

Protection of Vulnerable Adults Factsheet



This Factsheet is about complaints about Adult Protection services, sometimes referred to as the Protection of Vulnerable Adults from Abuse ("POVA"). It should be read together with our general information leaflet about our service.

Formal procedures for Adult Protection are the responsibility of several organisations, including the Police, the NHS and the local authority's (the Council's) Social Services Department. This factsheet is concerned with complaints about the part played by Social Services.

Complaints about the care of a vulnerable adult should first be brought to the attention of the Council and considered under the statutory Social Services complaint procedure. The Ombudsman will normally expect you to have completed at least stage 2 of this procedure before making a complaint to him. However, if there are good reasons why this is not possible he may consider accepting a complaint before then.

What the Ombudsman can do

He can:

- look at a complaint that a vulnerable adult has suffered injustice as a result of failure in service or a failure in administration by Social Services authority in Wales.
- look at a complaint about how Social Services have handled the statutory Social Services complaint procedure, or any stage of it.
- look at a complaint that Social Services have failed to act on the recommendations of the investigating officer at Stage 2, or the review panel at Stage 3, of the statutory complaint procedure.

What the Ombudsman cannot do

He cannot:

- directly investigate complaints about abuse. That is the responsibility of the organisations involved in Adult Protection.
- look at any issues of suspension, discipline or any personnel issues concerning members of Social Services staff.

Issues to bear in mind

The Ombudsman can look into complaints about the actions of Social Services in respect of Adult Protection. He can also look into complaints about care given by the Health Service, although these are not dealt with as "POVA" complaints. The Ombudsman cannot, however, consider any complaints about the Police. If you wish to complain about the part played by the Police in any Adult Protection matters, you must complain to the relevant Police Authority.

The "POVA" list is at the heart of the POVA scheme and includes care workers who have harmed vulnerable adults in their care; it covers care workers employed in registered care homes, care workers employed by registered providers of personal care in people's own homes and adult placement carers. However, since 12 October 2009, the POVA list has been combined with other lists and administered by the Independent Safeguarding Authority (ISA). The list now includes individuals barred by the ISA from working with children or vulnerable adults in a wide range of posts including most NHS jobs, the prison service, education and childcare.

Further information

Further information is available on the Welsh Assembly Government's website at: www.cymru.gov.uk/topics/health/socialcare/vulnerableadults/?lang=en

You may want to consider contacting the following organisations for advice:

Age Concern can be contacted on **0800 009966** or via their website at www.accymru.org.uk

Mind Cymru provides assistance for people with mental health problems. You can contact them by phone on **0845 766 0163** or via the internet at http://www.mind.org.uk/mind_cymru

MENCAP Cymru offers advice, information and support on any issue to do with learning disabilities. You can contact them by phone on **0808 808 1111** or via the internet at <http://www.mencap.org.uk/landing.asp?id=13>

The Ombudsman is independent and impartial; he cannot order public bodies to do what he recommends – but, in practice, they almost always do.

Examples of cases that the Ombudsman has looked at can be found on our website. Please see www.ombudsman-wales.org.uk

If you are unsure whether the Ombudsman would be able to look into your complaint, please contact us:

- **phone** 0845 601 0987;
- **e-mail** ask@ombudsman-wales.org.uk;
- **visit the website at** www.ombudsman-wales.org.uk;
- **write to:** The Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae, Pencoed CF35 5LJ