



## Waveney Domestic Violence and Abuse Forum

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Owner (Responsibility) REDACTED (Charity Manager)

Pass amendments to: Chair of Trustees

Revision History

### Document Description

Waveney Domestic Violence and Abuse Forum is committed to maintaining high standards of openness, honesty, probity and accountability. In line with this commitment it encourages employees and volunteers with serious concerns about any aspect of the Charity's work to come forward and voice those concerns. This policy makes it clear that such concerns can be raised without fear of reprisal and reflects the requirements of the Public Interest Disclosure Act 1998.

Waveney Domestic Violence & Abuse Forum (WDVAF) hereinafter referred to as the Organisation, has written this Safeguarding Adults at Risk Policy and Procedures documents to provide an understanding of Safeguarding and establish procedures which demonstrate the

Organisation's values and commitment in this particular area. It provides guidance for trustees, staff and volunteers about what to do in specific circumstances and by adhering to the requirements of the Care Act (2014)<sup>1</sup> and its associated Statutory Guidance<sup>2</sup> to ensure people using its services are kept safe from the risk of harm and abuse.

The central purpose of the Organisation's Safeguarding Adults at Risk Policy and Procedures is to ensure that people know how to recognise signs of abuse and neglect and, where they do occur, that there is an appropriate response to protect those affected from further harm. The Organisation is fully committed to protect and promote individual human rights, the capacity for independence and improved wellbeing so that adults at risk stay safe, are treated with dignity and respect, enjoy a sustained quality of life and are at all times protected from abuse, neglect, discrimination or poor treatment.

It is vital that all staff, including volunteers, know what to do if they are concerned about a vulnerable person. It is equally important that others are aware that the Organisation takes the safety and welfare of vulnerable people into consideration in every activity that is undertaken. The Organisation accepts that the Safeguarding Adults at Risk Policy and Procedures are not enough in themselves to cover the wider remit of caring for adults at risk, which is primarily about prevention, and will provide suitable training and provide advice to trustees, staff and volunteers where necessary. The first part of this document provides the Organisation's Safeguarding Adults at Risk Policy followed by Procedures.

Signed:

REDACTED

Chair of Trustees

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<sup>1</sup> <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

<sup>2</sup> <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#safeguarding-1>

The **Adult Safeguarding Lead** is the title given to the member of staff in an organisation who is given the lead for Safeguarding Adults. The Organisation's Adult Safeguarding Lead is:

- REDACTED
- Telephone number: REDACTED

If you are unable to contact the **Adult Safeguarding Lead** because they are unavailable or because you suspect they may be involved in the abuse, you should contact:

- Chair of Trustees REDACTED
- Telephone number: REDACTED

Should neither the **Adult safeguarding lead** nor the Chair of Trustees be available, you should immediately contact:

- Suffolk Multi-Agency Safeguarding Hub (MASH) on 0345 606 1499
- and/or the Police by dialling 999

An online safeguarding referral may be made via the following link:

<https://www.suffolk.gov.uk/care-and-support-for-adults/protecting-people-at-risk-of-abuse/report-abuse-of-an-adult/>

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## THE POLICY

In all adult safeguarding work, staff working with the adult at risk should establish whether there are children in the family and whether checks should be made on children and young people who are part of the same household, irrespective of whether they are dependent on care either from the adult at risk, or the person alleged to have caused harm. Children and young people may be at greater risk of harm or be in need of additional help in families where adults have mental health problems, misuse substances or alcohol, are in a violent relationship, have complex needs or have learning difficulties. For further information see Working Together to Safeguard Children<sup>3</sup>.

This policy and procedures document should therefore be read in conjunction with the Organisation's **Child protection policy and procedures document**.

**Adult safeguarding** means protecting a person's right to live in safety, free from abuse and neglect. The Organisation is fully committed to safeguarding the welfare of all adults with whom it comes into contact, recognising its responsibility to take all reasonable steps to promote safe practice and to protect adults at risk from harm and abuse.

### The definition of an Adult at risk is:

- a person aged 18 or over who is in need of care and support (whether or not those needs are being met),
- who is experiencing or at risk of abuse or neglect and,
- because of those needs is unable to protect themselves against the abuse or neglect or the risk of it.

The Organisation acknowledges its duty to act appropriately to any allegations, reports or suspicions of abuse. Therefore, Trustees, staff, volunteers and the Organisation's members will work together to encourage the development of an ethos which embraces difference and diversity and respects the rights of children, young people and adults.

