

Safeguarding Policy - Adults at Risk



This document has been provided to help our team, partners, stakeholders and anyone needing information about safeguarding adults at risk in sport and physical activity in Derbyshire and Nottinghamshire. It includes useful information and key contacts for Derby, Derbyshire, Nottingham and Nottinghamshire. This policy applies to all activities promoted under the brands of Active Derbyshire and Active Notts. Active Partners Trust (APT) has a separate policy for safeguarding children and young people

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The Board Member identified to promote safeguarding is Derek Higton.

If you have any concerns about the welfare or safety of an adult at risk you must follow the steps set out in sections 3-5 of this policy document

The Safeguarding Adults Concern Report Form Appendix 1 is at the end of this document or download from this <https://www.activepartnerstrust.org.uk/policies>

The Safeguarding Adults Incident Reporting flow chart Appendix 2 is at the end of this document or download from this <https://www.activepartnerstrust.org.uk/policies>

This policy was approved by the Active Partners Trust on 12/03/20 and will be reviewed every three years.

Active Partners Trust acknowledges the resources provided by Ann Craft Trust in the development of this policy

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1. Policy Overview

1.1 Statement of Intent

Active Partners Trust (APT) is committed to making sport and physical activity an enjoyable, positive and safe experience for everyone and promotes the safety and welfare of all people taking part in activities in Derbyshire and Nottinghamshire.

APT will ensure that responsibility and accountability for safeguarding is placed firmly at a senior level within the organisation (Board Adults at Risk Safeguarding champion and the Head of Operations) and delivery is the responsibility of all employees, volunteers and partners.

APT will work closely with the Ann Craft Trust to make sure that the necessary standards are in place to help create a safe environment for adults at risk and to protect them from harm. To do this we will review this Adults at Risk Safeguarding policy at least every three years.

APT will support and promote a culture of listening to views of all adults engaged in its programmes.

APT will model best practice in any direct delivery undertaken by its core team, delivery staff and volunteers and promote best practice to partners, supporting them to achieve minimum operating standards in terms of safeguarding.

APT will make sure that any grants or service level agreements to third party delivery organisations promote effective arrangements to safeguard adults at risk including policies and procedures.

APT will provide and promote safeguarding training internally for employees and volunteers and externally for community organisations, delivery providers, coaches, clubs etc. This safeguarding training will be promoted through Active Derbyshire and Active Notts.

Working with community organisations, delivery providers, coaches, clubs and volunteers, APT will raise awareness and support those working in sport and physical activity, to give them knowledge and guidance to protect all participants and minimise avoidable risks.

The Board of APT fully endorses these aims in this important area of work.

1.2 Local context and scope

Active Partners Trust works across Derbyshire and Nottinghamshire through its place based teams, Active Derbyshire and Active Notts. This policy covers activities carried out directly by APT and these place based teams.

- APT has a strategic and co-ordination function and has limited direct responsibility for programme delivery. Exceptions include occasional countywide events such as the School Games and associated training. In these events, APT has the responsibility for organising the core event services whilst other organisations (such as local authorities and schools) are directly responsible for the people in their care. The roles and responsibilities for these events are set out in specific event safety manuals.
- Work is in partnership with local authorities, schools and colleges, national governing bodies of sport (NGBs), NHS and other statutory and voluntary organisations. Each local authority, NGB, club or community organisation will have their own policy to follow when they organise activities. For activities that are being carried out by others on behalf of APT, minimum standards have been set which are outlined in Appendix 5.
- All organisations working with adults at risk, receiving funding from APT will be supported to have an appropriate Safeguarding Adults at Risk policy and procedures in place and to meet the Ann Craft Trust's recommendations for the sports sector. A statement will be included within funding agreements. See Appendix 9.
- This policy is designed to cover all the work with adults at risk and relates to all employees, delivery staff and volunteers employed or deployed by APT for programmes which it supervises and controls.

For the purposes of the policy, APT staff include:

- Employees/core team - full and part time paid officers employed by APT. These officers do not have regular direct contact with participants however, each post will be assessed i.e. DBS requirements, on an individual basis.
- Delivery Staff - refers to leaders, coaches, tutors who have direct access and responsibility for children and adults, working on behalf of but not employed by APT.
- Volunteers - refers to one-off event staff that assist with events and volunteers involved in the governance of the APT, its Board, Active Derbyshire and Active Notts panels. These volunteers will not have unsupervised access to adults at risk and will not be working on a regular basis.

1.3 Principles

The guidance given in the policy and procedures is based on the following principles:

- All adults, regardless of age, ability or disability, gender, race, religion, ethnic origin, sexual orientation, marital or gender status have the right to be protected from abuse and poor practice and to participate in an enjoyable and safe environment.
- Active Partners Trust will seek to ensure that our activities are inclusive and make reasonable adjustments for any ability, disability or impairment, we will also commit to continuous development, monitoring and review.
- The rights, dignity and worth of all adults will always be respected.

- We recognise that ability and disability can change over time, such that some adults may be additionally vulnerable to abuse, in particular those adults with care and support needs.
- We all have a shared responsibility to ensure the safety and well-being of all adults at risk and will act appropriately and report concerns whether these concerns arise within Active Partners Trust's activities or in the wider community.
- All allegations will be taken seriously and responded to quickly in line with Active Partners Trust Safeguarding Adults at Risk policy and procedures.
- Active Partners Trust recognises the role and responsibilities of the statutory agencies in safeguarding adults and is committed to complying with the procedures of the Local Safeguarding Adults Boards.

1.4 Definitions

To assist working through and understanding this policy a number of key definitions need to be explained:

Adult is anyone aged 18 or over.

Adult at Risk is a person aged 18 or over who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs) **and**
- Is experiencing, or is at risk of, abuse or neglect **and**
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of, abuse or neglect.

Adult in need of care and support is determined by a range of factors including personal characteristics, factors associated with their situation or environment and social factors. Naturally, a person's disability or frailty does not mean that they will inevitably experience harm or abuse. In the context of safeguarding adults, the likelihood of an adult in need of care and support experiencing harm or abuse should be determined by considering a range of social, environmental and clinical factors, not merely because they may be defined by one or more of the above descriptors. In recent years there has been a marked shift away from using the term 'vulnerable' to describe adults potentially at risk from harm or abuse.

