



SAFEGUARDING ADULTS POLICY

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1. Purpose and General policy statement

The purpose of this policy is to outline the duty and responsibility of staff, volunteers and management committee members working on behalf of WSUN in relation to the protection of adults from abuse.

The Management Committee is committed to ensuring that the organisation:

- Takes safeguarding seriously.
- Provides a safe environment.
- Identifies people who are or appear to be at risk of harm, neglect or abuse.
- Takes appropriate action to promote and support safeguarding.

In pursuit of these aims, the Management Committee will approve and annually review its Safeguarding Adults policy and procedures with the aim of:

- Raising awareness of issues relating safeguarding.
- Providing procedures for reporting concerns and monitoring outcomes.
- The safe recruitment of staff

The organisation has nominated the Chief Executive Officer as Designated Safeguarding Lead. They will undertake appropriate training as required by the Management Committee.

Staff working with children will receive appropriate training to familiarise them with both adult safeguarding and child protection issues, and their responsibilities to comply with organisation's procedures for safeguarding, with refresher training at least every 3 years.

The Management Committee will receive an annual update from the Designated Safeguarding Lead.

2. Aims

2.1 All adults have the right to be safe from harm and should be able to live free from fear of abuse, neglect and exploitation.

2.2 The key objectives of this policy are:

- To explain the responsibilities WSUN and its staff, volunteers and Management Committee have in respect of adult safeguarding.
- To provide staff with an overview of adult protection and understand their responsibilities to protect adults from abuse.
- To provide a clear procedure that will be implemented where adult protection issues arise.

- 2.3 Within this policy staff, volunteers and Management Committee will collectively be known as 'workers'. Throughout, the adult's right to protection from harm shall always be the overriding priority.

3. Definitions

- 3.1 Throughout this document the term 'adult' refers to a person aged 18 years or over who:

- has needs for care and support (whether or not the local authority is meeting any of those needs),
- is experiencing, or is at risk of, abuse or neglect, and
- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it

(Care Act, 2014)

- 3.2 Where it is believed that an adult is suffering from or is at risk of significant harm, we will follow the procedures set out in this policy. All workers must follow the procedure below.

- 3.3 The most common types of abuse are:

- **Physical abuse** - Actual or likely physical injury to an adult; the use of force to cause pain and injury. Physical abuse related to cultural norms (such as Female Genital Mutilation - [Female genital mutilation \(FGM\) - NHS \(www.nhs.uk\)](http://www.nhs.uk)) is a form of physical abuse. Also included is the misuse of medication or forcing someone to stay somewhere against their will.
- **Sexual abuse** - Rape and/or sexual assault or sexual acts that the adult has not or could not consent to or was pressurised or manipulated into. May include non-contact activities.
- **Neglect** - The persistent or severe neglect of an adult by another person, such as the failure to meet their basic needs, or protect them from harm.
- **Self Neglect** - The persistent or severe neglect of an adult toward themselves, such as the failure to meet their basic needs, or protect them from harm.
- **Psychological abuse** - Emotional abuse including threats; enforced isolation; coercive, blaming/controlling behaviour or verbal insults. All abuse involves some emotional ill-treatment.
- **Financial or material abuse** - This is when an adult is exploited for financial or material gain. Often valuables will go missing or there may be a change in financial circumstances that cannot be explained.
- **Discriminatory abuse** - includes that based on a person's ethnic origin, religion, language, age, sexuality, gender, disability, and other forms of harassment, slurs or similar treatment.
- **Institutional abuse** - This is poor professional practice, including neglect, and can take the form of isolated incidents right through to ill treatment or gross misconduct.

- **Historical Abuse** - There may be occasions when an adult will disclose abuse that occurred in the past. This information needs to be treated in exactly the same way as disclosure or suspicion of current abuse.
- **Radicalisation and extremism** - Staff and volunteers concerned about signs of potential radicalisation and/or extremism in someone they are working with will discuss their concerns promptly with their manager. Accurate factual records will be kept of their concerns. Appropriate concerns will be reported to the Wiltshire Prevent Team: prevent@wiltshire.pnn.police.uk • Anti-terrorism hotline 0800 789321.

NB: The above definitions can also be factors in gang culture.