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<sup>3</sup> <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

## The aims of Adult Safeguarding are to:

- Stop abuse or neglect wherever possible;
- Prevent harm and reduce the risk of abuse or neglect to adults with care and support needs;
- Safeguard adults in a way that supports them in making informed choices and having control about how they want to live;
- Promote an approach that concentrates on improving life for the adults concerned;
- Raise public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect;
- Provide information and support in accessible ways to help adults understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult; and
- Address what has caused the abuse.

## In implementing this Safeguarding Adults at Risk Policy, the Organisation will:

- Ensure that all Trustees, staff, volunteers and members understand their legal and moral responsibility to protect adults at risk from harm and abuse;
- Ensure that all Trustees, staff, volunteers and members understand their responsibility to work at all times towards maintaining high standards of practice;
- Ensure that all Trustees, staff, volunteers and members understand their duty to report concerns that arise about an adult at risk, or a trustee, staff, volunteer or member's conduct towards an adult at risk, to the Organisation's named **Adult Safeguarding Lead**
- Ensure that the **Adult Safeguarding Lead** understands their responsibility to refer safeguarding concerns to the statutory agencies (i.e. Police and/or Suffolk Multi-Agency Safeguarding Hub (MASH));
- Ensure that any procedures relating to the conduct of trustees, staff or volunteers are implemented in a consistent and equitable manner;
- Provide opportunities for all Trustees, staff or volunteers to attend safeguarding training commensurate with their role so as to develop their skills and knowledge, particularly in relation to the welfare and protection of adults at risk;
- Ensure that adults at risk are enabled to express their ideas and views on a wide range of issues and will have access to the Organisation's Complaints Procedure;
- Endeavour to keep up to date with national developments relating to the welfare and safeguarding of adults at risk.

As a general principle people must assume it is their responsibility to raise a safeguarding concern if they believe an adult at risk is suffering or likely to suffer abuse or neglect, and/or are a risk to themselves or another, rather than assume someone else will do so. They should share the information with the local authority and/or the police if they believe or suspect that a crime has been committed or that the individual is immediately at risk.

## Confidentiality

A duty of confidence arises when sensitive personal information is obtained and/or recorded in circumstances where it is reasonable for the subject of the information to expect that the information will be held in confidence.

Adults at risk provide sensitive information and have a right to expect that the information about themselves that they directly provide, and information obtained from others will be treated respectfully and that their privacy will be maintained.

The challenges of working within the boundaries of confidentiality should not impede taking appropriate action. Whenever possible, informed consent to the sharing of information should be obtained. However:

- Emergency or life-threatening situations may warrant the sharing of relevant information with the relevant emergency services without consent.
- The law does not prevent the sharing of sensitive, personal information **within** organisations. If the information is confidential, but there is a safeguarding concern, sharing it may be justified.
- The law does not prevent the sharing of sensitive, personal information **between** organisations where the public interest served outweighs the public interest served by protecting confidentiality – for example, where a serious crime may be prevented.

Whether information is shared with or without the adult at risk's consent, the information sharing process must abide by the principles of the General Data Protection Regulation (GDPR)<sup>4</sup>. The GDPR should not be a barrier to sharing information. It provides a framework to ensure that personal information about living persons is shared appropriately.

In those instances where the person lacks the mental capacity to give informed consent, staff should always bear in mind the requirements of the Mental Capacity Act 2005<sup>5</sup> and its associated code of practice<sup>6</sup> and whether sharing it will be in the person's best interest.

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<sup>4</sup> <https://www.gov.uk/government/publications/guide-to-the-general-data-protection-regulation>

<sup>5</sup> <https://www.gov.uk/government/collections/mental-capacity-act-making-decisions>

<sup>6</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/497253/Mental-capacity-act-code-of-practice.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/497253/Mental-capacity-act-code-of-practice.pdf)

## Making Safeguarding Personal

The Organisation's policy and procedures are based on **The Six Principles of Safeguarding** that underpin all adult safeguarding work.

