



Ann Craft Trust

- Established in 1992, and based in the University of Nottingham, ACT is a national charitable organisation
- ACT works with staff in the statutory, independent and voluntary sectors in the interests of people with a learning disability who may be at risk of abuse



Ann Craft Trust

- In working towards prevention and protection, ACT provides the following services:
 - Information and advice
 - Peer group support network
 - Publications
 - Training: seminars, workshops and conferences
- Research
- Awareness raising campaigns



Why are Vulnerable Adults at Risk?

- Lack of staff
- Many different support staff
- Requires intimate care
- Not listened to or taken seriously
- On the receiving end of negative attitudes
- Fear of intimidation



Abuse

- Abuse results in significant harm, or exploitation of the vulnerable person. It may be perpetrated by anyone who has power over the person whether they are a carer or relative, a paid member of staff or professional, or as a result of persistently poor care or a rigid and oppressive regime.



Abuse – the wider context

- Criminal offences
- Abusive environments
- Abusive individuals
- Cultures of compliance
- Poor practice
- Lazy practice
- 'Everyday abuse'



Definitions

- **Physical Abuse**, including hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions;
- **Sexual Abuse**, including rape and sexual assault or sexual acts to which the vulnerable adult has not, or could not, consent and/or was pressured into consenting;
- **Psychological Abuse**, including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, verbal or racial abuse, isolation



Definitions

- **Financial or Material Abuse**, including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions or the misuse or misappropriation of property, possessions or benefits;
- **Neglect and Acts of Omission**, including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.
- **Discriminatory Abuse**, including racist, sexist, that based on a person's disability



Adults with Learning Disabilities

- At least 830 adults with learning disabilities are likely to be reported as victims of sexual abuse in England and Wales each year. This means approximately 3-4 adults per year within a general population of 220,000.
- Sexual acts involving penetration or attempted penetration were reported in two-thirds of the cases; at least half took place within ongoing abusive relationships.
- Just over half of those abused were women: the proportion of male victims rising from a quarter in the first survey period to nearly a half in the second.
- Adults of all ages and disability levels were reported as victims of sexual abuse.



Adults with Learning Disabilities

- Perpetrators of sexual abuse were almost all men and were usually known, not strangers. they included family members, staff/volunteers, known and trusted adults within the community, other service users and ex-service users.
- Many perpetrators offended against more than one victim.
- Abuse happened most often in the victim's or perpetrator's home or in their day placement.



Adults with Learning Disabilities

- Agencies varied widely in their ability and willingness to recognise and report abuse. Very few cases went to court and/or led to successful disciplinary actions.
- Agencies need to collaborate in order to: protect and support survivors; bring perpetrators to justice; intervene when people with learning disabilities are abusing others and create systems which make abusing difficult and reporting abuse easy



Facts about Elder Abuse

- 500,000 are believed to be abused at any one time in the UK
- 39% of the public have never even heard the term 'elder abuse'
- 46% of people who abuse are related to the person they are abusing, but only 1% of those who abuse are the primary carer*
- A quarter of those who abuse are sons or daughters
- 78% of abuse is perpetrated against people who are over the age of 70, with 16% of that abuse affecting people over the age of 90*



Facts about Elder Abuse

- Those between 80-89 are the most vulnerable to abuse
- Two thirds of abuse is committed at home, by someone in a position of trust
- In 37% of situations, two types of abuse occur simultaneously
- In a third of circumstances, the abuse is perpetrated by more than one person in collusion

Based on analysis of calls to the Action on Elder Abuse helpline



Government initiatives

- Speaking Up For Justice 1998
- Youth Justice and Criminal Evidence Act 1999
- Care Standards Act 2000
- No Secrets 2000
- Achieving Best Evidence 2002
- Sexual Offences Act 2003
- POVA scheme 2004
- Mental Capacity Act 2005
- Safeguarding Adults 2005
- Safeguarding Vulnerable Groups Act 2006



NO SECRETS:

the protection of vulnerable adults

- Guidance on the development and implementation of multi-agency policies and procedures
- Currently being reviewed
- www.dh.gov.uk



No Secrets

It is the view of government that the protection of vulnerable adults should always receive a high priority and that all agencies should be able to clearly demonstrate that they are able to respond to abuse with prompt, timely and appropriate action

