



the brain injury association

**Headway North Cumbria**

[www.headwaynorthcumbria.org.uk](http://www.headwaynorthcumbria.org.uk)

## **HEADWAY NORTH CUMBRIA SAFEGUARDING POLICY**

### **INTRODUCTION**

1. Safeguarding means protecting an adult's right to live safely, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted including, where appropriate, with regard to their views, wishes, feelings and beliefs in deciding any action. At Headway North Cumbria we must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances.

2. In order to ensure it fulfils its duties, Headway North Cumbria has assigned a Designated Safeguarding Lead (DSL) whose responsibility it is to support staff and volunteers receive information and support on safeguarding issues. The Designated Safeguarding Lead is the Secretary.

### **AIM OF THE POLICY**

3. The purpose of this policy is to better safeguard adults at risk of abuse and in using this document better encourage the continuous development of best practice. This policy should be operated within the legislation and policy framework of:

- Safeguarding Vulnerable Groups Act 2006
- The Mental Capacity Act 2005
- Deprivation of Liberty Safeguards (DOLS)
- The Care Act Safeguarding Adults 2014
- The Equality Act 2010
- Data Protection Act 1998

4. Headway North Cumbria believes that people who receive our services should never experience abuse of any kind. We have a responsibility to promote the welfare of all people and to keep them safe. We are committed to practice in a way that protects them. Volunteers will come into contact with adults who may be classed as vulnerable or at risk. Therefore, volunteers should be aware of how they

and the organisation should respond should they be made aware or observe any behaviours or have concerns about the wellbeing of people who use Headway North Cumbria's services.

## DEFINITION AND FORMS OF ABUSE

5. Abuse is defined as *“Any act or failure to act, which results in a significant breach of a vulnerable person’s human rights, civil liberties, bodily integrity, dignity or general well-being, whether intended or inadvertent, including sexual relationships or financial transactions to which a person has not or cannot validly consent or which are deliberately exploitative”*.<sup>1</sup>

6. Abuse may include one or more of the following:

- a. **Physical Abuse:** including hitting, slapping, pushing, kicking, misuse of medication, inappropriate restraint, or inappropriate sanctions.
- b. **Sexual Abuse:** including rape and sexual assault, contact or non-contact sexual acts to which the adult at risk has not consented, or could not consent or was pressurised into consenting.
- c. **Psychological Abuse:** including emotional abuse, threats of harm or abandonment, deprivation of contact or communication, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.
- d. **Financial or Material Abuse:** including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- e. **Neglect or Acts of Omission:** including 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; failure to report abuse or risk of abuse.
- f. **Discriminatory Abuse:** including that based on a person’s ethnic origin, religion, language, age, sexuality, gender, disability, and other forms of harassment, slurs or similar treatment.

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<sup>1</sup> Safeguarding Adults and Children with Disabilities against abuse: Council of Europe 2002

- g. **Organisational Abuse:** including neglect and poor care 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.
- h. **Domestic Abuse:** any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16<sup>2</sup> or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse: psychological physical sexual financial and emotional.
- i. **Modern Slavery:** encompassing slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.
- j. **Self Neglect:** this covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding
- k. **Cyber abuse:** involves using internet and mobile technologies with the intention of bullying or threatening another person with the possible intention of harm.
- l. **Hate Crime:** when a vulnerable person is befriended or groomed for exploitation and abuse.

## WHO IS AN ADULT AT RISK?

- 7. For the purposes of this policy, Headway North Cumbria defines a vulnerable adult as an individual over the age of 18 who:
  - a. lacks the capacity to take care of her/himself (i.e. at risk of neglect); and/or
  - b. may be unable to keep her/himself safe from the risk of significant harm, abuse or exploitation, including the risk of radicalisation or being drawn into terrorism.

<sup>2</sup> As defined by the Home Office. Although the definition refers to those over 16, in the context of this policy, safeguarding adults refers to victims of domestic abuse who are 18 years or over.

8. In legal terms, the Care Act 2014 defines a vulnerable adult as an individual over the age of 18 in receipt of a regulated activity. Specified regulated activity includes:

- a. Health care provided by or under the supervision of a health care professional
- b. Provision of personal care
- c. Provision of social work
- d. Assistance with general household matters
- e. Assistance in the conduct of a person's own affairs
- f. Conveying (transporting from one place to another)

## EXAMPLES OF SAFEGUARDING CONCERNS

9. For the purposes of this policy, safeguarding is defined as protecting vulnerable adults who may be at risk of exploitation, harm, neglect or abuse. Examples of types of situations that may present a safeguarding concern and that may result in implementation of the procedure detailed are provided below. This list is not exhaustive and staff will need to exercise professional judgement in determining whether there are safeguarding concerns that need to be considered.

