

Adult Safeguarding Policy & Procedure**Version 2****Date approved by directors:** June 2024**Review:** annually**Next review date:** June 2025**SAFEGUARDING VULNERABLE ADULTS POLICY AND PROCEDURE****1. PURPOSE**

The purpose of this policy is to outline the duty and responsibility of staff, volunteers and directors working on behalf of Warwickshire Iyengar Yoga CIC ('The Organisation') in relation to Safeguarding Vulnerable Adults.

All adults have the right to be safe from harm and must be able to live free from fear of abuse, neglect and exploitation.

"Abuse is a violation of an individual's human and civil rights by any other person or persons"

Warwickshire Iyengar Yoga CIC (WIYCIC) is committed to ensuring that all employees, volunteers, directors and all service users are safeguarded in line with the provisions of the Care Act 2014 and the Mental Capacity Act 2005.

The aims of adult safeguarding are to:

- prevent harm and reduce the risk of abuse or neglect to adults with care and support need
- stop abuse or neglect wherever possible
- safeguard adults in a way that supports them in making 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 people 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
- address what has caused the abuse or neglect

2. OBJECTIVES

To explain the responsibilities the organisation and its staff, volunteers and directors have in respect of vulnerable adult protection.

To provide staff with an overview of vulnerable adult protection To provide a clear procedure that will be implemented where vulnerable adult protection issues arise.

3. CONTEXT

For the purpose of this policy 'adult' means a person aged 18 years or over who:

- Is at risk of, abuse or neglect, and
- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

This may include a person who:

- is an older person who is frail due to ill health, physical disability or cognitive impairment;
- has a learning disability;
has a physical disability and/or a sensory impairment /or communication difficulty i.e. autism
- has mental health needs including dementia or a personality disorder;
- has a long-term illness/condition;
- misuses substances or alcohol;
- lacks capacity to make specific decisions to make particular decisions

Within the services provided by WIYCIC, adults at risk could be present in any group or session, at any time so this safeguarding policy statement is applicable throughout all of the organisation's activities and provision. In the case of suspected abuse initially staff, directors or volunteers should raise an alert and submit this to the named Safeguarding lead who will contact Adult Social Care, and other authorities as applicable.

What do we mean by abuse?

Abuse is a violation of an individual's human and civil rights by any other person or persons. It can take a variety of forms and can be both overt and covert. The following list is not exhaustive but is illustrative of the kinds of abuse that might be experienced.

- Physical (including Female Genital Mutilation and Honour Based Violence)
- Domestic Abuse
- Psychological
- Sexual abuse
- Financial or material abuse
- Modern Slavery and Human Trafficking
- Neglect & Acts of Omission
- Discrimination abuse
- Organisational abuse
- Self-Neglect
- Deprivation of liberty

4. LEGAL FRAMEWORK

Human Rights Act 1998, the Mental Capacity Act 2005 and Public Interest Disclosure Act 1998

Data Protection Act 1998, Freedom on Information Act 2000, Safeguarding Vulnerable Groups Act 2006, Deprivation of Liberty Safeguards, Code of Practice 2008.

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 must 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.

5. THE ROLE OF STAFF, VOLUNTEERS AND DIRECTORS

All staff, volunteers and directors working on behalf of the organisation have a duty to promote the welfare and safety of vulnerable adults.

Staff, volunteers and directors may receive disclosures of abuse and observe vulnerable adults who are at risk. This policy will enable staff/volunteers to make informed and confident responses to specific adult protection issues.

Standards

(a) Warwickshire Iyengar Yoga CIC staff and contractors are required to:

Where appropriate and required by regulations have a Disclosure and Barring Service (DBS) check when they commence employment. Where this has not been undertaken staff will not be allowed to work with adults unless supervised by a member of staff who has had a clear DBS check.

- Demonstrate respect for all service users as individuals in all matters.
- Reflect on their own approach and style, recognising the inherent power their position bestows.
- Undertake relevant training in safeguarding, disclosure and diversity matters. Ask a senior member of staff if they are uncertain about how to deal with a specific service user.

- Ensure that all service users experience a suitable and supportive environment to encourage service user disclosure of any issues which might affect the way in which they should be treated.
- Ensure all service users are aware of our Equality and Diversity policy and that they know how to complain if they become victims of harassment, bullying, unfair treatment or harassment.
- Ensure a diverse range of services and training that is sensitive to difference.
- Invite and encourage constructive feedback from service users about standards and styles of behaviour and promote an open and honest culture of respect for diversity.
- Deal with complaints of abuse, unfair treatment or harassment and bullying promptly, sensitively, confidentially and in accordance with procedures
- Ensure that all persons working for or providing services to WIYCIC are provided with a briefing on these safeguarding policies and procedures before any work is undertaken or any services delivered.
- Report any incidents immediately to any relevant partners or commissioners.

(b) Service users are required to:

- Help prevent inappropriate behaviour by challenging and reporting behaviour that appears to be causing distress to others.
- Support an open, constructive environment within which diversity is valued positively.

