

Hay & District Dial-a-Ride

Child and Vulnerable Adult Protection Policy and Guidelines 2022

Agreed by Trustees at their meeting in November 2013
Revised by Trustees at their meeting in November 2022

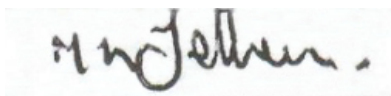
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Signed _____
Chairman

Children & Vulnerable Adults Protection Policy

1. Policy Statement:

Hay and District Dial-a-Ride aims to adopt the highest possible standards and take all reasonable steps in relation to the safety and welfare of children and vulnerable adults, and seeks to offer assurances to both staff and visitors through its implementation. Hay and District Dial-a-Ride aims to protect children (including young people under 18 years of age) and vulnerable adults and keep them safe from harm when in contact with Hay & District Dial-a-Ride trustees, staff or volunteers. A vulnerable adult is defined (under the Protection of Vulnerable Adults Regulations 2002) as a person aged 18 or over who has one or more of the following conditions (a) a learning or physical disability; (b) a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs; or (c) a reduction in physical or mental capacity; and who may be unable to take care of him/herself, or to protect him/herself against significant harm or exploitation.

2. Code of Practice

All staff, trustees, directors, volunteers and visitors will observe a Code of Conduct aimed at keeping vulnerable adults free from harm and exploitation and upholding their rights. Trustees have primary responsibility, and must ensure that all charity personnel are aware of their responsibility to operate within the law and adhere to all policies and procedures set out by Hay & District Dial-a-Ride.

- a)** Vulnerable adults will be given access to all information, including expert knowledge and advocacy, in plain and simple terms appropriate to the individual.
- b)** They will be allowed a free, independent choice in making their own decisions, among relevant options, whether indicated verbally, by gesture, by participation or in writing. Hay & District Dial-a-Ride adopt the Mental Capacity Act 2005 presumption of mental capacity unless a person's apparent comprehension of a situation gives rise to doubt. We recognise that it is the right of adults who have capacity to make their own choices, irrespective of how unwise we might consider the decision to be.
- c)** All personal knowledge related to individuals will be treated with the strictest confidence and vulnerable adults will be free of unnecessary intrusion into their lives.
- d)** Everyone will be treated with the same respect and dignity, regardless of their vulnerability, background or culture.
- e)** Each individual will be encouraged to exercise his/her abilities and potential to the full.
- f)** Whilst being safeguarded against unreasonable risk under a duty of care, he/she will be encouraged to exercise complete control of his/her life.
- g)** Vulnerable adults will be free from fear of violence, neglect or abuse, and it is recognised that the following may indicate abuse and staff & volunteers will act appropriately upon receipt of such information:

Physical Abuse –The non-accidental infliction of a physical act that results, or could result, in injury, pain or suffering.

Sexual Abuse–The direct or indirect involvement of a child or vulnerable adult in sexual activity to which they are unwilling or unable to give informed consent or

which they do not fully comprehend. Any sexual activity without informed consent is a criminal offence. Where there is an abuse of trust, sexual activity may appear to be with consent, but is unacceptable because of the differences in power and influence between the people involved.

Neglect–Neglect can be intentional or unintentional, and includes ignoring care needs or withholding care to a child or vulnerable adult. It includes the unintentional failure to provide support because of lack of knowledge or understanding of the need for services. It includes failure to follow support plans, policies and procedures, and to provide prescribed medication and appropriate nutrition.

h) Individuals will be encouraged and supported in reporting any violation of the above, with staff and/or volunteers listening calmly, with a concerned sympathy about what has happened and reassuring the individual that the matter is taken seriously. Dial-a-Ride staff or volunteers will summon the emergency services or social services if necessary, usually with the user's consent unless there would be danger to themselves or others if Dial-a-Ride did not act. The matter should not be investigated personally or discussed with anyone apart from emergency trained staff, the nominated trustee with responsibility for safeguarding vulnerable adults and the Chief Executive. There should be no delay in taking any actions to safeguard anyone at immediate risk of harm, including summoning medical assistance. Where there is evidence that a criminal offence has taken place, or a crime may be about to be committed, the Police should be contacted immediately. A written record will be made of exactly what has happened or been reported, and any physical evidence will be preserved. The incident will be referred to the Dial-a-Ride office or the nominated trustee as soon as possible, and in all circumstances on the same day as the alert is raised. Where an incident is initially reported to the office staff they must endeavour to inform the nominated trustee immediately.