Abuse is a violation of an individual's human and civil rights by another person or persons. See section 2 for further explanations.

Safeguarding is protecting a person's right to live in safety, free from abuse and neglect.

Capacity refers to the ability to make a decision at a particular time, for example when under considerable stress. The starting assumption must always be that a person has the capacity to make a decision unless it can be established that they lack capacity (MCA 2005). See Appendix 4

1.5 The six principles of adult safeguarding

The Care Act 2014 sets out the following principles that should underpin safeguarding of adults

- **Empowerment** - People being supported and encouraged to make their own decisions and informed consent.
“I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens.”
- **Prevention** - It is better to take action before harm occurs.
“I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help.”
- **Proportionality** - The least intrusive response appropriate to the risk presented.
“I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as needed.”
- **Protection** - Support and representation for those in greatest need.
“I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want.”
- **Partnership** - Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
“I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me.”
- **Accountability** - Accountability and transparency in delivering safeguarding.
“I understand the role of everyone involved in my life and so do they.”

1.6 Making Safeguarding personal

APT will commit to Making Safeguarding Personal.

‘Making safeguarding personal’ means that adult safeguarding should be person led and outcome focussed. It engages the person in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control, as well as improving quality of life, well-being and safety.

Wherever possible discuss safeguarding concerns with the adult to get their view of what they would like to happen and keep them involved in the safeguarding process, seeking their consent to share information outside of the organisation where necessary. For more details see Appendix 4.

1.7 Wellbeing Principle

APT will commit to the Wellbeing Principle.

The concept of wellbeing is threaded throughout the Care Act and is relevant to safeguarding adults at risk in sport and activity. Wellbeing is different for everyone however the Act sets out broad categories (see below) that contribute to our sense of wellbeing. By keeping these themes in mind, Active Partners Trust can all ensure that adults at risk can take part activities fully.

- Personal dignity (including treatment of the individual with respect)
- Physical and mental health and emotional wellbeing
- Protection from abuse and neglect
- Control by the individual over their day-to-day life (including the care and support provided and the way they are provided)
- Participation in work, education, training or recreation
- Social and economic wellbeing
- Domestic, family and personal domains
- Suitability of the individual's living accommodation
- The individual's contribution to society.

1.8 Legislation

The practices and procedures within this policy are based on the principles contained within the UK legislation and Government guidance and have been developed to complement the Safeguarding Adults Boards policy and procedures They take the following into consideration:

- The Care Act 2014
- The Protection of Freedoms Act 2012
- Domestic Violence, Crime and Victims (Amendment) Act 2012
- The Equality Act 2010
- The Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005
- Sexual Offences Act 2003
- The Human Rights Act 1998
- The Data Protection Act 1998

For more detail, see Appendix 7.

2. Types of Abuse and Neglect

There are different types and patterns of abuse and neglect and different circumstances in which they may take place. The Care Act 2014 identifies the following as an illustrative guide and is not intended to be exhaustive list as to the sort of behaviour which could give rise to a safeguarding concern.

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.

Modern Slavery - encompasses 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

Domestic Abuse and coercive control - including psychological, physical, sexual, financial and emotional abuse. It also includes so called 'honour' based violence. It can occur between any family members.

Discriminatory Abuse - discrimination is abuse which centres on a difference or perceived difference particularly with respect to race, gender or disability or any of the protected characteristics of the Equality Act.

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.

Physical Abuse - including hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.

Sexual Abuse - including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

Financial or Material Abuse - including theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Neglect - 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.

Emotional or Psychological Abuse - this includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

Not included in the Care Act 2014 but also relevant:

Cyber Bullying - cyber bullying occurs when someone repeatedly makes fun of another person online or repeatedly picks on another person through emails or text messages, or uses online forums with the intention of harming, damaging, humiliating or isolating another person. It can be used to carry out many different types of bullying (such as racist bullying, homophobic bullying, or bullying related to special educational needs and disabilities) but instead of the perpetrator carrying out the bullying face-to-face, they use technology as a means to do it.

Forced Marriage - forced marriage is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-social Behaviour, Crime and Policing Act 2014 make it a criminal offence to force someone to marry. The forced marriage of adults with learning disabilities occurs when the adult does not have the capacity to consent to the marriage.

Mate Crime - a 'mate crime' as defined by the Safety Net Project as 'when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual.' Mate Crime is carried out by someone the adult knows and often happens in private. In recent years there have been a number of Serious Case Reviews relating to people with a learning disability who were murdered or seriously harmed by people who purported to be their friend.

Radicalisation - the aim of radicalisation is to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. This may be direct through a relationship, or through social media.

2.1 Signs and Indicators of abuse and neglect

Abuse can take place in any context and by all manner of perpetrator. Abuse may be inflicted by anyone a participant comes into contact within an activity. Alternatively, activators, volunteers, coaches or club members may suspect that a participant is being abused or neglected outside of the activity setting. There are many signs and indicators that may suggest someone is being abused or neglected, these include but are not limited to:

- Unexplained bruises or injuries - or lack of medical attention when an injury is present.
- Person has belongings or money going missing.
- Person is not attending / no longer enjoying their sessions. you may notice that a participant has been missing from sessions and is not responding to reminders from activators, team members coaches.

- Someone losing or gaining weight / an unkempt appearance. This could be a participant whose appearance becomes unkempt, does not wear suitable kit and a deterioration in hygiene.
- A change in the behaviour or confidence of a person. For example, a participant may be quiet and withdrawn when their brother comes to collect them from sessions, in contrast to their personal assistant whom they greet with a smile.
- They may self-harm.
- They may have a fear of a particular group or individual.
- They may tell you / another person they are being abused - i.e. a disclosure.
- Harassment of a participant because they are or are perceived to have protected characteristics.
- Not meeting the needs of the participant. e.g. an activity without a necessary break.
- A leader, coach or activator intentionally striking a participant
- Receipt of unwanted sexually explicit text messages from a fellow participant
- Physical or verbal threats from another participant e.g. persistently blaming adult at risk for poor performance.