These are:

**Empowerment:**

Adults are encouraged to make their own decisions and are provided with support and information

**Prevention:**

Strategies are developed to prevent abuse and neglect that promotes resilience and self-determination

**Proportionality:**

A proportionate and least intrusive response is made balanced with the level of risk

**Protection**

Adults are offered ways to protect themselves, and there is a co-ordinated response to adult safeguarding

**Partnerships**

Local solutions through services working together within their communities

**Accountability:**

Accountability and transparency in delivering a safeguarding response



## What constitutes abuse and neglect?

Abuse is mistreatment by any other person or persons that violates another's human and civil rights. Abuse can happen anywhere – in a person's own home, in a residential or nursing home, in a supported living setting, a hospital or GP surgery, a prison, day centre or educational setting, library, sports centre, within the workplace, or within the community. Incidents of abuse may be one-off or multiple and affect one person or more.

- **Physical abuse:** including hitting, slapping, pushing, kicking or injuring someone and misuse of medication.
- **Domestic Violence:** including psychological, physical, sexual, financial, emotional abuse, so called 'honour' based violence
- **Sexual abuse:** including rape, sexual assault or pressuring someone into sexual acts they haven't consented to, don't understand or feel powerless to refuse.
- **Psychological abuse:** emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation, unreasonable and unjustified withdrawal of services or supportive networks
- **Emotional abuse:** including threats of harm or abandonment, isolation, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, or withdrawal from services or supportive networks.
- **Financial or material abuse:** including theft, fraud, and misuse of property, possessions, benefits, and deliberate / premeditated mismanagement of finances by people in positions of trust.
- **Modern slavery:** encompasses slavery, human trafficking, forced labour and domestic servitude, traffickers and slave masters using 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 abuse that is racist, sexist, or based on disability or age, or other forms of harassment, slurs or similar treatment.
- **Organisational abuse:** sometimes happens in places such as residential homes, nursing homes, hospitals or prisons where people are mistreated because of poor or inadequate care / support, neglect and poor working practice that affect the whole of that service.
- **Neglect and acts of omission:** including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, withholding medication, 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. It should be noted that self-neglect may not prompt a section 42 enquiry. An assessment should be made on a case by case basis. A decision on whether a response is required under safeguarding will depend on the adult's ability to protect themselves by controlling their own behaviour. There may come a point when they are no longer able to do this, without external support.

## Important things to consider when abuse is known or suspected

In all cases where a person is in immediate danger, urgent action must be taken at once, by calling the relevant emergency services. If there is reason to believe a crime has been committed, seek the person's consent to inform the Police. If permission is given, ensure the situation is discussed with the **Adult Safeguarding Lead** or Chair of Trustees and then contact the Police.

If the adult concerned does not give permission, and/or you believe they lack capacity to give consent and/or there is reason to believe that a crime has been committed, and/or other service users are considered to be at similar risk, this information should be passed on to the **Adult Safeguarding Lead** or Chair of Trustees as soon as possible, and clearly recorded in the service user's case file. Consideration should then be given in these circumstances to overriding the adult's wishes.

If the adult concerned indicates a wish for action to follow as a result of alleged or actual abuse, offer necessary support, but do not ask investigative questions. Rather, give the person reassurance that the matter is being reported and that someone will make contact with them. In cases where serial allegations of abuse are made, each allegation must be treated separately and seriously, taking into account the adult's wellbeing.

## Allegations against staff

Where an allegation concerns the actions of a member of staff (who may also be a colleague), it is the clear duty of all those concerned to report the matter as set out above. When it comes to raising adult abuse concerns, no distinction should be made between staff and other persons. The wellbeing of the adult at risk is paramount.

If an allegation is made against a member of staff, the **Adult Safeguarding Lead** or Chair of Trustees, will need to clarify with the investigating team what action he or she intends to take under the Disciplinary Policy.

It is important to ensure that the action taken:

- protects the rights and wishes of the adult at risk;
- protects the rights of the member of staff concerned;
- enables the **Adult Safeguarding Lead** or Chair of Trustees, to take appropriate action either on behalf of the adult concerned or against the staff member where appropriate; and
- does not compromise any criminal investigation.

To achieve these outcomes, it will be necessary for the **Adult Safeguarding Lead** or Chair of Trustees, to coordinate his/her responsibilities for pursuing disciplinary matters in relation to the member of staff in accordance with the Organisation's internal procedures.

# THE PROCEDURES

## What to do if you suspect abuse

All staff, trustees, volunteers and members of WDVAF have a clear professional and moral duty to report allegations or suspicions of abuse or the risk of abuse of an adult at risk to the **Adult Safeguarding Lead** or Chair of the Trustees.

