

Safeguarding Adults Policy and Procedure

POLICY

Inclusive Response CIC has a responsibility to prevent and report concerns about the abuse, neglect and ill-treatment of adults who are at risk of being harmed, alongside its responsibility to protect children and young people who have suffered abuse.

There are legal requirements on statutory bodies under the Care Act 2014, and statutory guidance (Care and Support Statutory Guidance updated August 2021) applying to the voluntary sector across England and the devolved nations, for organisations who do everything they can to recognise and report abuse quickly and appropriately to keep adults safe, and to prevent such abuse from happening in the first place.

Anyone who is employed or volunteers for or, on behalf of Inclusive Response CIC, regardless of the type of contact they have with adults who are at risk or abuse or vulnerable adults, has a role to play in safeguarding and protecting them. They must:

- Know how to recognise potential abuse of adults at risk/vulnerable adults.
- Know what to do when safeguarding concerns arise.
- Understand what Inclusive Response CIC expects of them in terms of their own behaviour and actions.

An adult at risk of abuse can be anyone over the age of eighteen, including service users, staff and volunteers. Whilst personal characteristics may make an individual more vulnerable i.e. disability and communication difficulties, it is the situation around an individual which may increase risk or place them at potential risk of harm. It is therefore vital to be open to the possibility that any adult may be at risk and that this can be temporary or on-going depending on the support and protective factors around them.

This policy applies to all staff and volunteers, agency staff, students, sole traders and contractors including associates and professional agencies.

LEGAL CONTEXT

Adults at risk of abuse may have additional support needs, meaning that they are more likely to experience abuse, and less able to protect themselves from it. The abuse of adults at risk can have devastating effects on their physical, mental, emotional, social and spiritual wellbeing, as well as on their children or children connected to them. In this respect, safeguarding adults at risk can be important child protection work. Equally, many adults at risk have been victims or survivors of abuse and harmful experiences in childhood which have impacted upon their confidence, self-worth and resilience and compounded other personal characteristics increasing vulnerability.

Statutory guidance means that Inclusive Response CIC must protect adults at risk. The relevant law and guidance is The Care Act 2014, the primary legislation in England for the support and protection of adults. It represents the most significant reform of care and support putting people and their carer's in control of their care and support.

<http://legislation.gov.uk/ukpga/2014/23/contents>

The legislation sets out how people's care and support needs should be met and introduces the right to an assessment for anyone, including carers and self-funders, in need of support.

If you have concerns about **an adult being harmed, exploited or neglected**, you can contact your local Health and Social Care (HSC) Trust, who will listen to your concerns and advise you on what will happen next. You should inform them of your links to Inclusive Response CIC and ensure that your manager is aware that you have these concerns which will always be taken seriously. If you are unsure of who to contact please speak to a nominated DSL (Designated Safeguarding Lead) for the Company.

In addition, the Human Rights Act (1998) gives everyone the right to live free from abuse, violence and degrading treatment.

DEFINITIONS

For the purpose of this policy and procedures, the following definitions are used:

- **Adult in need of protection:** is a person aged 18 years or over, whose exposure to harm through abuse, exploitation and neglect may be increased by their (but not limited to):
 - Personal characteristics AND/OR
 - Life circumstances AND
 - Who is unable to protect their own well-being, property, assets, rights or other interests, AND
 - Where the action or inaction of another person or persons is causing, or is likely to cause, them to be harmed
- **Adult at risk:** An adult at risk is any person who is aged 18 years or over and at risk of abuse or neglect because of their needs for care and support.
- **Adult at risk of harm:** an adult is any person who is aged 18 years or over whose exposure to harm through abuse, exploitation or neglect may become exposed (but not limited to) by their;
 - Personal characteristics which may include, but are not limited to, age, disability, special educational needs, illness, mental or physical frailty or impairment of, or disturbance in the functioning of the mind or brain
 - And/or life circumstances which may include, but are not limited to, isolation, socio-economic factors and environmental living conditions.
- **Safeguarding:** This describes the activity that is undertaken to protect adults at risk of abuse, harm, ill-treatment, exploitation and neglect.
- **Abuse:** This is the ill-treatment or abuse of an adult at risk. A person may abuse or neglect an adult at risk by inflicting harm or by knowingly failing to act to prevent harm. Adults can be abused in a family, in the community, in any type of institution/organisation participating or providing support or care.
- **Prevention:** This is how we seek to reduce the abuse of adults at risk occurring in the first place. This includes training, guidance and support for employees and volunteers, as well as for those receiving services.

KEY PRINCIPLES

The Inclusive Response CIC approach to safeguarding adults at risk is based on the following principles:

- Everyone has a right to equal protection from all types of harm or abuse, regardless of age, ability, gender, racial heritage, religious beliefs, sexual orientation or personal characteristics which may include additional vulnerabilities.
- The best interests of the child are paramount in all considerations about the safeguarding and protection of adults at risk.
- Where concerns are identified, we must communicate very clearly what we have done and will be doing to safeguard the adult at risk, unless to do so would in any way increase the risk to them or a child. Capacity will be assumed unless there is reason to believe that the person cannot understand.
- Where we are working together with adults at risk, their carers, family members and other agencies, it is essential to recognise that, in some limited circumstances, it will not be appropriate to engage with carers or family members in order to protect the adult at risk.
- Concerns or allegations that Inclusive Response CIC staff or volunteers have abused or neglected adults will be taken very seriously and managed sensitively and fairly in accordance with the Company's policies, relevant legislation and local procedures.

