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Safeguarding Adults at Risk Policy and Procedure

Purpose

The purpose of this policy is to protect adults at risk who access Sexual Assault and Abuse Support Service Buckinghamshire and Milton Keynes (SAASSBMK) from harm. This includes the children of adults who access our service.

We aim to provide staff and volunteers as well as adults at risk and their families, with the overarching principles that guide our approach to safeguarding adults in line with national legislation and relevant national and local guidelines.

SAASSBMK is committed to creating a culture of zero-tolerance of harm to adults which necessitates: the recognition of adults who may be at risk and the circumstances which may increase risk; knowing how adult abuse, exploitation or neglect manifests itself; and being willing to report safeguarding concerns. Where any actual or risk of abuse or harm is identified, then the actions set out in the following procedures will be adhered to, to ensure the safety of service users, staff and volunteers.

SAASSBMK recognises that all adults, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have the right to equal protection from all types of harm and abuse.

Scope

This policy is mandatory and applies to anyone working on behalf of SAASSBMK, including the Board of Trustees, staff, external supervisors, consultants, sessional workers and volunteers. It is essential that everyone is aware of its central messages and any duties/responsibilities it places on them.

Legal Framework

This policy is based on:

- The Care Act 2014 and The Care Support Statutory Guidance
- Safeguarding Vulnerable Groups Act 2006
- Under the Human Rights Act 1998, everyone has the right to live free from abuse and neglect (<https://www.equalityhumanrights.com/en/human-rights-act>)
- The Mental Capacity Act 2005 is to be used when decisions on behalf of those adults with care and support needs who are unable to make some decisions for themselves. Refer to the Mental Capacity Act Code of Practice, <https://www.gov.uk/government/publications/mental-capacity-act-code-of-practice>. You will need to involve an advocate if the person lacks the capacity to make decisions about the safeguarding concern.

We recognise that:

- There is a legal framework within which our service needs to work to safeguard adults who have needs for care and support and for protecting those who are unable to take action to protect themselves and will act in accordance with the relevant safeguarding adult legislation and with local statutory safeguarding procedures.
- Safeguarding adults at risk is a part of the wider role of safeguarding and promoting welfare. This refers to the activity which is undertaken to protect specific adults at risk who are suffering or are at risk of suffering significant harm. As SAASSBMK's staff and volunteers, we have a responsibility to safeguard adults at risk and promote their welfare.
- It is the right of adults who have mental capacity to make their own choices, irrespective of how unwise we may consider certain decisions to be. SAASSBMK adopts the Mental Capacity Act 2005 presumption of mental capacity, unless a person's apparent comprehension of a situation gives rise to doubt. We recognise the autonomy of individuals to make their own decisions. The mental capacity of the adult concerned to consent to information being shared is a key element in considering any onward disclosure to another agency. This is important in helping us to take appropriate and proportionate action in response to a concern.
- Safeguarding and promoting the welfare of adults at risk and in particular protecting them from significant harm - depends upon effective joint working between agencies and professionals that have different roles and expertise. Some of the most vulnerable adults and those at greatest risk of social exclusion, will need co-ordinated help from health, education, social care, and quite possibly the voluntary sector and other agencies, including justice services.

In applying these principles we aim to:

- Prevent harm and reduce the risk of abuse or neglect to adults with care and support needs;
- Stop abuse or neglect wherever possible;
- Safeguard adults in a way that supports them in making choices and having control about how they want to live;
- Promote an approach that concentrates on improving life for the adults concerned.

What is Adult Safeguarding?

Safeguarding is defined as '*protecting an adult's right to live in safety, free from abuse and neglect.*'.

Under the Care Act (2014), an adult at risk is someone over 18 years old who: has care and support needs, is experiencing, or is at risk of, abuse or neglect as a result of their care and support needs is unable to protect themselves against the abuse or neglect or the risk of it.

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, having regard for their views, wishes, feelings and beliefs in deciding on any action. This must recognise that adult's sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances.

SAASSBMK will not tolerate the abuse of adults in any of its forms and is committed to safeguarding adults with care and support needs from harm.

An adult at risk is a person aged 18 years or over who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or maybe unable to take care of themselves, or unable to protect themselves against significant harm or exploitation for many reasons, including their mental or physical incapacity, sensory loss or physical or learning disabilities. This could be an adult who is usually able to protect themselves from harm but maybe unable to do so due to an accident, disability, frailty, addiction or illness.

