

SAFEGUARDING ADULTS

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Policy Statement

The Federation of Jewish Services (The Fed) has a duty of care to safeguard the welfare of adults at risk who receive our support or participate in any activities we provide or facilitate. In addition, there is a wider duty of care for adults at risk and older people imposed on the organisation and its staff through the Health Care Professionals Council Code of Practice and the No Secrets Guidelines.

In order to give adults at risk protection from potential and actual abuse it is important that all concerned have a basic understanding of the issues involved and that procedures are in place that are understandable and easy to implement.

The abuse of adults and older people is a difficult and challenging subject that can cause many people to feel uncomfortable. It is not always easily recognisable or easy to define and those working with adults and older people may be wary of reading too much into a situation.

This document describes the different types of abuse and contains information on some of the signs and symptoms which may give cause for concern. It is based on the principle that:

Every person has the right to live a life free from all forms of abuse and neglect, disadvantage and discrimination.

And



All staff, volunteers and trustees working on behalf of The Fed have a duty to promote the welfare and safety of adults at risk.

It is the responsibility of all staff, volunteers and trustees to report and/or act on any concerns or suspicions they may have regarding an adult at risk.

Definitions

Adult at Risk

The term Adult at Risk has been used to replace the previously used term vulnerable adult.

The Care Act 2014 sets out a clear legal framework for how local authorities and other parts of the system should

- protect adults at risk of abuse or neglect
- lead a multi-agency local adult safeguarding system that seeks to prevent abuse and neglect and stop it quickly when it happens

In addition 'Safeguarding Adults' emphasises the public duty of all agencies to protect the human rights of all citizens in terms of helping people access mainstream services such as the police. It also emphasises that safeguarding work is the responsibility of all agencies and must be effectively linked to other measures such as those for domestic violence.

Throughout this policy our safeguarding responsibilities and duty of care applies only to adults at risk and older people. Our policy and procedures are aligned with Bury Safeguarding Adults Inter-Agency Policy and Procedures.

What is Adult 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 adult 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.

Abuse can happen anywhere and you may be the only person who can do something to stop this happening.

Any form of abuse may in addition involve discriminatory beliefs based on a person's race, religion, gender, disability, age or sexuality.

Types of Abuse

There are different forms of abuse which may have specific indicators. The effects of adult abuse can be devastating, especially where people lack capacity to understand their vulnerability and are dependent on others to ensure their safety and to maintain their day to day lives.

General indicators of abuse may include:

- Changes in behaviour
- Changes in appearance
- Changes in usual routine/lifestyle
- Adult at risk becomes over-protective/defensive
- Repeated requests for GP (or other professional/worker) to visit
- Frequent trips to Accident and Emergency
- Regular admissions to hospital
- Repeated falls, injuries

- Carer has negative perception of adult at risk
- Carer goes to see GP regularly

Physical Abuse

This is when an adult or older person is intentionally physically hurt or injured by any other person.

This abuse may include hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.

Sexual Abuse

This includes sexual acts to which an adult or older person has not consented or could not consent or where they have been pressured into consenting. Any sexual activity involving staff or volunteers will be regarded as contrary to professional standards and is hence abusive.

This abuse may include inappropriate touching, sexual acts, rape and sexual assault.

Emotional/Psychological Abuse

Emotional abuse involves the persistent emotional/psychological ill treatment of an adult at risk of a degree that is likely to cause severe and persistent adverse effects on that person. All other forms of abuse will involve some degree of emotional/ psychological abuse.

This abuse may include 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/material abuse

Many adults at risk are exposed to a wide range of financial/material abuse. It is good practice to advise people to make a Lasting Power of Attorney arrangement while they have capacity to do so. This enables adults to nominate a trusted person to legally act on their behalf should they lose the capacity to make decisions for themselves.

This abuse may include 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/Acts of Omission

Neglect represents a persistent failure to meet the basic physical and/or psychological needs of an adult or older person which is likely to lead serious harm. Under Section 44 of The Mental Capacity Act 2005, it is now a criminal offence to wilfully neglect a person who lacks capacity. This can lead to a fine or up to five years imprisonment, or both.

This abuse may include 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.

Institutional Abuse

Institutional abuse is the mistreatment of people brought about by poor or inadequate care or support or systematic poor practice that affects the whole care setting. In considering institutional abuse, neglect and acts of omission may also need to be taken into account.

This abuse may take the form of isolated incidents of poor or unsatisfactory professional practice, at one end of the spectrum, through to gross misconduct at the other.

Discriminatory Abuse

Discriminatory abuse includes any acts that use hurtful language, cause harassment or similar treatment of a person because of their race, sex, age, disability, culture, religion or sexual orientation.

This abuse may include harassment, acts or language that are racist, sexist, derogatory or demeaning in reference to a person's disability, religion, age or sexuality.

Domestic Abuse

Anyone can be a victim of domestic abuse regardless of gender, age, ethnicity, socio-economic status, sexuality or background.

There are different kinds of abuse that can happen in different contexts; the most prevalent type of domestic abuse occurs in relationships. But the definition of domestic abuse also covers abuse between family members, such as adolescent to parent violence and abuse.