Any worker within the Organisation who is involved directly or indirectly with the adult at risk has the responsibility to be aware of the possibility of abuse. They have a responsibility to take appropriate action whenever there is concern that abuse may have taken place or may occur. This is called 'alerting'. It is important that any allegation of abuse is taken seriously, however insignificant it may seem on first appearance to the person receiving the information.

When a suspected incident of adult abuse is reported, the **Adult Safeguarding Lead** or the Chair of Trustees, must ensure that an alert is acted upon at the earliest possible opportunity and no later than at the end of the working day in question.

All trustees, staff, volunteers and members must take the following action where appropriate:

- Ensure the person is safe. If the adult at risk is in immediate danger or in need of urgent medical attention, action must be taken to ensure their immediate safety and well-being. This may include contacting the appropriate emergency services by calling 999.
- Listen carefully to what the person has to say, but do not ask questions other than to clarify what has been said.
- Inform the person disclosing abuse that you cannot keep this information confidential and must pass this information on to the Organisation's named person for safeguarding issues.
- Contact the **Adult Safeguarding Lead** immediately. If the **Adult Safeguarding Lead** is unavailable, then the Chair of Trustees Christine Tripp should be contacted. If you are unable to contact either the **Adult Safeguarding Lead** or the Chair of Trustees because you suspect they may be involved in the abuse, you should immediately contact Suffolk Multi-Agency Safeguarding Hub (MASH) on 0345 606 1499 and/or the Police if a crime is suspected.
- An online safeguarding referral may be made via the following link:  
<https://www.suffolk.gov.uk/care-and-support-for-adults/protecting-people-at-risk-of-abuse/report-abuse-of-an-adult/>
- The **Adult Safeguarding Lead** will decide whether to make a safeguarding referral and by contacting the Suffolk Multi-Agency Safeguarding Hub (MASH) on 0345 606 1499 and the Police if a crime is suspected.
- If you disagree with the decision to refer or not, as made by the **Adult Safeguarding Lead**, you must immediately speak to the Chair of Trustees or contact Suffolk Multi-Agency Safeguarding Hub (MASH) on 0345 606 1499 and/or the Police if a crime is suspected.
- Take care to preserve any evidence e.g. clothing, bedding, weapons, text messages, letters etc.
- Record the allegation or your suspicion of abuse as accurately as possible.



### Do Not:

- **Investigate the abuse.** The responsibility to investigate an incident or allegation of an incident of abuse rests with the Local Authority, in this case Suffolk Multi-Agency Safeguarding Hub (MASH).
- Question the victim as this may affect any police action.
- Discuss the allegation / abuse with the alleged perpetrator.
- Discuss the allegation / abuse with other staff members, other than **Adult Safeguarding Lead**
- Take any other action without first discussing this with the **Adult Safeguarding Lead** or the Chair of Trustees
- Promise to maintain confidentiality.
- Delay reporting the incident / allegation.

### Making the referral

If the **Adult Safeguarding Lead** is uncertain that abuse has occurred or is indicated, then advice should be sought from the Chair of the Trustee Board who will contact Suffolk Multi-Agency Safeguarding Hub (MASH) on 0345 606 1499 for further advice.

The details required should include the following:

- your name, position / relationship and contact details as the referrer
- when the incident happened
- where the incident happened
- who was involved (names and relationships)
- details of the concern or alleged abuse
- what action was taken, and other organisations involved e.g. police, ambulance
- whether there is an immediate or future risk.

### Police advice

It should be noted that the Police, as well as taking a lead in any criminal investigation, are available for advice and consultation at an early stage. It is important that the Police are able to gather forensic evidence immediately and therefore they should be contacted in any case where a serious incident and / or criminal offence has occurred or is suspected of occurring.

Changes to be included as per attachment below for 2021 onwards.

<https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>

***Anyone who works, or has contact, with a person thought to be at risk has a responsibility to report actual or suspected abuse. This includes family members, volunteers, health workers, manager and staff.***

***Doing nothing is not an option.***

Approved by the Board of Trustees:

Date 19th November 2019

Reviewed/Amended November 2019 Waters J

Reviewed/Amended 23<sup>rd</sup> October 2020

Reviewed/Amended 26<sup>th</sup> October 2021