Definitions of Abuse

Abuse or neglect may be the result of deliberate intent, negligence, or ignorance. Exploitation can be a common theme in the experience of abuse or neglect. The abused person and even the abuser may not realise that abuse is being committed. Whilst it is acknowledged that abuse or neglect can take different forms, the Care Act guidance identifies the following types of abuse or neglect:

- Physical Abuse - physical abuse is the physical ill treatment such as shaking, pushing, hitting, force-feeding, tying up or locking up.
- Sexual Abuse - includes rape and sexual assault or sexual acts to which the vulnerable adult has not agreed to or was pressurised into agreeing to.
- Neglect - includes leaving someone alone for inappropriate periods of time, failing to care for them or leaving them in soiled clothes.
- Financial Abuse - includes holding money back, cheating or stealing money.
- Psychological Abuse - includes rejection, ignoring, humiliating, or bullying behaviour.
- Discriminatory Abuse - prejudicial treatment/approach based on a person's race, religion, sex, national origin, sexual orientation, disability, age or other belief or characteristic.
- Domestic Abuse - is the use of coercive forms of control and dominance in domestic relationships and includes any of the above examples.
- Organisational Abuse - takes place in any form of institution, for example, hospitals, residential and nursing homes, day centres and includes any of the above and poor and unsatisfactory professional conduct, or pervasive ill treatment or gross misconduct.
- Modern Slavery - individuals being forced into a life of slavery, human trafficking, domestic servitude or forced labour.
- Self-Neglect – neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.

Although the above list is comprehensive it is not exhaustive.

Procedural Guidance

How to respond to signs or suspicions of signs of abuse where the abused person is a service user:

- If the abuse is not current and there are no ongoing safeguarding adults' issues for the service user or others known to the service user – no further action is required.
- If the abuse is ongoing and there is the possibility that others may be at risk from the abuser, workers should explore this with the service user who should be encouraged to consent to sharing the information. Before such sharing takes place, the issue should be taken to supervision and discussed with the Designated Safeguarding Lead or Officer.
- If an adult discloses domestic abuse and there are children in the home, then this must be reported to Children's Services.

How to respond where there is a suspicion that a service user is abusing an adult at risk:

- Workers must take the issue to supervision and a Designated Safeguarding Officer. In considering any action, the best interests of the abused adult at risk and the best interests of the service user will be considered.

How to respond when a service user knows rather than suspects that an adult at risk is being abused:

- Regardless of circumstances, workers must take the issue to supervision and a Designated Safeguarding Officer. SAASSBMK will consider what is in the best interest of the adult at risk including exploring issues of the adult's care, the best interests of the service user and informal discussions with Adult Services and/or the Police.

Designated Safeguarding Officers should aim to discuss a decision to breach confidentiality without service user consent with the Designated Safeguarding Lead before taking action, if possible.

As per the British Association of Counselling and Psychotherapy Ethical Framework for Counselling Professionals, *"In exceptional circumstances, the need to safeguard our clients or others from serious harm may require us to override our commitment to making our client's wishes and confidentiality our primary concern. We may need to act in ways that will support any investigations or actions necessary to prevent serious harm to our clients or others. In such circumstances, we will do our best to respect the parts of our client's wishes or confidences that do not need to be overridden in order to prevent further harm."*

How to respond when the suspected abuse is by SAASSBMK staff, sessional workers or volunteers towards an adult at risk.

If the information regarding the risk to an adult at risk relates to suspected abuse by a worker of SAASSBMK, the Designated Safeguarding Lead should immediately be
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informed, and they will take appropriate action.

If the allegation concerns the Designated Safeguarding Lead, the concern should be taken to the CEO. If the allegation concerns the CEO, the concern should be taken to the Chair of Trustees.

The worker of SAASSBMK will be suspended immediately pending investigation, on the authority of local authority Safeguarding Board, a member of the Board of Trustees, the CEO and the Designated Safeguarding Lead (where the relevant person is not suspected). This is not an assumption of guilt but serves to allow the appropriate investigation to take place and protects the individual from further allegations.

The steps outlined above will be followed in the same way as if the allegation concerned a perpetrator from another setting.

