



Vulnerable Persons Policy

Certain types of charity are set up to assist or care for those who are particularly vulnerable, perhaps because of their age, physical or mental ability, ill health or personal history. The Duke of Edinburgh's Award in Bermuda (the "Award") recognizes that a substantial number of Award participants should be considered vulnerable by reason of their age, disabilities and personal history (which may include criminal history).

The Council of the Award is responsible for ensuring that those benefiting from, or working with, the Award are not harmed in any way through contact with it. The Award has a legal duty to act prudently, which includes taking all reasonable steps within the Award's power to ensure that harm does not happen.

Young people are an especially vulnerable group and the Award recognizes the importance of having proper safeguards in place for their protection.

Safeguarding

Safeguarding is broader than 'protection' and includes prevention. Safeguarding has been defined as:

- all agencies working with vulnerable persons and their families taking all reasonable measures to ensure that the risks of harm to vulnerable persons' welfare are minimized; and
- where there are concerns about the vulnerable person's welfare, all agencies taking appropriate actions to address those concerns, work to agreed policies and procedures in full partnership with other local agencies.

The Award recognizes that safeguarding vulnerable persons is vital for charities as charity trustees have a duty of care towards those with whom they have contact. Having safeguards in place within an organization not only protects and promotes the welfare of vulnerable persons but also it enhances the confidence of trustees, staff, volunteers, parents/carers and the general public. Safeguarding vulnerable persons is beneficial to a charity in many ways: protecting its reputation, helping to effectively meet its objectives and protecting its finances.

The necessity to safeguard vulnerable persons applies both to charities working in Bermuda and other countries where beneficiaries may face different or additional risks of abuse or exploitation. These safeguards should include protection policies and procedures for dealing with issues of concern or abuse.

1 Statement

1.1 The Award considers it the duty of staff and volunteers to protect from abuse vulnerable persons with whom they come into contact.

2 Introduction

2.1 The Award is involved in providing services for a wide range of people. Some of these people are likely to be ‘vulnerable persons.’

2.2 The Award has obligations to strive to protect vulnerable adults who it may believe to be abused or at risk of abuse or neglect.

2.3 The policy and procedures have been developed to assist staff and volunteers in acting on reported or suspected abuse.

2.4 Depending upon the nature of particular services or the requirements of particular funders or partner agencies, the policy and procedures may be supplemented by local procedures.

3 Definitions

3.1 A vulnerable person is defined as:

‘any person who is particularly vulnerable to abuse by virtue of their age, physical or mental ability, ill health or personal history (which may include criminal history)’

3.2 Abuse is defined as:

‘a violation of an individual’s human and civil rights by any other person or persons.’

3.3 The Programme Director shall be the Award’s Vulnerable Person Officer (“VPO”) and the Development Director shall be the Assistant Vulnerable Person Officer (“AVPO”). In the absence of the Programme and Development Director, the VPO and AVPO shall be appointed by the Award Council. The duties and responsibilities of the VPO and AVPO officers are described in this Vulnerable Persons Policy.

4 Categories of Abuse

4.1 The Award recognizes six categories of abuse:

4.1.1 physical abuse, including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions;

4.1.2 sexual abuse, including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent or was pressured into consenting;

- 4.1.3 psychological abuse, including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks;
- 4.1.4 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;
- 4.15 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; and
- 4.16 discriminatory abuse, including racist, sexist, that is based on a person's disability, and other forms of harassment, slurs or similar treatment.

5 Responsibilities of Staff and Volunteers

- 5.1 Award Staff and volunteers have a responsibility to be aware and alert to signs that all is not well with a vulnerable person. However, they are not responsible for diagnosing, investigating or providing a therapeutic response to abuse. In addition, not all concerns relate to abuse, there may well be other explanations. It is important to keep an open mind and consider what is known about the vulnerable person and his or her circumstances. No action should be taken without discussion with the relevant Award Leader, the VPO, the AVPO or a member of the Award Council (as appropriate).

6 Disclosure of Abuse

- 6.1 If a vulnerable person discloses that they are being abused or any service user discloses that they are involved in abuse of a vulnerable person, action should continue as in Section 8. All action must proceed urgently and without delay.

7 Suspicion of Abuse

- 7.1 There may be circumstances when a volunteer or member of staff suspects that a vulnerable person is being abused or neglected.
- 7.2 It is vital that any anyone who suspects a vulnerable person is being neglected or abused discusses the situation immediately with the relevant Award Leader, the VPO, the AVPO or a member of the Award Council (as appropriate). Action should continue as in Section 9.

Action on Disclosure of Abuse

8.1 There should always be the opportunity to discuss welfare concerns with and seek advice from Award Leaders, the VPO, the AVPO or a member of the Award Council (as appropriate) and other agencies, however:

- never delay emergency action to protect a vulnerable person;
- always record in writing concerns about a vulnerable person's welfare, whether or not further action is taken;
- always record in writing discussions about a vulnerable person's welfare; and
- at the close of discussion, always reach clear and explicit recorded agreement about who will be taking what action, or that no further action will be taken.

