



Safeguarding Adults Policy and Procedure

Contents

1 Introduction.....	2
2 Frameworks underlying our work with adults.....	3
3. Definitions.....	4
Adult at Risk.....	4
Abuse and Neglect.....	4
Forms of Abuse.....	4
4. Adult Safeguarding Procedures.....	5
Recruitment of Trustees.....	5
Recruitment of Staff and Volunteers.....	5
The Safeguarding Lead Responsibilities.....	6
Training for staff, volunteers and the Board of Trustees.....	6
Staff Support, Supervision, and Staff Meetings.....	6
5. Adult Reporting Procedure - what to do if you suspect someone is being abused.....	7
6. Whistleblowing.....	8
7. Partnership Working.....	8
8. Key Internal Contacts.....	8
9. Key External Contacts.....	9
Appendix 1 – Process chart where there are concerns about an adult’s welfare.....	10
Appendix 2 – Guidelines for responding to a person making an allegation of abuse... 	11
Appendix 3 – Guidelines for assessing concerns about abuse/neglect.....	12
Appendix 4 - Training plan.....	13

1 Introduction

We all have an obligation and duty to be aware of and act upon concerns about the protection, safeguarding and welfare of the adults we work with. This policy is designed to inform and offer guidance to staff, students, and volunteers of Gamesley Community Group [GCG] in the management of issues relating to safeguarding, protecting and promoting the welfare of vulnerable adults.

Living a life that is free from harm and abuse is a fundamental right of every person.

When abuse does take place, it needs to be dealt with swiftly, effectively and in ways which are proportionate to the issues and where the adult in need of protection is heard and stays as much in control of the decision-making as possible. It is acknowledged that there is a delicate balance between empowerment and safeguarding, choice and risk. GCG will adopt a positive approach in the management of risk ensuring the person's safety is not compromised.

The policy will operate alongside the relevant Derbyshire Safeguarding Adult's Board policies and procedures. GCG will take appropriate action within multi agency safeguarding guidelines whenever safeguarding concerns arise. We will ensure that staff receive the training and support they need to enable them to carry out their role within safeguarding. Staff will be aware of the lines of responsibility and accountability that exist within the organisation.

This policy will be updated and reviewed at least annually.

Failure to comply with this policy will be considered a disciplinary offence.

Our work will be informed by the 2014 **six safeguarding principles enshrined in the Care Act (2014)**:

- **Empowerment** – people being supported and encouraged to make their own decisions and informed consent;
- **Prevention** – it is better to act before harm occurs;
- **Proportionality** – the least intrusive response appropriate to the risk;
- **Protection** – support for those in greatest need;
- **Partnership** – working together with local communities;
- **Accountability** – and transparency in safeguarding practice.

There are 5 main elements to the Adult Safeguarding Policy:

- a) Ensuring that GCG practice safe recruitment in checking the suitability of staff and volunteers to work with clients who are or may be adults at risk of abuse
- b) Raising awareness of adult safeguarding issues amongst all paid staff and volunteers
- c) Developing and implementing procedures for identifying and reporting cases or suspected cases of adult abuse
- d) Supporting the client who has been abused
- e) Establishing a safe environment in which clients are able to talk and be listened to

It is impossible within the confines of one policy to offer guidance on specific issues of practice. What needs to be stressed however is:

- The protection and safeguarding of adults is paramount in the work that we do;

- Always ask for advice. Do not hesitate to consult with your supervisor or line manager;
- The availability of ongoing, up to date adult safeguarding training is a priority.

2 Frameworks underlying our work with adults

Legislation:

There are a number of key pieces of legislation, which set out the framework for all agencies working with children and adults These are:

The Care Act (2014)

The Care Act places procedures for safeguarding adults, aged 18 years and over, on a statutory footing for the first time. The Act provides the definition of an 'adult at risk' and 'adult abuse'. It places emphasis on multi-agency working with the focus on the outcomes for the adult at risk, known as 'Making Safeguarding Personal'. The Act states that everyone has a responsibility to protect adults at risk of abuse.