Raising Complaints/Whistleblowing

See also: Complaints Policy and Whistleblowing Policy

SAASSBMK are committed to ensuring that we have effective complaints and whistleblowing measures in place. Details of how we respond if a member of staff, volunteer, trustee, service user, or member of the public believes that a SAASSBMK member of staff, volunteer or trustee has behaved in a way that has caused harm to a vulnerable adult or exposed a vulnerable adult to harm or behaved in a way that indicates that they are unsuitable to work with vulnerable adults, either in their present role or in any capacity, are escalated through the established safeguarding processes supported by the Whistleblowing Policy.

Support for those who report abuse

All those making a complaint or allegation or expressing concern, whether they be staff, service users, carers or members of the general public should be reassured that;

- They will be taken seriously.
- Their comments will be treated confidentially wherever possible, but their concerns may be shared if they or others are at significant risk;
- If service users, they will be given immediate protection from the risk of reprisals or intimidation.
- Workers will be given support and afforded protection, if necessary, in line with the Public Interest Disclosure Act 1998.

The Adult at Risk has the right:

- To be made aware of this policy;
- To have alleged incidents recognised and taken seriously;
- To receive fair and respectful treatment throughout;
- To be involved in any process as appropriate; and
- To receive information about the outcome.

Note Keeping and Destruction

Guidance on receiving a disclosure can be found within the safeguarding training. Any meetings or discussions as a result of a suspicion or disclosure of abuse of an adult

at risk will be recorded on a Disclosure Form and uploaded on the Database. Dates, times, names of persons present, descriptions of the suspicion or verbatim account of the disclosure and action and outcome will be recorded, and the Designated Safeguarding Lead will be informed.

This will be done with the knowledge of the person making the allegation or disclosure or sharing their concerns. This information is kept for 7 years and if any of the information is used as evidence and shared with the relevant authorities then it will be kept in line with their policies and procedures.

The Principle Of Confidentiality

See also: Confidentiality Policy

Before any work takes place with service users, they are all spoken to with regards to limits of confidentiality and significant risk to an adult at risk. The worker explores this with the service user individually to ensure they clearly understand the limits of confidentiality and SAASSBMK's ethos to be committed to safeguard adults. This is also documented in a written contract.

All matters of suspicion must be taken to a Designated Safeguarding Officer at the earliest convenience. All decisions will be taken after informed discussions (to include the worker and Designated Safeguarding Officer as a minimum) with the best interests of the adult at risk in mind. If the Designated Safeguarding Officer is absent and is not contactable, then another Designated Safeguarding Officer or the Designated Safeguarding Lead should be contacted in their absence.

Recruitment, Training and Self Care

See also: DBS Policy, Recruitment Policy and Training and Development Policy

All volunteers and staff are required to undergo an appropriate DBS check to ensure their suitability of involvement with SAASSBMK before they begin work. In addition to this, all SAASSBMK workers must participate in our core safeguarding training on a yearly basis.

All workers that may be impacted by any adult safeguarding concerns or disclosures are offered extra supervision, line management and time with a Designated Safeguarding Officer or the Designated Safeguarding Lead to ensure they feel supported and equipped for their role.

Designated Safeguarding Personnel

Designated Safeguarding Lead (DSL):

- Head of Services – Sally Davies; sally@saassbmk.org.uk; 07970 070320
- Co-CEO- Zoe Bell (CYP;zoe@saassbmk.org.uk) : 07871107774

