

<b>Policy</b>	<b>Safeguarding Vulnerable Adults Policy and Procedures</b>
<b>Effective Date</b>	<b>March 2020</b>
<b>Scheduled Review Date</b>	<b>March 2022</b>
<b>Supersedes</b>	<b>All previous Policies and/or Statements</b>
<b>Original Author</b>	<b>Richard Inman</b>
<b>Owned by</b>	<b>Governance Sub Committee of NIDDERDALE PLUS</b>
<b>Monitored by</b>	<b>Governance Sub Committee of NIDDERDALE PLUS</b>
<b>Approved by</b>	<b>Board of Trustees of NIDDERDALE PLUS</b>

### **Purpose**

To ensure NIDDERDALE PLUS is able to keep adults with whom it works safe; and to act appropriately to any allegations, reports or suspicions of abuse.

### **Scope**

This policy applies to all employees, trustees and volunteers who come into contact with adults at risk through the course of their work.

### **Policy Statements**

NIDDERDALE PLUS provides a range of services to groups, organisations and individuals and this policy and its associated procedures have been designed to ensure the welfare and protection of any adult who accesses services provided.

NIDDERDALE PLUS will not tolerate the abuse of adults at risk in any of its forms.

NIDDERDALE PLUS is committed to:

- Managing its services is a way which minimizes the risk of abuse occurring;
- Supporting adults who are at risk, experiencing or have experienced Abuse; and
- Working with adults at risk and other agencies to end any abuse that is taking Place.

In achieving these aims NIDDERDALE PLUS will ensure:

- That all managers, employees and volunteers have access to and are familiar with this safeguarding adult policy and procedures and their responsibilities within it
- Concerns or allegations of abuse are always taken seriously
- The Mental Capacity Act is used to make decisions on behalf of those adults at risk who are unable to make particular decisions for themselves

- All staff receive training in relation to safeguarding adults at a level commensurate with their role.
- That service users, their relatives or informal carers have access to information about how to report concerns or allegations of abuse
- There is a named lead person to promote safeguarding awareness and practice within the organisation

This policy and its associated procedures has been developed to be consistent with the Safeguarding Adults Joint Multi-Agency Policy and Procedures for West Yorkshire, North Yorkshire, and City of York, which can be referred to for additional guidance at <https://safeguardingadults.co.uk/>

## **Policy Definitions**

### **Who is an 'Adult at risk'?**

For the purposes of this policy, an adult at risk is an adult who is:

Aged 18 years or more, and

Has needs for care and support (whether or not these are currently being met),

Is experiencing, or 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.

Such a definition includes adults with physical, sensory and mental impairments and learning disabilities, howsoever those impairments have arisen e.g. whether present from birth or due to advancing age, chronic illness or injury.

Also included are people with a mental illness, dementia or other memory impairments, people who misuse substances or alcohol.

The definition includes unpaid carers (family and friends who provide personal assistance and care to adults on an unpaid basis).

### **What is abuse?**

Abuse can take many forms and the circumstances of the individual should always be considered. It may consist of a single act or repeated acts. The following are examples of issues that would be considered as a safeguarding concern.

- Abuse may be carried out deliberately or unknowingly.
- Abuse may be a single act or repeated acts.

People who behave abusively come from all backgrounds and walks of life. They may be doctors, nurses, social workers, advocates, staff members, volunteers or others in a position of

trust. They may also be relatives, friends, neighbours or people who use the same services as the person experiencing abuse.

Physical abuse - includes hitting, slapping, pushing, kicking, and misuse of medication, unlawful or inappropriate restraint, or inappropriate physical sanctions.

Domestic abuse – is “an incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse by someone who is or has been an intimate partner or family member regardless of gender or sexuality” (Home Office, 2013). Domestic violence and abuse may include psychological, physical, sexual, financial, emotional abuse; as well as so called ‘honour’ based violence, forced marriage and female genital mutilation.

Sexual abuse - includes rape and sexual assault or sexual acts to which the adult at risk has not consented, or could not consent or was pressured into consenting.

Emotional or Psychological abuse - includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal from services or supportive networks.

