

BS3 Community Development

Adult Safeguarding Policy

Introduction

Adult safeguarding is the process of protecting adults with care and support needs (referred to in this policy as ‘adults’) from abuse or neglect. BS3 Community Development is committed to ensuring that adults who use our services are not exploited or abused, and that working practices minimise the risk of abuse. If abuse is reported to us, or staff recognise abuse, this policy outlines what steps should be taken. Where a third party is running a service from any of BS3 Community Development’s premises they must have their own safeguarding policies in place, or must sign-up to adhere to this policy.

This policy is based on the Care Act of 2014 and uses guidance issued by the Government <https://www.gov.uk/guidance/care-and-support-statutory-guidance/safeguarding>. It also draws on Safeguarding Adults Multi-Agency Policy of which Bristol is a part <https://www.bristol.gov.uk/files/documents/430-bristol-safeguarding-adults-policy/file>.

Adult safeguarding duties apply to any adult, especially those who:

- Have needs for care and support,
- Are experiencing, or at risk of, abuse or neglect,
- Because of those care and support needs, is unable to protect themselves from either the risk of, or the experience of, abuse or neglect.

Safeguarding duties apply regardless of whether a person’s care and support needs are being met, whether by the local authority or anyone else. They also apply to people who pay for their own care and support services. Examples of adults with care and support needs include:

- An older person.
- A person with a physical disability, a learning difficulty, or a sensory impairment.
- Someone with mental health needs, including dementia or a personality disorder.
- A person with a long-term health condition/ conditions,
- Someone who misuses substances or alcohol to the extent that it affects their ability to manage day-to-day living.

This is not an exhaustive list.

The duties apply regardless of whether someone has the ability to make specific decisions for themselves at specific times. There may be times when a person has care and support needs and is unable to protect themselves for a short or temporary period– for example, when they are in hospital under anaesthetic.

People with care and support needs are not inherently vulnerable, but they may come to be at risk of abuse or neglect at any point due to, for example:

- Physical or mental ill-health.
- Becoming disabled.
- Getting older.
- Not having support networks.
- Inappropriate accommodation.
- Financial circumstances.
- Being socially isolated.

What is abuse?

Abuse is the violation of an individual's human and civil rights by someone else. It can result from 'action or inaction by a carer or any other person'. Abuse might be unintentional; the important factor is whether the vulnerable person is harmed or not. Different types of abuse may happen at the same time. It can happen in any setting. Abuse can be:

Physical abuse - any form of assault, over-medication, restraint, or poor manual handling practice.

Sexual abuse - rape or any sexual act which was not actively consented to, or the person did not have the mental capacity to consent to.

Psychological or emotional abuse - threats, intimidation, coercion, harassment.

Financial abuse - theft, borrowing money without repayment and any pressure in connection with Wills or property, possessions or benefits.

Neglect - ignoring medical or physical needs, not providing access to appropriate care, the withholding of the necessities of life, such as medication, adequate food, water, and heating.

Discriminatory abuse - all forms of harassment, slurs or similar treatment based on a person's disability, ethnic origin, gender, or sexuality. This is often called hate crime.

Institutional abuse - repeated instances of poor care, ill treatment of vulnerable adults, and unsatisfactory professional practice. This is often an indicator of more serious problems.

Modern slavery - slavery, human trafficking, forced labour and domestic servitude.

Self-neglect - this covers a wide range of behaviour; neglecting to care for personal hygiene, health or surroundings, and includes behaviour like hoarding which puts the person, or others, at risk.

Radicalisation – is the process by which a person comes to support terrorism and forms of extremism leading to terrorism (Prevent Strategy, Home Office, 2011). In the context of this policy, it includes people who may be vulnerable to being radicalised through exposure to extremist views. See Appendix 1.

There are several signs and symptoms of abuse, for example:

- Frequent minor injuries or bruising,
- Depression,
- Neglected appearance or poor hygiene,
- Weight loss,
- Change in eating pattern.

This is not an exhaustive list.

