

Safeguarding Adults

Policy and Procedures

Informed by:

Safeguarding Adults Single Agency Policy – Teeswide Safeguarding Adults Board, Jan 2019

Safeguarding Adults who have mental capacity: key principles -
<https://www.communitycare.co.uk/2017/12/04/safeguarding-adults-mental-capacity-key-principles/>

Safeguarding and protecting people for charities and trustees - The Charity Commission, 25/10/18

Statement of Government policy on adult safeguarding – HM Govt, 16/05/2011

THE PFC TRUST

25/07/19

This Policy applies to all persons involved with the PFC Trust.

Policy

The Government's policy objective is to prevent and reduce the risk of significant harm to vulnerable adults from abuse or other types of exploitation, whilst supporting individuals in maintaining control over their lives and in making informed choices without coercion.

Therefore, Safeguarding responsibilities and protecting people is a governance priority for the PFC Trust and we will take all reasonable steps to protect people who come into contact with the charity from harm.

This includes:

- people who benefit from the charity's work
- staff
- volunteers
- those who come into contact with the charity through its work

To do this we will:

- make sure all trustees, employees, volunteers and beneficiaries know about safeguarding
- have appropriate policies and procedures in place
- ensure organisations we work with/are linked with have appropriate policies and procedures in place prior to making any agreements
- know to spot and refer or report concerns
- have a clear system of referring or reporting to relevant organisations as soon as concerns are identified or suspected
- set out risks and how the charity will manage them in a risk register which is regularly reviewed
- be quick to respond to concerns and carry out appropriate investigations
- not let one trustee dominate the work of the charity – trustees should always work together

Additionally, we will be alert to:

- physical abuse
- psychological or emotional abuse
- sexual abuse
- financial or material abuse
- domestic abuse
- neglect
- self-neglect

- discriminatory abuse
- modern slavery
- organisational abuse
- discrimination of any on the grounds in the Equality Act 2010
- that people may target the charity
- a charity culture may allow poor behaviour
- that people may abuse a position of trust they hold within the charity

The PFC Trust Safeguarding Policy and Procedures documents will therefore make it clear how we will protect people from harm, make sure people can raise safeguarding concerns, handle allegations or disclosures and report them to the relevant authorities.

Staff awareness

Copies of the Policy and Procedures document will be provided to all staff, volunteers and beneficiaries alongside the charities Code of Behaviour Policy. Where necessary, any additional staff/volunteers will be encouraged to attend appropriate training courses.

Safeguarding is everyone's responsibility

Safeguarding vulnerable adults is a part of the wider role of safeguarding and promoting welfare. This refers to the activity which is undertaken to protect specific vulnerable adults who are suffering or are at risk of suffering significant harm. As adults and/or professionals or volunteers, everyone has a responsibility to safeguard vulnerable adults and promote their welfare.

Some of the most vulnerable adults and those at greatest risk of social exclusion, will need co-ordinated help from health, education, social care, and quite possibly the voluntary sector and other agencies, including justice services.

For those vulnerable adults who are suffering, or at risk of suffering significant harm, joint working is essential, to safeguard and promote their welfare and – where necessary – to help bring to justice the perpetrators of crimes against them.

The PFC Trust will therefore:

- ✓ be alert to potential indicators of abuse or neglect
- ✓ be alert to the risks which individual abusers, or potential abusers, may pose to vulnerable adults
- ✓ share and help to analyse information so that an assessment can be made of the individuals needs and circumstances
- ✓ contribute to whatever actions are needed to safeguard and promote the individual's welfare

The PFC Trust will use the following principles to benchmark existing adult safeguarding arrangements to see how far they support this aim and to measure future improvements:

Empowerment - Presumption of person led decisions and informed consent.

Protection - Support and representation for those in greatest need.

Prevention - It is better to take action before harm occurs.

Proportionality – Proportionate and least intrusive response appropriate to the risk presented.

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.

Further explanation of the Principles in practice:

Empowerment We give individuals relevant information about recognising abuse and the choices available to them to ensure their safety. We give them clear information about how to report abuse and crime and any necessary support. In doing so we consult them before we take any action. Where someone lacks capacity to make a decision, we always act in his or her best interests.

Protection Our local complaints, reporting arrangements for abuse and suspected criminal offences and risk assessments work effectively. Our governance arrangements are open and transparent and communicated to our citizens.