3. What to do if you have a concern or someone raises concerns with you.

- It is not your responsibility to decide whether or not an adult has been abused. It is however everyone's responsibility to respond to and report concerns.
- If you are concerned someone is in immediate danger, contact the police on 999 straight away. Where you suspect that a crime is being committed, you must involve the police.
- If you have concerns and/or you are told about possible or alleged abuse, poor practice or wider welfare issues you must report this to the APT's Safeguarding Lead or Deputy Lead or, if the Safeguarding Lead is implicated then report to APT's CEO.
- When raising your concern with the Safeguarding Lead, remember Making Safeguarding Personal. It is good practice to seek the adult's views on what they would like to happen next and to inform the adult you will be passing on your concern
- It is important when considering your concern that you also ensure that you keep the person informed about any decisions and action taken about them and always consider their needs and wishes.
- APT will deal promptly and appropriately with any reported or observed incidents/concerns of abuse or poor practice, following the procedures set out in the Incident Reporting Flow Chart (Appendix 1).
- All employees will be provided with copies of the Incident Reporting Flow Chart and Safeguarding Concern Report Form (Appendix 2). The Incident Reporting Flow Chart and Safeguarding Concern Report Form will be reviewed annually and recirculated to the core team as part of annual staff training.

4. How to respond and record a concern

As long as it does not increase the risk to the individual, you should explain to them that it is your duty to share your concern with your Safeguarding Lead.

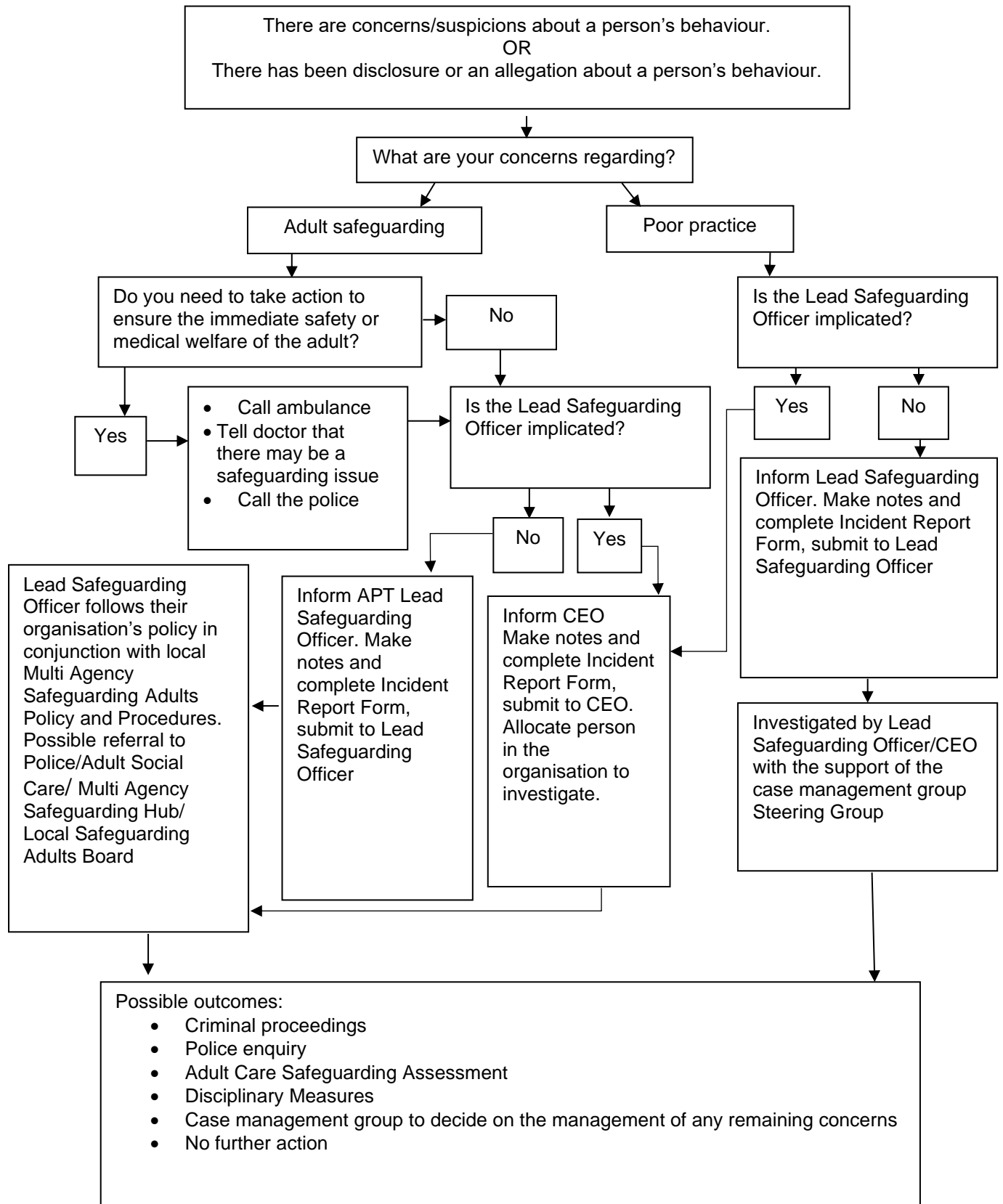
Remember to make safeguarding personal. Discuss your safeguarding concerns with the adult, obtain their view of what they would like to happen, but inform them it's your duty to pass on your concerns to your lead safeguarding officer.

- Make a note of your concerns.
- Make a note of what the person has said using his or her own words as soon as practicable.
- Complete a Safeguarding Adults Concern Report Form (Appendix 2) and submit to the Lead Safeguarding Officer or Deputy Safeguarding Officer. Information should include:
 - Date and time of incident/disclosure
 - Parties who were involved, including any witnesses to an event
 - Describe the circumstances in which the disclosure came about.
 - What was said and done and by whom
 - Any action taken by the organisation to look into the matter
 - Any further action taken
 - Take care to distinguish between fact, observation, allegation and opinion. It is important that the information you have is accurate.

Be mindful of the need to be confidential at all times, this information must only be shared with your Lead Safeguarding Officer and others on a need to know basis.

If the matter is urgent and relates to the immediate safety of an adult at risk, then contact the emergency services immediately.

