

Safeguarding Adults Policy & Procedure

This policy applies to all those involved in **Shine**, including, but not exclusively, trustees, staff and volunteers and should be read in conjunction with:

Shine's Safeguarding Policy Statement
Safeguarding Children & Young People's Policy & Procedure
Safeguarding Code of Conduct

INTRODUCTION

Shine:

- actively encourages a culture that Safeguarding is everyone's responsibility.
- is committed to promoting good practice and protecting individuals at risk from harm.
- recognises that people with disabilities may be at increased risk of abuse or harm due to various factors such as stereotyping, discrimination, isolation, a lack of power to protect themselves, increased dependency on personal care or possible communication or learning difficulties. ability to communicate about a problem.

SHINE'S RESPONSIBILITIES

All our staff and volunteers are carefully selected, trained and supervised, and are familiar with our safeguarding policy and procedures and will follow Shine's Safeguarding Code of Conduct.

All staff and volunteers will be alert to the indicators of potential abuse or harm and report any issue following Shine's policies and procedures. There should not be any investigation, if the person is in immediate risk of harm, emergency services should be contacted immediately on 999, then a full record made using Shine's Safeguarding Reporting form.

To safeguard individuals at risk, **Shine** will:

- Implement our Safeguarding Adults Policy and Procedure, reviewing annually
- Share information about the Safeguarding Adults Policy and Procedures and safeguarding good practice with trustees, staff and volunteers
- Share information about any concerns with agencies who need to know, and will involve individuals at risk appropriately
- Carefully follow the procedures for recruiting and selecting staff and volunteers, including compulsory DBS/ACCESS Northern Ireland (NI) disclosures when required
- All new staff who have responsibility for safeguarding will be DBS/ACCESS NI checked and receive training on appointment; have regular checks undertaken and will be offered on going safeguarding training
- Recruit staff in NI to the role of Safeguarding Champion
- Provide all staff and volunteers with appropriate safeguarding training at least every two years
- Provide effective management for staff and volunteers through 1-1s, support and training
- Take appropriate action to respond to safeguarding issues
- Ensure that accurate and timely records are kept in relation to safeguarding and that these records are monitored and audited on a regular basis in accordance with **Shine's** retention policy

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INDICATORS

Everyone who works with or who has contact with individuals at risk should be able to recognise, and know how to act upon, indicators that an adult's safety may be at risk. Many signs and symptoms have other explanations: recognising abuse or harm is not easy. However, it is important to be alert to the indicators.

Examples of indicators are:

- A disclosure by an individual or a third party, including a description of an event or action that appears to represent potential abuse or risk of harm
- Not having access to own money/having to ask permission regarding financial matters
- Sudden inability to pay rent or bills
- Unexplained injuries such as bruising, cuts or burns, particularly if situated on a part or parts of the body not normally prone to such injuries
- Unexplained changes in behaviour e.g. withdrawal, bouts of temper, sadness, etc.
- Inappropriate sexual awareness, sexualised language or engaging in sexually inappropriate behaviour
- Distrust of adults, particularly of those whom a close relationship would normally be expected
- Being prevented from socialising or attending events
- Sudden loss of weight for no apparent reason
- Appearing increasingly unkempt or with unusually poor personal hygiene

The above is a general list, by no means exhaustive, and for people with spina bifida and/or hydrocephalus there are a myriad of other complex factors that can affect behaviour and presentation.

There are many routes through which a member of **Shine's** staff or a volunteer might discover that an individual is at risk of harm or abuse. Examples are:

- On a home visit
- At an event
- Via email
- Through social media contact
- From a phone conversation/call
- Working alongside an individual at risk as a colleague at **Shine**
- Through contact with a parent/carer or other third party

DEFINITIONS

Harm can be defined as ill treatment or the impairment of health, safety, or development (including physical, intellectual, financial, emotional, social and behavioural development) either self-inflicted (i.e. self-harm) or inflicted by others;

Health means physical and mental health

Ill treatment includes physical and non-physical ill treatment.

The Care Act defines an **individual at risk of abuse or neglect** as someone who has a need for care and support, who is experiencing, or at risk of, abuse or neglect and as a result of their care needs is unable to protect themselves. A further definition of an individual at risk can be defined as a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their personal characteristics and/or life circumstances.

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Note: different definitions may apply in different countries.

TYPES OF ABUSE/HARM

Physical abuse/harm is the deliberate injury of a child or individual at risk or failure to prevent physical injury or suffering.

Financial or 'material' abuse includes theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Psychological/emotional abuse is persistent emotional ill treatment causing severe and persistent adverse effects on the person's wellbeing. It may involve making the person feel worthless, inadequate or only valued for what they can do for another person. It may also involve making the person feel frightened or in danger or exploiting or corrupting them.

