

1. Safeguarding Policy

1.1 Policy Statements

North Yorkshire Advocacy fully recognises its responsibilities for safeguarding vulnerable adults. Our policy applies to all Trustees, staff and volunteers working in the organisation.

North Yorkshire Advocacy provides an advocacy service to

Vulnerable people and these procedures have been designed to ensure the welfare and protection of any adult who accesses services provided.

The organisation will not tolerate the abuse of adults at risk in any of its forms.

The organisation is committed to:

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

In achieving these aims the organisation will:

- Ensure that all employees and volunteers have access to and are familiar with this safeguarding adult policy and procedure and their responsibilities within it
- Ensure concerns or allegations of abuse are always taken seriously

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

This policy and procedure has been developed to be consistent with the Safeguarding Adults Multi-Agency Policy and Procedures for West Yorkshire and North Yorkshire , which can be referred to for additional guidance at www.nypartnerships.org.uk/sab

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1.2 Policy Definitions

1.2.1 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).

1.2.2 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, 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.

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.

A safeguarding response in relation to self-neglect may be appropriate where:

- a person is declining assistance in relation to their care and support needs, and
- the impact of their decision, has or is likely to have a substantial impact on their overall individual wellbeing

1.3 Key Roles

Every member of staff and volunteer has a responsibility to act on concerns of possible abuse and must inform the organisation's Safeguarding Concerns Manager.

Safeguarding Concerns Manager: The Safeguarding Concerns Manager has the responsibility to decide whether it is appropriate to Raise 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 (such as the regulator) and that staff are supported.

• ensuring that they are kept informed when a member of staff (or volunteer) has raised a concern

- establishing the desired outcomes of the adult at risk

North Yorkshire Advocacy has an appointed individual who is responsible for dealing with any Safeguarding Adults concerns. In their absence, a deputy will be available for workers to consult with. The named person(s) for Safeguarding Adults within North Yorkshire Advocacy is/are:

Named Person for Safeguarding Adults Robyn Holmes

Work Telephone number 01609 778 652

Mobile Number 07932 078631

Emergency Contact Number 07932 078631

Second named person: Rachel Smith

Work Contact Number 07930103381

In the unlikely event that neither contact is available, staff must contact the Adult Protection Team on 01609 780780.



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Organisational lead for safeguarding adults: Chief Executive

1.4 Safe Employment

- The organisation is committed to achieving best practice in respect to the safe recruitment of employees and volunteers;
 - The organisation is committed to working within best practice as established by the Disclosure and Barring Scheme (DBS)
 - The organisation has procedures in place to deal with allegations of abuse made against members of staff, volunteers or trustees.

Refer to the Recruitment and Complaints and Disciplinary procedures and Policies for further information.

North Yorkshire Advocacy will ensure that any allegations made against members or member of staff, volunteer or trustee will be dealt with swiftly.

Where a member of staff/volunteer/trustee is thought to have committed a criminal offence the police will be informed. If a crime has been witnessed the police should be contacted immediately.

Where the allegation involves alleged abuse of an adult at risk, a concern should be raised following the process in section 2.1.2.

The safety of the adult(s) at risk is paramount and it should be ensured that they are safe and away from the person(s) who is alleged to have caused harm.

The named person will liaise with the Safeguarding Concerns Manager to discuss the best course of action and to ensure that North Yorkshire Advocacy Disciplinary Procedures are coordinated with any other enquiries taking place as part of the on-going management of the allegation.

1.5 Training and Supervision

Training should be based upon an analysis of the organisation's training needs and there should be records of training provided and undertaken. This section could

include a description of safeguarding and related training provided, as well as other forms of support available to staff in order to help them understand their responsibilities to safeguard adults at risk.

North Yorkshire Advocacy 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.
 - All staff will receive training on safeguarding adults at a level commensurate with their roles.
 - All staff will receive training on the requirements and provisions of the Mental Capacity Act (and Deprivation of Liberty Safeguards (DoLS) in care homes and hospitals)

Refer to the Training/Supervision policies for further information.

1.6 Prevention

Public Interest Disclosure Policy (Whistle blowing)

The boundaries of personal relationships with service users

The handling of money and person effects

Managing challenging behaviour

The investigation of complaints.

Managing physical interventions (restraint)

Mental Capacity Act (inc. Advanced Decisions and Lasting Powers of Attorney)

Deprivation of Liberty Safeguards (DoLS)

Incident Reporting procedures

2. Safeguarding Adult Procedures

2.1 Responding to an allegation/concern:

North Yorkshire Advocacy 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.

2.1.1 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 you have a responsibility to act on this information. It does not matter what your 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 judgemental 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 will lead to an undue delay and thereby leave a person in a position of risk, you should 'Raise a Safeguarding Concern' yourself.

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 raise 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

2.1.2 Raising a Safeguarding Concern

Raising a safeguarding concern, mean reporting abuse to the local authority under the safeguarding adults procedure. Anyone can raise a safeguarding concern, often however this is undertaken by a manager in the organisation. This person is referred to as the Safeguarding Concerns Manager.

Gather information, including what the adult wants to happen now, and what changes they want to achieve from the support they could receive

Additional Guidance:

A. Considering whether to Raise 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?
2. Is the person experiencing, or at risk of, abuse and neglect?
3. What is the nature and seriousness of the risks?

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

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 raise 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 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 raise a safeguarding concern, you can:

- Contact your organisation's 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 www.nypartnerships.org.uk/sab for further information and guidance

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 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.

Who else to inform

If you are a service provider and a safeguarding concern has been raised, notify your regulatory body and the authority that commissions your service for the adult at risk.

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 Charities 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

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 raise a concern or not.

How to make a Raise a Safeguarding Concern:

To raise 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 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 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, Racecourse Lane, Northallerton, North Yorkshire DL7 8AD.

Fax number: 01609 532009

The form can also be e-mailed to social.care@northyorks.gov.uk or using the secure e-mail address 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.