5. Safeguarding Adults Flowchart Dealing with Concerns, Suspicions or Disclosure



Remember to involve the adult at risk throughout the process wherever possible and gain consent for any referrals to social care if the person has capacity

6. Roles and responsibilities of those within Active Partners Trust

Active Partners Trust is committed to having the following in place:

- A Lead Safeguarding Officer and Deputy Safeguarding Lead Officer to produce and disseminate guidance and resources to support the policy and procedures.
- A clear line of accountability within the organisation for work on promoting the welfare of all adults at risk.
- Procedures for dealing with allegations of abuse or poor practice against members of staff and volunteers.
- A case management group will be established to deal with issues in line with disciplinary policy where necessary (i.e. where concerns arise about the behaviour of someone within Active Partners Trust)
- Arrangements to work effectively with other organisations to safeguard and promote the welfare of adults, including arrangements for sharing information.
- Appropriate whistle blowing procedures and an open and inclusive culture that enables safeguarding and equality and diversity issues to be addressed.
- A Code of Conduct for employees of APT (Appendix 8)

7. Good practice

Active Partners Trust expects that that leaders and coaches of adults at risk:

- Have completed a course in basic awareness in working with and safeguarding adults at risk
- Are aware of their organisation's policy and procedures and Code of Conduct.
- Aim to make the experience of activities fun and enjoyable.
- Promote fairness and playing by the rules.
- Do not tolerate the use of prohibited or illegal substances.
- Treat all adults equally and preserve their dignity; this includes giving more and less talented members of a group similar attention, time and respect.

8. Recruitment, employment and deployment of employees and volunteers

APT will take all reasonable steps to make sure unsuitable people are prevented from working with all participants. APT will also make sure that employees receive regular training in safeguarding issues.

8.1 Recruitment

- All paid employees directly employed or deployed by APT who have direct contact with adults at risk will be assessed for suitability to work with this group.
- A minimum of 2 references will be taken and followed up

- Qualifications will be checked
- A Self-Disclosure form will be completed
- Roles will be assessed to see if they are eligible for a Disclosure and Barring Service (DBS) check.
- Disclosure and Barring Service (DBS) checks will be carried out where required by law or for posts where it is appropriate to do so.
- Positive disclosures will be analysed to assess suitability.
- Should any concerns arise in the recruitment process, advice will be sought through APT's HR or legal advisors. If this affects any partner organisations, they will be informed in line with information sharing protocols.

Where necessary, the 'duty to refer' DBS guidance will be followed if concerns arise about the suitability of employees or volunteers.

APT will encourage this practice in organisations that it works with.

8.2 Induction and Continuing Professional Development

APT will make sure that:

- All new employees will undertake an induction programme. A copy of this policy, employee Code of Conduct and procedures will be included as part of the induction pack and meetings.
- All employees will undertake basic safeguarding training by either attending an appropriate course or completing an on-line module.
- Employees with designated responsibilities in relation to safeguarding will be provided with additional relevant training for this role.
- Training and/or written guidance on safer recruitment practice will be provided for those responsible for recruiting, selecting and deploying employees and volunteers.
- Employees will update their appropriate level of training every three years.

9. Commissioning Services

APT will make sure that any grant or service level agreement with third partner organisations will specify minimum operating standards that are required to be met as part of the agreement. Partners compliance with this will be checked as part of sample observations to ensure that they are meeting the standards specified. Minimum operating standards for Safeguarding Adults are detailed in Appendix 5.

10. Accountability

Many of the projects that APT sets up or contributes to involve two or more organisations, each with their own safeguarding policies and procedures. For example, a local authority, a community or voluntary organisation, a sports club, or a school. APT will ensure that in the project planning stage of a partnership project, there is agreement on which organisation's Safeguarding Adults at Risk policy and procedures will be followed in the event of a concern arising. This agreement will be recorded and shared with all relevant parties.

11. Record retention and storage

For APT employees, records of allegations, action taken and decisions reached will be retained on file, at least until the person reaches normal retirement age or for 10 years if that is longer. This applies even after the APT employee has left APT.

For reported adults who are not employed by APT, personal information will not be held longer than 6 years after the subject's last contact with APT. Exceptions to the 6-year period will occur when records:

- Need to be retained because the information in them is relevant to legal action that has been started.
- Are required to be kept longer by law.
- Are archived for historical purposes (e.g. where the organisation was party to legal proceedings or involved in proceedings brought by a local authority).
- Consist of a sample of records maintained for the purposes of research.
- Relate to individuals and providers of services who have, or whose staff, have been judged unsatisfactory.
- Are held to provide, for the subject, aspects of his/her personal history (e.g. where the adult might seek access to the file at a later date and the information would not be available elsewhere).

Disclosure and Barring Service (DBS) certificates will be stored for a maximum of 6 months.

APT will minimise the collection of any personal information about individuals in the process of organising an event. This information will be held for the minimum time required and will then be securely disposed of, unless there is a specific safeguarding issue that requires the information to be kept for longer.

Any information retained or archived will be securely transferred to any successor body to APT.

12. Employee declaration

All employees of APT will be required to sign a sign off sheet to record that they have taken the time to thoroughly read this Adults at Risk Safeguarding policy, Code of Conduct and procedures. This will be submitted to the Lead Safeguarding Officer for retention. By being made aware of the policy, it is our intention to make sure that **all** employees are pro-active in providing a safe environment for Adults at risk to participate in activities organised by APT or by partners.

Any disciplinary measures or complaints arising as a result of this policy will be dealt with in accordance with APT disciplinary procedures.

If you have any concerns about the welfare or safety of an adult, you must follow the steps set out in this policy document.

13. Relevant Policies

This policy should be read in conjunction with the following APT policies which are available on SharePoint or on request.

