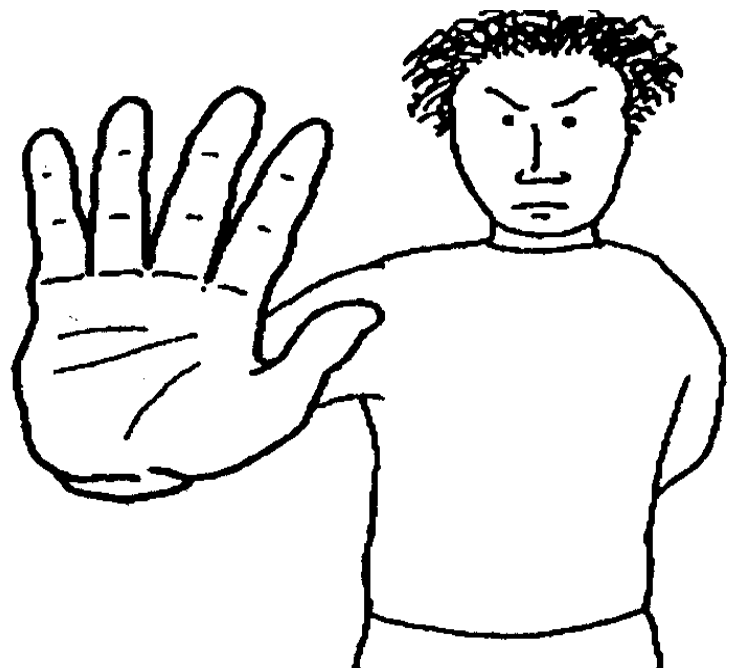


Safeguarding Adults with Learning Disabilities



Information for Partnership Boards

Contents

Foreword	Page	1
Introduction	Page	3
Part One: Background Information: Local Safeguarding Adults Systems and Partnership Boards	Page	7
Part Two: Actions to Help Safeguard People - Information for Partnership Boards	Page	11
Part Three: Good Practice Information for Individual Partnership Board Members and Other Groups	Page	15
Appendix 1: Sources of Information and Support	Page	30
Appendix 2: Indicators of Concern in Services	Page	36

Foreword

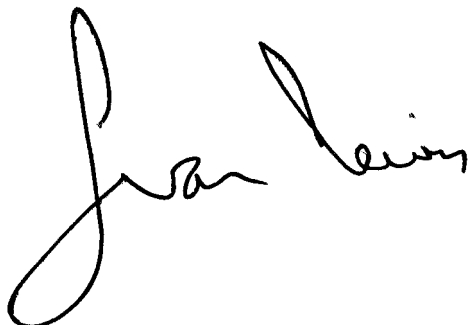
The Government White Paper *Valuing People (2001)* set out a vision for the lives of people with learning disabilities. This was underpinned by four key principles; choice, independence, rights and inclusion. Each of these principles emphasised the importance of working in partnership with people with learning disabilities.

Much positive development has consequently taken place with regard to these four principles. However, we also know that the lives of too many people with learning disabilities are being constrained and limited by experiences of abuse and neglect. These experiences can be extremely distressing and traumatic for individuals and their families. In recent years there have been painful reminders of the extent of this abuse with the publication of reports into the abuse of people with learning disabilities in Cornwall and Sutton and Merton.

These reports remind us that whatever our involvement with people with learning disabilities – as friends, relatives or workers - we all have a primary responsibility to protect people and uphold essential human rights. There is no single approach that will guarantee the protection of all adults with learning disabilities. Rather, we need to build a set of approaches that together will mean that abuse is less likely to happen and more likely to be uncovered quickly when it does happen.

Safeguarding Adults with Learning Disabilities outlines some such approaches. It has been developed to offer Learning Disability Partnership Boards information about clear, straightforward and practical steps they can take to better safeguard people in their area. It is based on the ideas, experiences and wisdom of individuals and agencies who have been involved in services for people with learning disabilities for many years. They include health and social care practitioners, family carers, commissioners, adult protection coordinators, independent voluntary agencies and people with learning disabilities themselves.

Safeguarding Adults with Learning Disabilities shares the four key principles of *Valuing People*. In addition it acknowledges a fifth principle of collective responsibility. This reminds us of the importance of working together, through effective multi-agency approaches. Equally, it reminds us of the vital importance of working in partnership with people with learning disabilities and their families. Only when we take such collective actions can we begin to enable individuals to live lives of greater safety and freedom from fear.

A handwritten signature in black ink, appearing to read 'Ivan Lewis', with a large loop at the start and a long horizontal stroke.

Ivan Lewis

Parliamentary Under Secretary of State for Care Services

Safeguarding Adults with Learning Disabilities Information for Partnership Boards

Introduction

The aim of this information pack is to help people who are members of Partnership Boards to better protect adults with learning disabilities in the communities in which they live. The ideas and suggestions contained in this information pack reflect the views and experiences of many different people and organisations. These people were either experts in terms of long-standing knowledge and practice or experts as a result of their own personal experiences. We hope that these informed suggestions will serve to complement, reflect and develop existing work in your particular area.

Safeguarding Adults with Learning Disabilities is divided into three parts:

Part One outlines the local Safeguarding Systems that are relevant to Partnership Boards and the individuals and communities they represent. This outline describes the roles and responsibilities of the key individuals and agencies involved and how they each serve to protect people.

Part Two highlights the actions that Partnership Boards can take to help to safeguard people in line with these local systems.

Part Three presents suggestions regarding good practice and sensible actions that Partnership Board members can take themselves and can share with the groups, individuals and agencies that they represent.

There are five Key Principles that underpin the suggestions outlined in *Safeguarding Adults with Learning Disabilities*:

Rights and Respect

It is crucial to remind everyone concerned that people with learning disabilities have the right to live a life free from abuse and neglect and to receive the full protection of the law, in all environments and service settings. People with learning disabilities have the right to demand that they are treated equally and with absolute respect, whether they are using specialist services or participating fully in the life of the community that they share.