8.2 At all times action must proceed urgently.

8.3 A staff member or volunteer informed of abuse should remind the service user that the charity cannot guarantee confidentiality where a vulnerable person is at risk of abuse or further abuse.

8.4 Volunteers should consult with the relevant Award Leader, the VPO, the AVPO or a member of the Award Council (as appropriate) before taking any action.

8.5 Additionally, all action taken following a disclosure of abuse should be discussed in advance with the VPO, the AVPO and the Award Council (as appropriate).

8.6 In circumstances where a service user declines to disclose, despite some work having been done towards disclosing, it may be necessary to report the alleged abuse without the service user's agreement. In these circumstances, a service user must be notified in advance of the decision to report to social services.

8.7 Any staff member may report a disclosure of abuse to social services irrespective of the opinion of other staff.

8.8 It is important for staff and volunteers make written records of any incidents or concerns that they have as soon as possible and if appropriate to include sketches of sites and sizes of injuries. It is also important to make a record of conversations with the vulnerable person using the same language the vulnerable person used especially names used for body parts or sexual acts.

8.9 Full written records must be maintained of all disclosures and actions following disclosure.

9 Action on Suspicion of Abuse

9.1 There should always be the opportunity to discuss welfare concerns with and seek advice from the relevant Award Leader, the VPO, the AVPO, the Award Council (as appropriate) and other agencies, however:

- never delay emergency action to protect a vulnerable person;
- always record in writing concerns about a vulnerable person's welfare, whether or not further action is taken;
- always record in writing discussions about a vulnerable person's welfare; and
- at the close of discussion, always reach clear and explicit recorded agreement about who will be taking what action, or that no further action will be taken.

9.2 At all times action must proceed urgently.

9.3 Volunteers should consult with the staff member and/or Award Leader coordinating their activity before taking any action.

9.4 Additionally, all action taken following suspicion of abuse should be discussed in advance with the VPO, the AVPO and the Award Council (as appropriate).

9.5 In all cases of suspected abuse the volunteer and staff member should discuss whether issues relevant to different cultures and lifestyles have any bearing on the matter.

9.6 As an organisation the Award welcomes the fact that people and lifestyles are diverse and does not make judgments about the acceptability or otherwise of lifestyles. However, it is important that this philosophy does not stand in the way of the Award's responsibility to protect vulnerable people from harm.

9.7 Any staff member may report a suspicion of abuse to social services irrespective of the opinion of other staff members.

9.8 It is important for staff and volunteers make written records of any incidents or concerns that they have as soon as possible and if appropriate to include sketches of sites and sizes of injuries. It is also important to make a record of conversations with the vulnerable person using the same language the vulnerable person used especially names used for body parts or sexual acts.

9.9 Full written records must be maintained of all disclosures and actions following disclosure.

10 Making a Referral

10.1 Social services departments have been designated as the lead agencies with responsibility for coordinating a response to allegations or concerns of abuse.

10.2 Each of the Award's staff members has the responsibility of informing the relevant social services department of concerns over the abuse or neglect of vulnerable persons. Detailed referral arrangements may differ between localities and, therefore, staff members should ensure that they have up-to-date referral information for their locality.

10.3 Staff members should work within the following timescales for reporting allegations or suspicions of abuse:

- immediate if the vulnerable person is at risk of serious physical harm, or a serious criminal act has taken place, and evidence will need to be kept safe;
- within 24 hours if it relates to a specific incident which is, or may be still going on, or may happen again; and
- within 7 days if it is a more general concern, which does not indicate immediate harm.

11 Support to Staff and Volunteers Following a Referral

11.1 The Award will support staff and volunteers in these circumstances. If the relevant social services department needs further involvement from staff or volunteers following a report of abuse, a member of staff or Award Council will discuss with the social services department the nature of their needs and how they might be met.

12 Allegation of Abuse Made Against a Staff Member or Volunteer

12.1 Staff and volunteers may be subject to abuse allegations. The Award will offer support in these circumstances, but the social services department will be assisted in their investigation and the disciplinary procedure may be implemented.

13 Confidentiality

13.1 Confidentiality is central to the work of the Award, and the attention of all staff and volunteers is drawn to the Award's Confidentiality Policy.

14 Preventing Abuse by Staff and Volunteers

14.1 It is important that any staff or volunteers who are likely to be working alone with vulnerable people are thoroughly vetted before being employed. At the Award this means as well as references being checked there will also be a requirement for offences to be declared and a Criminal Records check undertaken.

14.2 It should be noted that having a criminal record does not prevent someone from being recruited as a staff member or volunteer in all circumstances. Staff should seek the advice of the Award Council in cases of doubt.

