inform the (*sport*) Welfare Officer who will be responsible for ensuring the (*sport*) vulnerable adults policy is adhered to.
- If the Club Welfare Officer is the subject of the suspicion/allegation, the report must be made to the appropriate Manager or in his/her absence the (*sport*) Welfare Officer who will refer the allegation to Social Services.

Confidentiality

Every effort should be made to ensure that confidentiality is maintained for all concerned.

Information should be handled and disseminated on a *need to know basis* only. This includes the following people:

- **The Club Welfare Officer**
- **The parents of the person who is alleged to have been abused.**
- **The person making the allegation.**
- **Social services/police.**
- **The (*Sport*) Regional Development Manager and (*sport*) Welfare Officer.**
- **The alleged abuser (and parents if the alleged abuser is a child). ***

***Seek social services advice on who should approach alleged abuser.**

Information should be stored in a secure place with limited access to designated people, in line with data protection laws (e.g. that information is accurate, regularly updated, relevant and secure).

Internal Enquiries and Suspension

- The (*sport*) Welfare Officer will make an immediate decision about whether any individual accused of abuse should be temporarily suspended pending further police and social services inquiries.
- Irrespective of the findings of the social services or police inquiries the (*sport*) Disciplinary Committee will assess all individual cases to decide whether a member of staff or volunteer can be reinstated and how this can be sensitively handled. This may be a difficult decision; particularly where there is insufficient evidence to uphold any action by the police. In such cases, the (*sport*) Disciplinary Committee must reach a decision based upon the available information which could suggest that on a balance of probability, it is more likely than not that the allegation is true. The welfare of individual should always remain paramount.

Support to Deal with the *Aftermath*

- Consideration should be given about what support may be appropriate to children, parents and members of staff. Use of Helplines, support groups and open meetings will maintain an open culture and help the healing process. The British Association of Counselling Directory¹ may be a useful resource.
- Consideration should be given about what support may be appropriate to the alleged perpetrator of the abuse.

Allegations of Previous Abuse

Allegations of abuse may be made some time after the event (e.g. by an adult who was abused as a child or by a member of staff who is still currently working with children). Where such an allegation is made, the club should follow the procedures as detailed above and report the matter to the social services or the police. This is because others, either within or outside sport, may be at risk from this person. Anyone who has a previous criminal conviction for offences related to abuse is automatically excluded from working with children.

Pre-recruitment Checks

The following pre-recruitment checks should always be carried out:

Advertising

If any form of advertising is used to recruit staff, whether paid or voluntary, it should reflect the:

- aims of the club and where appropriate, the particular programme involved
- responsibilities of the role
- level of experience or qualifications required (e.g. experience of working with vulnerable adults is an advantage)
- the club's open and positive stance on protection of vulnerable adults.

Pre-Application Information

Pre-application information sent to interested or potential applicants should contain:

- a job description including roles and responsibilities
- a person specification (e.g. stating qualifications or experience required)
- an application form.

Applications

All applicants whether for paid or voluntary, full- or part-time positions should complete an application form which should elicit the following information:

- Name, address and National Insurance Number (to confirm identity and right to work).
- Relevant experience, qualifications and training undertaken.
- Listing of past career or involvement in sport (to confirm experience and identify any gaps).
- Any criminal record.
- Whether the applicants are known to any social services department as being an actual or potential risk to vulnerable adults, a self-disclosure question to establish whether they have ever had action taken against them in relation to child or adult abuse, sexual offences or violence.
- The names of at least two people (not relatives) willing to provide written references that comment on the applicant's previous experience of, and suitability for, working with vulnerable adults (previous employer).
- Any former involvement with (sport) or any other sport.
- The applicant's consent to criminal record checks being undertaken if necessary.
- The applicant's consent to abide by the Code of Ethics and Conduct (you may need to adopt the scuk one)

The form should also state that failure to disclose information or subsequent failure to conform to the Code of Ethics and Conduct will result in disciplinary action and possible exclusion from the membership of any (sport) club.

All applicants must also complete a self-disclosure form

Checks and References

(add something here about the current position of the CRB and access to checks)

With regard to applications for posts paid or voluntary, with substantial access to vulnerable adults, a minimum of two written references should be taken up and at least one should be associated with former work with vulnerable adults. If an applicant has no experience of working with vulnerable adults, training is strongly recommended. Written references should always be followed up and confirmed by telephone.

A self-disclosure form should be adopted as part of a club's Coaches/Volunteers Register ensuring registers are extended to include all those with substantial access to children. All current staff and volunteers who have substantial access to vulnerable adults must complete a self-disclosure form. These individuals might include the coach, physiotherapist, first aider, team secretary, kit person, team transit driver - however there cannot be a prescribed list due to the differing circumstances of each club - therefore the club management must decide who has substantial access to vulnerable adults in the club environment and request those concerned to complete a self-disclosure form. It should also be made clear that the completion of the form is mandatory and a condition of club membership.

If any doubts or concerns are raised through the application form, self-disclosure form, references or checks, (Sport) reserves the right to request the applicant to obtain a criminal record check and forward the document to the (Sport) *(insert position)*. *Pending current CRB position)*

Subsequent periodical requests for a criminal conviction certificate will also be made if an individual takes up a new position within (sport) or after (3 or 5) years.

There are three different levels of criminal record check and related certificates under the Police Act 1997. They are as follows: -

- **A criminal conviction certificate** (or basic disclosure). The certificate will show all convictions held at national level which are not 'spent' under the Rehabilitation of Offenders Act 1974 but will not show 'spent' convictions or cautions;
- **A criminal record certificate (or standard disclosure)** The certificate will include details of convictions, including convictions 'spent' under the Rehabilitation of Offenders Act, and cautions, reprimands and warnings held at national level. In addition, where the post involves working with children or vulnerable adults, a check will be made of lists maintained by the Department of Health and the Department for Education and Employment of persons considered unsuitable for such positions;

- **An criminal enhanced record certificate (or enhanced disclosure)** In addition to the range of information available under the criminal record certificate, an enhanced certificate will include information from local police records including relevant non-conviction information.

Interview and Induction

It may or may not be appropriate to conduct a formal interview. If it is, it should be carried out according to acceptable protocol and recommendations.²

All staff, paid or voluntary, will undergo a formal or informal induction in which:

- their qualifications as a coach/official are substantiated
- they complete a profile to identify training needs/aspirations
- they **sign** up to the Code of Ethics and Conduct
- the expectations, roles and responsibilities of the job are clarified (e.g. through a formal or informal work programme or goal-setting exercise)
- child protection procedures are explained and training needs established.

Training

Checks are only part of the process to protect vulnerable adults from possible abuse. Appropriate training will enable individuals to recognise their responsibilities with regard to their own good practice and the reporting of suspected poor practice/concerns of possible abuse

It is recommended that all staff, paid or voluntary, with substantial access to vulnerable adults must be up to date, or receive appropriate training in the following areas:

- First aid (e.g. *scuk/BRC Emergency First Aid for Sport*, St John or St Andrew's Ambulance First Aid qualifications).
- Child protection.

Monitoring and Appraisal

At regular intervals (or following a programme), all staff or volunteers should be given the opportunity to receive formal (e.g. through an appraisal) or informal feedback, to identify training needs and set new goals. Club Management should be sensitive to any concerns about poor practice or abuse and act on them at an

early stage. They should also offer appropriate support to those who report concerns/complaints.

Complaints and Disciplinary Procedures

Clubs should ensure that parents and young people are aware of the complaints and disciplinary procedures.