



Safeguarding Policy of Why Don't We hereafter referred to as the group

Introduction

Why Don't We is committed to safeguarding and promoting the welfare of the people we support, engaged in the breadth of its activities.

The purpose of this policy is to outline the duty and responsibility of staff, volunteers and trustees working on behalf of **Why Don't We** in relation to the protection of 'Adults at Risk' from abuse.

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

The key objectives of this policy are:

- To explain the responsibilities **Why Don't We** and its staff, volunteers and trustees have in respect of 'Adults at Risk' protection.
- To provide staff with an overview of 'Adults at Risk' protection
- To provide a clear procedure that will be implemented where an adult at risks protection issues arise.

Context

For the purpose of this document 'adult' means a person aged 18 years or over.

Some adults are less able to protect themselves than others, and some have difficulty making their wishes and feelings known. This may make them vulnerable to abuse. The broad definition of a 'vulnerable adult' ('Adults at Risk') referred to in the 1997 Consultation Paper 'Who decides?' issued by the Lord Chancellor's Department, is a person:

"Who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation".

The first priority should always be to ensure the safety and protection of 'Adults at Risk'. To this end it is the responsibility of all staff to act on any suspicion or evidence of abuse or neglect (see the Public Interest Disclosure Act 1998) and to pass on their concerns to a responsible person/agency.

For purposes of ensuring consistent and widely understood terminology, these policy and procedures will use the phrase 'Adults at Risk' to identify those eligible for interventions within the procedures.



Legal framework

This guidance reflects the principles contained within the Human Rights Act 1998, the Mental Capacity Act 2005 and Public Interest Disclosure Act 1998.

The Mental Capacity Act 2005, covering England and Wales, provides a statutory framework for people who lack capacity to make decisions for themselves, or who have capacity and want to make preparations for a time when they may lack capacity in the future. It sets out who can take decisions, in which situations, and how they should go about this.

The Human Rights Act 1998 gives legal effect in the UK to the fundamental rights and freedoms contained in the European Convention on Human Rights (ECHR).

The Public Interest Disclosure Act 1998 (PIDA) created a framework for whistle blowing across the private, public and voluntary sectors. The Act provides almost every individual in the workplace with protection from victimisation where they raise genuine concerns about malpractice in accordance with the Act's provisions.

The role of staff, volunteers and trustees

All staff, volunteers and trustees working on behalf of **Why Don't We** have a duty to promote the welfare and safety of 'Adults at Risk'.

Staff, volunteers and trustees may receive disclosures of abuse and observe adults who are at risk. This policy will enable staff/volunteers to make informed and confident responses to specific adult protection issues.

What is abuse?

Abuse is a violation of an individual's human and civil rights by any other person or persons.

Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when an 'Adults at Risk' is persuaded to enter into a financial or sexual transaction to which he or she has not consented or cannot consent. Abuse can occur in any relationship and it may result in significant harm to, or exploitation of, the person subjected to it.



The Department of Health in its 'No Secrets' report suggests the following as the main types of abuse: -

- **Physical abuse**- including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.
- **Sexual abuse**- including rape and sexual assault or sexual acts to which the 'Adults at Risk' has not consented or could not consent or was pressured into consenting.
- **Psychological abuse**- including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.
- **Financial or material abuse**- including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- **Neglect and acts of omission**- including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.
- **Discriminatory abuse**- including racist, sexist, that based on a person's disability, age or sexuality and other forms of harassment, slurs or similar treatment.

Procedure in the event of a disclosure

It is important that 'Adults at Risk' are protected from abuse. All complaints, allegations or suspicions must be taken seriously.

This procedure must be followed whenever an allegation of abuse is made or when there is a suspicion that an 'Adult at Risk' has been abused.

Promises of confidentiality should not be given as this may conflict with the need to ensure the safety and welfare of the individual.

A full record shall be made as soon as possible of the nature of the allegation and any other relevant information.

This should include information in relation to the date, the time, the place where the alleged abuse happened, your name and the names of others present, the name of the complainant and, where different, the name of the adult who has allegedly been abused, the nature of the alleged abuse, a description of any injuries observed, the account which has been given of the allegation.



Responding to an allegation

Any suspicion, allegation or incident of abuse must be reported to a member of staff or volunteer as appropriate.

The nominated member of staff/ volunteer shall telephone and report the matter to the appropriate local adult social services duty social worker. A written record of the date and time of the report shall be made and the report must include the name and position of the person to whom the matter is reported. The telephone report must be confirmed in writing to the relevant local authority adult social services department within 24 hours.

All 'Adults at Risk' protection concerns should be acted upon immediately. If you are concerned that a 'Adults at Risk' might be at risk or is actually suffering abuse, you should tell the designated protection officer.

Our designated officer is: Steve Armatage

Telephone number: 07970 889303

If the designated officer is not available, speak to a senior member of staff or volunteer in authority

Responding appropriately to an allegation of abuse

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
- Follow correct procedure
- 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.



DONT

- 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
- Panic

It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. This is a task for the professional adult protection agencies, following a referral from the designated 'Adults at Risk' Protection Officer.

Confidentiality

'Adults at Risk' protection raises issues of confidentiality which should be clearly understood by all.

Staff, volunteers and trustees have a professional responsibility to share relevant information about the protection of 'Adults at Risk' with other professionals, particularly investigative agencies and adult social services.

Clear boundaries of confidentiality will be communicated to all.

All personal information regarding an 'Adults at Risk' will be kept confidential. All written records will be kept in a secure area for a specific time as identified in data protection guidelines. Records will only record details required in the initial contact form.

If an 'Adult at Risk' confides in a member of staff and requests that the information is kept secret, it is important that the member of staff tells the adult sensitively that he or she has a responsibility to refer cases of alleged abuse to the appropriate agencies.

Within that context, the 'Adult at Risk' should, however, be assured that the matter will be disclosed only to people who need to know about it.

Where possible, consent should be obtained from the adult before sharing personal information with third parties. In some circumstances obtaining consent may be neither possible nor desirable as the safety and welfare of the 'Adults at Risk' is the priority.



Where a disclosure has been made, staff should let the 'Adult at Risk' know the position regarding their role and what action they will have to take as a result.

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

The role of key individual agencies

Adult Social Services

The Department of Health's recent 'No secrets' guidance document requires that authorities develop a local framework within which all responsible agencies work together to ensure a coherent policy for the protection of 'Adults at Risk' at risk of abuse.

All local authorities have a Safeguarding Adults Board, which oversees multi-agency work aimed at protecting and safeguarding 'Adults at Risk'. It is normal practice for the board to comprise of people from partner organisations who have the ability to influence decision making and resource allocation within their organisation.

Bradford Adult Protection Unit on 01274 431077 or email adult.protection@bradford.gov.uk

The Police

The Police play a vital role in Safeguarding Adults with cases involving alleged criminal acts. It becomes the responsibility of the police to investigate allegations of crime by preserving and gathering evidence. Where a crime is identified, the police will be the lead agency and they will direct investigations in line with legal and other procedural protocols.

CONTACTS

Bradford Children's Social Service

In an emergency situation, contact a social worker directly:

In office hours, either: **Bradford Adult Protection Unit on 01274 431077 or email adult.protection@bradford.gov.uk**

or: **Social Services**
01274 437500

Out of office hours: **The Emergency Duty Team**
01274 530434



Bradford Police Protection Unit
01274 376061

Designated 'Adults at Risk' protection officer (ARPO)

NAME: Steve Armatage

IMPLEMENTATION CHECKLIST

These 'Adults at Risk' protection procedures will only be effective if all staff and volunteers in your organisation understand them. This checklist is designed to help you to go through that process:

- Identify designated 'Adults at Risk' protection officer (ARPO)
- Add ARPO name and contact details to procedure
- Ensure ARPO attends training on 'Adults at Risk' protection and updates that training regularly
- Ensure all staff and volunteers have a copy of 'Adults at Risk' protection procedures
- Ensure all existing staff and volunteers who have contact with 'Adults at Risk' have Enhanced DBS checks before they start work
- Ensure that the premises conform to health and safety guidelines
- Registered adoption of model policy