Independence

It is vital that people with learning disabilities are given information and support to help them to get even better at protecting themselves and their friends and peers. It is also important to attempt to balance issues of independence and safety. This includes thinking carefully about ways of promoting safety or responding to situations of risk, whilst not unduly compromising individuals' independence and autonomy.

Choice

Respecting and understanding choice plays an important role in safeguarding adults. Listening to individuals' preferences about issues such as where they wish to live and with whom, can help ensure that people with learning disabilities are able to live alongside others with whom they feel comfortable and safe. Thinking carefully and wisely about how individuals make choices and any limitations they may have with regard to choice making and consent, can enable their supporters to ensure that choices are respected, while still taking steps to protect individuals from risks or dangers which they have not appreciated or anticipated.

Inclusion

Inclusion means more than being able to take part in ordinary, valued community activities. It is essential that we work to ensure that people with learning disabilities feel safer in their communities and ensure that their concerns are taken seriously when they report harassment, intimidation and hate crime.

Collective Responsibility

The final principle that underpins *Safeguarding Adults with Learning Disabilities* reminds us that it is essential to recognise our shared responsibility to take sensible and effective actions to better safeguard people. Although some agencies and individuals have been given lead roles, we all have a part to play in ensuring that people with learning disabilities in our communities are better protected.

Terminology

A number of labels have been used to describe work to prevent and responds to abuse. This document uses the term *Safeguarding Adults* to refer to activities which are also sometimes labeled as *Adult Protection* or *Vulnerable Adults'* work.

Acknowledgements

This information pack was produced by the Department of Social Work at the University of Hull with support from the following organisations. We would like to take this opportunity to thank them for sharing their experiences, knowledge and insights:

Adult Learning Disability Abuse Team (ALDAT) Devon Partnership NHS Trust
The Ann Craft Trust
Carers Voice, Hull
Castlebeck
The Commission for Social Care Inspection
Coventry City Council
Department of Community, Ageing, Rehabilitation, Education and Research,
University of Sheffield
East Riding of Yorkshire Council
East Riding of Yorkshire Partnership Board
East Riding of Yorkshire PCT
HICA
The Home Farm Trust
Hull and East Riding Adult Protection Committee
Hull Learning Disability Partnership Board
Humber Mental Health NHS Trust
Humberside Police
Inclusion North
Kingston upon Hull City Council
L'Arche Lambeth
Members of The National Family Carers Network
Mencap
The National Forum for People with Learning Disabilities
Northamptonshire Healthcare NHS Trust
Nottinghamshire Adult Protection Unit

PAVA UK

Representatives of the Grovehill Centre, Beverley

Respond

Sense

Sunderland Partnership Board

Sunderland People First

The Valuing People Support Team (CSIP)

Voice UK

York People First

The pictures used in this report have been taken from:

Change - the Change Picture Bank and the Health Picture Bank

Inspired Services - the Valuing People ClipArt Collection

People First - Access 2 Pictures

Part One

Background Information: Local Safeguarding Adults Systems and Partnership Boards

The purpose of Part One is to help Partnership Board members to understand better the main structures, systems and organisations that are currently involved in safeguarding and protecting adults with learning disabilities.

- **Joint Planning and Commissioning by Local Authorities and NHS Primary Care Trusts**

This strategic planning shapes the design and delivery of specialist services for adults with learning disabilities. It is the responsibility of those who plan and commission services to promote the development and maintenance of services which safeguard people's health and well-being. This promotion of well-being may be brought about through strong and clear contracting with service providers or through individual Care Management processes such as Care Assessment and Review. Commissioners and care managers have a clear responsibility with regard to complaints and concerns about all aspects of support and care.

- **Providing Community Care Services - Local Authority, NHS and Independent Care Organisations**

Numerous organisations will be involved in the provision of direct support services to help people with daily life. This support includes residential and day services, supported living schemes and individual personal assistants secured through self-directed care packages or Direct Payments.

Each organisation has a responsibility to ensure that they provide a fear free environment, which ensures the safety and well-being of those using the service. Their responsibilities also include investigating any complaints and reporting concerns or allegations about abuse to social services. Each provider organisation is expected to have its own internal guidelines on adult protection and these guidelines should be consistent with local multi-agency safeguarding or vulnerable adults' policies and procedures (see below).

- **Providing Specialist Health and Social Care Support and Advice**

This specialist provision encompasses professional groups such as social workers, nurses, care managers, psychologists, speech and language therapists, occupational therapists and physiotherapists. Their roles are to provide services, both directly or through the care management processes of assessment, care planning and reviewing. Such services promote the health and well-being of people with learning disabilities.

With regard to adult protection, health and social care practitioners are well placed to identify individuals who may be at risk or who are at risk of harming others and to recognise failing services and uncover evidence of actual abuse. They then have a responsibility to report these issues and seek protective responses where necessary.

- **Investigating Allegations of Abuse**

Local authority (Social Services) officers take the lead role in coordinating investigations into and responses to allegations of abuse or neglect. It is their responsibility to coordinate the multi-agency response to the allegation and to ensure that all other agencies concerned respond to the need to safeguard the individual(s) concerned. Where a crime may have been committed, local authority officers will work closely with the relevant police investigators.

- **Enforcing the Law - The Police**

The police are responsible for investigating potential crimes carried out against all members of society. It is important to remember that some forms of abuse, such as rape, sexual assaults and theft, are also criminal acts and should therefore be reported to the police as a matter of priority.