Rights and Responsibilities

Responsibilities of The Fed

- To ensure staff and volunteers are aware of and are adequately trained to implement the Safeguarding Adults Policy
- To identify clear responsibilities within the organisation for implementing and managing the adult safeguarding policy and procedures
- To notify the appropriate agencies if abuse is identified or suspected
- To support, and where possible, secure the safety of individuals and ensure that all referrals to services have full information regarding identified risk and vulnerability
- To work with Bury Social Services Department and other partners to implement the policy

Responsibilities of staff and volunteers

- To be familiar with the Safeguarding Adults Policy and procedures
- To take appropriate action in line with the policy
- To promote the principles and good practice that underpin our policy statement

Statement of Rights for Adults at Risk

In dealing with incidents of abuse or potential abuse, adults at risk have the following rights, which should be respected. The right to:

- live without fear of abuse from their families, carers, professionals, volunteers or service users
- be safe and receive adequate care and protection. This includes protection from all forms of violence including physical punishment, intimidation, belittling, lack of respect, harassment, and sexual assault
- be involved in decision-making that affects them, and to be supported in making their own decisions about how they wish to proceed in the event of abuse, and in whom they wish to confide. Their wishes should only be overridden if considered necessary in the interests of their own safety or the safety of others
- report abuse and be taken seriously, including the right to involve the police at the earliest opportunity if a crime is suspected to have been committed
- make informed choices about intimate relationships without being exposed to exploitation or sexual abuse
- be free from discrimination because of their ethnic origin, culture or religion, gender or sexuality, age, disability or mental health
- bring a formal complaint under The Fed's complaints procedure if they are not satisfied with the initial investigation regarding abuse
- be kept informed at all stages of the process, should The Fed take action as a result of an allegation of abuse

Statement of staff members' and volunteers' rights

In dealing with incidents of abuse or potential abuse, staff members and volunteers have the following rights, which should be respected. The right to:

- Raise concern with their line manager if they feel vulnerable to allegations of abuse of an adult at risk
- Full information about any allegation of abuse made against them and be kept informed at all stages of the process should The Fed take action. Such information will be provided in line with Police advice if appropriate
- Report any incident or situation which they feel could result in an allegation of abuse against them or a colleague
- Support from managers and colleagues if an allegation of abuse involving a vulnerable adult is brought against them
- Request alternative working arrangements if the behaviour of an adult at risk causes concern, or during an investigation of alleged abuse

Support for those who report abuse

The Fed will ensure that anyone who makes a complaint, or expresses a concern regarding abuse of an adult at risk, whether they are a Fed staff member, volunteer, service user, carer or a member of the general public:

- Will be taken seriously
- Their comments will be treated confidentially, but their concerns may be shared if they or others are at significant risk
- They will be given protection from the risk of reprisals or intimidation
- Staff members and volunteers will be given support and if necessary, afforded protection in line with the Public Interest Disclosure Act 1998
- Service users will be supported and medical advice sought if deemed necessary

Implementing the Policy

The Fed will take steps to implement its policy to protect adults at risk and will review the policy every three years to ensure that it reflects legal requirements and good practice developments. In particular, we will ensure that:

Recruitment of staff and volunteers

All applicants for employment with The Fed are asked to declare unspent convictions. They are also told that if the role will involve contact with adults at risk, a DBS check will be a condition of employment. When the work role will involve contact with adults at risk, employment application forms will include a requirement to disclose any allegations or criminal action of abuse against an adult at risk. Failure to disclose information will be regarded as gross misconduct

Fed volunteers whose role will involve regular one-to-one contact with potential adults at risk will be required to agree to a DBS check before beginning their role. The action that is taken in response to declarations of convictions or allegations will be at the discretion of the CEO in consultation with senior staff and/or Trustees, bearing in mind the information, nature of the role, and the wider circumstances

Training

During induction into The Fed all appropriate staff and volunteers will be made aware of our policies and procedures, including the safeguarding adult's policy.

Management and supervision

It is the line manager's responsibility to clarify with the worker or volunteer their roles and responsibilities regarding their relationships with adults at risk with whom they may be in contact and any additional support or training needs they may have. Regular supervision for staff and support for volunteers will monitor the work and offer the opportunity to raise any issues.

Record keeping

Concerns raised about suspected abuse of an adult at risk, will be recorded and stored in accordance with confidentiality, Data Protection guidelines and similar good practice guidance, by the line manager. Records must include: the nature of the concern, date, time, any specific action taken, or referral made. The format used for recording will be that recommended by Bury Social Services.

Allegations and investigations

All complaints, allegations or concerns should be made through the agreed Fed complaints policy (except that where appropriate the complaint may be made on behalf of the adult at risk by a family member, carer, member of a voluntary group or other nominated advocate or representative).

Where on investigation, a complaint or allegation is upheld against a staff member or volunteer, The Fed disciplinary procedures will apply. If a criminal act against an adult at risk is suspected, then the police must be called before taking further actions. At this stage (where appropriate) both the adult and the other party will be informed and made fully aware of their rights and any support available to them.