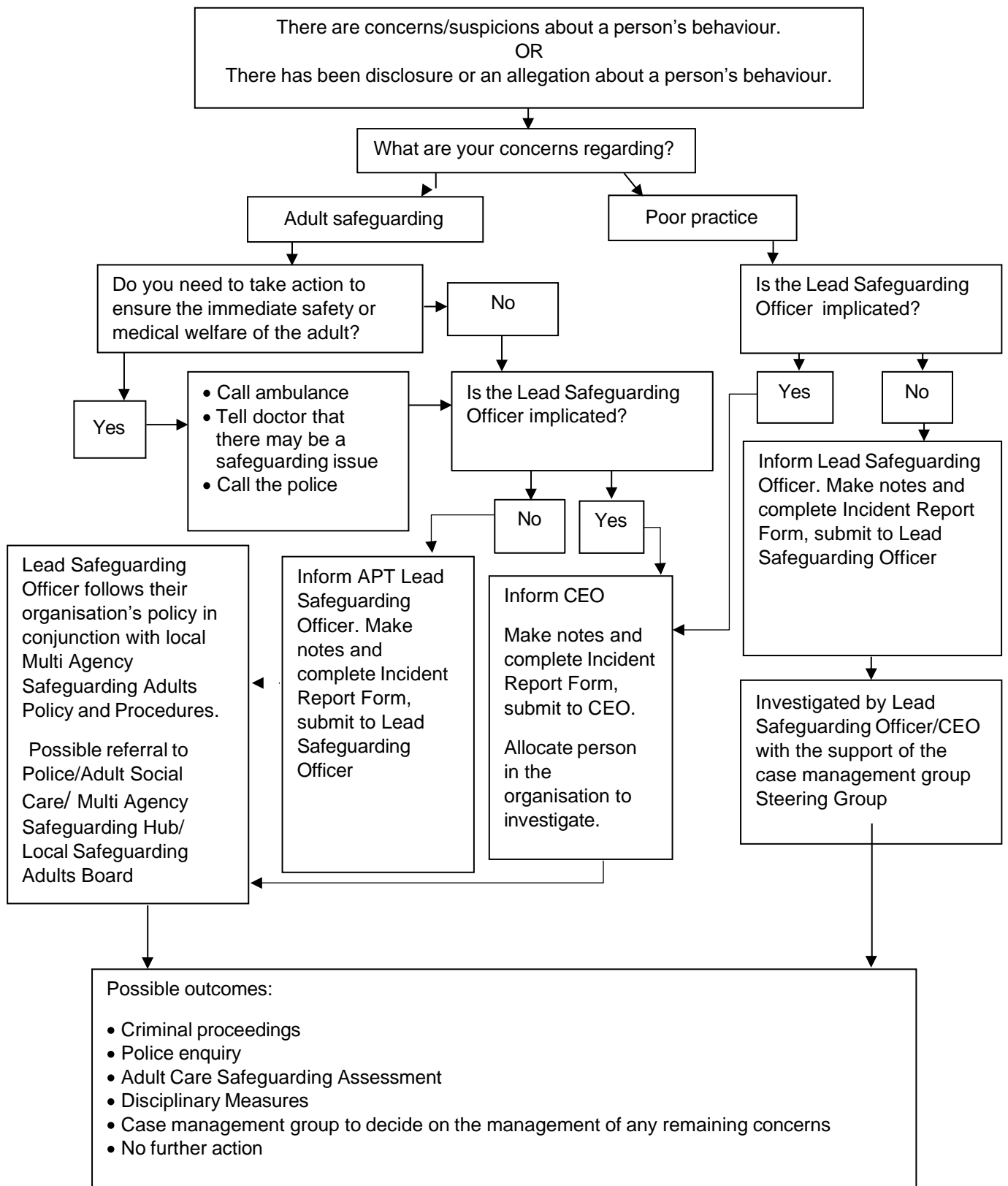
- Whistle Blowing policy
- Social media policy
- Guidance on Photography and video
- Disciplinary policy

14. Monitoring and Review

- APT will maintain a record of relevant staff training and required DBS checks etc. This will be reviewed as part of the Adults at Risk safeguarding review. Any training or checking needs that are identified will be reported to the individual's line manager for implementation.
- Failure of employees to comply with the policy and procedures will be addressed immediately and ultimately could result in disciplinary action.
- APT will regularly review its Safeguarding Policy - Adults at Risk and act as required to maintain best practice. The policy will be revised in the light of changes in the organisation's role or structure, changes in legislation and guidance, or in the light of learning from significant cases.

Appendix 1 Safeguarding Adults Flowchart

Dealing with Concerns, Suspicions or Disclosure



Appendix 2 Safeguarding Adults concern report form

To be completed as fully as possible if you have concerns regarding an adult. It is important to inform the adult about your concerns and that you have a duty to pass the information onto the lead safeguarding officer.

The lead safeguarding officer will then look at the information and plan a course of action, with you, the adult involved and if necessary, social care or other relevant organisations.

Section 1 - details of adult at risk	
Name of adult	
Address	
Date of Birth	
Age if date of birth not known	
GP practice (if known)	
Contact number	
Section 2 - your details	
Name	
Contact phone number(s)	
Email address	
Line manager or alternative contact	
Name of organisation/ club	
Your role in organisation	
Section 3 - details of Concern	
Detail what you have seen/been told/other that makes you believe the adult at risk is being abused or is at risk of abuse (include dates/times/evidence from records/photos etc.)	

Section 4 - Abuse type(s) - please tick as many as you feel may apply

Physical	Psychological	Financial
Sexual	Discriminatory	Organisational (formerly institutional)
Neglect	Hate incident/crime	Mate Crime
Internet abuse	Modern slavery	Female genital Mutilation (FGM)
Forced Marriage	Domestic abuse	Radicalisation
Self-Neglect		

Section 5 - Have you discussed your concerns with the adult? What are their views, what outcomes have they stated they want (if any)?

--

Section 5A - Reasons for not discussing with the adult

Adult lacks capacity	
Adult unable to communicate their views	
Discussion would increase the risk	

State why the risks would increase

--

Section 5B - Have you discussed your concerns with anyone else? E.g. carer/ parent.
What are their views?

--

Section 6 - What action have you taken /agreed with the adult to reduce the risks?

Information passed to Safeguarding Officer, confirm details:	Referral to Social Care Confirm details:
Contact with the police Confirm details:	Referral to other agency - please confirm details:

Other - please state what

--

No action agreed - state why

--

Section 7 - Risk to others

Are any other adults at risk Yes/No - delete as appropriate

If yes state why and what actions have been taken to address these?