Financial and 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.

Modern slavery - includes human trafficking, forced labour and domestic servitude. Traffickers and slave masters use the means they have at their disposal to coerce deceive and force individuals into a life of abuse, servitude and inhuman treatment.

Neglect and acts of omission - includes 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 - includes abuse based on a person’s race, sex, disability, faith, sexual orientation, or age; other forms of harassment, slurs or similar treatment or hate crime/hate incident.

Organisational abuse – includes neglect and poor practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one’s own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Self-neglect - covers a wide range of behaviours, such as neglecting to care for one’s personal hygiene, health or surroundings and includes behaviours such as hoarding.

The Care Act Statutory Guidance (2016) contains additional advice concerning self-neglect, suggesting that it “may not prompt a Section 42 (statutory) 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”.

## Key Roles

Every member of staff and volunteer has a responsibility to act on concerns of possible abuse and must inform the NIDDERDALE PLUS Safeguarding Concerns Manager (Richard Inman). If any member of staff or volunteer has any concerns and are in any doubt then they should speak with the Safeguarding Concerns Manager straight away.

**The NIDDERDALE PLUS Safeguarding Concerns Manager** has the responsibility to decide whether it is appropriate to report a safeguarding concern with the local authority on behalf of their organisation or to respond to the concerns in an alternative manner.

The role also includes:

- Ensuring that immediate safety issues are addressed, other parties notified (NYCC Health and Adult Social Care; and the Police) and that staff *and volunteers* are supported.
- Ensuring that they are kept informed when a member of staff (or volunteer) has reported a concern
- Establishing the desired outcomes of the adult at risk

The named person(s) for safeguarding concerns within NIDDERDALE PLUS are:

<b>Named Safeguarding Concerns Manager:</b>	<b>Richard Inman</b>
Work Telephone number:	01423 714953
Mobile Number:	07810 561801

The Hub Manager is responsible for ensuring this policy and procedure is reviewed and up to date and is responsible for ensuring all staff receives appropriate training and information to fulfil their roles. NIDDERDALE PLUS also has a lead trustee with responsibility for overseeing safeguarding adults.

## Safe Employment

NIDDERDALE PLUS is committed to safe employment, thereby reducing the risk of exposing adults at risk to people unsuitable to work with them. NIDDERDALE PLUS has a separate document on Safer Recruitment Policy and Procedures.

## Training and Supervision

Training at NIDDERDALE PLUS is based upon an analysis of the organisation’s training needs and their records of training are provided and undertaken. Safeguarding and related training for staff / volunteers can be provided via North Yorkshire County Council. Staff can cascade training to volunteers.

NIDDERDALE PLUS is committed to ensuring that all staff and volunteers undertake training to gain a basic awareness of signs and symptoms of abuse and will ensure that the named person and other members of staff and volunteers have access to training around Safeguarding Adults.

For example:

- Awareness of this safeguarding policy/procedure is covered within the induction programme of all new employees or volunteers and their understanding checked within supervision meetings. *This is renewed every 2 years.*
- All staff will receive training on safeguarding adults at a level commensurate with their roles. *This is renewed every 2 years.*
- From 2020, all staff and volunteers whose roles require a DBS check will have those renewed every 2 years. DBS checks from other organisations will not be accepted.

## Prevention

NIDDERDALE PLUS has a range of policies and procedures in place that minimise the risk of abuse occurring. Staff or volunteers may need to refer to these in order to determine whether abuse has occurred and how to respond:

- Whistle blowing policy
- Safer Recruitment Policy and Procedures
- Key Holding Policy
- Handling Service Users Money Policy
- Gifts and Bequests Policy
- Bullying and Harassment Policy and Procedures
- The Compliments and Complaints Policy and Procedures
- Mental Capacity Act (inc. Advanced Decisions and Lasting Powers of Attorney)  
<http://www.scie.org.uk/publications/ataglance/ataglance05.asp>
- Deprivation of Liberty Safeguards (DoLS)  
<http://www.scie.org.uk/publications/ataglance/ataglance43.asp>
- The Human Rights Act  
[https://plysab.proceduresonline.com/chapters/p\\_adult\\_protect.html](https://plysab.proceduresonline.com/chapters/p_adult_protect.html)

## NIDDERDALE PLUS Safeguarding Adult Procedures

### Responding to an allegation/concern of abuse or neglect:

NIDDERDALE PLUS recognises that it has a duty to act on reports, or suspicions of abuse or neglect. Anyone who has contact with adults at risk and hears disclosures or allegations or has concerns about potential abuse or neglect has a duty to pass them on appropriately.