Prevention We can effectively identify and appropriately respond to signs of abuse and suspected criminal offences. We make staff aware, through provision of appropriate training and guidance, of how to recognise signs and take any appropriate action to prevent abuse occurring. In all our work, we consider how to make communities safer.

Proportionality We discuss with the individual and where appropriate with partner agencies the proportionality of possible responses to the risk of significant harm before we take a decision. Our arrangements support the use of professional judgement and the management of risk.

Partnership We have effective local information-sharing and multi-agency partnership arrangements in place and staff understand these. We foster a “one” team approach that places the welfare of individuals above organisational boundaries.

Accountability The roles of all agencies are clear, together with the lines of accountability. Staff understand what is expected of them and others. Agencies recognise their responsibilities to each other, act upon them

and accept collective responsibility for safeguarding arrangements.

These Principles are not separate but integral to wider Government Policy stating that safeguarding is everybody's business with communities playing a part in preventing, detecting and reporting neglect and abuse. Measures need to be in place locally to protect those least able to protect themselves. Safeguards against poor practice, harm and abuse need to be an integral part of care and support. We should achieve this through partnerships between local organisations, communities and individuals.

Roles and Responsibilities

The Teeswide Safeguarding Adults Board (TSAB) is a statutory body, underpinned by the Care Act 2014 that sets the strategic direction for safeguarding adults. The board is responsible for protecting and promoting an adults' right to live an independent life, in safety, free from abuse and neglect in the Boroughs of Hartlepool, Middlesbrough, Redcar & Cleveland and Stockton-on-Tees.

The Tees Local Authorities are responsible for:

- making enquiries, or causing others to do so, if it believes an adult is experiencing, or is at risk of, abuse or neglect and is unable to protect themselves
- arranging, where appropriate, for an independent advocate to represent and support an adult who is the subject of a safeguarding enquiry or Safeguarding Adult Review (SAR) where the adult has 'substantial difficulty' in being involved in the process and where there is no other suitable person to represent and support them
- co-operating with each of its relevant partners in order to protect the adult
- invoking the Responding to and Addressing Serious Concerns and Procedure
- Coordinating local risk management processes

Cleveland Police are responsible for:

- investigating possible crimes
- conducting joint investigations with partners
- gathering best evidence to maximise the prospects for prosecuting offenders
- achieving, with partners, the best protection and support for the person suffering abuse or neglect – including victim support

Information Sharing

The adult must be involved from the beginning of safeguarding procedures unless there are exceptional circumstances, and where possible their consent should be sought prior to concerns being shared on an inter-agency basis. The adult's (or their representative's) views and wishes including their desired outcomes must be considered as part of the ongoing procedures (Enquiry). Where the adult has mental capacity to make decisions about Safeguarding Concerns, involvement of family, friends or informal carers should be agreed with the adult. In any case where the adult does not have mental capacity, family, friends or informal carers must be consulted in accordance with the Mental Capacity Act 2005.

Capacity and Safeguarding

The consideration of mental capacity is crucial at all stages of safeguarding adults' procedures as it provides a framework for decision making to balance independence and protection. For example, this could mean determining the ability of a vulnerable adult to make lifestyle choices, such as choosing to remain in a situation where they risk abuse; determining whether a particular act or transaction is abusive, or consensual; or determining how much a vulnerable adult can be involved in making decisions in a given situation. Legislation underpinning practice in this area is guided by the application of the Mental Capacity Act 2005, which provides a statutory framework to empower and protect vulnerable people who may not be able to make their own decisions.

One of the five main principles of the Mental Capacity Act 2005 is that an individual has the right to make an unwise decision – this doesn't mean that they lack mental capacity to make decisions. The issue comes when there is a concern over someone's safety. For instance, self-neglect is a notoriously difficult area of practice, for this reason. If a person has capacity, and seems to be choosing to live in a situation where their personal safety is at risk, where does the right to choose stop and the duty of care start?

Capacity should not be viewed as a barrier to safeguarding. However, caution must be exercised not to contravene an individual's wishes, feelings and rights.

Only a qualified practitioner can assess someone's mental capacity and as such, staff of the Charity will not undertake this action.

Forms of Abuse and Neglect

Physical Abuse Including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.

Financial or Material Abuse Including theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Sexual Abuse Including 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.

Psychological Abuse Including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

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 and force individuals into a life of abuse, servitude and inhumane treatment.

Discriminatory Abuse Including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.