Procedure

Duties and responsibilities

All employees and volunteers have a duty to be vigilant to signs that all is not well with an adult with support needs. There is a duty to respond to any allegation or suspicion by following the reporting procedures. Not all concerns about adults with support needs relate to abuse, there may well be other explanations. It is important to keep an open mind. If any person has concerns it is not their responsibility to decide if it is abuse. It is their responsibility to act on any concerns following the right procedures (see also the BS3 Community - Whistleblowing policy).

Confidentiality

Though BS3 Community has a duty to ensure confidentiality, it must be stressed that where abuse to adults with support needs is suspected, reported, or concerns are raised, the management of the organisation must be notified. The vulnerable adult will have been made aware that staff cannot ignore issues around abuse and that steps will be taken to deal with them in as sensitive a manner as possible. They should be asked to consent to an alert being made, where they have capacity to do so. Reasons for overriding consent, e.g. that others may be at risk, or legal obligations, must be explained to the adult.

Given the duty to cooperate with the Care Act 2014, there are only a limited number of circumstances in which it would be acceptable not to share information pertinent to safeguarding with relevant multi-agency safeguarding partners. These would be where the person involved has the mental capacity to make the decision in question and does not want their information shared, and:

- Their 'vital interests' do not need to be protected,
- Nobody else is at risk,
- There is no wider public interest,
- No serious crime has been, or may be, committed,
- The alleged abuser has no care and support needs,
- No staff are implicated,
- No coercion or duress is suspected,
- The risk is not high enough to warrant a referral to a Multi-Agency Risk Assessment Conference (MARAC) (<https://bristolsafeguarding.org/professional-resources/domestic-abuse/>),
- No other legal authority has requested the information.

If there is continued reluctance to share information on a safeguarding concern, or in instances where an alerting organisation thinks that the local authority response is not sufficient, then the matter should be referred to the Safeguarding Adults Board (SAB) (<https://www.bristol.gov.uk/residents/social-care-and-health/adults-and-older-people/report-suspected-abuse>). The SAB should discuss the issue, including the organisation's stated reasons for not sharing the information. The SAB will decide what course of action to take. The SAB can also consider whether the concern warrants a request, under Clause 45 of the Care Act 2014, for the 'supply of information'.

The person who raises concerns, or suspects abuse, must discuss the concern confidentially with their senior manager, Human Resource staff, or the Chief Executive Officer. The facts should be checked, and the person who is the subject of the concerns should be made aware of the process.

The following information must be obtained by senior managers when abuse is suspected:

- The adult's name and age,
- Where they live and with whom,
- Which organisations are providing them with help or services,
- What the concern is.
- Details of the person(s) who may be abusing the vulnerable adult.

A senior manager will then contact Care Direct, contact details in Appendix 1. If the abuse is violent, or a vulnerable adult is in immediate physical danger, a manager or supervisor should contact the police. A full list of contact names and numbers are at the end of this document. Records of all reports of concerns or incidents will be kept in a confidential file.

All cases of possible abuse should be treated very seriously. Social Services will arrange for a Team Manager to investigate the case. The Team Manager will talk to other people and organisations, including the police, and should make a decision about how to proceed within 24 hours.

Contacting Social Services or the Police

Social Services & Health

Phone Care Direct for advice, see Appendix 1 for contact details. They will offer advice on whether it meets the threshold for a referral (note a referral can still be made if there are sufficient concerns as a record that BS3 Community have responded to a duty of care).

The Police

The police are a key safeguarding partner. Involving the police depends on a number of factors, including:

- Whether the situation is an emergency,
- The views and wishes of the adult at risk,
- Whether a criminal offence, as defined by law, has been disclosed,
- The exact circumstances surrounding each individual case of suspected abuse or neglect.

In general terms, if there is a reasonable suspicion that a crime may have been committed and the harm caused to the adult concerned was deliberate, malicious, or reckless, then it is sensible to have a discussion with the lead officer in the local police force.