[Gangs – A Safeguarding Response - Safeguarding Hub](#)

NB: The above definitions are also relevant factors in recent cases of Modern Day Slavery. Please refer to WSUN's guidance regarding Modern Day Slavery.

NB: The above definitions can also apply to cases where Mental Capacity and/or Deprivation of Liberty are relevant. Please refer to WSUN's guidance regarding Mental Capacity and Deprivation of Liberty (appendix C and D)

This is not an exhaustive list. We need to be mindful that abuse may happen face to face or through other channels such as social media and the internet. The worker is not responsible for investigating abuse. However, they have a responsibility to be aware and alert to signs of abuse or neglect.

4 Procedure

- 4.1 It is important that adults are safeguarded from abuse. All complaints, allegations or suspicions must be taken seriously.
- 4.2 This procedure must be followed whenever an allegation of abuse is made or when there is a suspicion that an adult has been abused or where there is a risk to an adult if preventative measures are not taken.
- 4.3 Promises of confidentiality should not be given as this may conflict with the need to ensure the safety and welfare of the individual.
- 4.4 A full record shall be made as soon as possible of the nature of the allegation and any other relevant information. Facts to be recorded when a disclosure or allegation of abuse is made:
- Name of the vulnerable adult and carers details
 - Vulnerable adult's address and relevant telephone numbers
 - What is said to have happened or what was seen and heard
 - When did it occur?
 - Who else, if anyone, was there?
 - What evidence of abuse can be recorded? (See Definitions)
 - Who was involved in the incident, and in what way?
 - What was said by those involved?
 - If the vulnerable adult was able to say what happened, how did they describe it?
 - Was anyone else informed? If so by whom and when?

Do not discuss the disclosure with anyone outside the investigation

Any safeguarding concerns will be documented and be brought to the attention of the CEO (Safeguarding lead) or the Chair (if the lead is unavailable), without delay.

- 4.5 If the worker believes that an adult is in immediate danger from themselves or others and/or requires medical attention, they must contact the emergency services by dialling 999. If there is not a clear disclosure, but a worker has grounds for concern, this will be discussed with their line manager or safeguarding lead as soon as possible.
- 4.6 When abuse is disclosed or suspected, a worker should not ask investigative questions. If appropriate, the worker should reassure the person that you are treating the information seriously and inform them that you must alert the appropriate authorities. Do not promise to keep the information secret, or make promises that cannot be kept.
- 4.7 Be aware that if this person is the possible abuser, informing them of your responsibilities to report the abuse may cause them to retract their statement and hide evidence.

4.8 In the event of an incident or disclosure:

DO

- Make sure the individual is safe
- Assess whether emergency services are required and if needed call them
- Listen
- Offer support and reassurance
- Ascertain and establish the basic facts
- Make careful notes and obtain agreement on them
- Ensure notation of dates, time and persons present are correct and agreed
- Take all necessary precautions to preserve forensic evidence
- Explain areas of confidentiality; immediately speak to your manager for support and guidance
- Explain the procedure to the individual making the allegation
- Remember the need for ongoing support

DON'T

- Confront the alleged abuser
- Be judgmental or voice your own opinion
- Be dismissive of the concern
- Investigate or interview beyond that which is necessary to establish the basic facts
- Disturb or destroy possible forensic evidence
- Consult with persons not directly involved with the situation
- Ask leading questions
- Assume Information
- Make promises
- Ignore the allegation
- Elaborate in your notes

4.9 When abuse is disclosed, the worker must take the following action:

The worker should make contact with the CEO (safeguarding lead) or the chair of the Network who will then contact the Wiltshire Council Safeguarding Adult Team to request advice about appropriate action prior to an alert being made.

In all situations when a crime has been or is about to be committed, the person raising the concern should call 999.

Wiltshire Council

Adult Social Care Advice & Contact: 0300 4560111 (8.30-5.20)

Emergency Duty Service: 0300 456 0100 (out of hours)

If appropriate, inform the service user (or whoever has disclosed) immediately that the information cannot be kept confidential and will have to be passed on to appropriate agencies. If possible/appropriate, encourage them to do so themselves, with support if wanted.

Inform the CEO (Safeguarding lead) or the Chair about the disclosure as soon as possible.

The Safeguarding lead or the Chair and the worker will discuss who will inform the service user about what will happen next, in order that they can be reassured about what will happen next. If the service user is the suspected abuser, the alerting manager will take immediate advice from the Social Care Team about continuing contact.