Organisational Abuse Including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Neglect and Acts of Omission Including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Self-Neglect This covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.

Domestic Abuse Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can be, but not limited to: psychological, sexual, financial and emotional.

Hate Crime

Hate crime involves any criminal offence which is perceived by the victim or any other person to be motivated by hostility or prejudice based on a personal characteristic. The definition covers five main strands:

- disability
- gender identity
- race
- religion or faith
- sexual orientation

Cleveland Police has launched a new website for victims of hate crime which includes an online reporting form to enable victims to report hate crime online. The website, called True Vision, is supported by all police forces in England, Wales and Northern Ireland and provides information for victims and the public about what hate crime is and why it is important to report it, together with setting out the range of ways hate crimes can be reported, including via a new online reporting form. The site also provides links to organisations that can offer support and advice on hate crime related issues.

Mate Crime

Mate Crime is the exploitation, abuse or theft from an adult by those they consider to be their friends. Those that commit such abuse or theft are often referred to as 'fake friends'." Mate crime is most prevalent when the victim suffers with a mental disability and is especially common when that disability is Autism or Asperger's.

Reviewing the Policy and Procedure

This policy and procedure will be reviewed every year, this will include checking telephone numbers, accuracy of personnel details, and any updates required by a change in local or national policy.

Procedures

You may have concerns about a vulnerable adult because of something you have seen or heard, or someone may choose to disclose something to you.

If an adult discloses information to you:

- ✓ Do not promise confidentiality, instead agree with them that you would ask for their consent before sharing information (see 'information sharing' above)
- ✓ Listen to what is being said, without displaying shock or disbelief.
- ✓ Accept what is said.
- ✓ Reassure them, but only as far as is honest, don't make promises you may not be able to keep eg: *'Everything will be alright now', 'You'll never have to see that person again'*.
- ✓ Do not interrogate them; it is not your responsibility to investigate.
- ✓ Do not ask leading questions, ask open questions such as *'Anything else to tell me?'*
- ✓ Do not ask them to repeat the information for another member of staff.
- ✓ Explain what you have to do next and who you have to talk to.
- ✓ Take notes if possible or write up your conversation as soon as possible afterwards.
- ✓ Record the date, time, place any non-verbal behaviour and the words used by them (do not paraphrase).
- ✓ Record statements and observable things rather than interpretations or assumptions.

What to do if you have concerns about a vulnerable adult

Whatever the nature of your concerns, you **MUST** discuss them with a designated member of staff. These are:

Sally Dunne (Trustee) or Shaun Hope (Trustee) on 07942 207499

The Designated Member of Staff will ask you to complete a referral form (Appendix A) and will follow the Process Chart below, which, may involve contact with social care (below) for advice.

Advice will always be taken in regard to capacity and consent to share information.

Following these discussions, if you still have concerns, you, under the guidance of a designated member of staff should ring (not email):

Phone Number: 01429 523390

Out of office hours: 08702 402994 (OOH Duty Team)

Emergency: 101 or 999 (police)