--

Are any children at risk Yes/No Delete as appropriate
If yes state why and what actions have been taken to address these?
Signed:
Date:

OFFICE USE ONLY
Section 8 - sharing the concerns (To be completed by Lead Safeguarding Officer)
Details of your contact with the adult at risk. Have they consented to information being shared outside of Active Partners Trust?
Details of contact with the Social Care Team where the adult at risk lives- advice can be still sought without giving personal details if you do not have consent for a referral
Details of any other agencies contacted
Details of the outcome of this concern

Appendix 4 Guidance and information

1. Making Safeguarding Personal

There has been a cultural shift towards Making Safeguarding Personal within the safeguarding process. This is a move from prioritising outcomes demanded by bureaucratic systems. The safeguarding process used to involve gathering a detailed account of what happened and determining who did what to whom. Now the outcomes are defined by the person at the centre of the safeguarding process.

The safeguarding process places a stronger emphasis on achieving satisfactory outcomes that take into account the individual choices and requirements of everyone involved. “What good is it making someone safer if it merely makes them miserable?” - Lord Justice Mundy, “What Price Dignity?” (2010)

What this means in practice is that adults should be more involved in the safeguarding process. Their views, wishes, feelings and beliefs must be taken into account when decisions are made.

The Care Act 2014 builds on the concept, stating that “We all have different preferences, histories, circumstances and lifestyles so it is unhelpful to prescribe a process that must be followed whenever a concern is raised.”

However, the Act is also clear that there are key issues that should be taken into account when abuse or neglect are suspected, and that there should be clear guidelines regarding this.

<https://www.local.gov.uk/topics/social-care-health-and-integration/adult-social-care/making-safeguarding-personal>

2. Capacity - Guidance on Making Decisions

The issue of capacity or decision making is a key one in safeguarding adults. It is useful for organisations to have an overview of the concept of capacity.

We make many decisions every day, often without realising. We make so many decisions that it's easy to take this ability for granted.

But some people are only able to make some decisions, and a small number of people cannot make any decisions. Being unable to make a decision is called “lacking capacity”.

To make a decision we need to:

- Understand information
- Remember it for long enough
- Think about the information
- Communicate our decision

A person's ability to do this may be affected by things like learning disability, dementia, mental health needs, acquired brain injury, and physical ill health.

The Mental Capacity Act 2005 (MCA) states that every individual has the right to make their own decisions and provides the framework for this to happen.

The MCA is about making sure that people over the age of 16 have the support they need to make as many decisions as possible.

The MCA also protects people who need family, friends, or paid support staff to make decisions for them because they lack capacity to make specific decisions.

Our ability to make decisions can change over the course of a day.

Here are some examples that demonstrate how the timing of a question can affect the response:

- A person with epilepsy may not be able to make a decision following a seizure.
- Someone who is anxious may not be able to make a decision at that point.
- A person may not be able to respond as quickly if they have just taken some medication that causes fatigue.

In each of these examples, it may appear as though the person cannot make a decision. But later in the day, presented with the same decision, they may be able to at least be involved. The MCA recognises that capacity is decision-specific, so no one will be labelled as entirely lacking capacity. The MCA also recognises that decisions can be about big life-changing events, such as where to live, but equally about small events, such as what to wear on a cold day.

To help you to understand the MCA, consider the following five points:

1. Assume that people are able to make decisions, unless it is shown that they are not. If you have concerns about a person's level of understanding, you should check this with them, and if applicable, with the people supporting them.
2. Give people as much support as they need to make decisions. You may be involved in this - you might need to think about the way you communicate or provide information, and you may be asked your opinion.
3. People have the right to make unwise decisions. The important thing is that they understand the implications. If they understand the implications, consider how risks might be minimised.
4. If someone is not able to make a decision, then the person helping them must only make decisions in their "best interests". This means that the decision must be what is best for the person, not for anyone else. If someone was making a decision on your behalf, you would want it to reflect the decision you would make if you were able to.
5. Find the least restrictive way of doing what needs to be done

Remember:

- You should not discriminate or make assumptions about someone's ability to make decisions, and you should not pre-empt a best-interest's decision merely on the basis of a person's age, appearance, condition, or behaviour.
- When it comes to decision-making, you could be involved in a minor way, or asked to provide more detail. The way you provide information might influence a person's ultimate decision. A person may be receiving support that is not in-line with the MCA, so you must be prepared to address this.

3. Consent and Information Sharing

Workers and volunteers within sports and physical activity organisations should always share safeguarding concerns in line with their organisation's policy, usually with their safeguarding lead or welfare officer in the first instance, except in emergency situations. As long as it does not increase the risk to the individual, the worker or volunteer should explain to them that it is their duty to share their concern with their safeguarding lead or welfare officer.

The safeguarding lead or welfare officer will then consider the situation and plan the actions that need to be taken, in conjunction with the adult at risk and in line with the organisation's policy and procedures and local safeguarding adults board policy and procedures.

To make an adult safeguarding referral you need to call the local safeguarding adults team. This may be part of a MASH (*Multi-Agency Safeguarding Hub*). A conversation can be had with the safeguarding adults team without disclosing the identity of the person in the first instance. If it is thought that a referral needs to be made to the safeguarding adults team, consent should be sought where possible from the adult at risk.

Individuals may not give their consent to the sharing of safeguarding information with the safeguarding adults team for a number of reasons. Reassurance, appropriate support and revisiting the issues at another time may help to change their view on whether it is best to share information.

If they still do not consent, then their wishes should usually be respected. However, there are circumstances where information can be shared without consent such as when the adult does not have the capacity to consent, it is in the public interest because it may affect other people, or a serious crime has been committed. This should always be discussed with your safeguarding lead and the local authority safeguarding adults team.

If someone does not want you to share information outside of the organisation or you do not have consent to share the information, ask yourself the following questions:

- Is the adult placing themselves at further risk of harm?
- Is someone else likely to get hurt?

- Has a criminal offence occurred? This includes: theft or burglary of items, physical abuse, sexual abuse, forced to give extra money for lessons (financial abuse) or harassment.
- Is there suspicion that a crime has occurred?

