INTER AGENCY
SAFEGUARDING ADULTS

ADULT PROTECTION POLICY

2016-2018
On behalf of the Isle of Man Safeguarding Adults Partnership, I am delighted to present the new Adult Protection Policy and Procedures.

When it was first established in September 2014, the Safeguarding Adults Partnership committed to ensuring that safeguarding became everyone’s business. This new Policy and related Procedures form a critical part of our plan to secure this goal. It sets out our commitment to protect adults at risk of harm or neglect, our aims and objectives in ensuring adults live their lives free from harm and goes on to set out how we all need to work together to safeguard and protect adults on the Isle of Man.

I would like to thank those from across our Partnership who have contributed to the formulation of this Policy and Procedures. It was critical that we secure ownership of these documents from all services, whether they be Government, Third Sector or private sector services. To this end we have consulted widely in their development and I wish to thank all those who engaged in this process. I would also wish to thank members of the Adult Protection Operational Group and the Safeguarding Adults Team for the work they have undertaken to bring these documents to fruition. Their support in both developing the Policy and Procedures and engaging partners in their production has been invaluable.

The new Policy is shorter and clearer than the one it replaces. It provides some clear definitions of terms that I hope secure better understanding, both individually and collectively – helping us to move towards a common language across our partnership. It also sets out clearly what to do if you identify risk and how to report it. It then outlines what will happen after an alert is raised and how the matter will be investigated, assessed and acted on, as appropriate. There is also guidance for staff on information sharing, data protection and confidentiality.

I believe this Policy and Procedures will make a key contribution to our shared purpose in protecting the vulnerable. I commend them to you and hope you will find them helpful in enabling you to make safeguarding your business. We will, of course, welcome any feedback as you use these documents in your day-to-day practice. The Safeguarding Adults Partnership will be monitoring their impact and any comments you have on both their effectiveness and areas for improvement will be fed into our review processes.

Paul Burnett
Independent Chair, Isle of Man Safeguarding Adults Partnership
Membership of the Safeguarding Adults Partnership

Paul Burnett
Independent Chair
Safeguarding

Malcolm Couch
Chief Executive Officer
Department of Health & Social Care

Henrietta Ewart
Director
Public Health

Mark Kelly
Chief Executive Officer
Department of Home Affairs

Cath Hayhow
Director
Adult Services

Gary Roberts
Chief Constable

Jackie Betteridge
Chair, Council of Voluntary Organisations
Statement of Commitment

This Policy Document constitutes a statement of commitment by the Isle of Man Government to respond to every adult “who is, or may be, eligible for Social Care services” and whose independence/well-being is at risk, due to harm or neglect. For the purposes of this Policy, our definition is based on the following extract from Section 42 of The Care Act 2014 (for references within this extract, relating to a local authority, it should be read as relating to the Department of Health & Social Care) –

Enquiry by local authority

1. This section applies where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there) –
   (a) has needs for care and support (whether or not the authority is meeting any of those needs
   (b) Is experiencing, or is at risk of, abuse or neglect and
   (c) As a result of those needs, is unable to protect himself or herself against the abuse or neglect or the risk of it.

2. The local authority must make (or cause to be made) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult’s case (whether under this Part or otherwise) and, if so, what and by whom.

3. “Abuse” includes financial abuse and for that purpose “financial abuse” includes –
   (a) Having money or other property stolen
   (b) Being defrauded
   (c) Being put under pressure in relation to money or other property and
   (d) Having money or other property misused.

Whilst The Care Act 2014 is English Law and, therefore, not law in the Isle of Man, the above definitions have been accepted as informing the Adult Protection Policy and Procedures, as well as practice on the Isle of Man.

The procedures apply to all adults at risk of harm, to all who are alleged to have caused harm and in any setting, including people’s own homes, residential and nursing homes, day centres, places of work, colleges, Nobles and Ramsey Cottage hospitals, GP surgeries and Police Stations etc.

It is important that we recognise that safeguarding is everyone’s business and that every Department and individual has a responsibility in ensuring the protection of vulnerable adults. Providers of services, across Health and Social Care have a core responsibility to provide safe, effective and high quality care. Adult protection concerns require a variety of responses including internal and external investigations, disciplinary processes, clinical governance processes and the involvement of the Police, regulatory authorities, staff training and other actions.
Whilst the Care Act 2014 is not law in the Isle of Man, the Safeguarding Adults Partnership, as a matter of principle has accepted the safeguarding principles as follows;

**Safeguarding Adults Principles**

**Empowerment**  Presumption of person led decisions and informed consent.

**Prevention**  It is better to take action before harm occurs.

**Proportionality**  Proportionate and least intrusive response appropriate to the risk presented.

**Protection**  Support and representation for those in greatest need.

**Partnership**  Local solutions through services working with their communities have a part to play in preventing, detecting and reporting neglect and abuse.

**Accountability**  Accountability and transparency in safeguarding (adult protection).

These principles form the basis of all adult protection practice in order to measure our arrangements and to inform future improvements. The principles are not in order of priority, they are of equal importance. However, it is recognised that the prevention of harm is always better than investigating harm that has occurred.