Email: iSPA@hartlepool.gov.uk

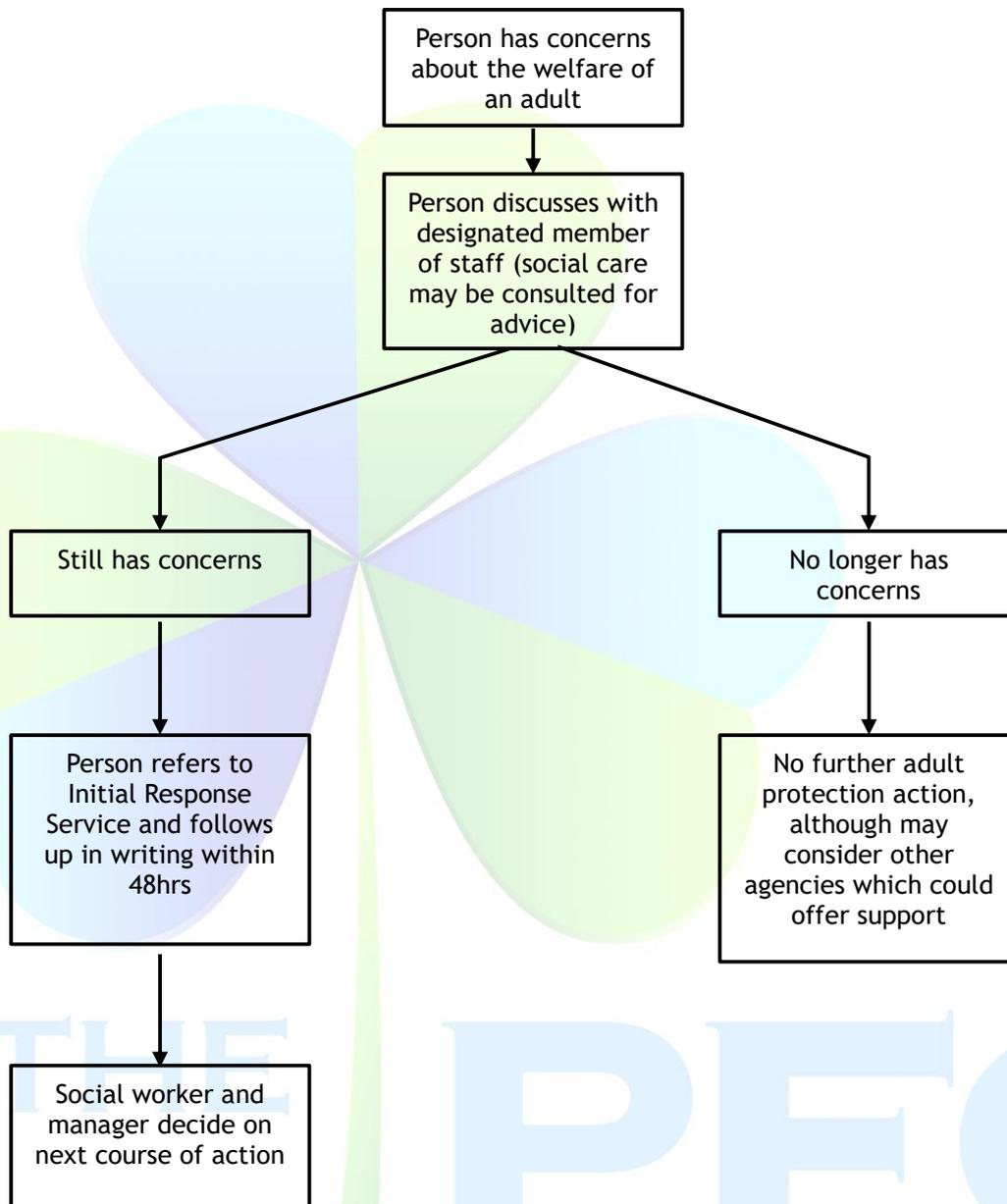
What information will you need when making a referral?

You will be asked to provide as much information as possible. Such as their full name, date of birth, address, GP, languages spoken, any disabilities they may have, details of next of kin. Do not be concerned if you do not have all these details, you should still make the call.

You should follow up the verbal referral in writing, within 48hrs.

Once the referral has been accepted by local authority adult social care, the lead practitioner role falls to a social worker. The social worker should clarify with the referrer, when known, the nature of the concerns and how and why they have arisen.

Process Chart Where There Are Concerns About A Vulnerable Adult



Allegations Involving a Members of Staff / Volunteer

The PFC Trust is committed to having effective recruitment and human resources procedures, including checking all staff and volunteers to make sure they are safe to work with vulnerable adults. However, there may still be occasions when there is an allegation against a member of staff or volunteer. Allegations against those who work with vulnerable adults, whether in a paid or unpaid capacity, cover a wide range of circumstances.

All allegations of abuse of vulnerable adults by those who work with or care for them must be taken seriously. All reports of allegations must be submitted immediately to a Designated Member of Staff. The following procedure should be applied in all situations where it is alleged that a person who works with vulnerable adults has:

- Behaved in a way which has harmed a vulnerable adult, or may have harmed them
- Possibly committed a criminal offence against or related to a vulnerable adult
- Behaved towards a vulnerable adult or adults in a way which indicates that he/she is unsuitable to work with them

The allegations may relate to the persons behaviour at work, at home or in another setting. The Designated Member of Staff will discuss the matter to determine what steps should be taken and where necessary obtain further details of the allegation and the circumstances in which it was made. The discussion should also consider whether there is evidence/information that establishes that the allegation is false or unfounded.

If the allegation is not patently false and there is cause to suspect that an adult is suffering or is likely to suffer significant harm, the Designated Member of Staff will immediately refer the matter to the Local Authority Social Care Team.

