

Safeguarding Adults at Risk Policy and Procedure

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Contents

Introduction	3
Policy Statement	3
Policy Scope	3
Policy Definitions	4
Definition of an Adult at Risk	4
Definitions of abuse	4
Physical abuse	4
Domestic abuse.....	5
Sexual abuse	5
Psychological abuse	5
Financial and material abuse	5
Modern slavery	5
Neglect and acts of omission	5
Discriminatory abuse	5
Organisational abuse	5
Self-neglect	5
Key Roles.....	6
Safeguarding Training	6
Safe Employment.....	6
Selection Procedure for teaching adults at risk.....	6
Checks and references.....	6
Prevention.....	7
APPENDIX A: Safeguarding Adult Procedures	8
Responding to an allegation or concern.....	8

Raising a Safeguarding Concern	8
Considering whether to raise a Safeguarding concern	8
Considering whether to report a concern to the police.....	9
Preserving evidence.....	9
Who else may need to be informed:	9
Document the concern and any actions or decisions taken.	9
Your responsibilities.....	10

Introduction

Keeping vulnerable adults and children safe is everyone's responsibility. Organisations and professionals who work with vulnerable adults are required to ensure that their policies and practices reflect this responsibility.

Organisations and professionals that work with vulnerable adults, children, young people, their parents, carers or families need to comply with a variety of government guidance, legislation and best practice recommendations. They need to be aware of what may constitute a safeguarding concern, how to respond to a disclosure, and how to report these. They also need to be aware of good safeguarding practices and how to ensure that they are protected against allegation.

Policy Statement

Abuse is a violation of an individual's human and civil rights; it can take many forms. TSYP is committed to practices that promote the welfare of Adults at Risk and safeguard them from harm.

TSYP members accept and recognise our responsibilities to develop awareness of the issues that cause an Adult at Risk harm and to establish and maintain a safe environment for them. We will not tolerate any form of abuse. We are committed to promoting an atmosphere of inclusion, transparency and openness. We are open to feedback from the people who use our services with a view to how we may continuously improve our services/activities.

Whilst it is the responsibility of experts to determine whether abuse has taken place, it is everyone's responsibility to report any concerns. TSYP will endeavour to safeguard Adults at Risk by:

1. Adhering to our Safeguarding Adults at Risk Policy and ensuring that it is supported by robust procedures
2. Implementing clear procedures for raising awareness of, and responding to abuse within the organisation and for reporting concerns to statutory agencies that need to know, while involving carers and Adults at Risk appropriately
3. Ensuring general safety and risk management procedures are adhered to
4. Ensuring that all teachers report any concerns with regards to the protection of Adults at Risk
5. Implementing a code of behaviour for all involved with the organisation
6. Appointing a Designated Safeguarding Lead (DSL)
7. Ensuring appropriate training is attended by relevant members

Policy Scope

The policies and procedures apply to everyone within TSYP. Everyone should be aware of safeguarding procedures and best practices.

References to "adults at risk" and "vulnerable adults" are used interchangeably.

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 form.

The organisation is committed to:

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

In achieving these aims, the organisation will:

1. Ensure that all members have access to and are familiar with this *Safeguarding Adults at Risk Policy and Procedure* and their responsibilities within it
2. Ensure concerns or allegations of abuse are always taken seriously
3. Ensure that members have access to information about how to report concerns or allegations of abuse
4. Ensure there is a DSL to promote safeguarding awareness and practice within the organisation

It is worth noting that many of the considerations that are relevant to working with adults at risk apply equally to working with children and young people and to working with adults in positions of trust.

Policy Definitions

Definition of an Adult at Risk

As defined by the 1997 Consultation "Who Cares", an adult at risk is someone "who is, or may be, in need of community care services by reason of disability, age or illness; and is or may be unable to take care, or unable to protect him or herself against significant harm or exploitation". This definition of an adult covers all people over 18 years of age.

For the purposes of this policy, an adult at risk is an adult who is aged 18 years or more, and:

1. has needs for care and support (whether or not these are currently being met)
2. is experiencing, or is at risk of, abuse or neglect
3. 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.

Also included are people with a mental illness, dementia or other memory impairment and 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).

Definitions of abuse

Abuse can take many forms and the circumstances of the individual should always be considered. 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. 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 because 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.

Key Roles

All adults, including members of TSYP, have a responsibility to act on concerns of possible abuse. Members of TSYP should inform the Designated Safeguarding Lead (DSL) of any concerns of possible abuse that arise when working as a TSYP representative.

The TSYP Executive Committee is responsible for policies and procedures, and offers support and advice to TSYP members, concerning the protection of children and young people in relation to TSYP members and activities delivered by TSYP members.