Sexual abuse involves forcing or enticing a person to take part in sexual activities which they can't or don't consent to, even if the child, young person or individual at risk concerned is not aware of what is happening. It includes either being the subject of or being forced to watch sexually explicit images/videos.

Neglect is the persistent failure to meet the child, young person or individual at risk's basic physical or psychological needs and is likely to seriously impair the person's health or development.

Institutional abuse is the maltreatment of a person (often children or older adults) from a system of power. Institutional abuse occurs within emergency care facilities such as foster homes, group homes, kinship care homes, and pre-adoptive homes.

Bullying is deliberate hurtful behaviour, sometimes repeated over a period of time, where it is difficult for the victims to defend themselves.

Self-harm is to deliberately injure oneself, which is sometimes (but not always) a sign of a person being at higher than normal risk of suicide - either intentional or not.

Exploitation is the improper use of a child or individual at risk for another's profit or advantage.

Domestic abuse is any incident of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or who have been, intimate partners or family members regardless of gender or sexuality. Where there is a possibility that children or individuals at risk are seeing or hearing domestic violence, you must consider that they may be harmed as a result and treat this as a safeguarding concern.

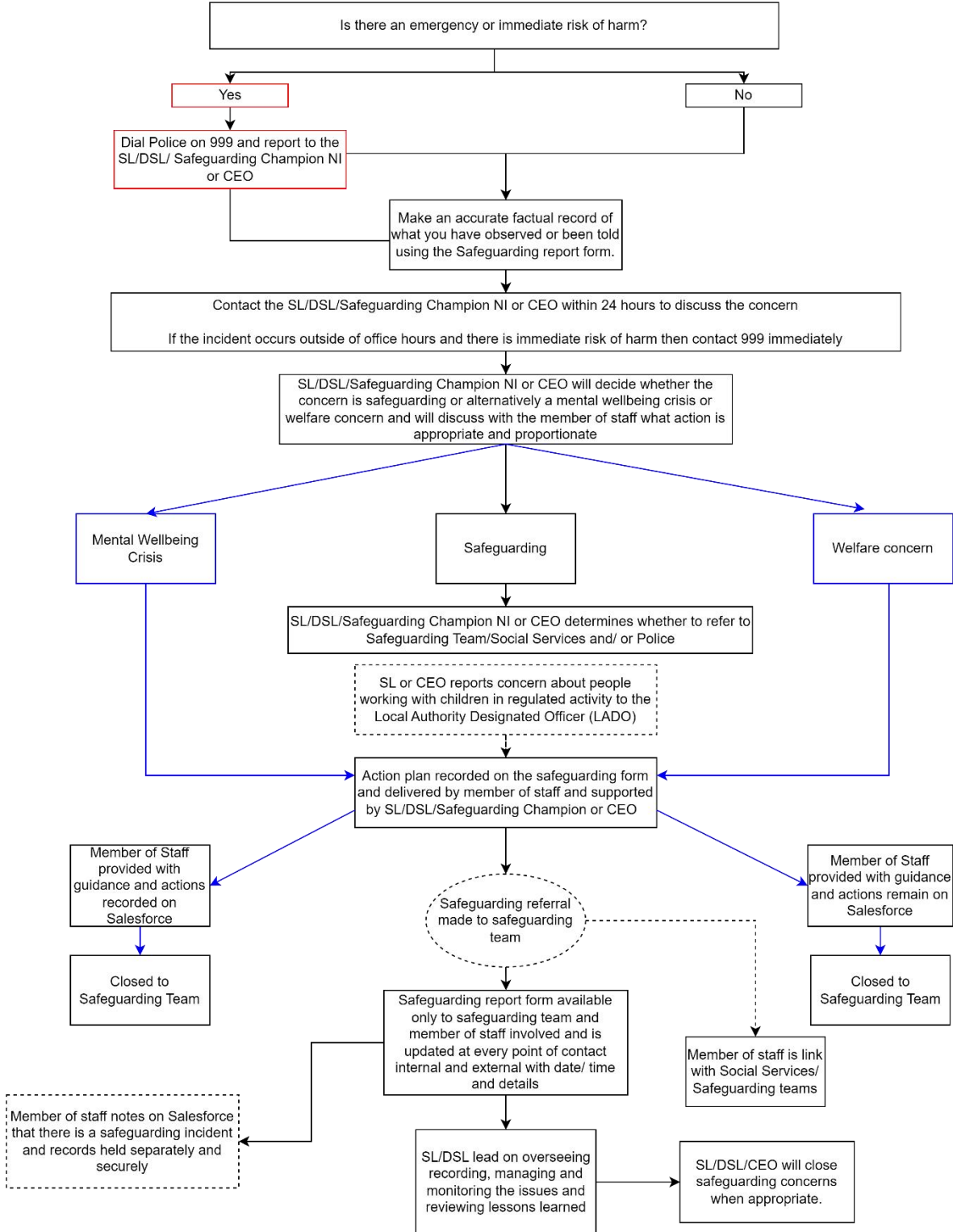
Self-Neglect is lack of self-care to an extent that it threatens personal health and safety this can include, neglecting to care for one's personal hygiene, health or surroundings, inability to avoid harm as a result of self-neglect, failure to seek help or access services to meet health and social care needs, inability or unwillingness to manage one's personal affairs