WE DELIVER THIS POLICY BY:

- Providing effective leadership and management for staff and volunteers through induction, supervision/one-to-one learning and mentoring, support and training.
- Ensuring effective and robust safeguarding and protection practices by having clear policies, procedures, practice standards and guidance in place.
- Safer recruitment and employment practices to ensure that robust recruitment, selection, induction and supervision processes are in place for all those who work for Inclusive Response CIC.

If you are concerned about an adult and unable to use the Portal, you can call customer first on 0808 800 4005.

CAPACITY AND CONSENT

It is important to be alert to issues of cognitive capacity which can increase the vulnerability of people where they have a reduced ability to make informed decisions in the moment. This may be transient (e.g. due to fear, shock, injury, illness) or long term (e.g. due to learning differences, disability, mental health issue).

Whilst this is a complex issue, it should not get in the way of staff and volunteers genuinely seeking to ensure that all individuals are respectfully consulted in relation to participation in activities and/or sharing of information about them.

When assessing a person's understanding you should seek to explain the issues using their preferred mode of communication and language. This should be done in a way that is suitable for them, considering all you know about them from your contact with them, particularly their age, language and likely understanding.

It is important to try and ensure they really understand the issues and are not just agreeing to what is proposed. If you are unsure whether they have the capacity to consent, then you should seek

advice from your manager, the individual's friends, carer, another professional working with them or an advocate, where available, may be able to provide relevant information or advice where consulting these individuals does not increase potential risks.

The following criteria should be considered when assessing whether an individual has sufficient understanding at any time to consent, or to refuse consent, to sharing of information about them or participating in specific activities:

- Can the individual understand the question being asked of them?
- Are they taking an active part in the discussion?
- Can they rephrase the question in their own words?
- How would they explain it to someone else?
- Do they have a reasonable understanding of the risks or benefits of giving their consent or saying no?
- What do they think would happen if they agree to the action being suggested?
- Can they appreciate and consider the alternatives, weighing up one aspect against another and express a clear and consistent personal view? Encourage them to say out loud, or write down, their view of the pros and cons. You could recheck these views later on.

CATEGORIES OF ADULT ABUSE

What constitutes abuse and neglect?

This section considers the different types and patterns of abuse and neglect and the different circumstances in which they might take place. This is not intended to be an exhaustive list but an illustrative guide as to the sort of behaviour which could give rise to a safeguarding concern.

The Company should not limit their view of what constitutes abuse or neglect, as they can take many forms and the circumstances of the individual case should always be considered. Exploitation and abuse of power are common themes in the following list of the types of abuse and neglect.

Physical abuse including (but not limited to):

Assault

Hitting

Slapping

Pushing

Misuse of medication

Restraint

Inappropriate physical sanctions

Domestic abuse including (but not limited to):

Psychological

Physical

Sexual

Financial

Emotional abuse

Honour-based violence

Controlling or coercive, threatening behaviour

Sexual abuse including (but not limited to):

Rape

Indecent exposure

Sexual harassment

Inappropriate looking or touching

Sexual teasing or innuendo

Sexual photography

Subjection to pornography or witnessing sexual acts

Sexual assault

Psychological abuse including (but not limited to):

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

Financial abuse including (but not limited to):

Theft

Fraud

Internet scamming

Coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions

The misuse or misappropriation of property, possessions or benefits

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 an individual into a life of abuse, servitude, and inhumane treatment

Discriminatory abuse including forms of:

Harassment

Slurs or similar treatment

Organisational abuse

Including neglect and poor care practice within an institution or specific care setting or in relation to care provided in one's home

Neglect and acts of omission including:

Ignoring medical, emotional, physical care needs

Failure to provide access to appropriate health, care and support or educational services

The withholding of the necessities of life, such as medication, adequate nutrition and heating

Self-neglect

This covers a wide range of behaviour neglecting to care for one's personal hygiene, health and surroundings and includes behaviour such as hoarding. 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.

Incidents of abuse may be one-off or multiple and affect one individual or more. Professionals and others should look beyond single incidents or individuals to identify patterns of harm. Repeated instances of poor care may be an indication of more serious problems and of what we now describe as organisational abuse. In order to see these patterns, it is important that information is recorded and appropriately shared.

Patterns of abuse vary and may include:

- Serial abuse, in which the perpetrator seeks out and “grooms” individuals. Sexual abuse sometimes falls into this pattern as do some forms of financial abuse.
- Long-term abuse, in the context of an ongoing family relationship such as domestic violence between spouses , partners or generations of persistent psychological abuse
- Opportunistic abuse, such as theft occurring because money or jewellery has been left lying around.

This Is not an exhaustive list , nor do these examples prove that there is actual abuse occurring. However, they do indicate that a closer look and possible investigation may be needed.

OTHER POLICIES

Employees are encouraged to read this policy in conjunction with all other relevant Company policies and sign to say that you have read and understood them.