If the answer to any of the questions above is 'yes' - then you can share without consent and need to share the information.

When sharing information there are seven Golden Rules that should always be followed.

1. Seek advice if in any doubt
2. Be transparent - The Data Protection Act (DPA) is not a barrier to sharing information but to ensure that personal information is shared appropriately; except in circumstances whereby doing so places the person at significant risk of harm.
3. Consider the public interest - Base all decisions to share information on the safety and well-being of that person or others that may be affected by their actions.
4. Share with consent where appropriate - Where possible, respond to the wishes of those who do not consent to share confidential information. You may still share information without consent, if this is in the public interest.
5. Keep a record - Record your decision and reasons to share or not share information.
6. Accurate, necessary, proportionate, relevant and secure - Ensure all information shared is accurate, up to date; necessary and share with only those who need to have it.
7. Remember the purpose of the Data Protection Act (DPA) is to ensure personal information is shared appropriately, except in circumstances where by doing so may place the person or others at significant harm.

Appendix 5

Active Partners Trust - Minimum operating standards for safeguarding adults at risk

Introduction

Adults at risk have the right to be safe and enjoy the sports activities that they take part in and carers and others have a right to believe those organisations provide a safe environment.

Active Partners Trust has adopted the following standards which all partners will need to meet and evidence to receive funding, support and any further resources.

A Service Level Agreement, if required, will specify standards required for Regulated activity.

The Standards

Contracted organisations or individuals must have:

- Adults at Risk Safeguarding Policy and reporting process that is shared with stakeholders. It must be clear when this policy was adopted and when it will be reviewed.
- Clear disciplinary, concerns, allegations and complaints procedures.
- Clear operating standards for holding and sharing information.
- An identified Safeguarding lead person who has a clear job description and has attended recognised safeguarding training within the last three years.
- Recruitment and selection procedures for volunteers and/or employees working with adults at risk that include:
reference checks (minimum of two),
an enhanced DBS check with a barred list check (if a regulated activity)
- Codes of conducts for staff, coaches, volunteers and participants.
- All individuals working with adults at risk have attended recognised safeguarding awareness training and hold other relevant qualifications e.g. relevant coaching level qualification for their role in this activity.
- An individual is always on site with a recognised first aid qualification
- E-safety and photography guidelines in place

Appendix 6 Photography Guidance for Adults at Risk

General images of events

There is no legal power to prevent photography or filming in a public place. However, certain individuals may visit sporting events to take inappropriate photographs or video footage of adults and this could include adults with care and support needs. All organisations should be vigilant about this possibility.

At many events, organisers will take general images or footage of the event, the site, opening and closing ceremonies, and so on.

If you intend to be taking photographs or are filming at an event, it is good practice to inform people and ask them to let you know if they do not want to be involved.

Sometimes organisations want to use photos or films for specific usage, for example a press release, social media, leaflet or website. In the case of large group photos e.g. of a closing ceremony, you would not be expected to seek individual consent.

Consent for specific use of images

When an adult is the main subject or would be recognised, you should:

- Seek specific consent from the adult, letting them know how exactly their image will be used. If they lack capacity to consent, do not use their photo.
- Before using any photographs or film footage for publicity purposes, show them to the person/people concerned for approval
- Remember that consent for use of the photo or film is only for that one purpose and should not be reused in any other promotional event
- Ensure that people have a way of withdrawing their consent for the use of their image
- Think about the images that you are taking or filming and how they portray people. Consider whether people are appropriately dressed. For example even if the person has consented to having the picture taken consider if it may be better if they wore a t- shirt or track suit over a swim suit.

Consent for specific use of images of people with care and support needs

Some organisations provide specific activities targeted at people with care and support needs e.g. dementia friendly events. If you wish to take photographs or will be filming people with care and support needs, here are some additional issues to consider:

- Adults must be able to consent to their image being used
- Legally, the only person who can offer consent for the use of their image is the adult themselves.
- Information about how the images will be used should be provided to an adult in an accessible format, using for example, easy read language or pictures.

- If you have any concerns that an adult does not have the capacity to give consent to photography or filming, or understand that photographs or films are being taken during an activity, you must discuss this with them, including if appropriate, any support person or personal assistant for the adult.
- If after this conversation you feel that the adult still cannot give consent, but their carer/guardian is able to give consent, this can be used but must be the last possible option.

Appendix 7 Legislation and Government Initiatives

Sexual Offences Act 2003 <http://www.legislation.gov.uk/ukpga/2003/42/contents>

The Sexual Offences Act introduced a number of new offences concerning vulnerable adults and children. www.opsi.gov.uk

Mental Capacity Act 2005

<http://www.legislation.gov.uk/ukpga/2005/9/introduction>

Its general principle is that everybody has capacity unless it is proved otherwise, that they should be supported to make their own decisions, that anything done for or on behalf of people without capacity must be in their best interests and there should be least restrictive intervention. www.dca.gov.uk

Safeguarding Vulnerable Groups Act 2006

<http://www.legislation.gov.uk/ukpga/2006/47/contents>

Introduced the new Vetting and Barring Scheme and the role of the Independent Safeguarding Authority. The Act places a statutory duty on all those working with vulnerable groups to register and undergo an advanced vetting process with criminal sanctions for non-compliance. www.opsi.gov.uk

Deprivation of Liberty Safeguards

<https://www.gov.uk/government/collections/dh-mental-capacity-act-2005-deprivation-of-liberty-safeguards>

Introduced into the Mental Capacity Act 2005 and came into force in April 2009. Designed to provide appropriate safeguards for vulnerable people who have a mental disorder and lack the capacity to consent to the arrangements made for their care or treatment, and who may be deprived of their liberty in their best interests in order to protect them from harm.

Disclosure & Barring Service 2013

<https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>

Criminal record checks: guidance for employers - How employers or organisations can request criminal records checks on potential employees from the Disclosure and Barring Service (DBS). www.gov.uk/dbs-update-service

The Care Act 2014 - statutory guidance

<http://www.legislation.gov.uk/ukpga/2014/23/introduction/enacted>

The Care Act introduces new responsibilities for local authorities. It also has major implications for adult care and support providers, people who use services, carers and advocates. It replaces No Secrets and puts adult safeguarding on a statutory footing.