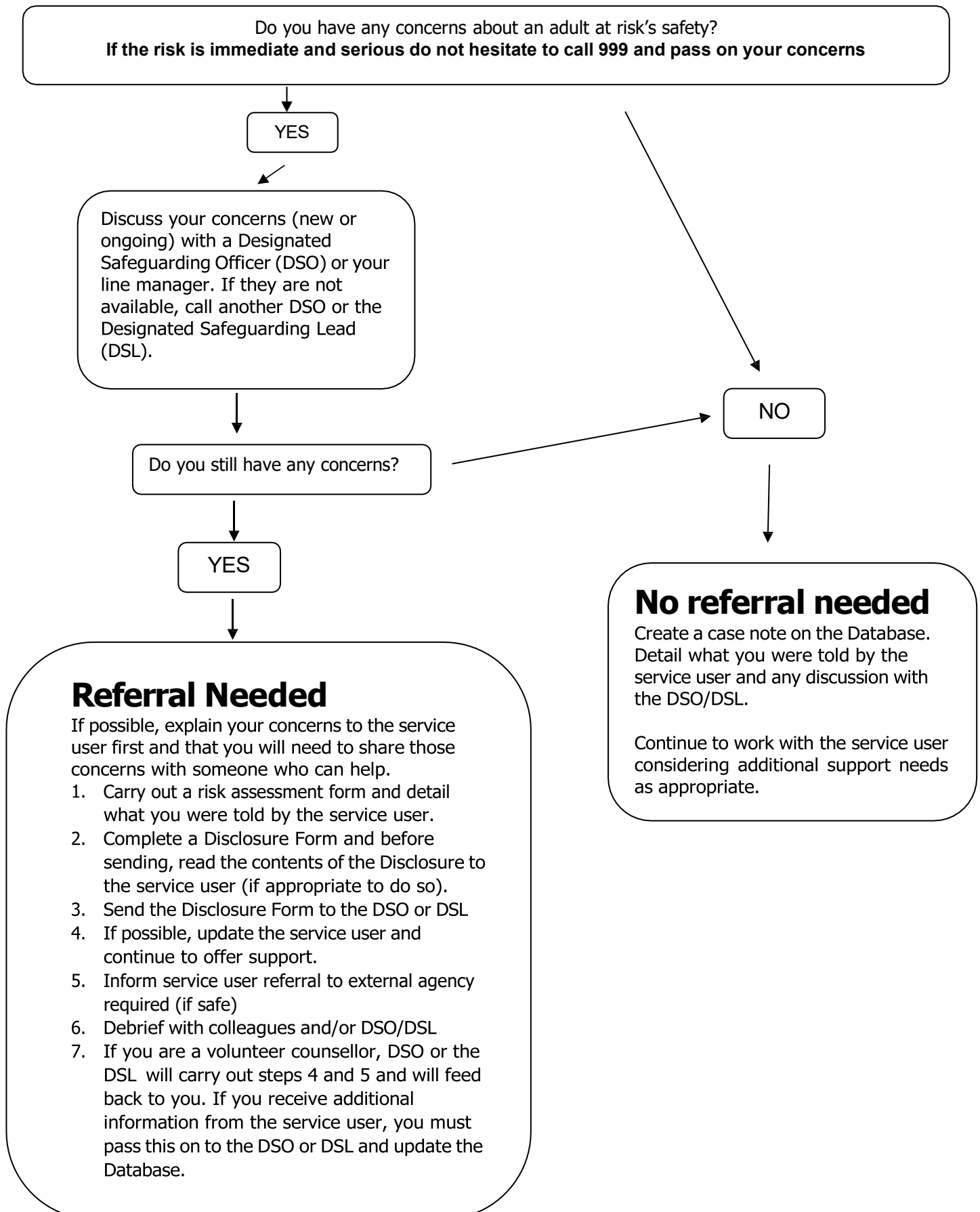
Designated Safeguarding Officers (DSO):

- Therapeutic Service Manager – Gemma Stevenson;
Registered CIO 1175021

- gemma@saassbmk.org.uk; 07514 623110
- DV Counselling Co-ordinator – Zahara Kayani;
zahara@saassbmk.org.uk; 07514 623102
 - CYP Counselling Co-ordinator – Lili Stemson;
lili@sashbucks.org.uk; 07749051468
 - Therapeutic Services Support Worker – Sarah Dunmur;
sarah@saassbmk.org.uk 07912 497 433

The DSL and DSO's should ensure that they receive the appropriate level of Adult and Child Safeguarding training which is updated on an annual basis.

Appendix A – SAASSBMK’s Adults at Risk Safeguarding Flow Chart



Appendix B – Safeguarding Adults Contact Details

BUCKINGHAMSHIRE

Safeguarding Adults Team:

Working Hours: 0800 137915 or 01296 383204

Out of Hours: 0800 999 7677 (Emergency Duty Team)

Email: ascfirstresponse@buckinghamshire.gov.uk

Portal: <https://www.buckssafeguarding.org.uk/adultsboard/report-a-concern/>

The Police on:

Emergencies 999

Non Emergencies 101

MILTON KEYNES

Safeguarding Adults Team:

Working Hours: 01908 252835

Out of Hours: 01908 725005 (Emergency Duty Team)

Email: safeguardingadults@milton-keynes.gov.uk

Portal: <https://www.milton-keynes.gov.uk/adult-social-care/safeguarding-adults-and-children/worried-about-adult>

The Police on:

Emergencies 999

Non Emergencies 101