Police need to be involved in an emergency situation if there are concerns that an adult is at immediate risk of serious harm. The police have powers to intervene if a person needs immediate assistance due to a health condition, injury, or other life-threatening situation.

If the situation is not an emergency, it is important to find out from the person whether they want the police to be involved, especially where there are complex family dynamics or personal relationships. Risk of harm to others should also be considered in these circumstances, and so the person's wishes would not be the sole consideration.

If an adult has been harmed by an action that was possibly intended to cause them harm, a senior manager should refer the case to the police for a possible criminal investigation. The same applies if someone is acting in a way that is designed to hurt another person, even if no actual harm occurs – for example, one person trying to hit another person.

There are likely to be occasions when something occurs that is technically a crime, for example:

- A resident in a care home stealing a few pounds from another resident,
- A minor physical altercation between two people in a supported living flat,
- An apparently overstretched carer who has been subjected to physical abuse hitting back.

While none of these are acceptable, it is important to focus on what type of intervention will lead to the desired outcomes. Whether such situations are best resolved with police involvement should be thought through, and the principle of proportionality – that the response should be the least intrusive and the most appropriate to the seriousness of the situation – should underpin the decision made. Other remedies may be useful, for example, restorative justice, where the 'victim' explains to the 'offender' the impact that the crime has had on them. In many cases it may be best for senior management to have an informal discussion with the police, together with the affected adult or their representative, to decide whether a police response is necessary.

It is essential to avoid a situation where a crime is concealed by agencies carrying out their own enquiries. If a decision has been made to call in the police, they should be involved at the earliest opportunity to ensure that key forensic evidence is not lost or damaged, and because a higher standard of proof is required in criminal proceedings than in disciplinary or regulatory proceedings. Early contact with the police may therefore help in obtaining and securing vital evidence and witness statements, leading to a successful prosecution.

Once the police are involved, their enquiries may take precedence over any others that may be in progress, and how these interact with matters such as internal disciplinary hearings will need to be co-ordinated.

Online Safety

The Online Safety Bill, November 2023, is a set of laws in the UK designed to protect both children and adults online. For adults, the impact is triple shield, this means all services within the scope of the bill must implement measures to prevent illegal activity on their platforms and promptly remove any illegal content that appears. BS3 Community Development is working alongside SHARP IT to ensuring web filtering restricts the illegal activity.

Recruitment

BS3 Community is committed to promoting diversity and equal opportunities for all staff, job applicants and volunteers. We aim to create a working environment in which all individuals can make the best use of their skills, free from discrimination or harassment, where individuals are respected, treated fairly and able to give their best; where all decisions are based on merit. Please refer to the BS3 Community Equality, Diversity, Inclusion & Belonging (EDIB) policy for further information.

BS3 Community will take all appropriate steps to ensure that unsuitable people are prevented from working with adults with support needs. As most staff and volunteers are likely to have regular contact with, or encounter, adults with support needs (which might include regular processing of information), rigorous checks into their eligibility will be required. Such processes will be compliant with the BS3 Community Recruitment policy and the BS3 Community DBS procedure.

All potential employees and volunteers of BS3 Community may be subject to an enhanced DBS check, including a barred list check, depending on the nature of the work they will be undertaking.

All new staff and volunteers will be made aware of this policy.

All staff and volunteers who work directly with adults with care and support needs will receive training in safeguarding when they commence work. They will attend refresher training at least every three years.

Safeguarding Code of Conduct

The following code of conduct applies to all BS3 Community Development staff and volunteers working with service users, whether acting in a paid or unpaid capacity:

- Avoid unnecessary physical contact.
- Avoid taking service users alone in a vehicle on journeys, however short.
- Unless circumstances make it impossible to comply, do not take adults with support needs to the toilet unless either another adult is present, or another adult is aware.
- If you find you are in a situation where you are alone with an adult with support needs, wherever practicable, make sure that others can clearly observe you.
- Avoid close personal relationships with service users to whom you are in a position of trust, this includes social media networks.
- Do not make suggestive or inappropriate remarks to service users, even in fun, as this could be misinterpreted.
- If a service user accuses a volunteer or member of staff of abuse or inappropriate behaviour, you should report this immediately to the BS3 Community Safeguarding Officer mentioned above on page eight.
- The duty to report applies equally to complaints or accusations of historic, and not just recent, abuse or inappropriate behaviour.