Making Safeguarding Personal Guide 2014

<http://www.local.gov.uk/documents/10180/5852661/Making+Safeguarding+Personal+-+Guide+2014/4213d016-2732-40d4-bbc0-d0d8639ef0df>

This guide is intended to support councils and their partners to develop outcomes-focused, person-centred safeguarding practice.

Appendix 8

Safeguarding Adults at Risk - code of Conduct for APT employees and volunteers

We are fully committed to safeguarding and promoting the well-being of all participants, athletes, leaders, coaches, volunteers, parents and all others associated with APT, Active Derbyshire and Active Notts activities.

It is important that all those involved should, always show respect and understanding for the welfare of others.

All employees and volunteers must:

- Respect the rights, dignity and worth of every person and treat everyone equally regardless of age, ability, gender, race, ethnicity, religious belief, sexuality or socio-economic status.
- Consider the well-being and safety of participants before the development of an activity.
- Make sure all activities are appropriate to the age, ability and experience of those participating.
- Display consistently high standards of behaviour and appearance, dressing suitably and not use inappropriate language.
- Never consume alcohol, smoke or use illegal drugs or substances immediately before, during or after an APT activity.
- Never exert undue influence over participants to obtain personal benefit or reward.
- Never condone rule violations.
- Ensure that coach/participant ratios are met.
- Ensure neutrality in all activities.
- Arrive in plenty of time to set up activities and ensure that risk assessments are undertaken.
- At the outset, clarify with participants (and where appropriate) their carers exactly what is expected of them and what they can expect from APT.
- Never transport adults at risk in your own vehicle and do not arrange transportation for adults at risk in private vehicles.
- Consider appropriateness of any direct communication by email, text, telephone with adults

at risk. Standard procedure should be to copy carers into the communication. Direct one to one contact should be by exception only and you must share with your line manager and or relevant colleague that one to one contact is being made.

- Always report any incidents, referrals or disclosures immediately following appropriate guidelines set out in the APT Safeguarding - Adults at Risk policy
- Follow the six principles of adult safeguarding set out in the APT Safeguarding Adults at Risk policy
- Be aware that discriminatory, offensive and violent behaviour will not be tolerated and all complaints will be acted upon.
- Build balanced relationships based on mutual trust which empowers adults at risk to share in the decision-making process.
- Maintain a clear boundary between friendship and intimacy with participants. A relationship must not develop with participants

Failure to abide by the code of conduct and all other policies and guidelines will result in disciplinary action being implemented.

Signature of employee	
Print name of employee	
Date	

Appendix 9

Ann Craft Trust Safeguarding Adults - club/affiliated organisation policy and procedures template

Introduction

We all have a responsibility to safeguard adults who are experiencing, or are at risk of, abuse and neglect.

This policy and procedures outlines what adult safeguarding is and what to do if you have a concern. The safeguarding children and young people policy, for those under the age of 18, is covered in a separate document [insert link or name the document].

Policy statement

This organisation is committed to creating and maintaining a safe and positive environment for all people involved in the sport/activity. It accepts its responsibility to assist in the welfare of all people and to safeguard them from poor practice, abuse and bullying.

All individuals within the organisation - players/members/volunteers/coaches/support staff - have a role and responsibility to help ensure the safety and welfare of adults.

This organisation accepts that we are required to fulfil our duty of care, which means that we must do everything that can be reasonably expected of us to help safeguard and protect people from harm, and to act when we suspect that someone is being harmed, or is at risk of harm.

[If appropriate] - The organisation also adopts the full policy from the [insert details of NGB or CSP] - details to be found here [insert link]

What is adult safeguarding?

The official definition of “Adult safeguarding” is working with adults with care and support needs to keep them safe from abuse or neglect. It is an important part of what many public services do, and a key responsibility of local authorities (Care Act 2014).

The safeguarding duties apply to an adult who:

- has needs for care and support (whether or not the local authority is meeting any of those needs)
- is experiencing, or is at risk of, abuse or neglect
- is unable to protect themselves from either the risk of, or the experience of, abuse or neglect, as a result of those care and support needs

Adults who fulfil this criteria are ‘adults at risk’.

People can have a need for care and support for a variety of reasons - for example they may have a learning disability, a physical disability, a chronic health condition or have a mental health issue.

Such conditions may bring with them additional vulnerabilities, however having care and support needs does not mean that people are automatically adults at risk and need safeguarding.

Safeguarding adults is underpinned by:

- The Care Act 2014
- Mental Capacity Act (MCA) 2005

Types of abuse suffered by adults identified in the Care Act 2014 are:

- Physical
- Sexual
- Psychological/Emotional/Mental
- Financial and material
- Neglect and act of omission
- Discriminatory
- Organisational
- Modern Day Slavery
- Domestic Violence
- Self Neglect - including hoarding

Other types of harm that adults may experience include:

- Cyber Bullying
- Forced Marriage
- Female Genital Mutilation
- Mate Crime
- Radicalisation

Safe recruitment and safeguarding training

We want to make sure that all of our volunteers and staff have the right skills and qualities to create a safe environment. All staff and volunteers will be subject to safe recruitment procedures and will also be updated with any relevant legislation, policies and procedural changes. Appropriate training will also be identified and offered, including safeguarding adults training.

Communication

The organisation will make available its Safeguarding Adults Policy and Procedures to all staff, volunteers, members and partner organisations.

What to do if you have concerns about an adult member

Organisation members, staff and volunteers are not expected to be an expert in recognition of a safeguarding concern; however, all adults working, volunteering and participating have a duty of care to be vigilant and respond appropriately to suspicions of poor practice, abuse or bullying. They should also respond to any indication of abuse that may be occurring outside of the organisation setting.

This does not mean that it is your responsibility to decide if a situation is poor practice, abuse or bullying, but it is your responsibility to report your concerns to the Welfare Officer or Deputy Welfare Officer.

If you cannot contact someone within the organisation or feel that your concerns are not being dealt with properly you can contact [details of a national or other local safeguarding lead], the local authority safeguarding adults team [insert details] or ACT, the national safeguarding adults organisation www.anncrafttrust.org

What to do if you have a concern about an adult