### Responsibilities of all employees and volunteers

If any member of staff or volunteer has reason to believe that abuse is or may be taking place they have a responsibility to act on this information. It does not matter what their role is, doing nothing is not an option.

If a person discloses abuse to you directly, use the following principles to respond to them:

- Assure them that you are taking the concerns seriously
- Do not be judgmental or jump to conclusions
- Listen carefully to what they are telling you, stay calm, get as clear a picture as you can
- Use open ended questions
- Do not start to investigate or ask detailed or probing questions
- Explain that you have a duty to tell your manager or the designated officer
- Reassure the person that they will be involved in decisions about them

Your responsibilities are:

1. To take action to keep the person safe if possible.
  - Is an urgent police presence required to keep someone safe – call 999
  - Does the person need urgent medical assistance, do they need an ambulance – call 999
2. If a crime has occurred, be aware of the need to preserve evidence.
3. Always inform the Safeguarding Concerns Manager for your organisation. You cannot keep this information secret, even if the person asks you to.
4. Clearly record what you have witnessed or been told, record your responses and any actions taken.

**If consulting with your Safeguarding Concerns Manager or their deputy will lead to an undue delay and thereby leave a person in a position of risk, you should 'Report a Safeguarding Concern' yourself.**

### **If you are informed or become aware of possible abuse or neglect**

Take action to ensure the immediate safety and welfare of the adult at risk (and any other person at risk)

Consider:

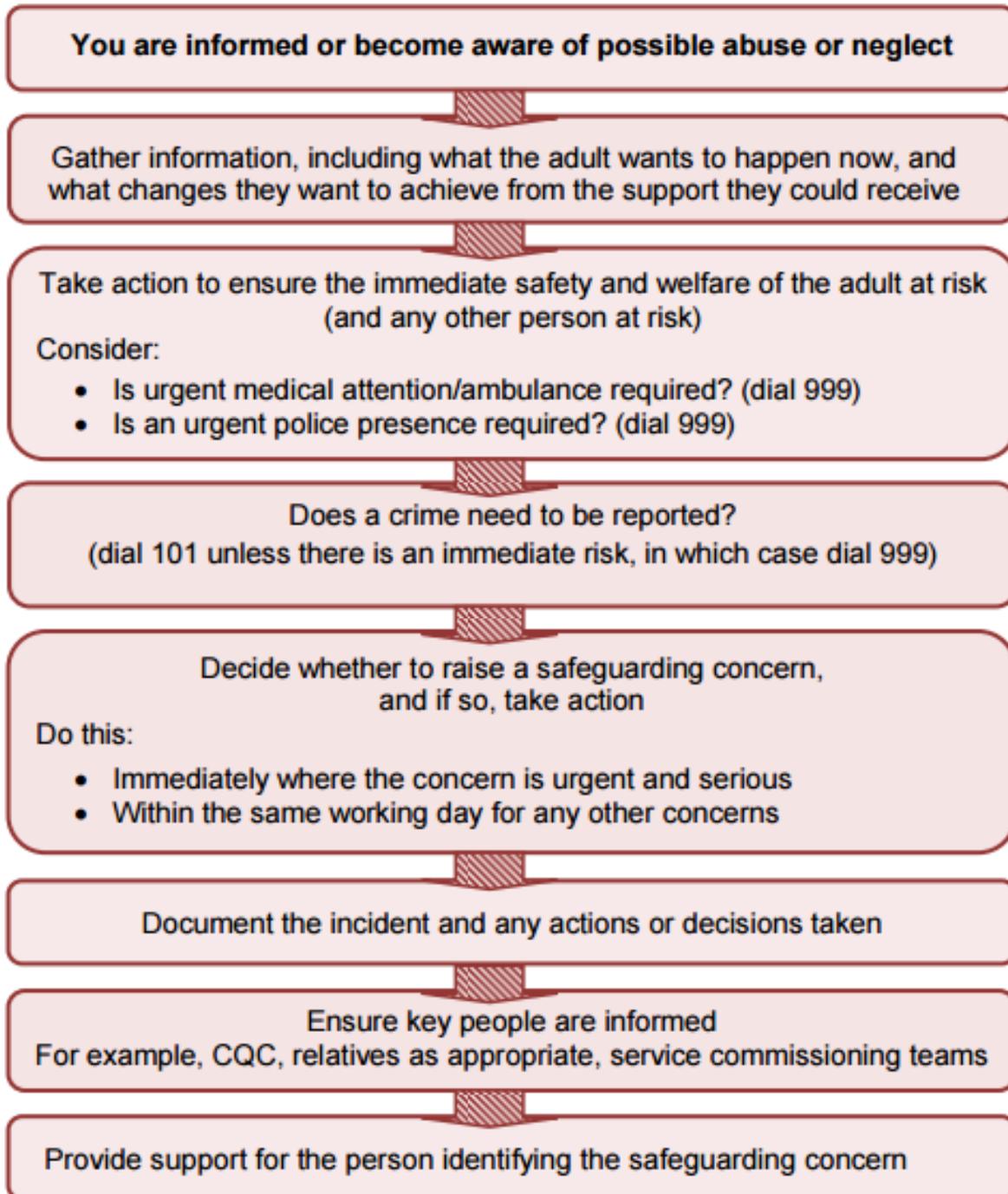
- Is urgent medical attention/ambulance required? (dial 999)
- Is an urgent police presence required? (dial 999)
- Does a crime need to be reported? (dial 101 unless there is an immediate risk, in which case dial 999)
- Be aware of the possible need to preserve forensic evidence
- Decide whether to report a safeguarding concern, and if so, take action