(c) Dealing with claims of abuse perpetrated by internal members of staff

This Policy makes it clear how staff are expected to perform when dealing with all service users including adults at risk. It specifically ensures that claims made of abuse by internal staff will be investigated and dealt with.

6. TYPES OF ABUSE

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 a vulnerable person 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.

The Department of Health in its 'No Secrets' 2000 report suggests the following as the main types of abuse:

Physical abuse - including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.

Sexual abuse - including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent 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, isolation or withdrawal from services or supportive networks.

Financial or material abuse - including 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 and acts of omission - including 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.

Discriminatory abuse - including race, sex, culture, religion, politics, that is based on a person's disability, age or sexuality and other forms of harassment, slurs or similar treatment, hate crime.

Multiple forms of abuse - Multiple forms of abuse may occur in an ongoing relationship or an 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 of these types of abuse may be perpetrated as the result of deliberate intent and targeting of vulnerable people, negligence or ignorance.

Domestic abuse

Home Office Definition 2004 'Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are, or have been intimate partners or family members, regardless of gender or sexuality.'

Women's Aid Definition 'Domestic violence is physical, sexual, psychological or financial violence that takes place within an intimate or family-type relationship and that forms a pattern of coercive and controlling behaviour. This can also include forced marriage and so-called "honour crimes". Domestic violence may include a range of abusive behaviours, not all of which are in themselves inherently "violent".

Most research suggests that domestic violence occurs in all sections of society irrespective of race, culture, nationality, religion, sexuality, disability, age, class or educational level.

7. CHILDREN

It is essential that the needs of any children within an abusive or domestic violence situation where there is a vulnerable adult involved are considered and acted upon.

Please contact the local social services Safeguarding Children's team.

8. PROCEDURE IN THE EVENT OF A DISCLOSURE

It is important that vulnerable adults are protected from abuse. All complaints, allegations or suspicions must be taken seriously.

This procedure must be followed whenever an allegation of abuse is made or when there is a suspicion that a vulnerable adult has been abused.

Promises of confidentiality must not be given as this may conflict with the need to ensure the safety and welfare of the individual.

A full record shall be made as soon as possible of the nature of the allegation and any other relevant information.

This must include information in relation to the date, the time, the place where the alleged abuse happened, your name and the names of others present, the name of the complainant and, where different, the name of the adult who has allegedly been abused, the nature of the alleged abuse, a description of any injuries observed, the account which has been given of the allegation.

9. RESPONDING TO AN ALLEGATION

Any suspicion, allegation or incident of abuse must be reported to the Designated Adult Protection Lead. on that working day where possible.

The Company has a designated "Safeguarding Lead" who will take primary responsibility for:

- being the first point of contact for any adult safeguarding related concerns
- sharing information with the staff team
- organising staff induction and training for safeguarding
- accessing information and liaising with outside agencies to make sure information is up to date
- collating information when there are concerns about a vulnerable adult, contacting the appropriate professionals to make a referral or to seek further advice.

The Safeguarding Lead will be appropriately trained, and update/refresh training and knowledge every two years.

For details of the Adult Safeguarding Lead see below.

The nominated member of staff shall telephone and report the matter to the appropriate local adult social services duty social worker. A written record of the date and time of the report shall be made and the report must include the name and position of the person to whom the matter is reported. The telephone report must be

confirmed in writing to the relevant local authority adult social services department within 24 hours.

10. RESPONDING APPROPRIATELY TO AN ALLEGATION OF ABUSE

In the event of an incident or disclosure:

DO

- Make sure the individual is safe
- Assess whether emergency services are required and if needed call them
- Listen
- Offer support and reassurance
- Ascertain and establish the basic facts
- Make careful notes and obtain agreement on them
- Ensure notation of dates, time and persons present are correct and agreed
- Take all necessary precautions to preserve forensic evidence
- Follow correct procedure
- Explain areas of confidentiality; immediately speak to your manager for support and guidance
- Explain the procedure to the individual making the allegation
- Remember the need for ongoing support

DON'T

- Confront the alleged abuser
- Be judgmental or voice your own opinion
- Be dismissive of the concern
- Investigate or interview beyond that which is necessary to establish the basic facts
- Disturb or destroy possible forensic evidence
- Consult with persons not directly involved with the situation
- Ask leading questions
- Assume Information
- Make promises
- Ignore the allegation
- Elaborate in your notes
- Panic

It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. This is a task for the professional adult protection agencies, following a referral from the designated Vulnerable Adult Safeguarding Lead.

11. CONFIDENTIALITY

Vulnerable adult protection raises issues of confidentiality which must be clearly understood by all.

Staff, volunteers and trustees have a professional responsibility to share relevant information about the protection of vulnerable adults with other professionals, particularly investigative agencies and adult social services.

Clear boundaries of confidentiality will be communicated to all.

All personal information regarding a vulnerable adult 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 in the initial contact form.

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.

Where possible, consent must 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 vulnerable adult is the priority.