The Mental Capacity Act (2005)

The Mental Capacity Act applies to people aged 16 years and over, and is intended to protect people who cannot make their own decisions, some or all of the time i.e a person who 'lacks capacity'.

There are 5 key principles to the Act:

- A person must be assumed to have capacity, unless it is proved otherwise
- A person must be supported to make their own decisions
- A person has the right to make what might be seen as unwise decisions
- When someone lacks capacity to make a decision, decisions made for them must be made in their best interest
- Any decision made on behalf of a person who lacks capacity must be the least restrictive intervention.

Section 44 of the Mental Capacity Act introduced two criminal offences to protect those who may lack capacity. These are 'ill treatment' and 'wilful neglect'.

These offences:

- Criminalise neglect and abuse occurring in a relationship of trust
- Can include professionals and family members
- Cover an offender who indulges in behaviour believing the person lacks capacity
- Apply to serious departures from required standards of treatment that the offender was aware they were under a duty to perform
- If reported and prosecuted, the penalty for criminal offences may be a fine and/or prison sentence of up to 5 years.

3. Definitions

Adult at Risk

The Care Act defines a person presenting with some or all of the following as an adult who could be at risk of harm, abuse or exploitation:

- Aged 18 and over
- Has needs for care and support (whether or not these needs are being met)
- Is experiencing, or at risk, of abuse or neglect
- Is unable to protect themselves against abuse, neglect or risk as a result of their needs.

Anyone can feel vulnerable and may be at risk of abuse at some point in their lives. The risk of abuse is often related to the environment or situation in which a person finds themselves. Some people are at greater risk of abuse due to disability, illness or frailty which may be associated with long-term health conditions, the aging process, mental health problems, physical or sensory disability, learning disability, brain injury or substance dependency.

Abuse and Neglect

Abuse and neglect can be a criminal act and may take the form of a single or repeated act, an opportunistic act, serial abusing, neglect or a failure to act, multiple acts, deliberate action or the result of negligence or ignorance.

Forms of Abuse

The Care Act defines the following forms of abuse:

- Physical** abuse for example hitting, kicking, biting, misuse of medicines, misuse of moving and handling equipment, misuse of restraint.
- Financial** abuse for example theft, preventing a person's access to their own money, pressurising someone to sign over a property, change their will or other financial transaction, benefiting from two-for-one offers or getting reward points for shopping for another person, misuse of a person's welfare benefits, misuse of Power of Attorney.
- Psychological** abuse for example threatening, intimidating, humiliating, controlling, overprotecting, blackmailing or belittling.
- Sexual** abuse for example making someone take part in any sexual act that they have not consented to or do not understand such as inappropriate touching, teasing, harassment, innuendo or making someone watch a sexual act. It also includes sexual exploitation where the person receives something such as food, gifts, alcohol, or money, or perceived friendship as a result of them performing sexual acts.
- Neglect** for example ignoring a person's physical care needs, not providing access to health, social care, educational or housing services, not providing food, drink, clothing or heating, neglecting a person's right to choice, privacy and independence.
- Self-neglect** includes a person neglecting to care for their personal hygiene, health or surroundings, or an inability to provide food, clothing or shelter, or medical care necessary to maintain their physical and mental health, emotional well-being and general safety.
- Domestic** abuse including an incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse by someone who is, or has been, an intimate partner or family member regardless of gender or sexual orientation. This includes psychological, emotional, physical, sexual, financial abuse, so called 'honour' based violence, forced marriage or female genital mutilation.
- Organisational** abuse for example repeated poor practice throughout an organisation, inflexible services based on the needs of staff or managers rather than the individuals receiving services.
- Discriminatory** abuse for example not providing culturally appropriate meals, inappropriate nicknames, degrading or discriminatory comments.
- Modern slavery** encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their

disposal to coerce, deceive or force individuals into a life of abuse, servitude and inhuman treatment.