In the event that the Safeguarding Lead or the Chair is unavailable, the worker will contact the appropriate agency themselves immediately and within the same working day as the disclosure. The information that will be needed includes - why the worker is concerned, the details of the adult, if anyone lives with them, if they're getting help from any organisation, and who may be carrying out the abuse. The worker will as soon as possible inform a manager of their action.

Brief factual information about disclosures or events that are causing concern must be recorded as soon as possible. These must be confidential to workers and the appropriate outside agency involved. The WSUN Adult Safeguarding Lead is the Chief Executive who should be informed of the action.

Volunteers should be informed of this policy. They will be expected to follow the same steps.

5 When a staff member is involved

5.1 WSUN has the same obligation to report suspected or disclosed abuse when it relates to workers as it does with any other person. At first a safeguarding referral will be made following steps under 4.9 of this policy.

5.2 WSUN is legally obliged to report any worker to the Disclosure and Barring Service who has:

- Harmed or poses a risk of harm to a child or adult;
- Satisfied the harm test; or
- Received a caution or conviction for a relevant offence

5.3 Full instructions on making referrals are to be found at <https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs>

5.4 When making a referral to DBS relating to workers, there are two main conditions that will be met, these are:

The person involved has been permanently removed from 'regulated activity' through dismissal or permanent transfer from 'regulated activity' (or would have if the person had not left, resigned, retired or been made redundant)

WSUN believes the person falls into one of the three categories mentioned in point 5.2 above

5.5 A referral should not be made when an allegation is first made. An investigation and evidence gathering should be first undertaken by WSUN's Adult Safeguarding Lead who would normally refer to the DBS. This is in order to establish if the allegation has foundation, for example as part of an internal disciplinary process. Without evidence or substance to the claims many allegations will be quickly closed down as there will be no foundation on which the DBS can proceed.

6 Confidentiality

6.1 Adult safeguarding raises issues of confidentiality which should be clearly understood by all.

6.2 Staff, volunteers and Management Committee have a professional responsibility to share relevant information about the protection of adults with other professionals, particularly investigative agencies and adult social services.

6.3 Staff will, where possible, assure the adult that they will keep them informed of any action to be taken and why. The adult's involvement in the process of sharing information should be fully considered and their wishes and feelings taken into account.

7 Role of designated Adult Safeguarding Lead

The designated Adult Safeguarding Lead for WSUN is the Chief Executive. The role of the designated officer is to oversee all instances involving adult safeguarding that arise within WSUN. Once a manager has been notified of a safeguarding concern, it is then the manager's responsibility to notify the Chief Executive. Should you have any suspicions or concerns relating to Adult Safeguarding within WSUN, contact the Chief Executive on 01380 871800. In the event of the CEO being absent, the Management Committee Chair or the Management Committee nominated safeguarding lead will deputise.

8 Training

All WSUN staff undergo Safeguarding Adults Training. Volunteers undergo safeguarding adults training if it is relevant to the role.

9 Complaints procedure

WSUN has a complaints procedure available to service users, staff, volunteers and Management Committee.

10 References, internet links and further sources of information

[brief-guidance-for-referrers-safeguarding-adults.pdf \(wiltshiresvpp.org.uk\)](http://wiltshiresvpp.org.uk/brief-guidance-for-referrers-safeguarding-adults.pdf)