If an incident occurs or is reported:

- Try not to appear shocked
- Do not prompt or ask leading questions
- Explain what action you must take i.e. immediate referral to a designated person
- Do not promise confidentiality, as information on abuse must be reported
- Record in writing the date, time, place, people who were present and exactly what you have been told, using the exact words if possible
- Do not confront the alleged abuser
- Refer all information immediately to the relevant designated person

i) At all times, staff and volunteers will adopt sympathetic and understanding attitudes and behaviour towards vulnerable people. In particular, they should:

- 1) Avoid unnecessary physical contact.
- 2) Avoid taking a child or vulnerable adult alone in a car, however short the journey.
- 3) Avoid taking a child or vulnerable adult to the toilet unless another adult is present.
- 4) If they are alone with a child or vulnerable adult, make sure others can clearly observe them.
- 5) Avoid personal relationships with a child or vulnerable adult.
- 6) Avoid making suggestive or inappropriate remarks to or about a child or vulnerable adult, even in fun, as this could be misinterpreted.

j) Observe the behaviour of vulnerable people, being alerted by changes in behaviour or attitude, or by the word of another person.

k) Ideally, vulnerable adults should be accompanied by a carer/passenger assistant in addition to the driver, but drivers should be allowed to exercise some discretion about this, on the understanding that any cause for concern should be referred to the nominated trustee straight away. Drivers should not feel obliged to take a passenger without an assistant if they do not feel comfortable doing so. Children under 16 will be carried in Hay & District Dial-a-Ride's transport only if accompanied by a parent or guardian.

l) There should be no casual gossip about the personal details of vulnerable adults or their families; gifts of money should be neither accepted nor given. Small gifts (chocolates, biscuits etc) may only be accepted where refusal could cause upset or offence but a written note recording the gift should be passed to the Chief Executive for filing. This is for the protection of all parties concerned. See Code of Conduct for more details on accepting of hospitality/gifts.

3. Policy dissemination

- a) All staff, trustees, volunteer drivers and passenger assistants will have a personal copy of this policy.
- b) There will be a copy of the policy in all vehicles owned by Hay & District Dial-a-Ride.
- c) There will be a displayed reference copy in the Dial-a-Ride office.
- d) Line managers must annually draw the attention of current staff to the Child and Vulnerable Adult Protection Policy when reviewing and updating their risk assessment and this must be recorded.
- e) All passengers and parents of children will be given personal copies of this policy on request.

3. Training

Hay Dial-a-Ride is committed to providing training on the Child and Vulnerable Adult Protection Policy as part of its induction procedure and on-going programme of staff development. On induction, all personnel will be required to certify that the policy has been read and understood. At regular intervals this requirement will be renewed.

4. Recruitment and selection of trustees, staff and volunteers

- a) Two written references must be obtained, with confirmation of the authenticity of referees by production of letterhead or company stamp.
- b) Applicants must complete a declaration of any spent and unspent convictions.
- c) Recruitment advertisements should state that 'The successful candidate will be required to apply for an enhanced disclosure.'
- d) Applicants must be informed of Hay & District Dial-a-Ride's Child and Vulnerable Adult Protection Policy at the beginning of the process.

Responsibility for the administration of DBS clearance for volunteers lies with the Chief Executive and the trustee designated as Office Staff Line Manager. For any disclosed information the following should be considered:

- a) Whether the conviction or other matter revealed is relevant to the post in question.
- b) The seriousness of any offence or other matter revealed.
- c) The length of time since the offence or other matter revealed.
- d) Whether the applicant has a pattern of offending behaviour or other relevant matters.
- e) Whether the applicant's circumstances have changed since the offending behaviour or other relevant matters.
- f) The circumstances surrounding the offence and the explanation(s) offered by the convicted person.

