

Safeguarding Adults Policy and Procedures

Scope

This document sets out LPCF policy and aims in relation to Safeguarding, specifically in relation to adults. LPCF expects this policy to be adhered to by all individuals employed by /involved with LPCF in any capacity, whether volunteers, associates or employees.

Review

Policy and Procedures will be formally reviewed annually. The lead officer with responsibility for initiating the review is the Safeguarding Officer.

Policy Statement

LPCF supports a large number of vulnerable people across Leeds. We are committed to safeguarding all of our members and their children. All members of the Steering Group are trained to recognise the different forms of abuse that adults at risk may face and to ensuring that appropriate action is taken to protect our members and others from suffering harm from abuse. We are committed to supporting the individuals with whom we work to ensure that they receive safe and effective care and will not tolerate the abuse of adults in any of its forms.

We are committed to:

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

The purpose of this policy is:

- To provide protection for the people who receive services from the members of LPCF.
- To provide members with guidance on procedures they should adopt in the event that they suspect an adult may be experiencing, or be at risk of, harm.

Within this policy:

- An 'Adult at risk' is described as an individual aged 18 years or over who has needs for care and support (whether or not the authority is meeting any of those needs),
 - 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.
- 'Members' refers to all individuals engaged by LPCF in any capacity, whether volunteers, associates or employees.
- All staff will report any suspicions, allegations or the witnessing of any type of abuse to an adult at risk.
- All accusations, disclosures and incidents will be taken seriously and acted on immediately
- There is a presumption that adults have mental capacity to make informed decisions about their lives. If someone has been assessed as not having mental capacity, decisions will be made in their best interests, as set out in the Mental Capacity Act 2005 and Mental Capacity Act Code of Practice.
- The information contained in this policy shall be communicated to members by all means available.
- Safeguarding is everyone's responsibility

We will seek to safeguard adults at risk by:

- Valuing them, listening to and respecting them.
- Adopting adult protection guidelines through procedures and a code of conduct for members.
- Recruiting volunteers and employees safely, ensuring all necessary checks are made.
- Sharing information about concerns with agencies who need to know, and involving the relevant individuals appropriately.
- Providing effective management for volunteers and employees through supervision, support and training.
- Ensuring that all members and associates have access to and are familiar with the LPCF Safeguarding Adults policy and procedure and their responsibilities within it.
- Ensuring concerns or allegations of abuse are always taken seriously.
- Ensuring 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.
- Ensuring there is a named lead person to promote safeguarding awareness and practice within the organisation.

Definitions of Safeguarding

Quality Assessment Framework Communities and Local Government (April 2009)

'There is a difference between safeguarding vulnerable adults/children and adult/child protection. Safeguarding is everybody's responsibility and includes measures to prevent or minimise the potential for abuse occurring. Protection is a statutory responsibility in response to individual cases where risk of harm has been identified.'

Safeguarding Adults: A National Framework of Standards for good practice and outcomes in adult protection work ADASS (2005).

Safeguarding Adults is:

"All the work which enables an adult [at risk] to retain independence, wellbeing, and choice and to access their human right to live a life that is free from abuse and neglect"

Relevant procedures

This policy must be read in conjunction with Leeds City Councils Safeguarding Adult Procedures. <https://leedssafeguardingadults.org.uk/>

Staff responsibility in all cases

- If an adult at risk is in imminent danger staff are to take immediate action by calling 999 to help keep them safe.
- If the situation is not an emergency, members will work to this policy and guidance, notifying the police or social care team depending upon the outcome of any conversations with the LPCF Safeguarding Officer.

Steering Group Responsibilities

- To ensure that all aspects of this policy are kept up to date in line with current legislation.

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- To immediately report any disclosures or suspicions of abuse. Failure to do so may result in disciplinary action and/or legal liability.
- To ensure that safeguarding is a priority and is discussed regularly throughout LPCF.
- To make safeguarding an integral feature in human resources management including following safe recruitment and selection procedures.
- To follow the reporting process for any contractual or governance framework requirements.
- To conduct or assist in any investigation into an incident at the request of the Adult
- To ensure that all documentation with regard to any safeguarding concern is kept in compliance with legal requirements.