Do this:

- Immediately where the concern is urgent and serious
- Within the same working day for any other concerns
- Document the incident and any actions or decisions taken
- Ensure key people are informed
- For example, CQC, relatives as appropriate, service commissioning teams
- Provide support for the person identifying the safeguarding concern

## Reporting a Safeguarding Concern

This means reporting abuse to the local authority under the safeguarding adult's procedure. Anyone can report a safeguarding concern, often however this is undertaken by a manager in the organisation. This person is referred to as the Safeguarding Concerns Manager.



## To report a safeguarding concern under the safeguarding adults procedures:

Contact: North Yorkshire County Council Customer Services: 01609 780780 (8.00am – 5:30pm Mon-Fri). This number will be answered by the Emergency Duty Team outside these hours. The person you speak to will ask you for details about the allegation/concern. If you have reported the incident to the police, tell the person this as well. Then complete the Safeguarding Adults: Inter-agency Safeguarding Concern Form. This can be found on [www.nypartnerships.org.uk/sab](http://www.nypartnerships.org.uk/sab)

You should send the completed form as a confidential document to: North Yorkshire County Council, Customer Services Centre, County Hall, 14 Racecourse Lane, Northallerton, North Yorkshire DL7 8AD. Fax number: 01609 532009

The form can also be e-mailed to [social.care@northyorks.gov.uk](mailto:social.care@northyorks.gov.uk) or using the secure e-mail address [social.care@northyorks.gcsx.gov.uk](mailto:social.care@northyorks.gcsx.gov.uk)

**REMEMBER: If you suspect that someone is being abused and they are in immediate danger you should ring the Police on 999. The safeguarding concern will be allocated to an appropriate team, who will then contact you to discuss the concerns further. Information should be provided to the individual. This could be about other sources of help or information that could enable them to decide what to do about their experience, enable them to recover from their experience and enable them to seek justice.**

### What is 'Adult Safeguarding'?

**Please watch the following Safeguarding Tips - <https://vimeo.com/398761329>** (you may need to paste the link into your browser to open it).