14.3 It may be very hard for a staff member to report a concern about a colleague but, as with all the other difficulties people will come across, the safety and protection of a vulnerable person must be the priority in any decision that is made.

15 Annual Training

15.1 Vulnerable person training shall be offered to staff and volunteers on at least an annual basis and shall address, amongst other things, the following:

- (1) what abuse is and how to spot abuse;

(2) mandated reporting requirements and procedures;

(3) what “duty of care” means and how the charity fulfills that requirement to protect vulnerable populations being saved from harm; and

(4) how client confidentiality of vulnerable persons is addressed.

15.2 Vulnerable person training shall be documented by the Award in accordance with usual operating policy.

Volunteer Scars Code of Conduct

As a volunteer I promise to strictly follow the rules and guidelines in this Code of Conduct as a condition of providing services to children and/or youth.

As a volunteer I will:

- Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity and consideration.
- Avoid situations where I am alone with children or youth, and if so make sure it is interruptible and observable.
- Use positive reinforcement rather than criticism, competition, or comparison when working with children or youth.
- Refuse to accept expensive gifts from children or youth, without prior approval from parents, guardians or administrators.
- Report suspected abuse to the administrator or appropriate supervisor **and** the Police or Family Services.
- Understand that failure to report to the local authorities, according to the law, it is mandated. (*See Children's Act 1988*)
- Cooperate fully in any investigation of suspected abuse of children or youth.

As a volunteer I will not:

- Smoke or use tobacco products in the presence of children or youth
- Use, possess or be under the influence of alcohol at any time while volunteering.
- Use, possess or be under the influence of any illegal drugs at any time.
- Pose any health risk to children or youth.
- Strike, spank, shake or slap any child or youth.
- Humiliate, ridicule, threaten or degrade any youth or child.
- Touch, view or photograph any child or youth in a sexual or other inappropriate manner; or ask them to view or touch me.
- Use any discipline that frightens or humiliates any child or youth.
- Use profanity in the presence of children or youth.
- Use text, email or private social media conversations with a child without including the parent or member of the organization.

I understand that as a volunteer working with children and/or youth, I am subject to a thorough background check including criminal history. I understand that any action inconsistent with this code of conduct, or failure to take action mandated with this code of conduct, may result in my removal as a volunteer with children and/or youth.

Volunteer printed name

Volunteer signed name

Date _____





Incident Report Form

PLEASE COMPLETE THIS REPORT IMMEDIATELY UPON NOTIFICATION OF AN EVENT, OCCURRENCE OR CIRCUMSTANCE THAT MAY GIVE RISE TO A CLAIM FOR COMPENSATION FOR PERSONAL INJURY OR PROPERTY DAMAGE.

DO NOT ADMIT OR ACCEPT ANY LIABILITY.

PLEASE REFRAIN FROM PROVIDING ANY PERSONAL COMMENT AND STATE FACTS ONLY.

DofE Region:			
Date of incident:		Time:	
Type of incident:	Accident <input type="checkbox"/>	Lost <input type="checkbox"/>	
	Behaviour <input type="checkbox"/>	Near miss <input type="checkbox"/>	
	Illness <input type="checkbox"/>	Recurring injury <input type="checkbox"/>	
Other <input type="checkbox"/> Please give details below			
National Award Office (VPO and/or AVPO):			
VP Officers	National Award Office Staff or Council Member		
Contact name			
Position	Directors		
Address	PO Box, HM 1577, Hamilton, HMGX, Bermuda		
Telephone no.	537 4868 (Karen) or 737 8959 (Fiona)		
Email	karen@theaward.bm or fiona@theaward.bm		
Award Unit / Approved Activity Provider details:			
Award Unit / AAP			
Contact name			
Position			
Address			
Telephone no.			
Email			
Reporting Informant's details			
Contact name			
Position			
Telephone no.			
Email			
Participant/Leader (casualty) details:			
DofE Award level	Bronze <input type="checkbox"/> Silver <input type="checkbox"/> Gold <input type="checkbox"/>		
Section	Expedition <input type="checkbox"/> Volunteering <input type="checkbox"/> Physical <input type="checkbox"/> Skills <input type="checkbox"/> Residential <input type="checkbox"/>		
Name			
Sex			
Age			

Details of Incident	
Reporter - Actions Taken and/or follow-up treatment required	
NAO - Actions Taken and follow-up	
Please email:	karen@theaward.bm or fiona@theaward.bm
Or forward to:	The Directors, The Duke of Edinburgh's Award, Bermuda PO Box, HM 1577 Hamilton, HMGX Bermuda
The DofE will keep this information confidential but are required by law "duty of care" to report to the appropriate social services organisations if necessary.	

This is a reporting document. All incidents will be reviewed but you should not necessarily expect a response from the DofE.