

CL06 - Safeguarding Adults Policy (Inc. Adults at Risk)

1. Policy Statement on Safeguarding

- a. Wellspring Therapy & Training provides counselling and training services to adults (including 'adults at risk'¹) and young people. These procedures have been designed to ensure the welfare and protection of any adult who accesses the services provided. The procedures recognise that adult abuse can be a difficult subject for workers to deal with. Safeguarding and protection for young people under the age of eighteen is dealt with in our *CL05 Safeguarding Children Policy*
- b. This policy sets out agreed procedures for responding to allegations of abuse, including those made against staff and volunteers. Wellspring recognises the need to build constructive links with other relevant agencies and our policies and procedures have been prepared in accordance with the North Yorkshire's Safeguarding Adults Board guidelines. This policy also highlights and addresses the need to safeguard adults at risk.
- c. Wellspring recognises that all people have a right to protection from abuse and takes seriously its responsibility to safeguard the welfare of all workers and people connected to the charity.
- d. The risks involved in lone-working, which is inevitable in a therapeutic service, are addressed separately in Wellspring's *Lone Working Policy*

2. Policy Principles

Wellspring's policy and procedures are based on the following principles:

- a. The welfare of adults is everyone's responsibility, particularly when it comes to protecting them from abuse.
- b. The welfare of adults is paramount and the primary concern (see above)
- c. All allegations of abuse, misconduct or neglect will be taken seriously by Wellspring and responded to swiftly and appropriately.
- d. All personal data will be processed in accordance with the requirements of the Data Protection Act 1998.
- e. Confidentiality will be maintained within the limits of the contract Wellspring makes with clients. All safeguarding issues supersede normal confidentiality policy and procedures
- f. No form of abuse is acceptable

3. Responsibilities

3.1 Wellspring will:

- a. Promote the health and welfare of all clients by providing counselling in accordance with the ethical framework of the British Association of Counselling and Psychotherapy (BACP) and the Association of Christian Counsellors (ACC)
- b. Respect and promote the rights, wishes and feelings of all peoples in so far as is possible.
- c. Promote and implement appropriate procedures as set out in this policy to seek to safeguard the well-being of all people and protect them from abuse.
- d. Recruit, train, support and supervise its staff and volunteers to adopt best practice for the safeguarding and protection of adults from abuse and to minimise risk to themselves.

- e. Respond to any allegations of misconduct or abuse of adults in line with the Safeguarding policy and procedures outlined in this document as well as implementing, where appropriate, Wellspring's relevant internal disciplinary and appeals procedures as set out in Wellspring's Disciplinary Policy.
- f. Ensure staff and volunteers are aware of Wellspring's Safeguarding policy through induction and ongoing training opportunities

3.2 Responsibilities of employees and volunteers include:

- a. To be familiar with the Safeguarding policy and procedures
- b. To take appropriate action in line with the policies of Wellspring
- c. To declare any existing or subsequent convictions. Failure to do so will be regarded as gross misconduct, resulting in dismissal

4. Safeguarding Adults Statement

Wellspring is committed to safeguarding all adults. We recognise that many of our clients may be suffering from mental health issues and might come under the category of 'adult at risk'.

4.1 Who is an 'adult at risk'?

- a. The North Yorkshire Safeguarding Adults Board defines an *adult at risk* as:
 - i. An adult who has needs for care and support (whether or not the local authority is meeting any of those needs for care and support)
 - ii. And is experiencing, or is at risk of, abuse or neglect
 - iii. And as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect²
- b. Such a definition includes adults with physical, sensory and mental impairments and learning disabilities, howsoever those impairments have arisen (e.g. whether present from birth or due to advancing age, chronic illness or injury).
- c. Also included are people with a mental illness, dementia or other memory impairments, people who misuse substances or alcohol.
- d. The definition includes unpaid carers (family and friends who provide personal assistance and care to adults on an unpaid basis).

5. Preventing Abuse

We are committed to putting in place safeguards and measures to reduce the likelihood of abuse taking place within the services we offer and ensure that all those involved within the organisation will be treated with respect.