- Protecting adults from abuse or neglect
- Protection of certain people who may be in vulnerable circumstances
- These are adults in need of care and support, who may be at risk of abuse or neglect, due to the actions (or lack of actions) of another person

All vulnerable adults have the right to be safe, happy and healthy and deserve protection from abuse. The organisation is committed to safeguarding from harm all vulnerable adults using any of its services, and to treating them with respect.

## Appendix A – Additional Guidance

## Appendix A



<b>Policy</b>	<b>Additional Guidance – Safeguarding Vulnerable Adults</b>
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### **A. Considering whether to Report a Safeguarding Concern**

When deciding whether a safeguarding concern should be raised, consider the following key questions:

- 1. Is the person an ‘adult at risk’ as defined within this policy/procedure? (a statutory safeguarding enquiry, known as a “Section 42 Criteria”)**
- 2. Is the person experiencing, or at risk of, abuse and neglect?**
- 3. What is the nature and seriousness of the risks?**

If the person is not an “adult at risk” because they do not have both care and support needs, it is now possible to make a “non-statutory” safeguarding enquiry for people who are believed to be experiencing or at risk of abuse and neglect and are any of the following:

- An adult who just has support needs
- An adult who manages their own care and support through health or personal budgets
- An adult whose care and support have not been assessed as eligible or which have been assessed as below the level of eligibility for support
- An adult who funds their own care and support
- Young People
- Carers

### **Consider:**

- The person’s individual circumstances
- The nature and extent of the concerns
- The length of time it has been occurring
- The impact of any incident
- The risk of repeated incidents for the person
- The risk of repeated incidents for others
- Is this a Safeguarding Incident, or a request for assessment due to concerns about the person

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If the person requires an assessment for a new service to meet their needs, then Health and Adult Services will require the following information: name, date of birth, age, full address, name of GP and confirmation that the person has consented to the referral. This information should then be given to Nidderdale Plus Community Hub who will complete and submit a "Request for Assessment" Form: <https://www.northyorks.gov.uk/safeguarding-vulnerable-adults>

### **4. What does the adult at risk want to happen now?**

Wherever possible, consider what the adult at risk wants to happen next, what do they want to change about their situation, and what support do they want to achieve that. On some occasions, it may be necessary to report a safeguarding concern even if this is contrary to the wishes of the adult at risk. Any such decision should be proportional to the risk, for example:

- It is in the public interest e.g. there is also a risk to others, a member of staff or volunteer is involved, or the abuse has occurred on property owned or managed by an organisation with a responsibility to provide care
- The person lacks mental capacity to consent and it is in the person's best interests
- The person is subject to coercion or undue influence, to the extent that they are unable to give consent
- It is in the person's vital interests (to prevent serious harm or distress or life-threatening situations)

### **If you remain unsure whether to report a safeguarding concern, you can:**

- Contact Nidderdale Plus Community Hub safeguarding adults lead for advice
- Seek advice from a Safeguarding Officer by contacting North Yorkshire County Council Customer Service Centre and asking to talk to a Safeguarding Officer by phone on 01609 780780
- Refer to the West Yorkshire and North Yorkshire Safeguarding Adult Policy and Procedures at <http://safeguardingadults.co.uk/contact-us/> for further information and guidance
- If the person thought to be at risk has substantial difficulty or does not have the capacity to be involved in the safeguarding process and they have no other suitable representation or support, then they should be put in touch with Advocacy Support. Our local provider is Total Advocacy on 01609 765355

### **B. Considering whether to report a concern to the police**

If a crime has been or may have been committed, seek the person's consent to report the matter immediately to the police. This will be in addition to raising a safeguarding concern with the local authority. If the person has mental capacity in relation to the decision and does not want a report made, this should be respected unless there are justifiable reasons to act contrary to their wishes, such as:

- the person is subject to coercion or undue influence, to the extent that they are unable to give consent, or
- there is an overriding public interest, such as where there is a risk to other people
- it is in the person's vital interests (to prevent serious harm or distress or in life threatening situations) There should be clear reasons for overriding the wishes of a person with the mental capacity to decide for themselves. A judgement will be needed that takes into account the particular circumstances. If the person does not have mental capacity in

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relation to this decision, a 'best interests' decision will need to be made in line with the Mental Capacity Act.