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

Staff must assure the adult that they will keep them informed of any action to be taken and why. The adults' involvement in the process of sharing information must be fully considered and their wishes and feelings taken into account.

12. THE ROLE OF KEY INDIVIDUAL AGENCIES

Adult Social Services

The Department of Health's recent 'No secrets' guidance document requires that authorities develop a local framework within which all responsible agencies work together to ensure a coherent policy for the protection of vulnerable adults at risk of abuse.

All local authorities have a Safeguarding Adults Board, which oversees multi-agency work aimed at protecting and safeguarding vulnerable adults. It is normal practice for the board to comprise of people from partner organisations who have the ability to influence decision making and resource allocation within their organisation.

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

14. ROLE OF DESIGNATED VULNERABLE ADULT SAFEGUARDING LEAD

The role of the designated officer is to deal with all instances involving adult protection that arise within the organisation. They will respond to all vulnerable adult protection concerns and enquiries.

Should you have any suspicions or concerns relating to Adult Protection, contact the

Adult Protection Officer:

Sarah Orchard, Director WIYCIC

Mobile: 07835 457867

It is the responsibility of the Safeguarding Lead to:

1. Decide without delay on the most appropriate course of action once the allegation or suspicion of abuse has been raised.
2. Deal with any immediate needs:
 - a. Ensure that the victim of the alleged abuse is safe
 - b. Ensure that any necessary emergency medical treatment is arranged
 - c. Ensure that no forensic evidence is lost
 - d. If the alleged perpetrator is also an adult at risk, ensure that another member of staff/manager is allocated to attend to their needs and ensure that other service users are not put at risk.
3. Clarify the facts stated by the member of staff but do NOT in any circumstances discuss the allegation of abuse with the alleged perpetrator or, if possible, the victim.
4. Check that the circumstances fall within the safeguarding adults procedure i.e. meeting the definition of abuse as defined in this Policy and Procedure.
5. Address issues of consent and confidentiality, taking care to not promise confidentiality
6. A formal referral must be made on the same day as the alert is raised when:
 - a crime has been, could have been, or yet could be committed
 - there is a suspicion that an abuse has taken place
 - the allegation involves a child
 - the alleged perpetrator is themselves an adult at risk
 - they are unsure if abuse has taken place

7. Where a decision is made NOT to refer, the alert must be recorded, with the reasons for the decision not to refer.

8. All incidents, allegations of abuse and complaints must be recorded, monitored and available for internal and external audit.

Referring concerns to the authorities

This involves bringing the concern regarding alleged abuse or potential abuse formally to the attention of the following authorities as appropriate:

- Warwickshire: Contact Social Care and Support on: **01926 412080**.
- The police if you think a crime may have been committed - Tel: 101 and specify it is a safeguarding issue (999 in an emergency).

If a child is also at risk contact:

the **Warwickshire Children and Families Front Door (Front Door)** immediately by calling **01926 414144**. Lines are open Monday to Thursday 8.30am - 5.30pm, Friday 8.30am - 5.00pm. If you need to get in touch out of usual office hours, please contact the **Emergency Duty Team** immediately by calling **01926 886922**.

The person making the referral should ideally have the following information available; however, the lack of any of this information should not delay the referral:

- The name of the adult
- Date of birth and age
- Address and telephone number
- Why the adult is considered to be at risk
- Whether consent has been obtained for the referral, and if not the reasons e.g. the adult lacks mental capacity or there is an over-riding public interest (e.g. where other adults or children are at risk)
- What the person involved has said they want to happen next (the referral needs to be made, with details of those involved even if the person has not given consent, but this needs to be included in the information given)
- Whether there are any concerns or doubts about the mental capacity of the adult at risk
- Whether the police are aware of the allegation, and whether a police investigation is underway

What happens next?

The designated lead should receive acknowledgement of the referral from the relevant agency, and be given feedback about what happens next. This will not always be appropriate to pass on to the person completing the first account report.

Training

Training will be provided, as appropriate, to ensure that staff are aware of these procedures.

15. REFERENCES, INTERNET LINKS AND FURTHER SOURCES OF INFORMATION

Warwickshire Safeguarding Adults

<https://www.safeguardingwarwickshire.co.uk/safeguarding-adults>

The 'No Secrets' report - the first national policy developed for the protection of vulnerable adults, for use by all health and social care organisations and the police. It introduced guidance around local multi-agency arrangements and was issued under Section 7 of the Local Authority Social Services Act 1970. Its implementation is led by local authorities with social services responsibilities.

<https://www.gov.uk/government/publications/no-secrets-guidance-on-protecting-vulnerable-adults-in-care>

Action on Elder Abuse (AEA) is a charity working to protect, and prevent the abuse of, vulnerable older adults. <https://wearehourglass.org/who-we-are>

The Centre for Policy on Ageing was established in 1947 by the Nuffield Foundation with a remit to focus on the wide-ranging needs of older people

<http://www.cpa.org.uk/index.html>