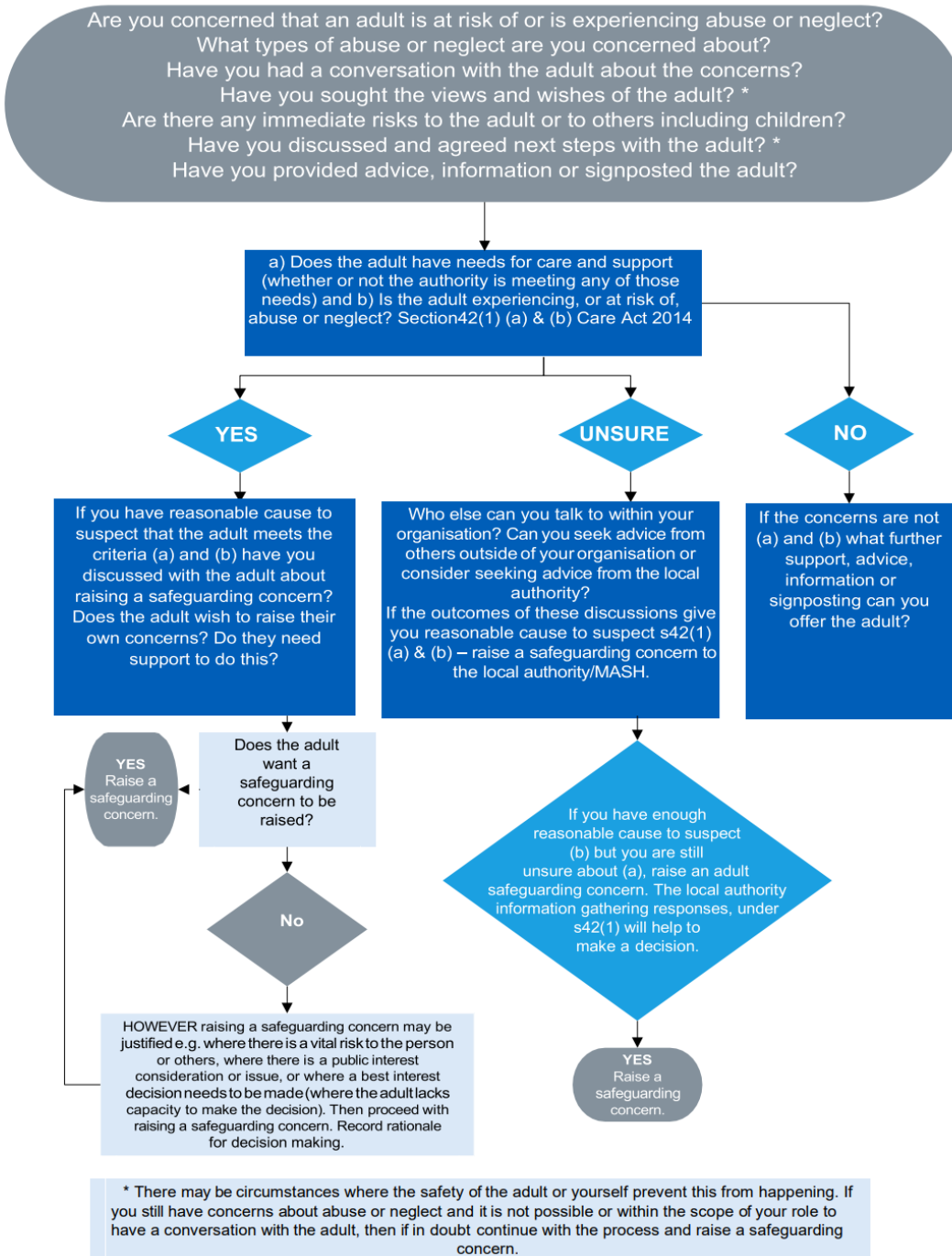
[safeguarding-adults good-referrals-guidance.pdf \(wiltshiresvpp.org.uk\)](http://wiltshiresvpp.org.uk/safeguarding-adults-good-referrals-guidance.pdf)

<https://www.gov.uk/government/publications/controlling-or-coercive-behaviour-statutory-guidance-framework/controlling-or-coercive-behaviour-statutory-guidance-framework-accessible>

Appendix A (Wiltshire Council adult safeguarding referral advice)

What does a 'good' Adult Safeguarding referral look like?

Deciding if you need to raise a safeguarding concern to the Local Authority/ Multi-Agency Safeguarding Hub (MASH)



Appendix B

Modern slavery

Modern slavery is a complex crime that takes a number of different forms. It encompasses slavery, servitude, forced and compulsory labour and human trafficking. Traffickers and slave drivers coerce, deceive and force individuals against their will into a life of abuse, servitude and inhumane treatment. Victims may be sexually exploited, forced to work for little or no pay or forced to commit criminal activities against their will. Victims are often pressured into debt-bondage and are likely to be fearful of those who exploit them, who will often threaten and abuse victims and their families. All of these factors make it very difficult for victims to escape. For further information relating to this, please see the Modern Slavery Act information : <https://www.gov.uk/government/collections/modern-slavery>

Types of modern slavery

- Human trafficking
- Forced labour
- Domestic servitude
- Sexual exploitation, such as escort work, prostitution and pornography
- Debt bondage – being forced to work to pay off debts that realistically they never will be able to.