Appendix 1

Contact Details

Safeguarding Officer: Emmeline Rodman, Head of Communities; Phone: 07799 018218; Email: emm.rodman@bs3community.org.uk

Postal address: BS3 Community, The Southville Centre, Beaufort Road, Bristol, BS3 1QG

Our **designated whistleblowing trustee** is: Sarah Hughes; Phone: 07855 439799; Email: sarah.hughes@bs3community.org.uk

Postal address: BS3 Community, The Southville Centre, Beaufort Road, Bristol, BS3 1QG

HR/ Operations Team contact: Aimee Wentworth
Senior Staff Member: Kelly Murphy and Emmeline Rodman
CEO: Simon Hankins

Referral Agencies

If there is a concern that an adult with care and support needs in Bristol is at risk of being abused or neglected contact **Care Direct** on 0117 922 2700 or submit a safeguarding referral: <https://digital.bristol.gov.uk/social-care-health/form-contact-adult-care-services>

Outside Office Hours Emergency Duty Team: Telephone 01454 615 165

To contact **the police**, telephone 101. If you need immediate help, or if you cannot stop abuse that is happening at the time, telephone 999.

Appendix 1 – Preventing Radicalisation and Extremism

Introduction

It is the duty of BS3 Community (including the Members of the Board of trustees, staff and volunteers) to guard against radicalisation and extremism as outlined in this policy. Extremists of all persuasions aim to develop destructive relationships between different communities by promoting division, fear and mistrust of others, based on ignorance or prejudice. As a community-based organisation we have a role, in partnership with statutory bodies, in countering such activity.

Policy

BS3 Community is committed to safeguarding and promoting the welfare of all its service users and recognises that safeguarding against radicalisation and extremism is no different to safeguarding against any other vulnerability in today's society. This policy sets out our strategies and procedures to protect individuals from being radicalised or exposed to extremist views.

The policy works in conjunction with other policies, in particular the EE&C Child Protection policy, the Safeguarding & Child Protection policy, the Equality, Diversity, Inclusion & Belonging (EDIB) policy, the Recruitment policy, the DBS procedure and the Disciplinary policy. It also draws on external publications such as:

Bristol Safeguarding Adults Procedure

<https://www.bristol.gov.uk/residents/social-care-and-health/adults-and-older-people/report-suspected-abuse>

Department for Education guidance 'Working together to safeguard children', 2015 <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

'Tackling Extremism in the UK' 2015

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/263181/ETF_FINAL.pdf

In this document, the definitions used in the Home Office 'Prevent Strategy', 2011 <https://www.gov.uk/government/publications/prevent-strategy-2011> are adopted.

- Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism leading to terrorism.
- Extremism is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty, mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas.

Procedure for adults at risk

Radicalisation is a safeguarding issue in the context of children and vulnerable adults. There several behaviours which may indicate a child or vulnerable adult is at risk of being radicalised or exposed to extreme views. These include:

- Spending increasing time in the company of other suspected extremists.
- Changing their style of dress or personal appearance to accord with the group.
- Day-to-day behaviour becoming increasingly centred on an extremist ideology, group, or cause.
- Loss of interest in other friends and activities not associated with the extremist ideology, group, or cause.
- Possession of materials or symbols associated with an extremist cause.
- Attempts to recruit others to the group/ cause.
- Communications with others that suggests identification with a group, cause, or ideology.
- Using insulting to derogatory names for another group.
- Increase in prejudice-related incidents committed by that person.

Other factors or circumstances may also give cause for concern, for example behaviour of other family members. Employees, trustees, and volunteers should be aware of these behaviours and circumstances and feel confident in reporting them to their immediate manager, or a senior manager within the charity, if they have a concern.