Policy Definitions

Who is an 'Adult at Risk'?

In accordance with the Care Act (2014), which places safeguarding adults on a statutory footing from the 1st April 2015, The Multi-Agency Safeguarding Adults Policy and Procedure for West Yorkshire and North Yorkshire uses the following description of an adult at risk:

- 'Where a Local Authority has reasonable cause to suspect that an adult (aged 18 years or more) in its area (whether or not ordinarily resident there) —
 - has needs for care and support (whether or not the authority is meeting any of those needs)
 - 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, 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 and people who misuse substances or alcohol.

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

An adult at risk may therefore be a person who:

- Is frail due to age, ill health, physical disability or cognitive impairment.
- Has a learning disability.
- Has a physical disability and/ or a sensory impairment.
- Has mental health needs including dementia or a personality disorder.
- Has a long-term illness/ condition.
- Misuses substances or alcohol.
- Is a victim of domestic violence or abuse
- Is a carer such as a paid or unpaid family member/ friend who provides personal assistance and care to adults and is subject to harm.
- Is unable to demonstrate the capacity to make a decision and is in need of care and support.
- Is aged 18+ and is continuing within the Special Education system.
(this list is not exhaustive)

What is abuse?

Abuse is “a violation of an individual’s human and civil rights by any other person or persons” (Department of Health 2000)

Abuse may consist of a single act or repeated acts.

A person may experience abuse from any other person. The person may be a doctor, nurse, social worker, advocate, care worker, volunteer or any other person in a position of trust. The person may also be a relative, friend, neighbour or another adult at risk/service user or anyone else.

There are ten forms of abuse identified in the Multi-Agency Safeguarding Adults Policy and Procedure for West Yorkshire and North Yorkshire that should be used to categorise and describe the experience of adults at risk:

Physical Abuse

Includes hitting, slapping, pushing, kicking, misuse of medication, inappropriate restraint, or inappropriate sanctions.

Domestic Abuse

Examples of domestic violence include psychological, physical, sexual, financial, emotional abuse, as well as so called ‘honour’ based violence, forced marriage and female genital mutilation.

Many people think that domestic abuse is about intimate partners, or abuse of women by men, but it may also be caused by wider family members, and committed by women towards men and in same sex relationships, as made clear in the Home Office definition:

“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”

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/psychological Abuse

Includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

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.

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 (previously Institutional Abuse)

Neglect and poor professional practice. This may take the form of isolated incidents of poor or unsatisfactory professional practice at one end of the spectrum through to pervasive ill treatment or gross misconduct at the other. Repeated instances of poor care may be an indication of more serious problems.

Modern Slavery

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.

Self-neglect

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. Where a person lacks mental capacity in relation their care and support needs, decisions should be made in the person's best interests as required under the Mental Capacity Act 2005. However, if a person has mental capacity in relation to their care and support needs, or where issues of capacity are or have been difficult to assess, a response within the safeguarding adult's procedure may sometimes be appropriate. This should be considered 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

Any or all of these types of abuse may occur as a result of deliberate intent, negligence or ignorance.

Note: Where an adult is at risk of harm from another person, or agency, the safeguarding adults' policy must be used. Self-Harm does not generally come under the scope of these procedures. Where an individual discloses a risk of harm to themselves support should be offered to access appropriate care, usually through the individual's GP in the first instance..

Managing the balance between protecting adults at risk against their rights to choice and control is a serious challenge for members so any concerns should always be discussed with the LPCF Safeguarding Officer and decisions made should be clearly documented. It is important to act with proportionality.

What is harm?

Harm is defined in No Secrets (2000)

'harm' should be taken to include not only ill treatment (including sexual abuse and forms of ill treatment which are not physical), but also the impairment of, or an avoidable deterioration in, physical or mental health; and the impairment of physical, intellectual, emotional, social or behavioural development'

Safeguarding Officer

Every member, employee and volunteer has a responsibility to raise a concern, by informing the Safeguarding Officer. The Safeguarding Officer is a nominated person within LPCF. who is responsible for ensuring that concerns of possible abuse and neglect are

responded to and reported appropriately. The Safeguarding Officer must be informed about concerns of possible abuse or neglect without delay. Where actions are needed urgently or if the Safeguarding Officer is unavailable, any member of staff or volunteer may need to raise a concern with one of the Co-Chairs or Vice Co-Chairs, and undertake other actions required to safeguard the adult at risk.