6. Policies

- a. There are a series of organisational policies, which in conjunction with this one, enforce the commitment of the organisation in the protection of adults, these include:
 - b. HR13 – Equality, Diversity and Inclusivity
 - c. HS24 - Risk Assessment
 - d. WS1 - Complaints
 - e. WS14 - Whistle Blowing
 - f. CL4 - Confidentiality
 - g. HR11 – Disciplinary

² <http://www.nypartnerships.org.uk/sab>, accessed September 2017

- h. HR14 – Grievance
- i. HS13 - Lone Working
- j. WS13 - Data Protection
- k. HR1 - Recruitment and Selection

7. Recruitment

Wellspring is committed to safe recruitment policies and practices for paid staff and volunteers.:

- a. This includes appropriate DBS checks for staff and volunteers renewed every 3 years or annual checks against the update service.
- b. Ensuring references are taken up
- c. Adequate training on Safeguarding Adults is provided for staff and volunteers.

8. Training

We ensure that staff are fully trained, appropriately supervised and monitored against good practice standards. Free Safeguarding training is available through the Local Authority ([NYSAB \(safeguardingadults.co.uk\)](https://www.nysab.org.uk)) and staff must access this and refresh it at least every two years. Other training opportunities should be provided in response to any safeguarding trends or concerns highlighted.

9. Discipline

The organisation works within the current legal framework for reporting staff responsible for hurting or harming people in their care. Disciplinary procedures are closely followed. Staff must ensure they report any concerns immediately to the Designated Safeguarding Person.

10. Multi Agency Working

Wellspring will work closely with other agencies to support the person at risk. This may also include working with relatives and advocates to achieve positive outcomes.

“Abuse is a violation of an individual’s human and civil rights by any other person or persons”
-No Secrets: Department of Health, March 2000

11. What is abuse?

- a. Abuse can take many forms and the circumstances of the individual should always be considered. It may consist of a single act or repeated acts.
- b. Abuse may be carried out deliberately or unknowingly.
- c. Abuse may be a single act or repeated acts.
- d. People who behave abusively come from all backgrounds and walks of life. They may be doctors, nurses, social workers, advocates, staff members, volunteers or others in a position of trust. They may also be relatives, friends, neighbours or people who use the same services as the person experiencing abuse.

11.1 Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a person. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to the person in their care.

11.2 Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a person such as to cause severe and persistent adverse effects on their emotional development. It may involve conveying to a person that they are worthless or unloved, inadequate, or valued only insofar as they meet the need of another person. It may involve causing a person to frequently feel frightened or in danger. Some level of emotional abuse is involved in all types of ill treatment of a person, though it may occur alone.

11.3 Sexual Abuse

Sexual abuse involves forcing or enticing a person to take part in sexual activities, whether or not they are aware of what is happening. The activities may involve physical contact, including penetrative (oral, anal or vaginal rape) or non-penetrative acts. They may include non-contact activities such as involving a person in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging them to behave in sexually inappropriate ways.

11.4 Ritual Abuse

Ritual abuse refers to practices and patterns of harming behaviours through which persons or groups seek to exert power over others. It can involve extreme forms of physical, sexual, emotional, mental and spiritual abuse and is sometimes ceremonial.

11.5 Neglect

Neglect is the persistent failure to meet a physical and/or psychological need, likely to result in the serious impairment of their health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a person from physical harm or danger, or the failure to ensure appropriate medical care or treatment. It may also include neglect of, or unresponsiveness, to a person's basic emotional needs.

11.6 Domestic Abuse

Domestic abuse describes a continuum of behaviour ranging from verbal abuse, through to threats and intimidation, manipulative behaviour, physical and sexual assault, to rape and even homicide. There is a frequent inter-relationship between domestic abuse and the abuse and neglect. Prolonged and/or regular exposure to domestic violence can have a serious impact on a person's development and emotional wellbeing, despite the best efforts of the victim parent to protect other members of the family.

Domestic Abuse can impact in the following ways:

- a. It can pose a threat to an unborn child because assaults on pregnant women frequently involve punches or kicks to the abdomen
- b. There is an adverse pregnancy outcome
- c. A person may also suffer physically during episodes of violence
- d. A person may be greatly distressed and suffer significant emotional and mental harm by witnessing or hearing the suffering of another person
- e. The abuse suffered by adult victims can have a negative impact on their ability to look after their children
- f. Small babies and children being held by the parent at the time of the assault can be injured or dropped
- g. The negative impact is exacerbated when combined with alcohol/drug misuse. 80% of domestic violence involves alcohol and/or substance misuse
- h. Other people are drawn into the violence
- i. Other people are pressurised into concealing the assaults
- j. Exposure to parental conflict can lead to serious anxiety and distress to children

11.7 Financial or Material Abuse

This may include theft, fraud or exploitation, exerting pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

11.8 Discrimination

This may include racist, sexist comments or behaviour, or negative or aggressive comments or behaviour based on a person's disability.