4. Adult Safeguarding Procedures

Recruitment of Trustees

Prior to the appointment of any trustee, the following will be required:

- A letter of appointment signed by the prospective trustee, confirming their eligibility to be appointed as a trustee and confirming that there is no legal impediment preventing their appointment
- Completion of The Charity Commission's self-declaration form confirming the matters above.
- The agreement by the prospective trustee that the charity may undertake a DBS check and that any appointment is subject to a satisfactory result.

Recruitment of Staff and Volunteers

Before appointing new staff and volunteers undertaking a role at GCG, the following checks will be made:

For paid staff

- A minimum of two satisfactory references, one of which would normally be from a previous employer.
- Documentary evidence checks of identity, residency and right to work.
- Satisfactory completion of the probationary period.
- A DBS check at the level relevant to the job/role.

For volunteers

- Satisfactory completion of the probationary/initial training period.
- A DBS check at the level relevant to the job/role.
- A minimum of one satisfactory reference.

Depending on the role undertaken, paid staff (or volunteers if relevant) will be subject to an Enhanced or Enhanced with barred list check with the Disclosure and Barring Service.

All staff and volunteers are required to read, accept and put into practice all the organisation's policies and procedures. These are set out in the Employee Handbook and the Volunteer Handbook(s). Copies of key policies such as Safeguarding, Confidentiality, Data Protection, and Health and Safety, are provided during induction and application and understanding of the policies is checked during supervision.

The Safeguarding Lead Responsibilities

GCG designates Safeguarding Leads who are responsible for the implementation of the Safeguarding Policy and Procedure in their respective areas. It is the responsibility of the Designated Safeguarding Leads to take appropriate action following any expression of concern and make or oversee referrals to the appropriate agencies.

The Designated Safeguarding Lead role covers:

- Obtaining information from staff, volunteers, or other people who have concerns relating to the protection of adults at risk of abuse, and to record this information.
- Assessing information quickly and carefully and asking for further information where appropriate.
- Consulting with statutory protection agencies e.g. local adult social care departments (social services) and police to clarify doubts or worries.
- Making referrals to the local adult social care department or the police without delay.
- Ensuring that contact information for relevant statutory and voluntary organisations is made available through GCG
- Attending relevant training.

All paid staff and volunteers will be made aware of the Designated Safeguarding Lead and how to contact them (see details below). The Designated Safeguarding Lead will be supported in their role by the Board of Trustees of GCG.

Training for Staff, Volunteers and the Board of Trustees

GCG is committed to providing its staff, volunteers and Board of Trustees with appropriate levels of awareness and training in Safeguarding to enable them to carry out their duties effectively.

Our training will include:

- Basic induction training including detailed information about this policy
- Awareness training
- Safeguarding training about specific areas (elder abuse, financial abuse, domestic abuse for example)
- Any other training deemed relevant

The level of training will depend upon the role of the person within the organisation.

Staff Support, Supervision, and Staff Meetings

It is important that staff who deal with safeguarding and other stressful situations on a day to day basis get the support they need including an immediate debrief if necessary. As with other risk identification, safeguarding practice or concerns can be raised by managers or staff in supervision and team meetings to provide an opportunity to explore practice in a supportive environment.

Volunteers will also get regular contact from their designated coordinator, who will ensure that any concerns the volunteer has are discussed within a reasonable timeframe. They should receive the same support as a staff member after any stressful situations, regardless of whether it ends in a safeguarding referral. Anything raised by a volunteer should also be discussed in team meetings.

5. Adult Reporting Procedure - what to do if you suspect someone is being abused

All paid staff and volunteers at GCG must be alert to the potential signs of abuse. Disclosure, or evidence for concern, may occur in a number of ways including a comment made by an adult at risk of abuse, physical evidence such as bruising, a change of behaviour or inappropriate behaviour or knowledge.

