

Protection of Vulnerable Adults

Factsheet

Introduction

This Factsheet is about complaints about Adult Safeguarding. This has previously been referred to as the Protection of Vulnerable Adults from Abuse (“POVA”) process. It should be read together with our ‘[How to Complain](#)’ webpage, available on the ‘Making A Complaint’ tab.

Adult safeguarding describes the function of protecting adults at risk from abuse or neglect. It is a shared priority of many public services including Councils, the Police and Health Boards.

This factsheet is concerned with complaints about adult safeguarding by the Council’s Social Services department.

Complaints about the care of an adult at risk should first be brought to the attention of the Council and considered under the statutory adult safeguarding procedure and the statutory Social Services complaint procedure. We will normally expect these procedures to have been used before making a complaint to him. However, if there are good reasons why this is not possible we may consider accepting a complaint before then.

What we can do

We can:

- Look at a complaint that an adult at risk has suffered injustice as a result of failure in service or a failure in administration by a Social Services authority in Wales;
- Look at a complaint about whether Social Services has followed the statutory adult safeguarding procedure and the statutory Social Services complaint procedure;
- Look at a complaint that Social Services has failed to act on the recommendations of the independent investigating officer at Stage 2 of the statutory Social Services complaint procedure.

What we cannot do

We 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

We can look into complaints about the actions of Social Services in respect of Adult Protection. We can also look into complaints about the Health Service's actions in such cases. We 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 Commissioner.

Health Boards can also be responsible for coordinating an adult protection investigation in circumstances where alleged abuse has taken place within an NHS care setting or where an NHS employee is alleged to have abused vulnerable adult.

We can also investigate complaints about a Health Board and its management of adult safeguarding concerns. The police conduct investigations into any alleged criminal offences. The Disclosure and Barring Service (DBS) can check whether someone is included in the two DBS 'barred lists' (previously called ISA barred lists) of individuals who are unsuitable for working with children and adults. People on the barred lists cannot do certain types of work. 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.

We may need to share information with other bodies where we are of the view that there may be a threat to the health or safety of one or more persons and believe that the information should be disclosed in the public interest.

Further Information

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

Age Cymru can be contacted on **08000 223 444** or via their website at
<http://www.ageuk.org.uk/cymru/>

Mind Cymru provides assistance for people with mental health problems. You can contact them by phone on **0300 123 3393** or via their website at
<https://www.mind.org.uk/about-us/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 8000 300** or via their website at <https://wales.mencap.org.uk/>

We are independent and impartial; we cannot order public bodies to do what we recommend – but, in practice, they almost always do.

Examples of cases that we have looked at can be found on our website, under the ‘Publications’ tab on the ‘[Our Findings](#)’ page.

Contact us

If you are unsure whether we would be able to look into your complaint, please [contact us](#) on 0300 790 0203 or ask@ombudsman.wales

Also available in Welsh.

This document is available in Welsh and English. You can write to us in Welsh and we will reply in Welsh. This will not lead to a delay in responding.

ask@ombudsman.wales

0300 790 0203 Our phone line is open 10am-12:30pm and 1:30pm-4pm Monday – Friday