- a. An adult or child raises an allegation of current abuse, harm, neglect or other inappropriate behaviour.
- b. A disclosure of historical sexual or physical abuse is made, where the alleged perpetrator still has access to children or vulnerable adults.
- c. A volunteer or visitor discloses information involving themselves, family members or any other child or adult that gives rise to concerns that an individual may be harming or abusing a vulnerable adult (or child).
- d. There are suspicions or indications that a vulnerable adult (or child) is being abused or harmed, or is at risk of exploitation, harm, neglect or abuse.
- e. There are observable changes in a vulnerable adult's (or child's) appearance or behaviour that may be related to exploitation, harm or abuse.
- f. A concern is raised that an individual presents a risk of abuse or harm towards a vulnerable adult (or child). If there is a concern that a volunteer

may present such a risk, Headway North Cumbria's Designated Safeguarding Lead must be informed immediately in order to carry out a risk assessment and take appropriate action.

g. Concerns arise that an individual may be subject to a forced marriage. A forced marriage is defined as one in which one or both individuals do not (or, because an individual's vulnerability or mental capacity, cannot) consent to marriage. In the UK, forced marriage is regarded as an issue of domestic/child abuse.

h. Concerns arise that an individual may be subject to Female Genital Mutilation (FGM).

i. Concerns arise that a volunteer is vulnerable to radicalisation and there is an identifiable risk of the individual being drawn into terrorism.

10. The following incidents **MUST** always be reported to the Designated Safeguarding Lead:

a. If a child or vulnerable adult is accidentally hurt.

b. If you are concerned that a relationship is developing with a vulnerable adult or child, which could represent an abuse of trust.

c. If you are concerned that a vulnerable adult or child is becoming attracted to you.

d. If you are concerned that a colleague or volunteer is becoming attracted to a vulnerable adult or child.

e. If a vulnerable adult (or child) misunderstands or misinterprets something you have done in a way that could be construed to be abusive or harmful.

f. If you have to use reasonable physical restraint to prevent a vulnerable adult or child from harming themselves or another, or from causing significant damage to property.

g. If a vulnerable adult (or child) reports an allegation of abuse regarding a member of an external organisation using Headway North Cumbria facilities.

h. If a vulnerable adult (or child) reports concerns regarding sexual abuse, financial abuse, domestic abuse, a forced marriage, FGM or other exploitative behaviour.

## SAFEGUARDING PRINCIPLES

11. The introduction of the Care Act 2014 puts adult safeguarding on a statutory footing for the first time, embracing the principle that the 'person knows best'. It lays the foundation for change in the way that care and support is provided to adults, encouraging greater self-determination, so people maintain independence and have real choice. There is an emphasis on working with adults at risk of abuse and neglect to have greater control in their lives to both prevent it from happening, and to give meaningful options of dealing with it should it occur. The Care Act provides clearer guidance and supports pathways to working in an integrated way, breaking down barriers between organisations.

12. Headway North Cumbria follows six core principles embedded in the Care Act 2014 which are:

- a. **Empowerment** - Presumption of person-led decisions and informed consent.
- b. **Protection** - Support and representation for those in greatest need.
- c. **Prevention** - It is better to take action before harm occurs.
- d. **Proportionality** - Proportionate and least intrusive response appropriate to the risk presented.
- e. **Partnership** - Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
- f. **Accountability** – accountability and transparency in delivering safeguarding.

## REPORTING A SAGEGUARDING CONCERN

13. The duty to investigate suspected abuse or harm rests with statutory authorities: primarily adult social care, children services, safeguarding and the police. Volunteers who become aware of a safeguarding matter, whether from a victim or a third party, should follow these steps:

- a. Don't ignore it.
- b. Listen carefully, stay calm and make notes of times and details.
- c. Reassure the person making the disclosure that what they have reported will be handled appropriately.