The person in receipt of an allegation, concern, or suspicion of adult abuse should follow the guidelines for how to respond (see appendix 1) and make a written record of what is said or seen and what action was taken. The adult at risk of abuse can be shown this record but discretion should be used.

Before sharing information or acting without the person's consent:

- Tell the person you will need to share information and why, unless this may increase the risk to them.
- Always try to gain consent from the person by explaining the advantages and what help may be available.
- Reassure the person that as far as possible they will remain in control of decision making.
- Consider the person's ability to understand and make the decision about giving consent to share information.

If a person refuses intervention or does not give consent to share their personal information and they have the mental capacity to do so, their wishes should be respected. However, there are circumstances where you could or should share the information with safeguarding partners within the legal parameters.

Information can be shared **without consent** in the following circumstances, providing the reasons are clearly recorded

- a) Risk to others (public interest i.e. whistleblowing)
- b) A crime has been committed, admitted or there is a reasonable belief of a crime
- c) Coercion and/or threats
- d) Risk to life, including risk to self (known as 'vital interest') which is not a breach of data protection legislation.
- e) In the unlikely event of being directed by a Court or other appropriate legal request.

All allegations, concerns or suspicion about adult abuse should be reported promptly, and at the latest by the next working day, to the most appropriate person in GCG. All stages of the reporting procedure must be documented, marked confidential and stored in a protected file following the procedures in GCG's Data Protection Policy and Procedure.

If you consider someone is at immediate risk of harm and the appropriate person in GCG is not available to respond, call the emergency services on 999 as a priority. The member of staff should then contact the Designated Safeguarding Lead as soon as possible on the day of occurrence, or at the latest by the next working day, to discuss the allegation, concern or suspicion.

The member of staff should contact the relevant local adult social care (social services) department or police using the reporting process outlined on the local authority website for the area.

The Designated Safeguarding Lead should log all cases and provide an anonymous summary to the Board of Trustees.

The absence of the Designated Safeguarding Lead should not delay a referral to the local adult social care (social services) department or police. In that case another member of the Management Team can deputise.

Allegations, concerns or suspicions should not be discussed with anyone other than those named above.

Under no circumstances should paid workers or volunteers carry out their own investigation into an allegation, concern or suspicion of adult abuse.

Any paid member of staff or volunteer has the right to make a direct referral to the local adult safeguarding agencies if they choose to do so, however it is intended that this policy and procedure prove sufficient. Should the individual choose to do this, it is important that GCG are made aware of this referral.

Where an allegation, concern or suspicion concerns a paid member of staff or volunteer it should initially be dealt with by the most senior staff member on site at the time the issue arises. That person must report the matter to the Designated Safeguarding Lead giving details of the circumstances.

6. Whistleblowing

Any member of staff who raises an issue where they believe the employer, employee or any volunteer is acting in a way which is unlawful or falls below proper standards or contrary to this policy are protected by the Public Disclosure Act 1998, provided they comply with statutory procedures. Anyone involved in whistleblowing will be supported in line with GCG's Whistleblowing Policy.

7. Partnership Working

Working in partnership with other agencies is a key principle of the Care Act (2014). GCG will seek to work in partnership with a diverse range of agencies in order to safeguard adults at risk of abuse. Where appropriate, GCG will give and seek information to and from, for example, the police, health, and social care agencies. However, where advice is sought about a situation that does not relate to someone that GCG is supporting, the agency who is working with that person remains responsible.

8. Key Internal Contacts

Designated Safeguarding Leads for GCG are:

Helen Thornhill - Trustee and Chief Officer. Helen@gamesleycommunitygroup.org

9. Key External Contacts

Derbyshire Safeguarding Adults Board

Telephone Call Derbyshire: 01629 533190 (9am – 5pm Monday to Friday)

Out of Hours Service: 01629 532600 (5pm – 9am Monday to Friday and 24 hours at weekends and public holidays)

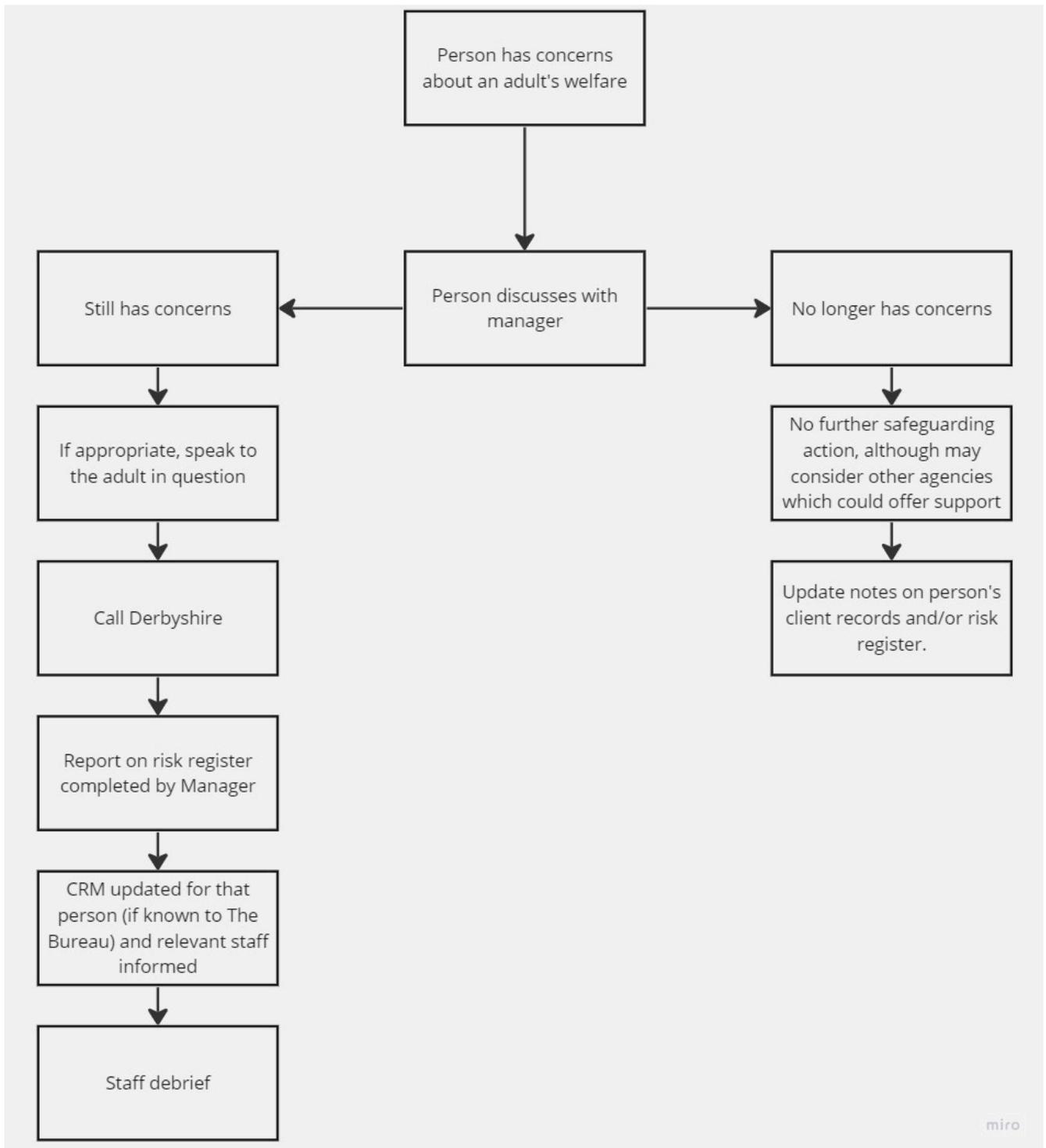
Email: derbyshiresab@derbyshire.gov.uk

For general, non-urgent requests for advice and support you can contact Call Derbyshire by email or text. This should not be used for Safeguarding concerns or reporting abuse.