Organisational Lead

The Safeguarding Officer has responsibility for safeguarding across the organisation, including:

- Championing safeguarding throughout the organisation.
- Ensuring that organisational policy and procedures are properly applied and implemented.
- Providing advice, information and guidance for members within the organisation.
- Being the senior manager within the organisation to whom all allegations or concerns are reported.
- Providing reports and information as required by the Steering Group.
- Developing a culture of Safeguarding.

Abuse by 'persons in positions of trust'

The term 'persons in positions of trust' refers to any member who works with adults with care and support needs. In the event a 'person in position of trust' is alleged to have abused an adult with care and support needs or may pose a risk of abuse to an adult with care and support needs, it is essential that the concerns are appropriately reported and responded to.

The following concerns must be reported to the Safeguarding Officer:

- A 'person in a position of trust' has or is alleged to have abused an adult with care and support needs
- A 'person in a position of trust' has behaved (or is alleged to have behaved) towards another adult in a way that indicates that they may pose a risk of harm to an adult with care and support needs. This could include situations involving an investigation into a criminal offence, even if the victim is not a person with care and support needs
- A 'person in a position of trust' has behaved (or is alleged to have behaved) towards children in a way which means they may pose a risk of harm to adults with care and support needs.

These concerns could emerge from the persons home and personal life or circumstances, as well as within their work.

The Safeguarding Officer will provide coordination and management oversight of concerns, to ensure that the risks posed by a 'person in position of trust' are managed appropriately.

LPCF may also need to:

- Invoke its disciplinary procedure.
- Undertake enquiries, providing evidence of their findings as required.
- Consider the need to make a referral to the Disclosure and Barring Service.
- Report the concerns to the police, if a crime is suspected.

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- Provide the relevant parties with demonstrable assurance that appropriate actions in relation to any identified risks are being undertaken.
- Keep the relevant parties informed of actions and decision undertaken.

Training and Supervision

All members of the LPCF Steering Group working with adults at risk will attend Adult Safeguarding Training. Safeguarding will be an issue discussed regularly at Steering Group meetings.

- Awareness of this safeguarding policy/procedure will be covered within the induction programme of all new members.
- All employees will receive training on safeguarding adults at a level commensurate with their roles, and on the requirements and provisions of the Mental Capacity Act.

Safeguarding Adult Procedures

Responding to an allegation/concern

Raising a concern – All Staff and Volunteers

If any member of LPCF 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 an adult at risk discloses abuse to you directly (including allegations of historical abuse), 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 the LPCF Safeguarding 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 Officer. 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.

NB. Information should be based on facts. It should not include assumptions and may be required by a Social Worker, the Police or the Courts at some time in the future. The person who receives the allegation or has the concern should complete the LPCF Safeguarding Recording Form (Appendix 1) and ensure it is signed and dated.

Reporting a concern into safeguarding

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Reporting a concern is called 'Raising a Concern'. Anyone can raise a Concern. Please do this by visiting [Worried about someone \(leeds.gov.uk\)](https://www.leeds.gov.uk/worried-about-someone) or contacting our safeguarding officer Louise Sanderson at Louise.Sanderson@leeds.gov.uk

Any person who has concerns that someone who has, or may have care and support needs is experiencing, or is at risk of abuse and neglect, can raise their concerns with the local authority. This means that the adult experiencing abuse or neglect can raise their concerns themselves, but so can their friends, family members, unpaid carers, other members of the public, paid carers, professionals and organisations.

A concern may be:

- something the adult at risk has disclosed to you;
- something you have been told by a colleague, a friend, relative or the carer for the adult at risk, or someone else; or
- something you have witnessed for yourself, for example changes in the person's behaviour, or how the adult at risk is being treated by someone else.

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