Other forms of abuse include female genital mutilation, honour-based violence/forced marriage, child and adult sexual exploitation (grooming) and radicalisation.

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PROCEDURE :Concerned about an individual being at risk?

Key: Safeguarding Lead (SL) Deputy Safeguarding Lead (DSL)



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DO: Listen and reassure

- Stay calm and reassure the person that they have done the right thing by telling you
- Always take any allegation seriously
- Do not make an individual at risk repeat information - it is not your role to investigate or prove the abuse has taken place
- Do not pass judgement or make derogatory comments about the alleged abuser, victim, or anyone involved
- Respect the trust that has been placed in you but explain that you must tell someone else in **Shine**
- Do not promise to keep the matter confidential

Shine does not investigate safeguarding concerns, you should always follow Shine's process and policies, discuss with the SL/DSL/NI Safeguarding Champions or CEO any concerns and they will provide guidance and a plan on what action is appropriate and proportionate. There must be no delay in making this contact.

Remember - local authorities (or the Health and Social Care Trust (HSCT) in Northern Ireland) have the lead responsibility for individuals at risk where there are safeguarding concerns. When invited and where appropriate, **Shine** employees should participate in strategy discussions, case conferences, and safeguarding plans. They may also have a role in supporting individuals at risk and families through these processes.

Consent must be given by the Individual at risk if they have mental capacity, prior to making a safeguarding referral. Consent must be given by the adult member prior to informing parents or the primary carer. (The issue of capacity may need to be considered). Confidentiality will be maintained for all concerned and information will be shared on a **need-to-know basis** only. Please see the **Shine** confidentiality policy for further detail.

RECORDING AND REPORTING PROCEDURES

All information, correspondence and communications must be properly recorded. When recording the disclosure use the words that were said, maintain a factual, non-judgmental record at all stages using the Safeguarding Reporting form. Appendix A

In the case where a volunteer has identified a possible safeguarding concern, unless there is immediate risk of harm, the volunteer should contact the SL/DSL/NI Safeguarding Champions or CEO within 24 hours. The SL/DSL/NI Safeguarding Champions or CEO will then manage the concern from this point

Role of Safeguarding Lead/ Deputy/Safeguarding Champion NI & CEO

- Act as the main contact for safeguarding within **Shine**
- To provide guidance and specialism on the appropriate and proportionate action to be taken by **Shine** when concerns are identified
- Promote safeguarding awareness and ensure safeguarding training is provided every two years for SL/DSL/NI Safeguarding Champions and CEO
- Implement and promote the safeguarding policy and procedure
- Notify lead trustees if a safeguarding issue arises relating to staff, trustees and volunteers or any safeguarding issue which could impact on the reputation of **Shine**
- Provide information and advice re safeguarding issues and raise awareness about safeguarding
- Keep abreast of developments in safeguarding
- Prepare and seek SMT and Board agreement for an annual safeguarding action plan

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- Review safeguarding policy every year
- Monitor and review all referrals and allegations made by, or on behalf of, children and individuals at risk to ascertain whether there is any pattern or concentration of incidents of a child or individual at risk's abuse that requires a specific response
- Ensure that safeguarding is discussed at one service manager meeting each year
- Prepare a quarterly safeguarding report for the Board

Role of the line manager:

- Promote safeguarding awareness and ensure safeguarding training is provided every two years for all staff and volunteers in their area
- Ensure that all employees and volunteers are aware of, and have access to, full copies of the policy and procedures and are aware how to report an individual at risk of abuse
- Attend inter-agency meetings in respect of individual at risk safeguarding investigations at a local level, if required
- Ensure that safeguarding is discussed at 1:1 supervision meetings
- Ensure that safeguarding is discussed at one regional/country team meeting each year
- Ensure that risk assessment forms are completed for all events

CONTACT DETAILS

Designated Safeguarding Lead (SL): Gill Valentine
gill.valentine@shinecharity.org.uk Telephone 07879 322751