All TSYP members have a responsibility to act on concerns of possible abuse and must inform the appropriate Local Authority.

The TSYP DSL is Michelle Tarling and you can contact her at safeguarding@tsyp.yoga to discuss a safeguarding issue.

Safeguarding Training

TSYP recommends that all teachers teaching adults at risk undertaking the online *Safeguarding Adults Introductory Course* offered by the Social Care Institute for Excellence www.scie.org.uk or similar.

Safe Employment

TSYP is committed to achieving best practice in respect to all members teaching yoga and offering yoga therapy to vulnerable adults. The organisation has procedures in place to deal with allegations of abuse made against its members.

Selection Procedure for teaching adults at risk

All TSYP members teaching adults in certain circumstances such as those in receipt of healthcare or personal care are required to apply for a relevant disclosure check to ascertain their suitability to teach this group.

Checks and references

A minimum of two written references are required. One from the individual's TSYP mentor and the other a character reference as to the individual's suitability to work with adults at risk. These will be followed up and confirmed.

Checks will be carried out with the following organisations that maintain information about individuals who are deemed unsuitable to work with adults at risk:

1. England and Wales – Disclosure and Barring Service
2. Scotland – Disclosure Scotland
3. Northern Ireland – Access Northern Ireland

It is the individual member's responsibility to ensure that they hold a relevant current disclosure certificate:

1. Enhanced Disclosure – England
2. Protecting Vulnerable Groups (PVG) – Scotland
3. Enhanced Criminal Record Check – Northern Ireland

Prevention

It is recommended that teachers read the following policies to minimise the risk of abuse:

1. TSYP Safeguarding Children and Young People Policy
2. TSYP Safeguarding Children and Young People Codes of Practice
3. TSYP Equality and Diversity Policy
4. BCYT Code of Ethical Practice for Teachers

APPENDIX A: Safeguarding Adult Procedures

Responding to an allegation or concern

TSYP 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.

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

1. Listen carefully to what they tell you
2. Explain that you have a duty to report what they are telling you and give them the opportunity to continue or stop
3. Record the conversation and any signs of abuse
4. Do not investigate or ask questions
5. If you are concerned, direct them to an organisation that can help e.g. The Samaritans

Raising a Safeguarding Concern

Raising a safeguarding concern means reporting abuse to the local authority under the Safeguarding Adults procedure. Anyone can raise a safeguarding concern.

To raise a safeguarding concern, contact your Local Authority Customer Service Centre and tell them you wish to raise a safeguarding concern.

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.

You will be required to complete a form outlining your concerns and the advisor will give you details of how to do this.

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 your concerns.

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 are the nature and seriousness of the risks?

Consider:

1. The person's individual circumstances
2. The nature and extent of the concerns
3. The length of time it has been occurring
4. The impact of any incident
5. The risk of repeated incidents for the person
6. The risk of repeated incidents for others
7. What does the adult at risk want to happen now?

Wherever possible, consider what the adult at risk wants to happen next, what they want to change about their situation and what support 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:

1. It is in the public interest e.g. there is also a risk to others, a teacher is involved, or the abuse has occurred on property owned or managed by an organisation with a responsibility to provide care,
2. The person lacks mental capacity to consent and it is in the person's best interests
3. The person is subject to coercion or undue influence, to the extent that they are unable to give consent
4. 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:

1. Contact TSYP DSL, Michelle Tarling at safeguarding@tsyp.yoga
2. Seek advice from a Safeguarding Officer by contacting your local authority's Customer Service Centre and asking to talk to a Safeguarding Officer.

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:

1. the person is subject to coercion or undue influence, to the extent that they are unable to give consent, or
2. there is an overriding public interest, such as where there is a risk to other people
3. 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 over-riding the wishes of a person with the mental capacity to decide for themselves. A judgment will be needed that takes into account the particular circumstances.

Preserving evidence

If a crime has occurred, try to preserve evidence in case there is a criminal investigation:

1. do not disturb anything at the scene
2. secure the scene - evidence may be present even if you cannot see anything

The police should be contacted for advice whenever required.

Who else may need to be informed:

1. 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
2. child protection services, if any children are at risk from harm

Document the concern and any actions or decisions taken.

Ensure all actions and decisions are fully recorded. 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:

1. the nature of the safeguarding concern/allegation

2. the wishes and desired outcomes of the adult at risk
3. the support and information provided to enable the adult at risk to make an informed decision

Your responsibilities

1. Take action to keep the person safe, if possible
2. If a crime has occurred, be aware of the need to preserve evidence
3. Clearly record what you have witnessed or been told, record your responses and any actions taken
4. Store records securely in a safe place to ensure no unauthorised access
5. Call 999 should emergency services be required