- **Screening and Vetting of Staff**

Social care providers have a responsibility to work to ensure that individuals with a known history of harming vulnerable adults or of placing them at risk, are prevented from joining the caring workforce. Mechanisms for such screening include seeking up-to-date references and carrying out checks with regard to the Criminal Records Bureau and the Protection of Vulnerable Adults (POVA) scheme. In addition, registered care providers are responsible for referring workers who have harmed vulnerable adults or placed them at risk

of harm, to the POVA scheme. The POVA scheme is due to be superseded by the Safeguarding Vulnerable Groups Act (2006) which creates a new independent vetting and barring scheme to replace the POVA scheme. This is scheduled to be introduced during 2007-2008.

- **Regulating and Inspecting Services**

Regulatory bodies called the Commission for Social Care Inspection (CSCI) and the Healthcare Commission are responsible for inspecting and improving standards within health and social care agencies (including residential homes, nursing homes and in-patient units). CSCI inspect and review council social care services as a whole and regulate individual care provision in care homes and home care (domiciliary) services. Such services are inspected with reference to agreed national minimum standards and public reports are made available via the CSCI website at www.csci.org.uk

CSCI do not take a lead role in Safeguarding Adults but work in close partnership with service providers, local authority and NHS commissioners and the police. If you contact your local office with a concern or complaint they will listen to you and record your enquiry but are likely to refer you to a social services team as well. CSCI works to safeguard the welfare of adults by ensuring that councils and regulated service providers comply with national standards and performance measures. CSCI can, if necessary, take enforcement action to ensure that poor or failing services comply with their recommendations. CSCI and the Healthcare Commission also monitor the performance of the other key agencies with regard to Safeguarding Adults.

- **Monitoring and Overseeing Safeguarding Adults and Adult Protection - Safeguarding Adults Partnerships**

Following the government guidance "*No Secrets*" and "*In Safe Hands*", local authorities in England and Wales have established multi-agency partnerships to lead on Safeguarding Adults' work. These Safeguarding Adults Partnerships, or Adult Protection Committees, have developed policies and procedures outlining appropriate responses to the abuse of 'vulnerable adults', including people with learning disabilities.

These multi-agency partnerships and their coordinators monitor allegations of abuse and the outcomes of investigations and provide guidance to

practitioners, investigators and members of the public. A major aspect of their role is to develop and support the delivery of multi-agency training regarding abuse and safeguarding procedures.

- **Providing Social and Emotional Support - Families and Friends**

Families and friends are often the people who know individuals with learning disabilities best. They are in a good position to recognise the behavioural changes and other signs that suggest people with learning disabilities are being abused or mis-treated, as well as to identify services or situations in which individuals are unsafe.

Self-advocacy groups may help people with learning disabilities to develop the skills and confidence to speak up and offer opportunities to make friends and extend their support networks. Similarly carers groups can help carers to work together to support each other and raise concerns about the welfare of individuals or groups.

Part Two

Actions to Help Safeguard People - Information for Partnership Boards

Part Two outlines five key steps that Partnership Boards can take to better safeguard the adults with learning disabilities that they represent or serve.

a) Raising the profile of work to safeguard and protect

- Partnership Boards can identify a named person to take a lead role in respect of safeguarding and protecting adults with learning disabilities. This person would establish a strong link between the Partnership Board and the local Safeguarding Adults Partnership
- Partnership Boards can promote the five Key Principles that underpin this safeguarding initiative in all aspects of their work, and continue to reinforce the rights and *zero tolerance* expectations of citizens with learning disabilities
- Partnership Boards can make safeguarding and protecting issues an important part of the agenda of their work. This could be done by arranging issue specific meetings, or by ensuring that *safeguarding* becomes a standing item on the agenda for Partnership Board meetings
- Partnership Boards can work in conjunction with Safeguarding Adults Partnerships and Committees to raise awareness of abuse and to monitor and report patterns of concern in their respective localities.

b) Supporting people with learning disabilities and their families

- Partnership Boards can ensure that individuals and groups have appropriate opportunities to bring their concerns to the attention of their local Board. This might be through the identified safeguarding and protection officer (as above) or through their relevant representatives or forums
- Partnership Boards can ensure that information about abuse and protection is available to all service users and carers in formats that they find useful

- Partnership Boards should continue to encourage the development of advocacy. It is vital that people are given opportunities to talk about their experiences with their peers and develop their self-confidence. It is also important that Partnership Boards continue to work with all concerned to ensure that independent advocates are able to access services and individuals

c) Ensuring that information, training and expertise about safeguarding and protection is available to all those who work with people with learning disabilities

- Partnership Boards can work with local Safeguarding Adults Partnerships to develop a workforce strategy to ensure that all staff have better knowledge, skills and competencies with regard to adult protection

This includes, for example:

Care Staff and Managers

Direct Payments Personal Assistants

Health and Social Care Practitioners (including nurses, care managers, speech and language therapists, clinical psychologists)

Employers and Work Training Staff

Staff and Tutors in FE Colleges and Schools

Staff in Community and Leisure Services

Transport Organisation Workers

Housing Workers

Primary and Acute Health Care Workers

Solicitors

Police officers

Staff and Volunteers in Community Groups and Faith Organisations

- Partnership Boards can work with local Safeguarding Adults Partnerships to ensure that training is available for senior managers who take a lead role in adult protection
- Partnership Boards can work to ensure that Further and Higher Education courses and programmes are supported to teach students to recognise and report abuse and protection issues. For example, Social Care, Nursing and Social Work students

- Partnership Boards can make links with generic support agencies (such as rape crisis, domestic abuse and victim support services) to explore the support they can offer to people with learning disabilities, and their training needs
- Partnership Boards can work to ensure that Primary and Acute NHS services are offered support to improve their ability to safeguard and protect patients in their care, and to increase their knowledge, understanding and awareness of abuse
- Partnership Boards can work alongside local Safeguarding Adults Partnerships to ensure that police officers are offered the opportunity to take part in joint training and to share their experiences
- Partnership Boards can support FE Colleges in their efforts to raise awareness of, and improve responses to, student on student harassment and ill treatment

d) Supporting the development of high quality support services

- Partnership Boards can continue to work to influence and shape commissioning and planning processes, encouraging the development of person centred, community integrated services
- Partnership Boards can continue to promote and commission Person Centred Planning for individuals, and in particular for priority groups where risk and vulnerability are central issues, such as people who are very distressed or people with very significant intellectual impairments
- Partnership Boards can work to ensure that Quality Sub Groups develop a dynamic and central role in monitoring and evaluating services to complement the role of other regulatory and inspection agencies
- In developing such a dynamic role, Partnership Boards can pursue innovative approaches to service monitoring involving people with learning disabilities, carers and others. This can involve approaches such as those developed by the Quality Network or by self-advocacy groups