- d. Keep questions to the minimum required to understand what is being reported. Avoid the person making the disclosure feeling that they are the subject of an interrogation.
- e. Identify any immediate health and safety concerns.
- f. Explain to the individual that the matter will need to be reported and explain the process
- g. Make a detailed record of what was said and what has been done as a result. This should be done on the Headway North Cumbria Safeguarding Reporting Form – attached.
- h. Report the matter immediately, by phone and email to the Designated Safeguarding Lead

## **WHAT HAPPENS ONCE A REPORT OF ALLEGED ABUSE HAS BEEN MADE?**

14. If a volunteer has an immediate and significant concern for a vulnerable adult's or child's immediate safety and they cannot contact the Designated Safeguarding Lead, they should normally report the matter to the branch Chair. If the allegation concerns the Designated Safeguarding Lead, or Chair the report should be made to the Chief Executive. The Designated Safeguarding Lead or the Chief Executive will refer the matter directly to adult social care, children's services, safeguarding or the police where appropriate to do so. The incident should be reported to the Designated Safeguarding Lead or the Chief Executive at the earliest opportunity using the Safeguarding Reporting form

15. Where no immediate and significant risk to safety has been identified, the safeguarding concern should be reported to the Designated Safeguarding Lead using the Headway North Cumbria Safeguarding reporting form.

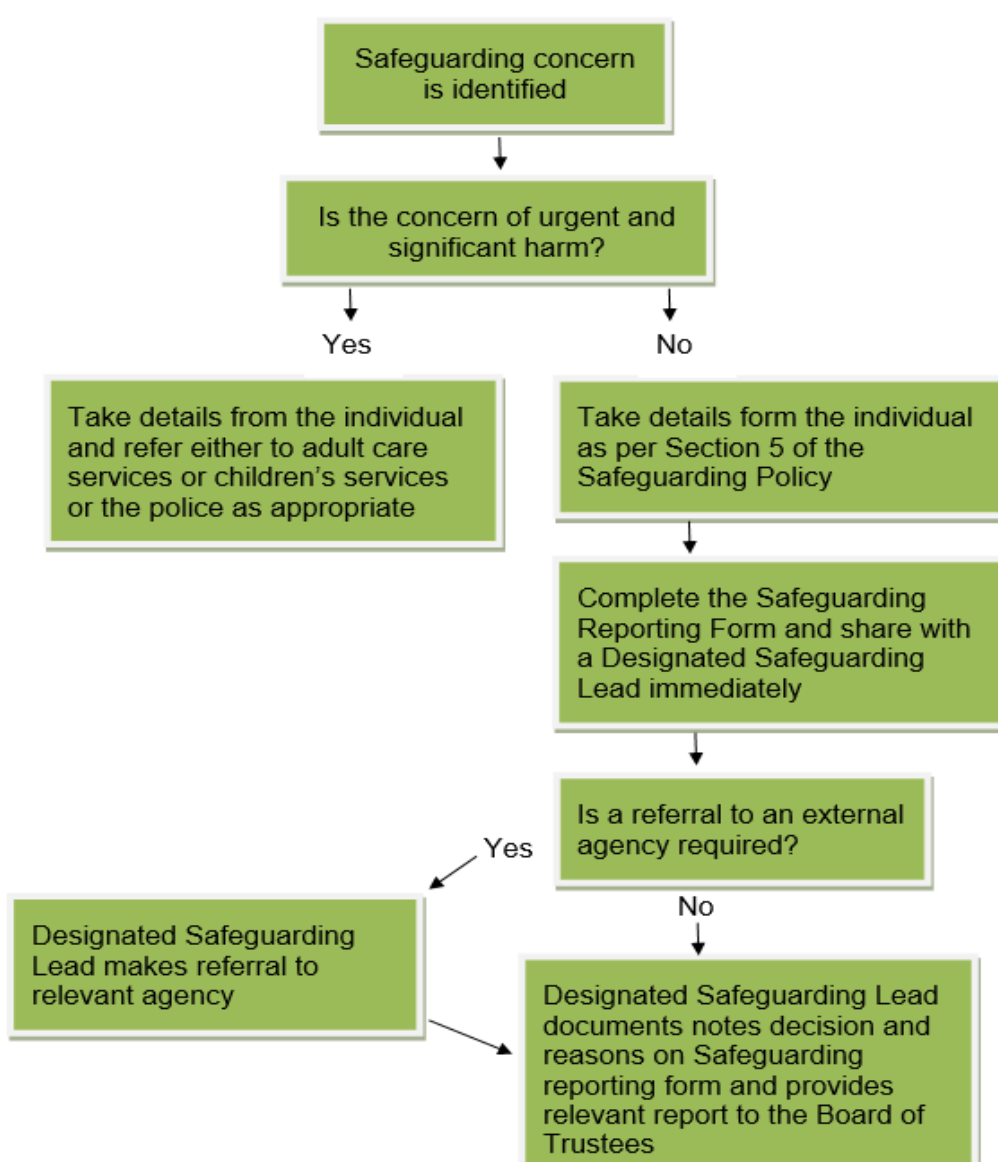
16. Before referring to adult social care, children services, safeguarding or the police, Headway North Cumbria will undertake a risk assessment. This will be led by the Designated Safeguarding Lead and may be carried out in conjunction with appropriate colleagues. On receipt of a referral, the Designated Safeguarding Lead will limit their enquiries to that necessary to undertake a risk assessment and:

- a. Address any serious and immediate risk to the vulnerable adult or child, or any other party.
- b. Preserve any evidence likely to be lost before external agencies can respond.



- c. Determine the appropriateness of a referral to adult social care, children services, safeguarding or the police and provide sufficient information to the relevant external agency to enable an effective response.
- d. Determine any further procedures that should be invoked.
- e. Identify any internal support required by the vulnerable adult or child.

18. If a referral to adult social care, children services, safeguarding or the police is deemed appropriate, the Designated Safeguarding Lead or their nominee will make the referral.





19. Where the suspected abuse is alleged to have been carried out by a volunteer, Headway North Cumbria will work alongside external agencies during any investigations. If necessary, appropriate disciplinary procedures will be invoked. The Designated Safeguarding Lead will be responsible for ensuring that a full record is kept of the risk assessment process and of any subsequent action taken. This will be done in accordance with Headway North Cumbria Data protection policy and current legislation.

## **CONFIDENTIALITY**

20. Confidentiality should be adhered to at all times in accordance with Headway North Cumbria's Confidentiality Policy when recording and making a referral for an alert. The alert should not be discussed with anyone else unless it is necessary to protect the vulnerable person, or to secure evidence. On no account should the matter be discussed with the alleged abuser.

## **INDUCTION AND TRAINING**

21. This Safeguarding policy must be adhered to by all Headway North Cumbria volunteers. As a part of the induction process relevant policies including safeguarding, confidentiality, and whistle-blowing will be included and communicated to ensure the safety of adults in our care.

22. Headway North Cumbria will ensure that there is a robust recruitment in place for all volunteers. Procedures include:

- a. Completion of application form.
- b. A formal interview.
- c. Enhanced Disclosure and Barring Service checks.
- d. Two references.
- e. Probationary period and review of performance.
- f. Regular supervision.
- g. Comprehensive induction training.

23. All staff will receive mandatory training in safeguarding to be able to identify abuse, how to prevent abuse and how to report any concerns. Headway North

Cumbria is committed to ensure that all staff will be made aware at the time of their induction of their responsibility to report any allegations or suspicions of abuse.

24. As part of this process this policy should be signed by all Headway North Cumbria committee members and volunteers to confirm that they have read and understood the contents of this Safeguarding Policy.

## **RELATED HEADWAY NORTH CUMBRIA POLICIES AND POROCEDURES**

Code of Conduct for Members  
 Code of Conduct for Volunteers  
 Comments, Compliments and Complaints Procedure  
 Confidentiality Policy  
 Bullying and Harassment Policy  
 Equality and Diversity Policy  
 Health and Safety Policy  
 Privacy & Dignity Policy  
 Volunteer Policy  
 Whistleblowing Policy

## HEADWAY NORTH CUMBRIA SAFEGUARDING REPORTING FORM

Your details:

Your role in Headway North Cumbria	
Your relationship to the vulnerable adult/child (if appropriate)	
Your telephone number	
Your email	

Date the incident happened	
Date you were notified of this incident	

### Information about the vulnerable adult or child at risk

*Please note: When sending this form please include all essential information marked in red*

Name	
Date of birth (if known)	
Home address (if known)	
Emergency contact name/number	
Have you explained to the individual that you are making this referral and given the reasons why?	
Have they provided their consent for this referral to be made?	

Details of the incident and or your concerns:
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What actions have been taken to avert the risk of further harm?

Have there been previous concerns about the person being referred?

Other information/observations:

**INFORMATION ABOUT THE PERSON AGAINST WHOM THE ALLEGATION HAS BEEN MADE**

Name:

Address:

Approximate age:

Is this person also vulnerable?

<b>Actions</b>	<b>Yes/no</b>	<b>Date &amp; time</b>
Referred to Designated Safeguarding Lead		
Referred to external safeguarding authority		
Referred to police		
Reported to Headway UK (via Helpline)		

Further information:

Signed:

Date: