



Halton
Safeguarding
Adults
Board

Don't turn your back on abuse

Policy, Procedure and Practice

Anti Bullying

2010

INFORMATION SHEET

Areas	All organisations that are members of the Halton Safeguarding Adults Partnership Board: Halton Borough Council Halton & St Helens NHS Halton & Warrington Hospitals Trust St Helens & Knowsley Hospitals Trust 5 Boroughs Partnership Cheshire Constabulary 3 rd Sector Partners Private Sector Partners
Date effective from	TBA
Responsible officer(s)	Service Development Officer (Health), Halton Borough Council
Date of review(s)	TBA
Status: <ul style="list-style-type: none"> • Mandatory (all named staff must adhere to guidance) • Optional (procedures and practice can vary between teams) 	Mandatory
Target audience	All managers, staff and volunteers working in those organisations who are a member of the Halton Safeguarding Adults Partnership Board who have contact with Service Users and/or Carers
Date of Committee/SMT decision	HBC SMT - To be confirmed Safeguarding Adults Board – To be confirmed
Related document(s)	<ul style="list-style-type: none"> • 'Adult Protection in Halton – Inter-agency Policy, Procedures & Guidance • Smile, No Bullying Guide for Adults with Learning Disabilities • Mental Capacity Act 2005 and associated policies, procedures and guidance • Deprivation of Liberty Safeguards [DoLS]
Superseded document(s)	Anti-Bullying Policy and Procedure, April 2006
File reference	To be confirmed

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Ref.	POLICY	PRACTICE
<p>1</p> <p>1.1</p> <p>1.2</p> <p>1.3</p> <p>1.4</p>	<p>Policy Statement</p> <p>The aim of this Policy is to ensure a unified approach is practiced across the Borough Council and all its partner agencies within Halton when dealing with bullying behaviour towards vulnerable adults. This Anti-Bullying Policy provides employees, service providers, partner agencies, care staff, family carers and advocates working with adults aged 18 or over with learning disabilities, mental health problems, physical disabilities and/or sensory impairments, including older people, with an outline of what constitutes bullying and what to do when an incident occurs.</p> <p>Halton’s inter-agency Safeguarding Adults Board and Halton Borough Council (which has a lead responsibility for coordinating arrangements for safeguarding vulnerable adults in Halton) recommend that partner agencies and carers adopt and implement this Anti-Bullying Policy and Procedure.</p> <p>Some instances of bullying and harassment will constitute a criminal offence. This Policy does not offer advice or guidance on what to do when a criminal offence has been committed. In these circumstances individuals and their parents/carers should be advised to contact the Police.</p> <p>This policy will interface with the ‘Adult Protection in Halton – Inter Agency Policy, procedures and Guidance’ with regards to taking decisions on whether that be implemented or this Anti Bullying policy is applied.</p>	<p><i>This policy should be applied in conjunction with:</i></p> <p><i>‘Adult Protection in Halton – Inter-agency Policy, Procedures & Guidance’</i></p> <p><i>Halton Borough Council’s ‘Mental Capacity Act 2005 - Policy, Procedure and Guidance (March 2007).’</i></p>
<p>2</p> <p>2.1</p> <p>2.2</p> <p>2.3</p> <p>2.4</p> <p>2.5</p>	<p>DEFINITIONS FOR THE PURPOSE OF THIS POLICY</p> <p>Policy: This policy is a statement about what the Partnership Board plans to do to carry out its responsibilities in relation to preventing/dealing with Bullying of Vulnerable Adults</p> <p>Procedure: The steps that need to be taken to carry out the policy will follow each key principles of the policy</p> <p>Practice: Practice material identifies good professional practice in order to meet the Service User’s needs.</p> <p>Bullying: Bullying behaviour may be defined as ‘the unjustified display of verbal or physical aggression on the part of one individual or group towards another’. Anyone can be a bully – friends, family members, members of staff, members of the public.</p> <p>Bullying tends not to be a one-off incident, but something that happens again and again over a period of time. Often as an incident it does not warrant any Police intervention.</p>	

<p>2.6</p>	<p>Bullying involves some form of hurtful abuse of power and sometimes involves hitting or kicking, but threats, teasing and taunting are more common and can be more damaging. An individual's perception of bullying, or tolerance to behaviour that might be perceived as bullying, will be different from person to person. Behaviours that one person does not perceive as bullying may be perceived as bullying by another. Bullying can take one or more forms, including:</p> <ul style="list-style-type: none"> • Verbal, eg, name calling, swearing or making abusive comments. • Indirect, eg, ignoring or excluding another person. • Material, eg, when possessions are stolen or damaged or extortion takes place. • Emotional/Psychological, eg, when intimidation is used or pressure to conform is applied. • Physical, eg, when a physical assault is made Some people know that they are bullying others and they mean to bully, ie, there is intent. However, some people bully others without knowing that what they are doing is bullying. 	
<p>3</p> <p>3.1</p> <p>3.2</p> <p>3.3</p>	<p>MENTAL CAPACITY ACT 2005</p> <p>Individual's who lack capacity to make decisions regarding their health and wellbeing maybe covered by the Mental Capacity Act 2005 in order to protect their right to access appropriate health and well being services.</p> <p>The Mental Capacity Act applies to all individuals in England and Wales who are aged 16 and above and who lack capacity to make decisions. Hence everyone directly involved in the care of such individuals or employed in health and social care will be subject to the Act.</p> <p>An individual demonstrably lacking capacity will need someone to make decisions on their behalf. The more important the decision the greater the likelihood that more people will be involved. An assessment must be made for each decision.</p>	
<p>4</p> <p>4.1</p> <p>4.2</p>	<p>CONTEXT</p> <p>Vulnerable adults face prejudice and widespread discrimination in all areas of their lives - at work, in shops and leisure centres, in residential homes and day centres, in their community, on public transport - and so simple activities such as leaving the house, walking to work or catching a bus can often be upsetting and distressing experiences. Such experiences can often make people feel like outcasts and prevents them from taking a full part in society.</p> <p>The effect of regular bullying can be devastating. Being called a name may appear trivial in itself but it becomes significant when it happens all the time to the same person. Such intimidation constantly weighs on the daily lives of those people and can</p>	

4.3	<p>have cumulative and devastating effects.</p> <p>Bullying is stressful and, therefore, produces the same problems as other forms of stress. It is embarrassing and humiliating and undermines both the self-confidence and self-esteem of vulnerable adults and their confidence in those around them. It can also add to feelings of being different and isolated that many older people or people with a learning disability, a mental health problem, physical disability or sensory impairment already experience.</p>	
5	<p>RIGHTS & RESPONSIBILITIES</p> <p>5.1 All agencies involved in the provision of services to vulnerable adults and supporting this Policy share a common set of values to ensure that vulnerable adults have:</p> <ul style="list-style-type: none"> • The same human rights as everyone else to not live in fear and to be free from bullying and harassment. • The right to live as a valued and equal member of the community while being shown respect and afforded privacy. • The right to exercise informed choice about the way they live their lives and in the take-up of services. • The right to high quality, flexible and accessible services and a support network of professionals. • The right to their independence, to achieve their full potential and to live according to their wishes and beliefs. • The right to have a voice and their views listened to in the planning and provision of services available. • The right to have the same opportunities in life as others and not be bullied, harassed or discriminated against because of their disability. <p>As per National Minimum Standards for Care, fundamentally care and support workers should ‘treat others as you would wish to be treated yourself’</p> <p>5.2 Halton Safeguarding Adults Partnership Board and its partner agencies recognise that all vulnerable adults are potentially at higher risk of discrimination, bullying and harassment and have therefore developed this Anti-Bullying Policy, and Procedure which applies to all vulnerable adult groups and complements ‘Adult Protection in Halton – Inter-agency Policy, Procedures and Guidance’</p> <p>5.3 Every employee of member agencies in the Halton Safeguarding Adults Partnership Board and its partner agencies, service providers, care workers or advocates working with vulnerable adults have the responsibility to be aware of,</p>	<p><i>The Disability Discrimination Act 1995 makes it unlawful to discriminate against disabled persons in the provision of facilities and services. Under the Disability Discrimination Act 2005, all public bodies have a duty to have regard to the need to eliminate discrimination and harassment on grounds of disability and promote positive attitudes towards disabled people. Tackling disability bullying is a key part of fulfilling this duty.</i></p>

<p>5.4</p>	<p>notice and pass on allegations or suspicions of bullying immediately. Whether the incident is witnessed or reported, prompt action should be taken to ensure the safety of the victim and to challenge and address the behaviour of the bully.</p> <p>Employees of the Halton Safeguarding Adults Partnership Board members and its partner agencies, service provider, care workers and advocates have a responsibility to:</p> <ul style="list-style-type: none"> • Respond immediately to any observed incident of bullying • Do not ignore any observed or alleged incident of bullying • Take any allegation seriously, however insignificant it may seem to them. • Where the allegation comes directly from the alleged victim or their carer, to accept it and avoid making any judgements or comments other than to be comforting and sympathetic. People's tolerance levels and perceptions of behaviours vary from person to person. If a person reports that they feel like they are being bullied, this is enough reason to address the behaviours. • Urgently report concerns to their Supervisor / Manager. • State their concerns clearly. 	
<p>6</p> <p>6.1</p>	<p>THE SIGNS OF BULLYING</p> <p>There is no certain way of spotting that a person is being bullied, however, the following physical and behavioral signs can be indicators that bullying has or is taking place :</p> <ul style="list-style-type: none"> • Significant changes in normal behaviour or attitude • Challenging behaviour • Upset • Anger • Being withdrawn • Quietness • Depression • Appearing frightened or subdued in the presence of particular people • Refusal to eat or join in • Unwillingness to travel on public transport • Not wanting to go to a certain venue • Starting to bully others • Incontinence • Vomiting • Unexplained illness • Claims of feeling unwell • Bruising or physical marks • Torn clothing • Unexplained loss of money or goods • Sleepless nights • Repeating words the perpetrator has said to them, eg, "shut up or I'll hit you". 	<p><i>Staff should be vigilant when dealing with service users to identify any of these physical or behavioural changes in a person as soon as possible.</i></p>

<p>1</p> <p>1.1</p>	<p>PROCEDURE</p> <p>If any employee or service provider is worried about a service user or becomes aware that a service user is being bullied via a colleague, another service provider, partner agency, parent/guardian, care worker, family carer or advocate, they should try to sensitively bring this up at an appropriate time with the service user and invite them to communicate their experience in whichever way is appropriate to them. The following guidelines should be used:</p> <ol style="list-style-type: none"> 1. Find out what support the victim will need before talking to them about their experience. People with a disability may not always have the communication skills to report, effectively and in detail, specific incidents of being bullied and will need specific assistance with this. For example, he/she may wish to have another person present, such as a friend, carer or advocate, or may require the use of communication aids. <p>!Many people will find it upsetting to talk about their experience of bullying and will need emotional support during and after the meeting.</p> <ol style="list-style-type: none"> 2. Ensure the meeting takes place in a quiet place without interruptions. 3. Try to establish what type of bullying is taking place and where. 4. Try to establish who is carrying out the bullying. 5. Try to establish how often the bullying is happening. 6. Try to establish how the victim is responding to the bullying. 7. Ask the victim to write everything down that the alleged perpetrator has said or done, or ask the person they have been accompanied by to do this for them. 8. Advise the victim not to hit out at the bully or bullies as they themselves may end up being accused of bullying. 9. Establish what outcome the victim wants. 10. Discuss options to resolve the situation. 11. Agree actions. <p>! Action(s) agreed may not always solve a bullying situation, but they can help.</p> <ol style="list-style-type: none"> 12. Reassure the victim that they have done the right thing 	

by communicating with you. Also reassure the victim that the bully is the one with the problem, not them.

13. Advise the victim of what happens next.

!The end of the meeting is as important as the start. The victim should feel as though the problem is being resolved.

14. Arrange to speak with the alleged perpetrator, if known, and/or other relevant people. If the perpetrator is unable to be dealt with due to a bullying incident occurring in public, emotional support should be provided to the victim, together with advice on how to deal with such incidents if they re-occur. For example, if the service user is being bullied by a fellow tenant he/she should be advised to report this to their landlord; if the service user is being bullied by a fellow student at college he/she should be advised to report it to a lecturer.

15. Consider why the alleged perpetrator is bullying - think about their environment, relationships and communication. Bullies can have distress in their own lives and use fighting and threatening behaviour as a way of coping

16. Define the experience from each person's view.

!Information should only be disclosed on a need to know basis.

17. Keep a written record of what has been said to you, your responses and any other actions taken.

18. After following the above guidelines it is the Manager's responsibility to determine whether further action is required, e.g. referral for the matter to be considered or to be dealt with through the inter-agency Adult Protection Procedures, permanent or temporary exclusion from services, police involvement, etc.

19. Information will be kept on the service user's file and each incident will be monitored to minimise the possibility of reoccurrence and ensure that any further action needed is taken.

1.2

Decisions around if the 'Adult protection in Halton – Inter Agency Policy, Procedures and Guidance' should be adopted over this Anti Bullying Policy will depend on the nature of the allegations or concerns, their gravity, the level of risk to the individual or others and whether the 'victim' can and wants to engage in the process and the 'victim's level of vulnerability and ability. Referring to the 'Adult protection in Halton – Inter Agency Policy, Procedures and Guidance will assist in identifying if concerns should be taken down the adult protection procedures route or whether this policy would be appropriate. However, if this Anti Bullying Policy is initially adopted to deal with concerns/allegations, should they escalate,

	<p>this may be a trigger for the adult protection procedures to be implemented, especially if there is a risk to others or if there is a need for other investigations or possible sanctions.</p>	
2	<p>PROFESSIONAL CONDUCT</p> <p>2.1 In talking with a victim about their experience of being bullied remember to:</p> <ul style="list-style-type: none"> • Be patient • Listen • Not judge • Take the allegation seriously • Not interrogate the victim • Show that you care • Avoid promising confidentiality <p>2.2 Some people bully others without knowing that what they are doing is bullying, therefore, the alleged perpetrator must also be listened to and supported and not be judged or interrogated.</p> <p>2.3 Sometimes an individual can provoke another to such an extent that they are then bullied themselves or are bullying others. We should all be aware of our own actions and the effect they might have or are having on other people.</p> <p>2.4 In some instances, talking about bullying can be a key that unlocks the door to unhappy secrets and those dealing with bullying must be prepared to deal with any problems they find.</p>	
3	<p>RELATIVES AND ADVOCATES</p> <p>3.1 It is beneficial to everyone to inform a relative sooner rather than later of incidents of bullying and to let them know that the procedures within this Policy will be followed. Relatives and advocates of service users who are alleged as bullying may find it hard to believe or accept that the individual is capable of such behaviour. It is therefore important that discussions are based on well-documented evidence.</p> <p>3.2 Often it is useful to use a problem-solving approach, for example by saying “It seems your son/daughter and ‘x’ have not been getting on very well lately” rather than “Your son/daughter has been bullying or has been bullied”. They should also be advised of independent agencies that may be able to offer additional support, such as independent advocacy services and the Patient Advisory and Liaison Service (PALS).</p> <p>3.3 Strong measures, including temporary or permanent exclusion, may sometimes be necessary as an outcome, but only after risk assessment and, where appropriate, other plans and talking have been tried and have not worked.</p>	