Possible indicators of modern slavery

- Signs of physical or emotional abuse
- Appearing malnourished, unkempt or withdrawn
- Isolation from the community, seeming under the control or influence of others
- Living in dirty, cramped or overcrowded accommodation and or living and working at the same address
- Lack of personal effects or identification documents
- Always wearing the same clothes
- Avoidance of eye contact, appearing frightened or hesitant to talk to strangers
- Fear of law enforcers

This guidance should be read in conjunction with our safeguarding policies.

If you have any concerns regarding anyone affected by modern slavery, you must contact Adult/children's social care to report it and follow the process outlined in our safeguarding policies.

Appendix C

Mental Capacity Act 2005 (MCA)

The Mental Capacity Act 2005 for England and Wales provides a statutory framework for decision making for people over the age of 16 who are unable to make certain decisions for themselves because of “Mental Incapacity”.

People lacking capacity will include those with dementia, learning disability, mental health problems, brain damage, toxic confused state and physical injury or illness. The mental incapacity may be permanent or temporary. The Mental Capacity Act 2005 includes guidance on a broad range of decisions regarding personal welfare, medical & healthcare decisions as well as financial decisions. The Act sets out safeguards to empower and protect a person who is assessed as not having mental capacity.

The assessment of a person’s capacity must be ‘decision specific’. This means that:

- The assessment of capacity must be about the particular decision that has to be made at a particular time and is not about a range of decisions
- An inability to make complex decisions, does not mean that the person cannot make simple decisions.

Key Principles

There are five important things that are set out in the Act to think about:

Presume Capacity – start off by thinking that a person can make their own decision. Every adult has the right to make their own decision and must be assumed to have capacity to do so, unless proven otherwise.

Give individuals the support they need to make decisions before concluding that they cannot. Steps must be taken to promote the person’s participation by providing them with information pertinent to the decision in hand and practicable support.

Individuals should not be treated as lacking capacity to make a decision based on others taking a view that it is unwise or eccentric.

Anything done for, or on behalf of, someone without capacity, must be in their “**best interests**” - a decision which is arrived at by working through a checklist of principles within the Act

Anything done for or on behalf of a person who lacks capacity, must be the **least restrictive option of their basic rights and freedoms**

Deprivation of Liberty Safeguards 2007

What is a deprivation of liberty?

Article 5 of the Human Rights Act states that 'everyone has the right to liberty and security of person. No one shall be deprived of their liberty [unless] in accordance with a procedure prescribed in law'. The Deprivation of Liberty Safeguards is the procedure prescribed in law when it is necessary to deprive of their liberty a resident or patient who lacks capacity to consent to their care and treatment in order to keep them safe from harm.

Key messages

- The Mental Capacity Act allows restraint and restrictions to be used – but only if they are in a person's best interests.
- Extra safeguards are needed if the restrictions and restraint used will deprive a person of their liberty. These are called the Deprivation of Liberty Safeguards.
- The Deprivation of Liberty Safeguards can only be used if the person will be deprived of their liberty in a care home or hospital. In other settings the Court of Protection can authorise a deprivation of liberty.

Mental Capacity Act 2005:

http://www.legislation.gov.uk/ukpga/2005/9/pdfs/ukpga_20050009_en.pdf

<https://www.yourcareyoursupportwiltshire.org.uk/treated-badly/MCA/mental-capacity-act.aspx>

Deprivation of Liberty Safeguards:

<http://www.scie.org.uk/publications/ataqlance/ataqlance43.asp>

Appendix D

Safer recruitment and selection practices

Wiltshire Service Users' Network has established recruitment and selection procedures. These have been reviewed in order to ensure that they take account of the following:

- They apply to staff and volunteers who may work with Vulnerable Adults and /or children.
- The post or role is clearly defined.
- The key selection criteria for the post or role are identified.
- Vacancies should be advertised widely in order to ensure a diversity of applicants.
- 2 Professional and character references are always required. A follow up telephone call to one of the referees is undertaken.
- Previous employment history is verified.
- Disclosure and Barring Service disclosure/List 99 checks are completed.
- The use of a variety of selection techniques (e.g. qualifications, previous experience, interview, reference checks).