- preserving evidence, if a crime has occurred, try to preserve evidence in case there is a criminal investigation.
- try not to disturb the scene, clothing or victim if at all possible
- secure the scene, for example, lock the door, if possible
- preserve all containers, documents, locations, etc.
- evidence may be present even if you cannot actually see anything
- if in doubt, contact the police and ask for advice the police should be contacted for advice wherever required

### **C. Who else to inform**

If you are an employee/volunteer and a safeguarding concern has been reported, notify Nidderdale Plus. You may also need to inform:

- relatives of the adult at risk according to their wishes, or in their 'best interests' where they lack the mental capacity to make this decision for themselves
- child protection services, if children are also at risk from harm
- the Charity Commission, if your service is a registered charity
- your line manager (and safeguarding adults lead if different) of your decisions and actions in line with this procedure
- your Human Resources Manager if allegations/concerns relate to a member of employee or volunteer
- staff delivering a service on a need-to-know basis so that they do not take actions that may prejudice an enquiry

### **D. Document the concern and any actions or decisions taken**

Ensure all actions and decisions are fully recorded. It is possible that your records may be required as part of an enquiry, be as clear and accurate as you can. Record the reasons for your decisions and any advice given to you in making these decisions. Ensure that appropriate records are maintained, including details of:

- the nature of the safeguarding concern/allegation
- the wishes and desired outcomes of the adult at risk
- the support and information provided to enable the adult at risk to make an informed decision
- assessments of Mental Capacity where indicated
- the decision of the organisation to report a concern or not.
- Any original records made in the context of the above must be kept safely in case they are required at a later date by Police.
- Assessment of risk and actions taken to reduce or manage risk

### **E. How to Report a Safeguarding Concern:**

To report a safeguarding concern under the safeguarding adults' procedures:

Contact: North Yorkshire County Council Customer Services: 01609 780780 (8am – 5:30pm Mon-Fri). This number will be answered by the Emergency Duty Team outside these hours. The person you speak to will ask you for details about the allegation/concern. If you have reported

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the incident to the police, tell the person this as well. Then complete the Safeguarding Adults: Inter-agency safeguarding adults concerns form; sometimes called the SA\_A Form. This can be found on <http://safeguardingadults.co.uk/contact-us/>

You should send the completed form as a confidential document to: North Yorkshire County Council, Customer Services Centre, County Hall, 14 Racecourse Lane, Northallerton, North Yorkshire DL7 8AD. Fax number: 01609 532009. The form can also be e-mailed to [social.care@northyorks.gov.uk](mailto:social.care@northyorks.gov.uk) or using the secure e-mail address [social.care@northyorks.gcsx.gov.uk](mailto:social.care@northyorks.gcsx.gov.uk)

**REMEMBER: If you suspect that someone is being abused and they are in immediate danger you should ring the Police on 999. The safeguarding concern will be allocated to an appropriate team, who will then contact you to discuss the concerns further. Information should be provided to the individual. This could be about other sources of help or information that could enable them to decide what to do about their experience, enable them to recover from their experience and enable them to seek justice.**

Adult Social Care Customer Services: (8am – 5:30pm Mon-Fri) This number will be answered by the Emergency Duty Team outside these hours. Tel: 01609 780780

Contacting the police if the person is in imminent danger  
Tel: 999 (Emergency Service)

If you need to report a crime, but the person is not in imminent danger  
Tel: 101 (Non-Emergency Service)

To notify regulators:

Care Quality Commission Tel: 03000 616161

Charity Commission Tel: 0300 065 2199

Notifying contracting/commissioning authority North Yorkshire County Council Social Care Contracting Unit Tel: (01609) 797042 Fax: (01609) 532025

Disclosure and Barring Service (DBS) Tel: 0300 200 190

Care Quality Commission: [www.cqc.org.uk/contact-us](http://www.cqc.org.uk/contact-us) Tel: 03000 616161

Public Concern at Work [www.pcaw.org.uk](http://www.pcaw.org.uk) Tel: 020 7404 6609