The agencies involved in drawing up these procedures recognise, within the present legal framework, that there will be some occasions in which adults at risk remain in dangerous situations. It may be that staff, even after careful scrutiny of the legal framework, still find they have no power to gain access to a particular vulnerable adult. Staff may also find that they do not have the power to remove the adult from a risk situation, investigate the condition of the adult’s financial affairs or intervene positively, due to the adult refusing all help. In these extremely difficult circumstances, staff will be expected to continue to exercise as much vigilance as possible.

However, **Government departments will give full support to staff who deal with cases of adults remaining in high risk situations** provided, if appropriate –

(a) It is evident from case records that the Adult Protection Procedures have been properly followed.

(b) Every effort has been made, on a foundation of multi-agency co-operation, to intervene positively to protect the vulnerable adult/adult at risk.

The accompanying procedural framework and practice guidance documents should inform the practice of all organisations working in partnership for the protection of adults at risk and should be applied in all situations where the possibility of harm or neglect from a third party cannot be ruled out.
Aims of the Document

The aims of the Policy Statement and the accompanying inter-agency guidance are as follows –

- To raise awareness amongst all citizens – paid and voluntary workers, carers, service users and the general public – that some adults may be rendered at greater risk to a range of harm because of age, physical or mental ill-health, learning disability, physical or sensory impairment or substance misuse or dependence. All citizens must have access to information about how to protect themselves or others from harm and violence and that must include information about the Adult Protection Policy and Procedures. In all our work we consider how to make our community safer.
- To ensure that wherever harm or neglect are suspected or reported, a consistent, supportive response will be made from partner agencies across the Isle of Man. That response will recognise each adult’s rights - the right to independence and well-being, to protection from harm and to make choices and take risks. We take responsibility for ensuring that adults at risk are put in touch with the right person or organisation.
- To ensure that quality assurance measures and outcome information, specific to the protection of adults, are used to improve broader safeguarding processes, access and involvement, public information and inter-agency training.
- To ensure a multi-disciplinary approach to adult protection. We foster a ‘one team’ approach that places the welfare of individuals before the ‘needs’ of the system and ensures the adult at risk is at the centre of any decision making.

Policy Statement

The Isle of Man Government believes that all adults have the right to freedom from harm. It expects that all statutory, private and voluntary agencies providing health and/or social care to the Island’s population will take the appropriate measures to –

- Ensure that abuse does not occur within any of the services for which they are responsible.
- Report all cases of suspected, alleged or identified abuse of adults, with whom they come into contact, to the Safeguarding Adults Team, within the Department of Health & Social Care.
- Protect and support individuals where harm has been identified.
- Ensure multi-disciplinary involvement is undertaken, as appropriate/necessary.

All cases of alleged or suspected harm will be handled promptly and sensitively. There must be due regard for the needs and wishes of the vulnerable adult. The welfare and protection of the individual is paramount and, although client confidentiality is important, there are occasions when it is necessary to share information with other professionals in order to stop incidents of abuse.
However, when an individual is able to make an informed decision regarding his/her personal circumstances, where risk has been identified, but does not wish to accept the intervention of statutory authorities, then his/her wishes must be respected.

### Scope of the Policy

The Policy Statement applies to any vulnerable adult/adult at risk, aged 18 or over, where any category of abuse is identified or suspected. This Policy Statement applies to all agencies providing services to adults who are, or may be, eligible for services and whose independence/well-being is at risk, due to abuse or neglect.

### Rights of Adults

It is essential that all work with adults incorporates a set of values which supports the rights of all individuals –

**Privacy**  
The right of an individual to be left alone or undisturbed and free from intrusion or public intervention into their affairs.

**Dignity**  
Recognition of the intrinsic value of people, regardless of their circumstances, by acknowledging their uniqueness and treating them with respect.

**Independence**  
Opportunities to act and think without reference to another person, including a willingness to incur a degree of calculated risk.

**Choice**  
Opportunities to select independently from a range of options and, where appropriate, for support to be provided to enable choices to be made.

**Citizenship**  
The maintenance of all rights and duties afforded to all people on the Isle of Man.

**Fulfilment**  
The opportunity to pursue the realisation of personal aspirations and the recognition of his/her abilities in all aspects of daily living.

The Isle of Man Government believes that the application of these values means that adults who are vulnerable have the right –

- To live safely without fear of abuse in any form.
- To have their money, goods and possessions treated with respect and to receive the same protection for themselves and their property, under the law, as any other citizen.
- To information on and practical help in protecting themselves from harm.
- Decisions about how they wish to proceed, in the event of abuse, and to know that their wishes can only be over-ridden if it is considered necessary for the safety of others, or for their own safety, in circumstances where they may have difficulty in deciding this for themselves.
- To be given information and support in bringing a complaint under any existing complaints procedure.
• To be supported in reporting the circumstances of any harm to independent bodies.
• To have alleged, suspected or identified cases of abuse investigated promptly.
• To receive appropriate support, education and, where possible and appropriate, counselling, therapy and treatment, following abuse.
• To seek redress through appropriate agencies.
• To have their nearest relative, informal carer or advocate included in the process, where appropriate.