Confidentiality

Safeguarding adults at risk 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 adult 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 for investigation purposes.

If an adult 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 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 adult at risk is the priority.

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

Legal Framework

This policy reflects the principles contained within the Human Rights Act 1998, the Mental Capacity Act 2005 and the Public Interest Disclosure Act 1998. This policy links to a significant number of pieces of legislation.

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 key agencies & individuals

In September 2019, the Bury Safeguarding Children Board and Adult Board was disestablished. Safeguarding Partners in Bury took the decision to use a 'think family' approach and join the functions of both boards to create a new partnership, Bury Safeguarding Partnership.

Adult Social Services

The Fed is committed to working with local authority partners in safeguarding adults at risk. The policy guidance, protocols, procedures and thresholds used will be those published by Bury Safeguarding Partnership.

www.burysafeguardingpartnership.bury.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.

Care Quality Commission (CQC)

The Fed will work with CQC to ensure that appropriate standards of care are maintained and will inform CQC in line with statutory responsibilities of relevant safeguarding issues.

Commissioning Body

The Fed will notify the relevant Commissioners to ensure they are kept informed at all times of any safeguarding issues in relation to their funded placements.

Chief Executive Officer and Board of Trustees

- Provision of high level leadership
- Provide scrutiny and oversight regarding safeguarding issues
- Ensure accountability and compliance
- Set strategic safeguarding objectives

Directors of Community & Clinical Services

- Delivery of safeguarding strategic objectives across the workforce.
- Manage key individuals in relation to safeguarding.
- Provide systems and structures to support safeguarding i.e. policy / procedures / training etc.
- Work collaboratively with partners

Adult Social Work Team Manager (Safeguarding specialist)

- Provision of expertise and advice within organisation
- Lead on improvement, innovation and best practice

Social work Team Managers/Clinical leads (Safeguarding Adult leads)

- Lead and coordinate safeguarding process/investigation.
- Investigate standards of care delivered by services or individuals
- Contribute specialist expertise to an investigation
- Assess the needs of the adult at risk
- Assess the needs of the person alleged to have caused harm.
- Coordinate / lead /contribute to the protection plan

Volunteer Managers

- Ensure implementation of safe recruitment procedures for volunteers
- Development and coordination of volunteer induction process
- Development and coordination of volunteer training delivery
- Ensure procedures are followed

- Decisions whether to make a safeguarding referral to relevant Adult Care services.
- Consideration regarding consent of the adult at risk.
- Manage immediate protection issues.
- Manage immediate staffing issues.
- Provide support to staff/volunteers as required

Quality Assurance & Development Manager

- Development and coordination of induction process
- Development and coordination of training delivery
- Quality assure safeguarding practices within the agency

HR Manager

- Ensure implementation of safe recruitment procedures
- Ensure notification to Independent safeguarding Authority (ISA) of relevant information

Manager/ Team Leader/ Shift Leader

- Ensure procedures are followed
- Decisions whether to make a safeguarding referral to Bury Adult Care services.
- Consideration regarding consent of the adult at risk.
- Manage immediate protection issues.
- Manage immediate staffing issues.
- Provide support to staff/ resident / family /volunteers as required.

All Managers should ensure that staff and volunteers within their team are familiar with The Fed's adult safeguarding policy and procedures and undertake training where appropriate.

All Staff and Volunteers

- All staff are responsible for identifying /responding to and making initial records regarding concerns about adult safeguarding.

Key Documentation

The Fed is committed to reviewing its Safeguarding Adults Policy, Procedures and Practice at regular intervals and in line with national and local guidance. Together with this Policy Statement, The Fed has endorsed:

- The Bury Safeguarding Adults Inter-Agency Policy and Procedures Safeguarding Adults Procedures
- A code of behaviour for staff and volunteers which supports adult safeguarding guidelines
- Other policies and procedures that support the safeguarding of adults include:
 - ◆ Whistle-blowing policy
 - ◆ Anti-bullying policy
 - ◆ Domestic violence policy
 - ◆ Training policy
 - ◆ Supervision policy
 - ◆ Recruitment, selection and induction process for all paid staff and volunteers that includes Disclosure and Barring Service (DBS)

Prevent Strategy

This is to reduce the threat to UK from terrorism by stopping people becoming terrorists or supporting terrorism. In the Act this has simply been as the need ,to prevent people from being drawn into terrorism’.

Prevent is split into 4 workstreams that are known within the counter terrorism community as the four P’s **Prevent Persue Protect and Prepare**.

Prevent is about safeguarding individuals from being drawn into terrorism, Prevent is no different to any other form of safeguarding from harm.

References

Care Quality Commission (Registration) Regulations 2009 (Part 4) (as amended)

Regulation 13: Safeguarding Service Users from Abuse and Improper Treatment



The Mental Capacity Act 2005 Section 44

Public Interest Disclosure Act 1998

Human Rights Act 1998

Care Act 2014

GOV.UK Revised Prevent Duty Guidance : for England and Wales 10-4-19