Deputy Safeguarding Lead England & Wales: (DSL) Sarah Carrier
Sarah.carrier@shinecharity.org.uk Telephone: 07778 697716

Safeguarding Champion Northern Ireland: Marie McGonnell
Marie.mcgonnell@shinecharity.org.uk Telephone 07789 616420

To find the local Safeguarding Adult Boards:

England <https://www.safecic.co.uk/sab-england>

Northern Ireland <https://www.nidirect.gov.uk/articles/who-contact-if-you-suspect-abuse-exploitation-or-neglect#toc-0>

Wales <https://safeguardingboard.wales/find-your-board/>

Dealing with allegations made against staff or volunteers regarding inappropriate actions with individuals at risk

The Finance Director (or if not available the CEO) must make sure any allegations are reported to the Charity Commission.

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Individuals at risk may be subjected to abuse by those who work with them. Allegations of abuse against staff or volunteers must be taken seriously and reported to the Safeguarding Lead or the CEO, or in their absence, another member of SMT who will deal with them sensitively and expediently.

The individual at risk's interests are of paramount concern. Their views and wishes must be given careful consideration at all times and they should receive appropriate support.

The matter should not be recorded on the database. All relevant information should be held centrally by the Finance Director.

Investigations into alleged abuse by employees or volunteers may have three related, but independent strands, which can run in parallel:

1. Individual at risk safeguarding reporting to appropriate services
2. A police investigation into a possible offence
3. Disciplinary procedures where it appears that the allegations may amount to misconduct or gross misconduct on the part of staff or volunteers

Where an incident of abuse or assault by a member of staff or volunteer is witnessed and evidenced to have occurred, disciplinary proceedings will be invoked immediately, with the person concerned placed on precautionary suspension pending the outcome of further enquiries. They should have no contact with the family/member and their access to online accounts and telephone should be suspended.

However, where an allegation or suspicion of abuse arises involving a member of staff or volunteer which cannot immediately be proven or disproven, the line manager of the alleged perpetrator must immediately make sure that contact between the two parties (and their families if relevant) is stopped. This may include redeployment to tasks which do not involve direct contact either with the persons concerned or any member, if such tasks are available.

If **Shine** is aware that a staff member or volunteer it has placed on precautionary suspension also works with individuals at risk for another organisation, (either as a member of staff or volunteer), it will ensure that the other organisation is informed of the suspension and the subsequent outcome. **Shine** should liaise with the local authority/H SCT and police regarding the progress of the investigation as appropriate.

If a criminal investigation process is completed and there is insufficient evidence to pursue a criminal prosecution, and if a local authority/H SCT investigation has been completed and there is insufficient evidence then a disciplinary investigation will be undertaken to determine "on the balance of probabilities" whether or not the alleged incident has occurred. Sometimes an individual at risk can retain loyalty towards those who care for or who are responsible for them, which makes it difficult for them to say anything against them. When a person refuses to lodge a complaint with the police, or withdraws a complaint previously made, **Shine** is still obliged to pursue an internal disciplinary enquiry to determine whether any disciplinary action is required.

Any disciplinary action will be carried out in accordance with **Shine's** disciplinary policies. Where such an investigation has concluded that a staff member or volunteer has abused an individual at risk, **Shine** will:

- Initiate appropriate disciplinary action
- Arrange notification to DBS/ACCESS NI and the Independent Safeguarding Authority (ISA) register

Where concerns have been investigated internally through disciplinary procedures and are not substantiated, this outcome should be explained by the line manager to the individual at risk and their family, where appropriate, the opportunity given to invoke the complaints procedure.

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Shine has a duty of care towards its staff and volunteers and will seek to ensure that anyone against whom an allegation is made is treated fairly and in an open and honest manner. They should be supported to understand why the concern has arisen and be kept informed about the progress of the investigation. Precautionary suspension and inquiry may cause stress for anyone suspected of abuse and it is important that management offers advice and support to staff/volunteers. It will always be made clear that precautionary suspension is not disciplinary action in itself.

RELATED POLICIES

- Safer recruitment policy (94)
- Managing allegations of abuse or inappropriate actions policy (92)
- DBS/Access NI
- Social Media Policy (20)
- Bullying and Harassment
- Whistleblowing
- Data protection policy & procedure
- Retention of documents policy (71)

REVIEW OF POLICY AND PROCEDURES

This policy and the procedures will be reviewed every year or in the following circumstances:

- changes in legislation
- government guidance as a result of any other significant change or event

Any staff member or volunteer who breaches any of these procedures may be subject to disciplinary action. Staff and volunteers must follow the **Shine** Safeguarding Policy and Procedures at all times.

Date of policy: June 2023

Date next review due: June 2024