Some allegations may be so serious as to require immediate referral to the Police, but common sense and judgement must be applied in reaching a decision about what action to take.

Some allegations may be less serious and at first sight might not seem to warrant consideration of a police investigation or enquiries by the Local Authority Social Care Team. However, it is important to ensure that even apparently less serious allegations are followed up and the Designated Member of Staff should be informed of all allegations that come to the attention of Charity staff and appear to come within the scope of this procedure so that he or she can consult Police and social care colleagues as appropriate.

Where such allegations are made, consideration must be given to the following three strands:

- The police investigation of a possible criminal offence
- Enquiries and assessment by Children's Social Care Services as to whether the adult is in need of protection or in need of services
- Consideration by an employer of disciplinary action in respect of the individual

Safeguarding Referral Form

About the Vulnerable Adult

Full Name (include 'known as' name)		DOB	
Languages spoken by them			
Details of any Disabilities			
Address			
Telephone No			
Have they given consent to share information?			
GP details			
Name of their Next of Kin/Carer and their Relationship to the Vulnerable Adult		Are they aware of the Referral?	
Telephone No of Next of Kin/Carer			
Address of Next of Kin/Carer			

About the Person with the Concern

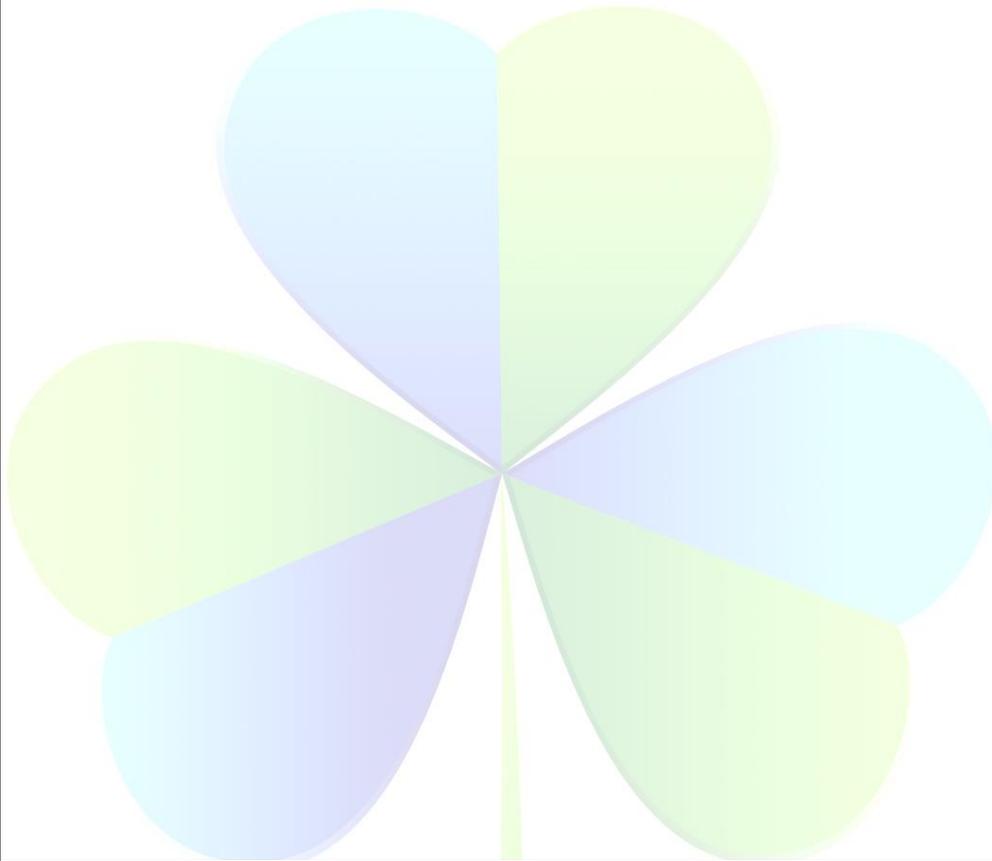
Full Name of Person with Concern	
Telephone No	
Address	
Position in the Charity	

If the Person making the Referral is **NOT** the Person with the Concern, add details below:

Full Name of Person making the Referral	
Telephone No	
Address	
Position in the Charity	

Safeguarding Referral Form

Please give details of your concern, in as much details as possible, and include where the information originated:



Date of Incident/Concern:

Date of Referral:

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