Safeguarding People Using a Care Service Who Are at Significant Risk of Harm (England) Policy

Please note that all Croner-i policies are templates and should be amended to fit your requirements.

Introduction

This policy describes the safeguarding arrangements for particularly vulnerable people receiving care. (These might be people with complex needs, people with progressive forms of dementia, severe learning disabilities, etc — the description and definition will vary with the type of service.)

The policy is supplementary to the main Safeguarding People Using a Care Service from Abuse or Harm in Care Homes (England) Overarching Policy and applies where additional safeguards might be needed to protect people receiving care who are extremely vulnerable to abuse/harm. It should also be used in relation to other safeguarding policies that describe common contexts in which the extremely vulnerable could be subject to abuse. (See for example, Safeguarding from Bullying, Harassment, Exploitation and Other Forms of Social Abuse Policy.)

The policy is in line with the requirements of Regulations 12 Safe Treatment and 13 Safeguarding Service Users from Abuse and Improper Treatment of the Health and Social Care Act 2008 (Regulated Activities) 2014.

Policy Statement

This service understands the definition of "vulnerable adult" or "adult at risk of harm" to be a person aged 18 years or over who has care and support needs because of mental or other disability, age or illness and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

People using the care service are likely to be vulnerable through poor health or disability and may need protection from hazards which would present little problem to people in sound health and without disabilities. A minority of our people receiving care are particularly vulnerable or at risk in ways which need to be specifically identified and addressed; this vulnerability may be permanent or temporary, and it may involve all or only some of their activities.

It is not possible or sensible to aim for a lifestyle for vulnerable people receiving care which is free from risk. Indeed, many people receiving care find the taking of risks an essential, and sometimes desirable, element in the way they live.

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We consider that people receiving care, except for a small minority in whom the lack of capacity to take responsible decisions about their own welfare (and who might be subject to Court of Protection processes) has been specifically identified and agreed, should retain the right to take decisions about risks for themselves and we aim to encourage that element in people receiving care's continued independence. Some, but not all, may want a family member, friend or representative to be involved in decisions about situations in which they might be especially vulnerable.

This service considers that everyone involved with vulnerable adults have a duty to protect them from the taking of unacceptable risks and to keep them safe.

With the above issues in mind, the care service adopts the following approach and procedures, which it considers are in line with its duty of care and the regulatory framework in which it operates. For example, the Care Act 2014 requires care services to promote people's wellbeing while at the same time keeping them safe from harm. The "Fundamental Standards" Regulations (2014) require providers to deliver person-centred care within a care environment and ethos that also ensures people receiving care' safety.

Assessment of Care Needs

Before we agree to accept a person for the service, we will always ensure that a thorough assessment of the prospective person's needs has been undertaken, either by the referring service, service commissioner or under our own procedures, as the basis for a person using the service's plan of care.

The assessment will include the identification of people receiving care who are especially at risk of harm (through, for example, a permanent physical disability) or who have specific areas or times of special vulnerability (such as a recurrent illness or the need for end-of-life care). The person's vulnerability will be reassessed when the person's care plan is reviewed or more frequently if circumstances alter.

Risk Assessment

Any situation which might carry a significant risk will have a formal risk assessment by a trained and qualified person at the time of the drawing up or revision of the care plan. Each risk assessment will list the possible benefits of taking the risk against the possible adverse outcomes, the precautions which should be taken, and the arrangements for reconsidering the matter when appropriate. These factors and the conclusion of the risk assessment will be recorded in the care plan, and the responsibility of staff in relation to any risk likely to be faced by the person using the service will be clarified. Risk assessments will be reviewed at regular intervals or whenever circumstances change significantly or a new risk arises.

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Sources of Danger for People Receiving Care Who Have Specific Vulnerabilities

The assessment of need will consider all sources of possible danger. These include the person using the service's own behaviour, illnesses or disabilities, the living environment, specifically dangerous items including medicines, the actions of other people regularly in contact with the person, and situations arising if the person goes out, where the service continues to have some responsibility for the person's safety. The areas of responsibility of the care service in relation to some of these sources of risk will be recognised and considered in the care plan, but it may, with the person using the service's permission, be possible to alert other people or agencies who can provide advice or take appropriate action to minimise any danger.

Changes to Agreed Action Following a Risk Assessment

If a particularly vulnerable person using the service does not follow the action agreed in relation to the assessment of any risk and therefore puts themselves in unacceptable danger, the care staff will consider with the person if any further action is required, for example, making a safeguarding alert, discussion with family members or other professionals, revision of the risk assessment and care plan, or in extreme circumstances the termination of the service. Any discussion and the action taken will be fully recorded.

Involving Others in Decisions About Vulnerable People Receiving Care

Except for people whose lack of capacity to take responsible decisions about their own welfare has been specifically identified and agreed, people receiving our care retain the right to take decisions about the risks they choose to take. In decisions about care or risk-taking we will only involve others — family members, friends, representatives or other professionals — with the specific permission of the person using the service.

Any action taken to safeguard a person using the service who is at risk using this policy and its procedures should ensure the participation of the person throughout the process wherever possible.

All staff are expected to respect the right of the adult at risk to make their own decisions regarding their present and future circumstances wherever that adult can make informed choices. This must include decisions relating to situations perceived by professionals or others to be risky or dangerous. In such cases, the person should be given information about the options available to them that could protect them from abuse. Whatever their decision, however, a person using the services' wishes must never be allowed to undermine the service's responsibility to act.

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Circumstances where it is suspected that the person using the service does not have the mental capacity to be able to make an informed choice will be addressed under the Mental Capacity Act 2005. Decisions are taken by those planning the protection of the person using the service, based on the assessment of their mental capacity. Such decisions must be based on a judgment of what is in the best interests of the person, informed, where appropriate, by discussion with relatives and carers. Any action taken should be proportionate to the assessed level of risk and must respect the right of the person using the service to confidentiality. Where the assessment indicates that an advocate is required this should be provided.

Inter-service Working

This service recognises the complexity often involved in working for the protection of adults at risk of harm and is aware of the benefits to be gained from good multi-disciplinary and inter-service working. All staff are required to work actively together with other agencies on the prevention, identification, investigation, and treatment of alleged, suspected or confirmed abuse and management of risk. The local safeguarding authority will be contacted in line with its safeguarding policies and procedures.

Staff

We will ensure that all staff who work with particularly vulnerable people receiving care are adequately trained and appropriately experienced to provide the best possible service. Where a person using the service presents an area of vulnerability outside the experience of the staff allocated to their care, the staff will be given specific briefing or training. Qualified and experienced senior staff supervise care workers, who always have access to a responsible and competent person for advice and support.

Charging for Services

If the fact that a person using the service is especially vulnerable significantly effects the way in which our service needs to be provided or calls for special training or preparation of the responsible staff, this may be reflected in the agreed fees.

Training

All staff members receive training to make sure they understand the service's policy regarding adults at risk who need specific measures to keep them fully safe.

Staff receive further and more specialised training in the care of adults at high risk of harm in line with their roles and responsibilities.

ENLIGHTENED CARE GENERATION LTD

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Review

Signed:	RUEBEN SIBANDA
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