3.4	<p>If a relative or advocate reports bullying:</p> <ul style="list-style-type: none"> • Recognise that they may be angry or upset. • Keep an open mind. • Remain calm and understanding • Make clear that you care and that something will be done. • Agree to meet or speak with them further to explain the procedure and actions. • Follow the guidelines in Section 7.1. 	
4	<p>STAFF/PAID CARERS ACCUSED OF BULLYING</p>	
4.1	<p>Allegations against staff and paid carers must be taken seriously and should be dealt with through the adult protection procedures and relevant employer's disciplinary procedures followed.</p>	
5	<p>COMPLAINTS</p>	
5.1	<p>The Halton Safeguarding Adults Partnership Board is committed to listening to people who may use or are affected by the services we provide and to dealing with complaints and suggestions in a positive and constructive manner. People may voice their dissatisfaction through the member organisations complaints procedure.</p>	
6	<p>ROLE OF THE POLICE</p>	
6.1	<p>It is the responsibility of the Police (not The Halton Safeguarding Adults Partnership Board) to investigate allegations of crime. When a crime is being investigated in Halton, Cheshire Police are committed to working in accordance with 'Adult Protection in Halton – Inter-Agency Policy, Procedures and Guidance' and will consult and work with other agencies and individuals as appropriate.</p>	
6.2	<p>Where a person believes that a criminal offence may have been committed they should speak to the victim and encourage them to contact the police or where there is a risk of harm to the individual the referrer should consider contacting the police themselves</p>	
7	<p>CONTACT NUMBERS</p>	
7.1	<p>Referrals for assessment, support, investigation through the inter-agency Adult Protection Procedures via Halton Borough Council's 24 Hour Contact Centre:</p> <p>Telephone: 0151 907 8306 (for Safeguarding Adults referrals)</p> <p>The Emergency Duty Team operates when day offices within Social Services are closed and can be contacted directly on 0845 050 0148</p>	

7.2	Police: Vulnerable Adults Officer Cheshire Constabulary Telephone: 01244 613937.	
7.3	For more information about safeguarding vulnerable adults / adult protection, visit Halton's website at <u>www.halton.gov.uk/adultprotection</u>	

Appendix 1 - Quick guide to policy for frontline staff

Why do we have an Anti Bullying Policy?

We have a responsibility to safeguard vulnerable adults who we provide services for.

What is in the Anti Bullying Policy?

The policy sets out the rights and responsibilities of service users and staff on relation to bullying.

It contains definitions of bullying and signs and signals for staff to be vigilant of that may indicate that a person has been, or is being bullied.

The policy provides procedures to deal with allegations of bullying.

The policy outlines the key principles of professional conduct in dealing with a potential bullying situation

What to do if you suspect, witness or hear of bullying of a service user

(summary of procedure, full procedure found in main policy, procedure and practice document):

- Record what you saw/heard/were told using exact wording
- Talking to alleged victim them about their experience. He/she may wish to have another person present, such as a friend, carer or advocate, or may require the use of communication aids.
- Try to establish what type of bullying is taking place and where, how often the bullying is occurring, who is carrying out the bullying and how the victim is responding to the bullying
- Ask the victim to write everything down that the alleged perpetrator has said or done, or ask the person they have been accompanied by to do this for them.
- Advise the victim not to hit out at the bully or bullies as they themselves may end up being accused of bullying.
- Discuss options to resolve the situation, agree actions advise the victim of what happens next.
- Arrange to speak with the alleged perpetrator, to be able to define the experience from each person's view
- Keep a written record of what has been said to you, your responses and any other actions taken.
- After following the above guidelines it is the Manager's responsibility to determine whether further action is required, e.g. referral for the matter to be considered or to be deal with through the inter-agency Adult Protection Procedures, permanent or temporary exclusion from services, police involvement, etc.

Do NOT:

- Keep concerns, allegations, disclosures or your own worries to yourself.
- Speculate
- Ask leading questions
- Stop someone who is freely recalling a significant event
- Make promises you can't keep (eg This wont happen again)
- Pass on information anyone who doesn't have a need to know