- Where Partnership Boards have a direct commissioning role, they should ensure that the principles and practices described in *Safeguarding Adults with Learning Disabilities* guide and underpin commissioning decisions. For example, they should ensure that commissioned services are of high quality and are alert to issues of safety and protection. Equally, they should ensure that services are commissioned which promote self-confidence, knowledge and the ability to speak up about ill-treatment and abuse
- e) Learning from formal Inquiries, including those in Cornwall, Sutton and Merton, and from strategic initiatives, such as the Healthcare Commission's National Audit of Services for People with Learning Disabilities.

Part Three

Good Practice Information for Individual Partnership Board Members and Other Groups

Part Three presents suggestions and ideas about good practice and sensible actions that Partnership Board members might take themselves or might share and likewise suggest to the groups that they work with or represent.

These suggestions are divided into six groups:

- People who plan and commission services
- People with learning disabilities and advocacy groups
- Families, carers and friends
- Health and social care practitioners
- Managers and support staff from care providers
- Staff in generic community services such as housing, education, leisure

A) Good Practice Information for People who Plan and Commission Services

Examples of good practice in commissioning:

1. Ensuring that effective systems of assessment, care planning, service design, delivery, and monitoring are in place and that these systems promote safety and protection for people with learning disabilities in your locality by:

- Identifying and prioritising groups of people who are at the highest risk of abuse and harm such as:

People who are distressed and harm themselves or others

People who are placed "out of county"

People with a very significant intellectual disability / high support needs

People who are survivors of past abuse

- Developing knowledge about indicators of concern or failing services (see Appendix 2)
- Ensuring the effective monitoring of services, involving service recipients and other stakeholders as evaluators, incorporating their expertise, experiences and insights into the monitoring process
- Ensuring that information about complaints processes is readily available and complaints systems are robust, responsive and user friendly
- Reviewing models of respite to ensure that respite services do not disrupt the lives of existing residential service users
- Pursuing individualised models of service delivery which separate housing from the care and support components
- Commissioners should seek to identify patterns of complaints to see if there are common themes

2. Ensuring the provision of effective individual assessment which informs care planning, service design and delivery by:

- Ensuring that Community Care Assessments, Risk Assessments and Healthcare Assessments (Health Action Plans) are offered to all people who need support services

- Ensuring that Community and Health Care Assessments and the resultant care plans address safeguarding and protection issues
- Ensuring that people with learning disabilities, their families and advocates are fully involved in the assessment and care planning process
- Ensuring that the design and delivery of support packages is based on individual assessment
- Prioritising friendship and compatibility rather than levels of support; it is more important to live where you want with whom you want. Friends together, help each other
- Take positive and swift action when people are identified as unsuitably placed (for example because they pose risks to others, are at risk from the people with whom they live, or because the service is unsuitable to meet their present needs)
- Ensuring that people's care and support is effectively monitored and reviewed, ensuring that care plans are being followed, regardless of location (for example out of county people)

Visit services, meet people regularly

Ask knowledgeable partners, such as Learning Disability Nurses, Advocacy Groups to help with monitoring

Ask for supporting evidence from providers

Ensure that those who monitor and review services recognise indicators of concern or failing services (see Appendix 2)

3. Ensuring that safeguarding issues are at the heart of commissioning and contracting for groups and individuals by:

- Ensuring that service level agreements and contracting processes place significant priority on safeguards and protection, alongside other priorities such as empowerment and choice
- Ensuring that all documents relating to services (for example service specifications, invitations to tender and contracts) reflect local policies and procedures for safeguarding adults
- Equipping provider organisations with relevant, up-to-date information, policies and procedures relating to safeguarding adults
- Ensuring that specialist services hold up-to-date policies and procedures which reflect best practice - using service level agreements and the contracting process to encourage compliance

- Taking strong, early action when there are concerns about poor practice or 'low level abuse' (zero tolerance)
 - Ensuring that CRB clearance and opportunities to take part in safeguarding training are offered to a wide variety of workers within and beyond the caring workforce. This could include for example taxi drivers working for contracted companies, transport workers and leisure workers
4. **Commissioning a range of advocacy and self-advocacy services and ensuring that those services are adequate and effectively monitored and reviewed**
 5. **Commissioning independent carers support services and welcoming the development and participation of independent Carer Forums**
 6. **Commissioning a multi-agency team of protection "specialists" whose work could involve investigation and / or providing skilled support to individuals who have been abused**
- Ensuring that complaints in respect of safeguarding adults are investigated by staff who are not directly responsible for the service in question
 - Securing opportunities for therapy, support and counselling for people who have been abused
 - Offering or securing support for staff and families to enable them to understand the experiences and feelings of the person who has been abused, and how they can offer effective support
 - Ensuring that clinical and therapeutic input is available to support effective care delivery and change
 - Securing specialist support for people with the highest degree of impairment and little or no verbal communication
 - Ensuring the availability of support for people with learning disabilities who abuse others

B) Information for People with Learning Disabilities

Abuse is when someone hurts you or treats you badly. Abuse is always wrong. There are different kinds of abuse.



Physical abuse - when someone hurts you, for example hitting, kicking, biting.



Sexual abuse - when someone touches your body or your private parts in ways you do not like or want. This can include kissing you, making you touch them, having sex with you when you do not want to.