Email: contact.centre@derbyshire.gov.uk

Text: 86555

Appendix 1 – Process chart where there are concerns about an adult's welfare



Appendix 2 – Guidelines for responding to a person making an allegation of abuse

General Points

- Keep calm – do not appear shocked or disgusted.
- Accept what the person making the disclosure of abuse says without passing judgement (however unlikely the disclosure may sound).
- Look directly at the person making the disclosure of abuse.
- Be honest.
- Let them know you will need to tell someone else, don't promise confidentiality.
- Be aware the person making the disclosure of abuse may have been threatened and fear reprisals for having spoken to you.
- Never push for information or question the person making the disclosure of abuse as this can undermine any subsequent criminal investigation. If at any point a person making a disclosure of abuse decides not to continue, accept that and let them know that you are ready to listen should they wish to continue at any time.

Helpful things to say or show

- Show acceptance of what the person making a disclosure of abuse says.
- "I take what you are saying very seriously".
- "I am pleased that you have told me. Thank you for telling me".
- If appropriate:

"I am sorry that happened to you."

"I will help you."

Things not to say

- "Why didn't you say something before?"
- "I really can't believe it."
- "Are you sure this has happened?"
- "Why?" "Where?" "When?" "Who?" "What?" "How?"
- Don't make false promises such as confidentiality – be honest now, any lies will be further abuse and betrayal.
- Never make statements such as 'I am shocked!' or 'don't tell anyone else'.

Concluding the conversation

- Reassure the person making the allegation that they were right to tell you.
- Let the person know what you are going to do next and tell them that you will let them know what is happening at each stage.

Appendix 3 – Guidelines for assessing concerns about abuse/neglect

You may have noticed changes for a while, or there may be something new you've picked up on. Age UK has used what they have heard from older people, family, friends and professionals to develop a scale of concerns that might help you assess your level of concern.

Lower level concerns for example not doing their hair or not shaving their beard, taking less care than usual about other aspects of their appearance, being less house-proud.

These are often the early signs of something being wrong. Other people who don't know the person as well may not notice as they might be examples of previously high standards slipping. However, such changes can be unsettling to the people who know them well.

Medium level concerns for example no longer washing regularly, not getting dressed during the day, having trouble sleeping, not going out.

These kinds of changes may be affecting the person's daily routine and activities. Other people who aren't as close to the person may be noticing changes too.

High level concerns for example not eating properly, drinking a lot of alcohol, not taking medication, living in insanitary conditions.

The things the person is doing or not doing are affecting their health and welfare quite a lot, and they are likely to need support to make changes.

Immediate risk to themselves or others for example living in dangerous or unhygienic conditions and not taking care of an illness or injury to the extent that their health is at immediate risk, suicidal feelings.

Appendix 4 - Training plan

This plan will be updated regularly. Most of GCG's Safeguarding Training will be through the Derbyshire Safeguarding Adult's Board or will be bought in to meet the training needs of the staff. Training can be through an online course as well as at an event.

GCG will also pay for NSPCC online courses here: [NSPCC elearning: online courses | NSPCC Learning](#)

	Current offer	Course	Frequency
Training for new and existing staff	Derbyshire Learning Pool	Safeguarding – Alerting Others to Abuse (FC)	On appointment and annual refresher
		Safeguarding – Alerting Others to Abuse (Development Webinar)	On appointment and annual refresher
		Domestic Abuse Awareness	Optional
		Honour Based Violence and Forced Marriage	Optional
		Sexual Assault and Sexual Abuse	Optional
		Modern Slavery Awareness	Optional
		Prevent	Optional
		The Mental Capacity Act	Optional
Trustees	NCVO (Trustee Induction) NSPCC	Safeguarding Training for Charity Trustees	On appointment
Volunteers	GCG Internal Delivery	Induction Training	