[No Secrets]



Development of Local Policy

- The overall aim of policy should be to create a framework for action within which all responsible agencies work together to ensure a consistent and effective response to the protection of vulnerable adults at risk and for dealing with concerns or formal complaints or expressions of concerns



SPEAKING UP FOR JUSTICE

- Provision of live TV links for adult vulnerable witnesses
- Provision of screens
- Provision of video-recorded interviews
- Preventing aggressive or inappropriate cross-examination
- Use of communication aids
- Use of intermediaries
- Removal of wigs and gowns
- Training needs



2005 Mental Capacity Act (MCA)

- Implemented from April 2007
- Affects all staff who work with vulnerable adults
- Provides a legal framework to decide the capacity of individuals to make decisions about risk



Safeguarding Adults

- This national framework is comprised of eleven sets of good practice standards. We believe that implementation in every local area will lead to the development of consistent, high quality adult protection work across the country.



Safeguarding Vulnerable Groups Act 2006

- The Safeguarding Vulnerable Groups Act will integrate the current List 99 (for people banned from working as teachers), and the Protection of Children Act lists which cover those working in childcare settings.
- It will also establish a new list of people barred from working with vulnerable adults to replace the Protection of Vulnerable Adults list.



To Report or Not – Who Decides?

Balancing risk

Protection

Independence







Whistle-blowing social worker gets £140,000 stress payout

Whistle-blower rules in spotlight

School nurse sacking decision reserved

NHS whistle-blowers 'victimised'

**Why I blew
the whistle**



Implementing an effective whistle blowing policy

- The policy needs to be promoted in a proactive way, including at induction and in training
- There needs to be more than one route through which a worker can raise concerns
- A named person should be responsible for monitoring and reviewing the policy.
- Anonymous concerns and reports from former employees must be taken seriously



Whistleblowing

All those making a complaint or allegation or expressing concern, whether they be staff, service users, carers or members of the general public, should be reassured that:

- They will be taken seriously;
- Their comments will usually be treated confidentially but their concerns may be shared if they or others are at significant risk;
- If staff, they will be given support and afforded protection if necessary, e.g. under the Public Interest Disclosure Act 1998;
- They will be dealt with in a fair and equitable manner; and
- They will be kept informed of action that has been taken and its outcome.'



Barriers to whistleblowing

Once we know what barriers exist, we can work to dismantle them. The following factors were identified that may get in the way of workers speaking out about abuse;

- Not sure what constitutes abuse
- Lack of clarity about standards
- Loyalty to colleagues
- Fear of repercussions and possible victimisation
- Lack of confidence that concerns will be taken seriously.



Recent Inquiries



Longcare

- This inquiry raised significant issues about whistleblowing and the importance of creating systems whereby staff would feel able to raise concerns without fear of repercussions and reprisals.



Cornwall

- Institutional abuse was widespread with people with learning disabilities being prevented from their right to independence, choice and inclusion. *'Poor practice has become ingrained within management of learning disability services and the provision of care'* (Healthcare Commission 2006).



Sutton & Merton

- Communication
- Management
- Morale
- Training
- Person centred planning
- Risk management
- Culture of acceptance
- Resources



How Safe are our Services?

- What strategies can we put into place to make abuse as difficult as possible?



Unless we can shift attitudes and ensure that vulnerable adults are treated with the dignity and respect that are their right, investigations and inquiries will only scratch the surface of the problem and produce little real change.

Ann Craft Trust Conference 2009

Recent Initiatives: Enhanced Protection?



A one-day conference looking at safeguarding disabled children and vulnerable adults. This conference will be of interest to all professionals working with disabled children and vulnerable adults in the statutory, independent and voluntary sectors.

The conference will include keynote presentations from **Sir Roger Singleton**, Chair of the Independent Safeguarding Authority (ISA), **Joanna Perry**, Policy Adviser (Prosecution Policy), Equality and Diversity Unit CPS, **Rachel Fyson**, Lecturer, Centre for Social Work, University of Nottingham.

Thursday 26th November 2009

9.30am - 4.30pm

**National College for School Leadership
(NCSL) Nottingham**





Ann Craft Trust — ACTing against abuse

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