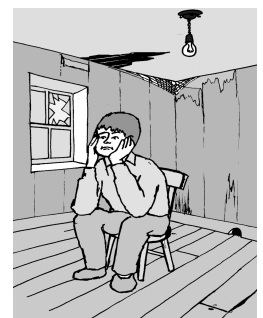
Emotional abuse - when people talk to you in unkind ways. For example, teasing, threatening, swearing, shouting, putting you down.



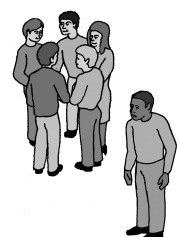
Financial abuse - when people take your money or things which belong to you, without you saying it's OK.



Neglect - this is when people who are supposed to help you don't look after you properly. For example, not giving you enough food, not keeping you warm and safe, not giving you medication or taking you to the doctors if you are ill.



Discrimination - is when people treat you badly or unfairly because of the colour of your skin, your religion, your disability or because you are Lesbian or Gay.



All of these things are abuse, and they are wrong.

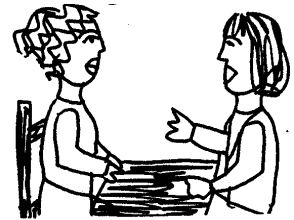
If these things happen to you or your friends, or if someone does something to you that you feel is wrong, you should tell someone you trust.

You could tell:

- A member of staff
- Someone in your family
- A nurse or social worker
- A manager
- A friend or neighbour
- An advocate or advocacy group



They should listen to you and try to help you. If they do not believe you or help you, you should tell someone else. There are also some organisations which help people who have been abused. If you want to talk to someone on the phone about abuse, you can phone



- **Respond - telephone 0808 808 0700**
- **Voice UK - telephone 0845 122 8695**



If you want to find out more about how to stay safe, you could ask someone you trust for ideas.

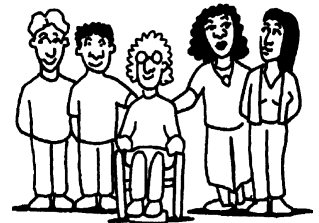
Remember no one deserves to be treated badly or abused. You have a right to be safe.

If you feel worried or you don't feel safe in the places that you live, work or spend your free time, you should tell someone.

Self-advocacy groups

Some people join groups like self-advocacy groups, People First groups and women's groups. These groups can be helpful because they can help people to:

- Speak up about the things which are important to them
- Become more confident
- Make friends
- Meet people who will listen to them and try to help them
- Learn about what abuse is and how they can protect themselves better



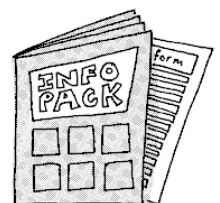
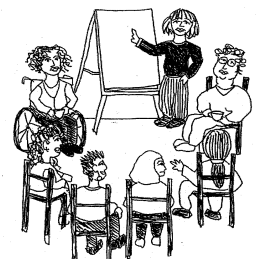
If you would like to join a self-advocacy group, you could ask a relative, friend or member of staff to help you find out about groups in your area.



Ideas for self-advocacy groups

There are some useful things self-advocacy groups can do to help other people understand more about people with learning disabilities and how to treat them well.

- Meet with other groups (for example school children or professionals) and tell them about what it is like to have a learning disability and about the ways people are treated. This can help other people to think about the ways they behave.
- Make information for staff and personal assistants to tell them about good ways of working and how people like to be treated.



Talk to bus drivers, taxi drivers and escorts.
Help them to learn how to help people with learning disabilities who might be being treated badly or abused.



- Write letters to Head Teachers or College Teachers when people are being treated badly or abused by students.



- Give people accessible information about abuse and how to make a complaint.



- Ask your Partnership Board about ways to get involved in carrying out inspections of services for people with learning disabilities.



- Encourage people to speak to the police and use words like hate crime and assault rather than bullying. The police understand these words better.



- Work with students on training courses (for example student social workers) to help them learn about good ways to support and work with people with learning disabilities.



C) Information and Suggestions for Family and Friends

Families and friends can better safeguard and protect by:

- Learning about the potential indicators of concern or failing services (see Appendix 2) and raising their concerns with others even if they have no actual evidence of abuse
- Talking with other families and relatives and sharing concerns and helping each other - you could consider starting up family groups in respect of residential homes and other group services. Such groups can organise regular meetings with service managers or Care Managers from Social Services
- Learning about an organisation's complaints process even if you have no problems and learning about how you also complain to your relative's Care Manager (usually a Social Services person)
- Being vigilant and persistent - if you complain and do not get a response, make a further complaint / ask questions
- Keeping a record of your concerns including dates and names and as much detail as you can - it may help to follow up phone calls with written concerns
- Finding out who to contact on the Partnership Board when you wish to raise issues with regard to safeguarding and protecting adults with learning disabilities
- Finding out how to contact the local Safeguarding / Adult Protection Coordinator
- Developing or supporting existing Independent Carers Groups to ensure that carers' views and concerns can be represented more widely, for example at the Partnership Board
- Helping other carers - identifying and offering support to isolated families in high stress situations, particularly when their relative is still part of the household
- Making sure that family carers are aware of Carers Assessments and are using these to highlight pressures and understandable difficulties

D) Information for Health and Social Care Practitioners

Prevention

The following are examples of good practice which can help lower the risk of abuse occurring or make abuse which does happen easier to identify:

- Ensuring that support workers and service managers know how to contact health and social care practitioners and make referrals, ensuring that individuals receive the support they need
- When planning residential placements it is important to consider carefully who will be living together. Attending to issues of compatibility and ensuring residents are not at risk of being bullied, exploited or harmed by their peers is an important aspect of helping people stay safe
- Identifying isolated families in high stress situations and helping them to access the support that they are eligible for - making full use of Carers Assessments
- Helping people to learn about how to get in touch with self-advocacy groups or carers support groups. Helping people to access such groups can enable individuals to develop the skills and confidence to better protect themselves or their relatives
- Recognising and highlighting the importance of on-going sex education - helping people with learning disabilities to recognise appropriate sexual behaviours, and to recognise the difference between pleasurable, consensual experiences, and sexual abuse
- Learning about the potential indicators of concern in services and practices which are associated with a risk of abuse and neglect (see Appendix 2)
- Using standard Care Reviews as a potential place to find out about concerns. Considering carefully whether complaints or issues raised at a review should be taken as signs of more serious problems. Reviews should also identify whether an individual has someone they know and trust with whom they could discuss problems and concerns
- Identifying individuals who appear to be significantly lacking in self-esteem and confidence and prioritising relevant support or intervention with them
- Working flexibly and out of hours, in order to visit individuals in support services, for example, in Care Management teams
- Ensuring that the local community is made aware of the Community

Nurse for their locality and how to contact them to discuss concerns about abuse and safety

Responding when abuse occurs

- Learning about your responsibilities and role with regard to your local Safeguarding Adults Policies and Procedures in advance of referrals, and then following the guidance appropriately
- Ensuring that allegations of abuse are reported and swift multi-agency actions are taken when abuse has taken place, regardless of whether the perpetrator is a member of staff or a person with learning disabilities
- Ensuring that those who refer the allegation are kept aware of the progress of the investigation and the decision making process, taking into account issues of confidentiality
- Ensuring good information sharing with colleagues in other agencies
- Reporting any concerns you hold about individuals' welfare or service quality. You do not have to have 'hard' evidence of actual abuse before sharing and reporting concerns
- Learning about the possible ways individuals may communicate fear, distress and abusive experiences, for example self-harming behaviour

Offering support after abuse has occurred

- Offering or arranging counselling, therapy and support for individuals and others who have been affected by the abuse such as staff and families. In particular practitioners can highlight the needs of people with high support needs who may not be able to make use of traditional counselling techniques
- Offering or arranging support for "perpetrators" of abuse who have a learning disability themselves in order to try to prevent further abuse
- Once abuse has been identified and the initial investigation has been completed it is important to review the case and consider how the abuse could have been prevented and whether responses could have been more effective
- Being on guard against over protection and becoming risk averse following an incident of abuse - encourage people to risk assess and manage risk in order to allow change not discourage it
- Ensuring regular reviews for the first year following a protection issue. Practitioners need to continue to share information to ensure on-going protection is consistent

E) Managers and Support Staff from Care Providers

Managers can support staff by:

- Working to ensure all staff are skilled and competent in supporting people with learning disabilities. This involves making effective use of training, staff development and supervision, and clarifying your organisation's policies and procedures. Learning should address issues both directly and indirectly linked to safeguarding and protection. Examples include:

Abuse and protection - their roles and responsibilities

Reporting concerns and whistle-blowing

Physical interventions and restraint

Effective communication

Providing intimate and personal care

Supporting adults with their sexuality

Appropriate relationships and conduct with service users

- Ensuring there is understanding within the service about how to make referrals for health and social care support
- Taking early, proactive action where there is evidence of poor practice or 'low level' abuse
- Beware of fixed staff shift patterns
- Ensuring that staff know that if they report abuse wrongly, but in good faith, they will not get into trouble
- Ensuring that managers spend time working alongside service users and direct care staff
- Ensuring that poor attitudes and disrespectful behaviours are challenged without delay
- Ensuring that staff have good communication skills, both in communicating effectively with residents and understanding the ways in which residents communicate, especially with regard to individuals who use non-verbal communication or have sensory impairments

Managers can support service users and their relatives by:

- Ensuring that service users are able to exercise choice and control
- Ensuring that people with learning disabilities and their families and friends have information about how to make a complaint, and that

complaints processes are robust and responsive

- Ensuring that robust systems for the management of residents' finances are in place
- Involving people with learning disabilities, families and advocates in the planning and delivery of their care
- Working alongside people with learning disabilities, families and advocates - for example through service improvement groups - to identify things which will improve service quality
- Ensuring that abuse is taken seriously whether the perpetrator is a member of staff or a person with a learning disability
- Enabling advocates to access the service and individuals who live there
- Cross referencing care plans to safeguarding issues, and including a risk assessment where it has been identified that individuals are at risk or pose risks to others. Documenting the methods of addressing those risks
- Helping people with learning disabilities to choose who they want to help with personal care - remember that same sex policies may not help men who have been abused by men, or women who have been abused by women
- Considering using person centred planning approaches to encourage all concerned to work towards improved outcomes for people
- Ensuring that the response to an allegation or report of suspected abuse is immediate, but proportionate
- Services should support service user / resident meetings - it is important to give people an opportunity to raise issues when supported by a group. These meetings can be best facilitated by an external person such as an advocate / practitioner
- Welcoming the involvement and participation of families and friends (unless there are legitimate concerns)

Managers - Reporting and Responding

Good practice examples:

- Reporting all incidents, accidents and near misses and taking opportunities to learn from these
- Monitoring and reporting incidents where service users have been at risk or actually harmed
- Being open with others from outside the service about abuse and risk issues
- Responding to allegations of crime without any delay - allegations which

receive an immediate response are more likely to succeed through the courts, for example forensic evidence isn't available for long periods afterwards

Recruiting and Maintaining an Appropriate Workforce

- Ensuring the use of best practice recruitment systems i.e. ensuring all appropriate CRB and POVA checks are conducted and references are sought and confirmed
- Involving service users and carers in recruitment

Care Providers - Good Practice Suggestions for Support Staff

Support staff can support protection by:

- Being clear and informed about your responsibilities with regard to adult protection - find out what you have to do in advance of an incident
- Finding out how to report any concerns you may have and who you should report them to
- Reporting all acts which appear abusive, whether they are carried out by staff or people with learning disabilities 'if it hurts and damages, it hurts and damages no matter who caused it' (Advocacy Partners)
- Listening to what service users are saying or communicating
- Making communication with residents a central part of your role, and ensuring that you recognise how each resident communicates their needs and wishes, and how they express that they are unhappy, distressed or afraid
- Ensuring that where residents need aids to support communication and/or hearing, that these aids are kept in good working order, are easily accessible and are being used regularly
- If you know someone has been abused or harmed make sure that they are helped to get the right kind of support or counselling to help them to cope and manage their feelings and possible distress in both the short and long term

F) Information for Generic Community Services such as Education, Housing and Leisure

Examples of Good Practice

- All services can offer staff the opportunity to undertake training with regard to supporting people with learning disabilities within their services
- Services can ensure that they make their staff aware of adult protection issues with regard to people with learning disabilities, including clear instructions about who they should contact if a person makes a disclosure to them regarding abuse
- Colleges can deliver awareness raising and prevention work with students and staff
- Schools and colleges in particular should develop safeguarding procedures compatible with the local multi-agency policy

Appendix 1 - Sources of Information and Support

Useful Materials and Resources

A Guide to the Police.

Available from Voice UK. Telephone 0845 122 8695. www.voiceuk.org.uk

A leaflet to explain to people with learning disabilities the role of the police and how they support vulnerable victims and witnesses.

Abuse in Care? A practical guide to protecting people with learning disabilities from abuse in residential services. By Dave Marsland, Peter Oakes, Ian Tweddell and Caroline White.

Available from the University of Hull. Telephone 01482 463348

Gives information about 'early indicators' which help identify people with learning disabilities who are at serious risk of abuse in residential services.

Abuse is Bad. By Speak Up Self-Advocacy

Available from Speak Up Self-Advocacy. Telephone 01709 710199,
www.speakup.org.uk

A DVD to give people with learning disabilities information about abuse

Action Against Abuse. Recognising and preventing abuse of people with learning disabilities. By Gill Bailey.

Available from ARC. Telephone 01246 555043. www.arcuk.org.uk

Three information packs which provide information about abuse to people with learning disabilities, support workers and families.

Blowing the Whistle on Abuse of Adults with Learning Disabilities. By Rebecca Calcraft.

Available from the Ann Craft Trust. Telephone 0115 9515400.

www.anncrafttrust.org

Reports on research findings about whistle blowing, and offers information about the experiences of whistle blowers and suggestions with regard to the development of whistle blowing policies.

Care Homes for Adults (18-65) and Supplementary Standards for Care Homes Accommodating Young People Aged 16 and 17. National Minimum Standards. Care Homes Regulations. By The Department of Health

Available from The Stationary Office. Telephone 0870 6005522.

Details the standards of care which should be met within residential services, and against which care homes are inspected.

Complaint about the Council? How to complain to the Local Government Ombudsman

A leaflet available from the Local Government Ombudsman. Telephone 0845 602 1983. www.lgo.org.uk

Facing the Possibility - supporting managers in preventing and handling abuse allegations against staff. By Gill Bailey and Deborah Kitson.

Available from ARC. Telephone 01246 555043. www.arcuk.org.uk

Information for service managers about appropriate responses when staff members are alleged to have carried out abuse.

I Can Get Through It. By Sheila Hollins, Christina Horrocks, Valerie Sinason and Lisa Kopper.

Published by Books Beyond Words. Telephone 020 72352351.

www.rcpsych.ac.uk

A book with pictures and easy words about a woman who is abused, and the support she receives through a counsellor. Aimed at people with learning disabilities and their supporters.

Jake's Justice

Available from PAVA UK E-mail: pavauk@hotmail.com

A DVD about the sexual abuse of people with learning disabilities. Aimed at practitioners and care staff.

Jenny Speaks Out. By Sheila Hollins, Valerie Sinason, Beth Webb.

Published by Books Beyond Words. Telephone 020 72352351

www.rcpsych.ac.uk

A book with pictures and easy words about a young woman with learning disabilities who has been sexually abused. For people with learning disabilities and their supporters.

Just say know! Understanding and reducing the risk of sexual victimisation of people with developmental disabilities. By Dave Hingsburger.

Available in the UK via Inclusion Distribution 01625 269243.

www.inclusiononline.co.uk

Information on strategies and approaches to help protect people with learning disabilities from sexual abuse.

Keeping it together - a guide for support staff working with people whose behaviour is challenging. By Peter Woodward, Steve Hardy and Theresa Joyce.

Available from Pavilion Telephone 01273 623222. www.pavpub.com

A guide to help support staff understand challenging behaviour and develop strategies to support people whose behaviour challenges.

Living Safer Sexual Lives - a training and resource pack for people with learning disabilities and those who support them. By Patsie Frawley, Kelley Johnson, Lynne Hillier and Lyn Harrison.

Available from Pavilion. Telephone 01273 623222. www.pavpub.com

Information and resources for people providing training about sexuality to people with learning disabilities, their families and support staff.

Managing Men Who Sexually Abuse. By David Briggs and Roger Kennington.

Available from Jessica Kingsley Publications. Telephone 020 78332307.

www.jkp.com

Information about managing male sexual offenders in community settings and prisons.

Men with learning disabilities who sexually abuse. Working together to develop response-ability. By David Thompson and Hilary Brown.

Available from Pavilion. Telephone 01273 623222. www.pavpub.com

Information and guidance about managing the behaviours of men with learning disabilities who carry out sexual abuse.

My Money Matters - guidance on best practice in handling the money of people with a learning disability. By Jane Livingstone.

Available from ARC. Telephone 01246 555043. www.arcuk.org.uk

Provides guidance for support services to help ensure the safe management of people with learning disabilities' moneys. Includes an easy read section for people with learning disabilities.

