

## Safeguarding Adults Policy

**Document updated by:**

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**Version:**

**Changes made:**

Re-drafting for clarity. Not particular changes to practice or expectations.

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March 2024

**Approved by:**

**Date of Approval:**

### Introduction

WAIL's overarching purpose is to support women impacted by, and at risk from abuse and domestic violence.

This policy provides a framework to prevent and reduce the risk of significant harm to any adult from abuse or other types of exploitation, whilst supporting individuals to maintain control over their lives and to make informed choices without coercion.

Safeguarding is everybody's responsibility and WAIL plays a part in preventing, identifying and reporting neglect and abuse, with prevention of harm always being the best option.

The safeguarding provisions in this policy are likely to relate to situations which are over and above WAIL's usual provision of support and practical services. This will usually be because someone does not have the capacity to make a decision about their own wellbeing, for example, because of an illness or learning disability, and is particularly relevant if there is a risk of serious immediate harm.

A concern is most likely to be about a client, or potential client, but could also be about colleagues, volunteers and staff from other organisations. This policy aims to help staff and volunteers be aware of procedures for reporting and acting on concerns.

The Policy applies to staff, volunteers, trustees and anyone who is working temporarily for WAIL, including students.

The WAIL Designated Safeguarding Lead and the Chief Executive Officer are responsible for ensuring implementation of this policy. They will be supported by the Board of Trustees safeguarding lead.

## The Principles of Safeguarding

Empowerment and proportionality are critical in ensuring that individuals have the best experience and outcome. However, measures need to be in place to protect those least able to protect themselves.

The Government sets out six principles for adult safeguarding.

- Empowerment - People being supported and encouraged to make their own decisions and informed consent.
- Prevention - It is better to take action before harm occurs.
- Proportionality – Proportionate and least intrusive response appropriate to the risk presented.
- Protection - Support and representation for those in greatest need.
- Partnership - Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
- Accountability - Accountability and transparency in delivering safeguarding practice.

These principles can be translated into working principles:

- Empowerment: clients are provided with the right information about how to recognise abuse and what they can do to keep themselves safe. Clear and simple information should be available about how to report abuse and crime, and what support can be provided. Always act in the client's best interests.
- Prevention: we help clients and volunteers to identify and report signs of abuse and suspected criminal offences. We train our staff in how to recognise signs, and take action to prevent abuse occurring.
- Proportionality: We discuss with the woman and, where appropriate, with partner agencies, what to do where there is risk of significant harm before we take a decision. Risk is an element of many situations and should always be part of any wider assessment, particularly when working in a situation of domestic abuse.
- Partnership: We play our part on the multi-agency response with appropriate information sharing.
- Accountability: We ensure our role, and lines of accountability are clear. Staff understand what is expected of them and others.

In following this Safeguarding Policy staff and volunteers understand that:

- All adults have the right to be listened to and have what they say taken seriously and acted upon in an appropriate manner.
- All adults have a right to privacy, to be treated with dignity and to be enabled to live an independent life.
- All adults must have choice about how they lead their lives
- All adults have, who have capacity, have a right to make their own choices irrespective of how unwise their decision is thought to be. There should be an assumption that an adult has capacity (in accordance with the Mental Capacity Act 2005) unless an assessment of capacity shows otherwise.
- If an adult lacks the capacity to safeguard themselves, independent advocacy should be introduced so that decisions made are in their best interest.
- Where it is known that a client's vulnerabilities impact on their capacity to parent and safeguard their children, support for the family must be sought at the earliest opportunity.
- WAIL staff and volunteers have a responsibility to be aware and alert to signs that all is not well.

### Definitions of Neglect and Abuse

The law and this policy aim to protect adults from the risk of abuse or neglect. There does not have to be any actual abuse or neglect.

"Abuse" is a violation of an individual's human and civil rights by any other person or persons and takes many forms. Abuse may be a single event or repeated events or, it may be a process going on over time. Abuse may occur as a result of deliberate intent, negligence, or ignorance, or as a result of poor working practices that have developed.

"Neglect" is the failure to provide necessary care, assistance, guidance or attention that causes, or is reasonably likely to cause the person physical, mental or emotional harm or substantial damage to or loss of assets.

WAIL exists to support women and their children impacted by domestic abuse, where the behaviours or threats happen in their home, or from a family member. Abuse is therefore usually already part of the picture for our clients.

WAIL staff and volunteers will be aware that the Care Act 2005 recognises 10 categories of abuse that can be experienced by adults;

- **Physical abuse:** includes hitting, slapping, pushing, kicking, restraint, and misuse of medication. It can also include inappropriate sanctions.
- **Sexual abuse:** includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault, or sexual acts to which the adult has not consented, or was pressured into consenting.
- **Emotional or psychological abuse:** includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation, or withdrawal from services or supportive networks.
- **Domestic abuse:** includes psychological, physical, sexual, financial, and emotional perpetrated by anyone within a person's family. It also includes so-called 'honour' based violence.

- **Discriminatory abuse:** includes any acts that use hurtful language, cause harassment or similar treatment of the individual because of their race, sex, age, disability including HIV, faith, culture or sexual orientation.
- **Organisational abuse:** includes the use of the systems, routines, practices or care that neglects individual needs and creates an imbalance and control within a managed setting. This may result from an isolated incident to pervasive ill treatment or gross misconduct.
- **Modern Slavery:** encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.
- **Financial or Material abuse:** includes theft, fraud, internet scamming, and coercion in relation to and adults financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions. It can also include the misuse or misappropriation of property, possessions or benefits.
- **Neglect and Acts of Omission:** includes ignoring medical or physical care needs and failing to provide access to appropriate health social care or educational services. It also includes withdrawing the necessities of life, including medication, adequate nutrition and heating.
- **Self-neglect:** This covers a wide range of behaviour, but it can be broadly defined as neglecting to care for one's personal hygiene, health, or surrounding. An example of self neglect is behaviours such as hoarding.

All these forms of abuse or neglect may be perpetrated as the result of deliberate intent, negligence or ignorance.

WAIL staff will also be aware that there are Four additional types of harm that are not included in the Care Act , but they are also relevant to safeguarding adults;

- **Cyber Bullying:** occurs when someone repeatedly makes fun of another person online, or repeatedly picks on another person through emails or texts messages. It can also involve using online forums with the intention of harming, damaging, humiliating, or isolating another person. It included various different types of bullying, or bullying related to special education needs and disabilities. The main difference is that, instead of the perpetrator carrying out the bullying face-to-face, they use technology as means to do it.
- **Forced Marriage:** This is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-Social Behaviour, Crime and Policing Act 2014 makes it a criminal offence to force someone to marry.
- **Mate Crime:** this is when 'vulnerable people are befriended by members of the community who go on to exploit and take advantage of them' (Safety Network Project, ARC). It may not be an illegal act, but it still has a negative effect on an individual. A mate crime is carried out by someone the adult knows, and it often happens in private.

WAIL recognises that in recent years there have been a number of Serious Case Reviews relating to people with a learning disability who were seriously harmed, or even murdered, by people who purported to be their friend.

- **Radicalisation:** The aim of radicalisation is to inspire new recruits, embed extreme views and persuade vulnerable individuals to the legitimacy of a cause. This may be directly through a relationship or through social media.

### Statement of Rights

An adult who may have been abused or neglected has the right to:

- Protection from further harm
- Be listened to and taken seriously
- Information and impartial advice
- Information about alternative courses of action
- Express an opinion about criminal charges
- The services of an advocate/independent mental capacity advocate where appropriate
- An appropriate level of investigation
- Assurances that any allegation of abuse will be dealt with in a confidential manner

Someone reporting abuse has the right to:

- Be taken seriously
- Protection and support
- An appropriate level of confidentiality
- Be kept informed of action taken

### On Disclosure or Concerns of Abuse

Action must be taken quickly and without delay.

The person reporting abuse should be encouraged and supported to disclose the abuse to social services or other relevant agencies.

A staff member or volunteer informed of abuse should remind the informant that their confidentiality cannot be guaranteed in cases of suspected and/or actual abuse.

Staff should always make a record in writing, contemporaneously, of any concerns about a person's welfare, whether or not further action is taken.

Following any discussion, staff should make a record of any actions taken and by whom, or record that no further action was taken.

#### **If consent is given.**

The staff member will support the individual with a referral to an appropriate statutory agency.

#### **If consent is not given.**

In this event, the WAIL Designated Safeguarding Lead will be informed, unless, by doing so, there could be greater risk because of a delay.

In some circumstances where a person declines to disclose to another agency, it may be necessary to report the alleged abuse without the informant's agreement.

This is a very serious step and should only be taken after consultation with WAIL Designated Safeguarding Lead or Senior Manager unless the situation is so urgent this is not possible. In these circumstances, the informant must be advised that this action is being taken.

If it is not possible to inform the informant, there should not be a delay in making the referral if this could result in further harm. A report without consent may be made where there is clear concern for the person's safety and well-being.

Staff must know and understand what to do if consent to share information is refused and when sharing information without consent is appropriate as set out in the Confidentiality Policy.

Staff must re-check any consent to share information, if the circumstances change significantly.

WAIL subscribes to Luton Borough Council Multi Agency Safeguarding Adults Practice Guidance.

The Safeguarding Lead or next in line safeguarding contact has a duty to respond immediately and appropriately, and to provide effective support for staff and volunteers.

**Immediate Risk:** Speak to the Designated Safeguarding Lead immediately to get guidance.

**No Immediate Risk but Serious concern;** Inform the Designated Safeguarding Lead immediately.

### **Allegations against members of staff, volunteers, management or trustees**

Any staff member, Trustee or volunteer receiving such an allegation must report the allegation to their line manager immediately and to the CEO. If the allegation is against the CEO, the Chair of the Board of Trustees or the Designated Safeguarding Lead Trustee should be informed immediately.

All such allegations will be taken seriously and subject to an internal investigation.

Anyone subject to allegations of abuse may be suspended from their role at WAIL during an investigation as a no-fault policy. Where appropriate, disciplinary procedures may be applied through the Disciplinary Policy.

Depending upon the nature of the allegation and findings of any initial investigation the CEO, or if relevant the Chair of the Board/ Designated Safeguarding Lead Trustee, will make a decision regarding next steps, which may include advising Social Services, Local Authority Designated Officer (LADO), the Police or a professional body.

WAIL will offer support to staff and volunteers in these circumstances, and will cooperate in any investigations which takes place.

### **Allegations against service users or their children**

If allegations of abuse are made against another service user or a member of their family (whether an adult or a child) the Designated Safeguarding Lead will be informed immediately.

It will be important for the Designated Safeguarding lead to work with staff to consider the balance of risk in how the situation is handled and work on a case by case basis. This will involve consulting relevant staff, and the women themselves, to help make an appropriate judgement. For example, automatic eviction should be avoided, because that could put the evicted woman at very serious risk herself.

It is also important to take a trauma-informed approach, which recognises that a prescriptive response may not be appropriate for someone who has been impacted by domestic abuse.

The reasons for any decision and actions must be carefully recorded.

## Reporting to the CEO and Board of Trustees

The Designated Safeguarding Lead should report back to the CEO the outcomes of any safeguarding concerns or incidents.

The trustees will receive routine reports summarising the number of safeguarding issues which have been identified, nature of the issue, outcome and learning.

### **Other considerations.**

WAIL will undertake enhanced checks on all staff and volunteers at the recruitment stage through the Disclosure and Barring Service and secure professional references.

Ensure that staff, volunteers, management, trustees and clients maintain appropriate boundaries at all times and are clear about what this means

Operate confidential reporting systems which are underpinned by current legislation so that anyone who suspects that abuse is taking place or is concerned about it can make a referral to the Adult Safeguarding Team at Luton Borough Council. Staff can be confident of support in raising their concerns according to the Whistle Blowing Policy.

WAIL will ensure that Safeguarding Leads have an awareness of the Mental Capacity Act 2005 including knowledge of the Deprivation of Liberty Safeguards (DOLS), The Care Act 2014 and link into Luton Borough Council training on Safeguarding procedures.

WAIL will ensure all staff, trustees and volunteers are aware of this policy by facilitating regular training. Front line staff who work on a daily basis with service users will be required to undertake Level 3 Safeguarding training at least every 3 years to ensure they are confident in implementing this policy.

WAIL recognises that hearing disclosures of abuse or neglect can be distressing and may have a significant impact on both staff and volunteers.

Support from the Designated Safeguarding Lead will be available and if appropriate external support or counselling will be considered.

### **Undertaking Recruitment Checks**

Candidates for all posts with WAIL will be required to undergo an enhanced check by the Disclosure and Barring Service (DBS). New employees will not be allowed to work unsupervised until such a check has been successfully completed. Where relevant checks have been undertaken i.e. within the last three months by another agency, WAIL will honour these checks whilst commencing their own checks simultaneously.

A check needs to be made with the previous agency regarding the status of the DBS. WAIL must have sight of the certificate and record the number.

Volunteers will be subject to checks and safeguards as described in the Volunteer policy.

### Appropriate Boundaries for Staff

All staff and volunteers must follow the guidelines on appropriate professional boundaries that are set out in the Staff & Volunteers Professional Boundaries Policy & Procedure.

All staff and volunteers will receive training in these boundaries and discussion of them will form part of regular support and supervision sessions as set out in the policy and procedure on Support and Supervision.

### Ratification and Review

This policy has been ratified for implementation by the Board of Trustees. It will be reviewed on an annual basis or sooner if necessary to ensure that it continues to comply with WAIL's legal and other obligations and meets the needs of The Organisation.

Date ratified: 8 <sup>th</sup> Jan 2013	Review date:	By Whom:	Changes made:
<i>Document Supersedes: V1</i>	<i>Jan 2017</i>	<i>Head Of Operations</i>	<i>V2 addition of guidance in relation to SOVA</i>
<i>V2</i>	<i>Oct 2018</i>	<i>Nshorna Davis, Associate Director of Client Services</i>	<i>V3 Added DV Stalking, emotional abuse definition, Modern Day Slavery, Self- Neglect and coercive control to definitions. CRB changed to DBS</i>

### RELATED POLICIES & PROCEDURES & PROTOCOLS:

- The Data Protection Act 1998
- The Human Rights Act 1998 (article 8)
- The Children Act 1989 / and 2004
- The Crime and Disorder Act 1989 (section 115)
- The Common Law Duty of Confidentiality
- Care Act 2014
- Caldicott Principles
- “No Secrets” (D.H. Guidance on protection of vulnerable adults)



- **Mental Capacity Act 2005 - DOLS**
- **DASH Risk Assessment**
- **LSCB Multi Agency Protocol for Safeguarding Vulnerable Adults**
- **Induction Process (internal)**
- **Whistle Blowing (internal)**
- **Staff & volunteer Professional Boundaries (internal)**
- **Volunteer Policy (internal)**
- **Child Protection Policy (internal)**
- **Recruitment and Selection Policy (internal)**
- **Support & Supervision Policy (internal)**