The recruiter should:

- g) Discuss any matter revealed in a disclosure with the preferred applicant.
- h) Resolve where the applicant disputes the information provided in a disclosure, before selection decision.
- i) Not discuss with an applicant any information revealed by the police to their employer.

Disclosure should be part of the overall selection process and not the sole decision factor. To maximise safe recruitment several selection techniques should be used, for example an application form, interview, references and criminal record check. Recruiters should also note that disclosures do not carry a guarantee of accuracy or a pre-determined period of validity.

5. Offers of Appointment

- a) The enhanced disclosure must be obtained prior to a formal offer of employment. This would be a condition of employment.
- b) Any uncertainties or proposed withdrawal of an offer should be discussed with the Chair and the Chief Executive.

6. Current staff, volunteers and trustees

DBS clearance will be reviewed every three years or if the duration of DBS is changed by law, more frequently.

7. Dealing with reported suspicions and allegations

Hay & District Dial-A-Ride will appoint a designated trustee(s) to deal with suspicions and allegations and will ensure that they receive appropriate training.

All staff and volunteers will be advised of the appointment of the designated trustee(s) and informed of any changes.

Once the matter has been referred to the designated trustee, they will:

- Ensure that the child/vulnerable adult is not in any immediate danger.
- Gather the details.
- Refer the case to Social Services or the Police on the day that it was received. It should be made clear to the child/vulnerable adult that confidentiality cannot be guaranteed and if the child/vulnerable adult does not wish the complaint to be taken forward, the designated trustee should seek advice in confidence from Social Services or the Police as to what the best course of action should be.
- Where the incident concerns a child the designated trustee will make contact with the parents or guardian unless this may place the child in harm. All discussions should be recorded.
- The designated trustee will contact the relevant agency and make a formal referral in writing.
- Written records of all actions, discussions and decision-making rationale must be made and kept in a securely locked location.
- The designated trustee will be the point of contact for the specialist agency throughout the investigation.
- A direct referral to the police should be made if the alleged crime is of a serious enough nature that there is immediate danger to the individual concerned. In all other cases Social Services will determine, as part of their investigation, whether such a referral is made. In the event of a direct referral Social Services must also be informed.
- Allegations of misconduct or abuse by Hay & District Dial-A-Ride personnel must be reported immediately to the designated trustee or Chief Executive, who will decide whether it is a serious incident requiring referral to Social Services, Police and/or Charity Commission. In the latter event, trustees must co-operate with the Authorities as required. Monitoring of incidents must be undertaken in order to improve risk assessment and internal controls.

8. Risk Assessment

Further details of Hay & District Dial-A-Ride's Risk Assessment and Health and Safety Policy is available at the Hay & District Dial-A-Ride office.

9. Monitoring

Any incidents will be reported in a regular agenda item at each board meeting by the designated trustee or Chief Executive; identities will not be revealed.

This policy will be reviewed annually.

APPENDIX

For Hay & District Dial-a-Ride to operate a regulated activity it aims to follow the codes of practice given by the Home Office Disclosure and Barring Service

<https://www.gov.uk/government/organisations/disclosure-and-barring-service>

and the Charity Commission

<http://www.charity->

[commission.gov.uk/our_regulatory_activity/our_approach/safeguarding_dbs.aspx](http://www.charity-commission.gov.uk/our_regulatory_activity/our_approach/safeguarding_dbs.aspx)

and other relevant legislation.

Statutory legislations from the Office of Public Sector Information

- Rehabilitation of Offenders Act 1974
- Rehabilitation of Offenders Act 1974 (Exceptions)(Amendment) Order 1986
- Part V Police Act 1997
- The Protection of Children Act 1999
- Criminal Justice and Court Services Act 2000
- Protection of Vulnerable Adults Regulations 2002

Powys Social Services

Telephone: 0345 602 7050

The Herefordshire Safeguarding Adults team

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