Sex and the Three Rs: Rights, Responsibilities and Risks. A sex education package for working with people with learning disabilities. By Michelle McCarthy and David Thompson.

Available from Pavilion. Telephone 01273 623222. www.pavpub.com

A resource pack for those carrying out sex education work with individuals or groups with learning disabilities.

Sexuality - your sons and daughters with intellectual disability. By Karin Melberg Schwier and Dave Hingsburger

Available from Jessica Kingsley Publications. Telephone 020 7833 2307.

www.jkp.com

Information for parents about issues relating to the sexuality of children and adults with learning disabilities.

Stop! No More Abuse.

Available from Voice UK. Telephone 0845 122 8695. www.voiceuk.org.uk

Information for people with learning disabilities about abuse, using easy words and pictures.

Supporting Victims. By Sheila Hollins, Kathryn Stone and Valerie Sinason.

Published by Books Beyond Words. Telephone 020 72352351

www.rcpsych.ac.uk

A book with easy words and pictures about a woman who has been assaulted and goes to court as a witness. The book explains about the kinds of help which can be given to people with learning disabilities in court.

Together Against Abuse - information and questions to help families prevent abuse of people with learning disabilities in residential and day services.

Available from The Home Farm Trust. Telephone 0117 9302600.

Training to Protect and Training to Protect 2. Training materials to protect people with learning disabilities from abuse.

Available from the Ann Craft Trust. Telephone 0115 9515400.

www.anncrafttrust.org

Provides a range of resources for people providing training with regard to the abuse of children and adults with learning disabilities.

Youth Justice and Criminal Evidence Act 1999; Special Measures.

Available from Voice UK. Telephone 0845 1228695. www.voiceuk.org.uk

An accessible leaflet to explain the above law to people with learning disabilities.

In addition, the findings and recommendations of the following reports have shaped the development of this information pack:

Advocacy Partners (2007) *Ensuring that the voices of people with learning disabilities count. Speech to the Voice UK All Parliamentary Group, 29th January 2007.* www.advocacypartners.org

Association for the Directors of Social Services (2005) *Safeguarding Adults; A national framework of standards for good practice and outcomes in adult protection work.*

Commission for Social Care Inspection/Healthcare Commission (2006) *Joint investigation into the provision of services for people with learning disabilities at Cornwall Partnership NHS Trust.*

Healthcare Commission (2007) *Investigation into the service for people with learning disabilities provided by Sutton and Merton Primary Care Trust.*

Marsland, D, Oakes, P, Tweddell, I. and White, C. (2006) *Abuse in Care? A practical guide to protecting people with learning disabilities from abuse in residential services.* The University of Hull

Useful Organisations

Action On Elder Abuse
Telephone 0808 808 8141
www.elderabuse.org.uk

The Ann Craft Trust
Telephone 0115 9515400
www.anncrafttrust.org

The British Institute of Learning Disabilities
(including information about the Quality Network)
Telephone 01562 723010
www.bild.org.uk

The Family Planning Association
Telephone 0845 122 8690
www.fpa.org.uk

The Foundation for People with Learning Disabilities
Telephone 020 7803 1100
www.learningdisabilities.org.uk

The Local Government Ombudsman
Telephone 0845 602 1983
www.lgo.org.uk

Mencap Helpline
Telephone 0808 808 111
help@mencap.org.uk

The National Family Carers Network
Telephone 0117 930 2608
www.familycarers.org.uk

PAVA UK - The Practitioner Alliance Against the Abuse of Vulnerable Adults
www.pavauk.org.uk
pavauk@hotmail.com

Public Concern at Work
Telephone 020 7404 6609
www.pcaw.co.uk

Respond
Telephone 0808 808 0700
www.respond.org.uk

Sense
Telephone 0845 127 0060
www.sense.org.uk

Voice UK
Telephone 0845 122 8695
www.voiceuk.org.uk

WITNESS against abuse by health and care workers (formally POPAN)
Telephone 08454 500 300
www.popan.org.uk

Appendix 2: Indicators of Concern in Services

These early indicators of concern suggest that people with learning disabilities may be at risk of abuse in residential services.

There are six groups of early indicators relating to

The behaviours, actions and decisions of managers

Such early indicators might include signs of:

- Weak, ineffective leadership
- Lack of supervision and staff meetings
- Managers who lack knowledge or experience of working with people with learning disabilities
- Services where bank or agency staff are frequently used and where there is high staff turnover, staff sickness or shortages

The behaviours and actions of staff

Early indicators include:

- Signs that staff do not value people with learning disabilities and do not treat them with dignity
- Staff lacking knowledge and skills in important areas of practice such as the safe management of challenging behaviour, recognising and responding appropriately to abuse, correct management of residents' moneys
- Staff developing inappropriate or exploitative relationships with the people they support
- Staff failing to listen to residents' choices, or undermining their choices
- Staff who do not have a clear understanding of important concepts such as choice making and consent

The behaviours and actions of people with learning disabilities

These include:

- Changes in residents' abilities, communication, emotions and behaviours
- Signs that residents behave differently with different members of staff or are happier in other settings
- Signs that some residents may hurt, bully or exploit other residents
- Signs associated with a lack of well being such as self-harm, inappropriate sexualised behaviours, injuries

Isolation

These include signs that:

- People who live in the service are being cut off from contact with families, friends and professionals
- People who work in the service are being cut off from information and ideas about best, contemporary practice
- Staff are hostile and unwelcoming towards people from outside the service

Service design, placement planning and commissioning

This includes signs that:

- The residents are incompatible, or that vulnerable people may be placed alongside individuals with a history of abuse
- That individuals are placed in a service which is widely acknowledged to be unsuitable to meet their needs
- Needs as identified in assessments or care plans are not being met

Fundamental care and the quality of the environment

This includes signs that:

- The service is unable to keep people safe, meet their care needs and treat them with dignity
- Residents have little to do
- The environment is in a poor state or cold / unclean