11.9 Modern slavery

Human trafficking and forced labour.

11.10 Organisational abuse

This is when there are inflexible systems and routines in place that stop people making their own choices about their lifestyle; not considering a person's dietary requirements; inappropriate ways of addressing people.

11.12 Self-neglect

This is also a form of abuse. This is when someone chooses not to look after themselves. It might include not eating, or refusing help for their health or care needs and this has a significant effect on their wellbeing.

11.13 Conclusion

Multiple forms of abuse may occur in an on-going relationship or abusive service setting to one person, or to more than one person at a time, making it important to look beyond single incidents or breaches in standards, to underlying dynamics and patterns of harm. Any or all these types of abuse may be perpetrated as the result of deliberate intent and targeting of vulnerable people, of negligence or of ignorance.

The list above is not an exhaustive, but they are examples.

12. Named Person(s) for Safeguarding Adults

Wellspring has a Designated Safeguarding Lead and Deputies who are responsible for dealing with any Safeguarding Adults concerns. All named persons can help with any Safeguarding questions or concerns.

Refer to Appendix 2 for contact details.

12.1. The roles and responsibilities of the named person(s) are:

- a. To ensure that all staff are aware of what they should do and who they should go to if they have concerns that someone they know or are working with may be experiencing or has experienced abuse or neglect.
- b. To ensure that concerns are acted on, clearly recorded and referred to the LA Adult's Social Care team *where appropriate*.
- c. To follow up any referrals and ensure the issues have been addressed.
- d. To reinforce the need for confidentiality, data protection and to ensure that staff and volunteers are adhering to good practice with regard to confidentiality and security.
- e. To ensure that staff and volunteers working directly with clients who have experienced abuse, or who are experiencing abuse, are well supported and receive appropriate supervision.
- f. To offer staff and volunteers information on local partnership working processes and appropriate contacts.

13. What you should do if you suspect abuse is happening

Wellspring recognises that it has a duty to act on reports, or suspicions of abuse or neglect. Anyone who has contact with adults at risk and hears disclosures or allegations or has concerns about potential abuse or neglect has a duty to pass them on appropriately. All reports of abuse will be responded to within an appropriate timescale:

- a. Life threatening reports will be responded to immediately
- b. All other disclosures will be responded to within 24 hours

13.1 Responding to a disclosure:

- a. Reassure the person concerned that you are taking them seriously
- b. Do not be judgemental and jump to conclusions
- c. Listen to what they are saying, remain calm and do not show shock or disbelief
- d. Use open-ended questions to ascertain a clear factual picture of the disclosure
- e. Record what you have been told/witnessed as soon as possible
- f. Tell them that the information will be treated seriously and explain the procedure.
- g. Reassure the person that they will be involved in the decisions made about them

13.2 Witnessing abuse or where abuse has just taken place

The priorities will be:

- a. Call an ambulance if required
- b. Call the police if a crime has been committed
- c. Preserve evidence
- d. Keep yourself, staff and customers safe
- e. Inform the Designated Safeguarding Person as soon as possible
- f. Record what happened immediately

14. Safeguarding Adults at Risk Procedures

To determine the appropriate action, the starting point must be the perception of the adult at risk, and the following factors must be considered and assessed. This assessment will take place between the person who received the disclosure and a Safeguarding Person:

- a. Risk: - does the adult at risk, staff member or volunteer understand the nature and consequences of any risk they may be subject to, and do they willingly accept such a risk?
- b. Seriousness: Factors informing assessment of seriousness include:
 - i. The *perception* by the adult at risk.
 - ii. The *extent* of the abuse
 - iii. The *length of time* it has been going on
 - iv. The *impact* on the individual
 - v. The *risk of repetition or escalation* involving this person or other vulnerable adults
 - vi. Whether or not a *criminal offence* is being committed
- c. Self-determination: - Is the adult at risk able to make their own decisions and choices, and do they wish to do so?
- d. Mental Capacity - The worker (who receives the disclosure) and the Safeguarding Person should evaluate the Adult at Risk's mental capacity to make that decision. When doing this they need to consider whether there is an impairment of, or disturbance in, the functioning of the person's mind or brain (it does not matter if this is permanent or temporary). If so, the second question you must answer is does the impairment or disturbance make

the person unable to make the particular decision? The person will be unable to make the particular decision if after all appropriate help and support to make the decision has been given to them they cannot do the following things:

- a. Understand the information relevant to that decision, including understanding the likely consequences of making, or not making the decision.
- b. Retain that information.
- c. Use or weigh that information as part of the process of making the decision.
- d. Communicate their decision (whether by talking, using sign language or any other means).³

14.1 If you suspect an 'adult at risk' is subject to, or witnessing abuse or if an adult disclosed that they have abused another person

- a. Treat any allegations extremely seriously
- b. Be honest about your own position, who you have to tell and why, in accordance with the contract signed by Wellspring clients at the beginning of counselling.
- c. Make a written record immediately, recording exact words used by the person making the allegation, when it was said, what was happening immediately beforehand and what you said in reply. You may Complete a Concerns Notification Form (Appendix 3), alternately, if appropriate create a Safeguarding record on lamplight.
- d. Record dates and times of the events and when the record was made.
- e. Report your concerns or the disclosure as soon as possible to the Designated Safeguarding Person. In the absence of the DSL, the matter should be brought to the attention of the Deputy DSP.
- f. If it is an emergency, and the designated persons cannot be contacted, then the police should be contacted at the numbers given below.
- g. If the suspicions or disclosure relate to either of the designated persons, then the other designated person and Chair of Trustees should be contacted.
- h. Suspicions and disclosures should be kept confidential and discussed only with those directly involved in each case. Counsellors should discuss suspicions of abuse with their supervisor.
- i. If you feel that the designated persons have not responded appropriately to your concerns, you may contact Wellspring's Chair of Trustees. You must communicate your decision to do so to the designated person and record it on the Feedback and Further Action section on the Concerns Notification form.

Decision making in circumstances of domestic violence can be very complex and Wellspring's response may be different depending on the specific circumstances. Normally one serious incident or several lesser incidents would indicate that Adult Social Care should be contacted by the designated person.

Under no circumstances should the designated person, or any other member of Wellspring, attempt to carry out any investigation into the allegations or suspicions of abuse. The role of the designated person is to collect the exact details of the allegations or suspicion and to provide this information to the appropriate agencies.

15. Allegations Against Staff, Volunteers or Trustees

Wellspring will ensure that any allegations made against members of staff, volunteers and Trustees will be dealt with swiftly:

- a. Where a member of Wellspring is thought to have committed a criminal offence the police will be informed.
- b. If a crime has been witnessed the police should be contacted immediately.
- c. The safety of the individual(s) concerned is paramount and it should be ensured that they are safe and away from the person(s) who are the alleged perpetrators.

³ From: Making decisions - A guide for people who work in health and social care (2009), p18.

- d. The Safeguarding Person will liaise with the LA Adult Social Care team to discuss the best course of action and to ensure that the organisations Disciplinary Procedures are coordinated with any other enquiries taking place as part of the ongoing management of the allegation.
- e. Staff/Volunteers are encouraged to report any incidents of abuse taking place through the organisations Whistle Blowing Policy.
- f. Staff who have concerns about any working practises making them more vulnerable to claims of abuse should raise this with their manager during supervision, ensuring their concerns are recorded and responded to.

16. Recording and Managing Confidential Information

Wellspring is committed to maintaining confidentiality wherever possible and information around Safeguarding Adults issues should be shared only with those who need to know. There may be occasions when confidentiality cannot be guaranteed. For further information, see The Wellspring's Confidentiality Policy.

- a. All allegations/disclosures/concerns should be recorded in detail on the appropriate form (Appendix 3) in the customer file and/or completed on Lamplight.
- b. The information should be factual and not based on opinions.
- c. Recording should clearly identify:
 - i. what the person tells you,
 - ii. what you have seen
 - iii. what any witnesses have seen,
 - iv. contact details of all witnesses accurately recorded.
- d. The information that is recorded will be kept secure and will comply with data protection requirements.

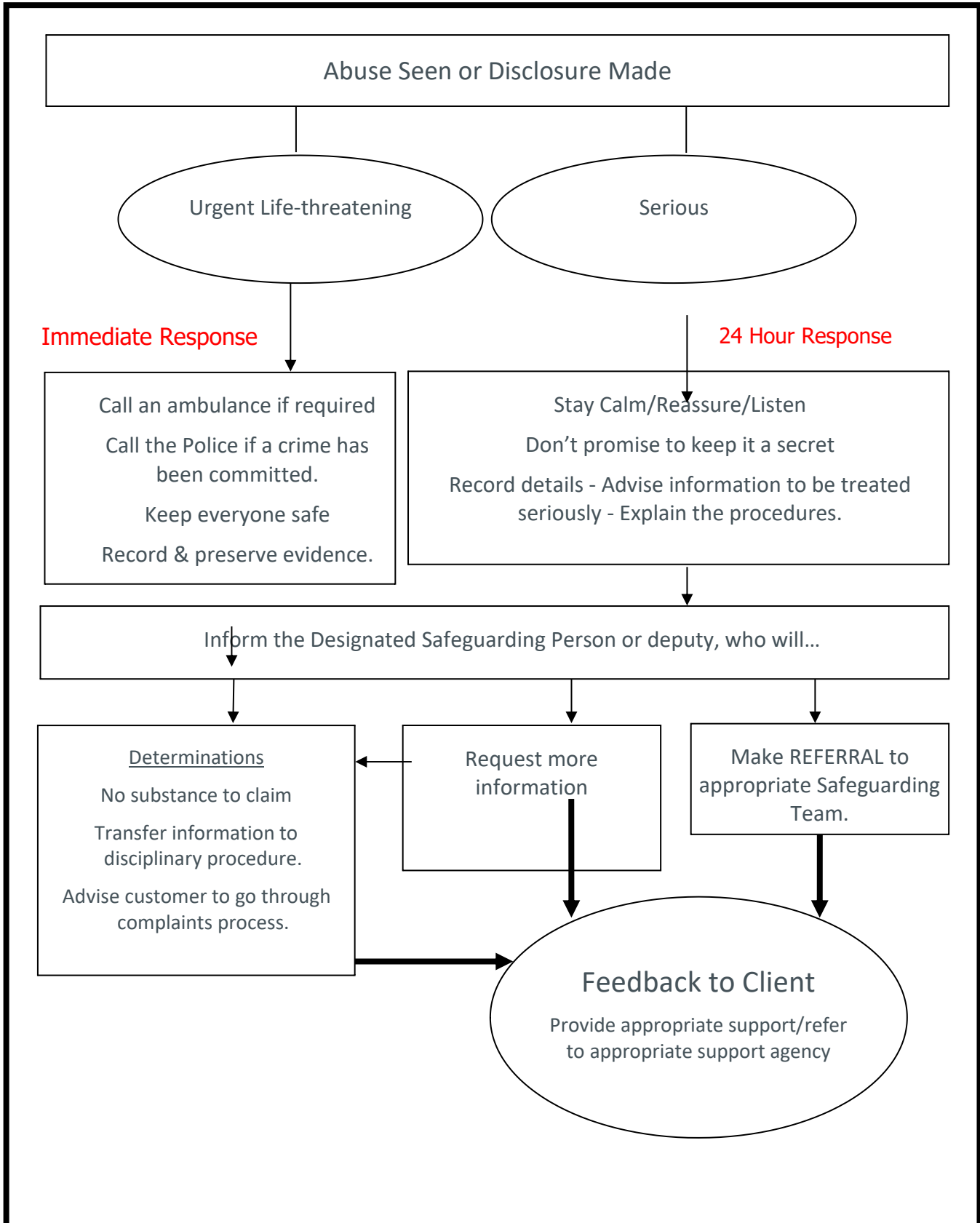
Where an adult has capacity and no other person is at risk, then if they do not want to take the matter further it will remain confidential. The person will be reassured and provided with information about possible sources of help, should they decide to do something at a later date. Staff must record the person's wishes on file.

17. Policy Review and Disseminating

- a. Wellspring regularly reviews its practice and policies. This policy will be reviewed annually in line with any changes in legislation or best practice.
- b. All staff will be aware of this policy through the recruitment and training policies within Wellspring.

Document Control & History - *For internal use only*

Appendix 1: What to do when a disclosure is made, or abuse is suspected



APPENDIX 2: Contact details for internal use only

Detail of decision / action by person notified:

Reason(s) for this decision or action by person notified

Reviews between DSL and the person who raised this protection concern.

1. *Date:*

2. *Date:*

3. *Date:*