

## Wiltshire Wildlife Trust (WWT) Adults at Risk Protection Procedures

This document sets out what to do if you or someone else suspects the abuse of an adult at risk or an adult at risk adult makes a disclosure about being abused. WWT defines an adult as someone over the age of 18. WWT aims to ensure that there is a speedy and effective response for dealing with concerns.

The procedures below should be followed by all Wiltshire Wildlife Trust staff and volunteers who come in contact with an adult at risk as part of any activity organised by the Trust.

WWT is committed to creating and maintaining the safest possible environment for adults at risk.

**Safeguarding is everyone's responsibility**, irrelevant of their role within Wiltshire Wildlife Trust. All of us have a responsibility for the protection of children and adults at risk from abuse and maltreatment or neglect.

### Context

The Care Act 2014 (England and NI) sets out a clear legal framework for how local authorities and organisations such as charities should protect adults at risk from abuse or neglect.

This means protecting an adult's right to live in safety, 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, having regard to their views, wishes, feelings and beliefs in deciding on any action. This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear, or unrealistic about their personal circumstances (Care Act Guidance 2014).

Safeguarding Adults is based upon six fundamental principles (Care Act 2014):

1. Empowerment - people being supported and encouraged to make their own decisions and informed consent
2. Prevention - it is better to take action before harm occurs
3. Proportionality - the least intrusive response appropriate to the risk presented
4. Protection - support and representation for those in greatest need
5. Partnership - local solutions through services working together and with their communities. Communities have a part to play in preventing, detecting, and reporting neglect and abuse
6. Accountability - accountability and transparency in delivering safeguarding.

## Making Safeguarding Personal

Outlined in the Care Act, this is an approach to working with adults which supports a person-centred, outcome-focus to Safeguarding. In practice this means talking to the adult about what they want to happen and understanding their views, wishes, feelings and beliefs before any actions are decided. Working in this way helps to ensure the adult is happy with the outcome from a safeguarding enquiry. Should the Safeguarding Team need to contact the local authority to raise a concern, it is important to gather the adult's views and wishes beforehand, where possible. This conversation should focus on what the adult wants to happen as a result of the referral, as this will likely be requested by the local authority.

## Wiltshire Wildlife Trust Safeguarding Commitment

Wiltshire Wildlife Trust believe that everyone has a responsibility to safeguard children, young people and adults at risk; as an organisation, we are committed to ensuring their safety and wellbeing is at the heart of our engagement with people.

### We will:

- Not tolerate any form of abuse or neglect within Wiltshire Wildlife Trust
- Take all reasonable steps to protect children, young people and adults at risk who visit our sites, take part in our activities, or engage with us online
- Give equal priority to keeping all children, young people, and adults at risk safe from harm, regardless of their age, disability, gender, race, beliefs, sex, or sexual orientation
- Provide our staff, volunteers and trustees with the knowledge and tools to guide them in protecting children, young people, and adults at risk from abuse and neglect.

### We will achieve this by:

- Supporting staff and volunteers by establishing a clear policy and procedural framework and transparent reporting and by promoting a culture of learning throughout the organisation
- Encouraging staff and volunteers to discuss any concerns immediately or as soon as practically possible with their line manager/supervisor or member of the Safeguarding Team
- Listening to and hearing the voice of children, young people and adults at risk and respecting their views
- Recruiting our staff and volunteers safely including references, disclosure and barring checks as appropriate

## Definition

*"Under the Care Act 2014 local authorities and other public agencies should protect adults at risk of abuse or neglect. The local authority has a duty to make (or cause to be made) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the case of an adult in its area (whether or not ordinarily resident there) where the adult:*

- has needs for care and support,*
- is experiencing, or is at risk of abuse or neglect, and*
- as a result of those needs, is unable to protect them self against the abuse or neglect or the risk of it."*

*(Wiltshire Council)*

## Who is at risk?

**Examples** - A person may be at risk if they:

- are elderly or frail
- suffer from mental illness
- have a learning disability or a physical disability
- are a substance misuser
- are homeless or in a state of realised poverty
- are in an abusive relationship

This list is not exhaustive.

It should be noted that a person is not normally regarded as being at risk purely on the grounds of disability, gender, age or illness alone. Rather these are indicators that a person may be vulnerable to abuse or exploitation, but in fact they may not be. It should also be noted that a person's 'at risk status' can change. A person in an abusive relationship or suffering from an illness may become at risk, but the situation or the individual's own resources may then alter so that the person would cease to be at risk. Equally a person who has not historically been regarded as at risk may become so either for a period of time or in some cases permanently.

## What constitutes the abuse of an adult at risk?

Abuse may be defined as the wrongful application of power by someone in a dominant position. It involves an imbalance of power and exploitation without a full and informed consent. Abuse can take several different forms and may be a single act or repeated acts.

Wiltshire Wildlife Trust recognises that an adult at risk may suffer:

- **Physical abuse** – includes hitting, slapping, kicking, pushing, withholding or misuse of medication.
- **Psychological abuse** - includes persistent maltreatment, threats of harm, emotional abuse (for example saying they are worthless, unloved or inadequate, humiliation, verbal abuse,

intimidation, coercion, harassment, withdrawal of support, isolation and deprivation (physical and sensory).

- **Sexual abuse** – includes sexual assault and rape, or sexual acts where the adult has not given (or could not give) consent or was forced into consenting. This may include inappropriate physical contact, penetration and non-penetrative acts, looking at inappropriate images and grooming.
- **Neglect and Acts of Omission** – includes ignoring physical care and medical needs, withholding basic living requirements e.g. adequate nutrition, safe and warm environment, withholding necessary medication and failure to provide access to appropriate health and social care services and/or educational services.
- **Self-neglect** – includes lack of self-care, failing to seek medical attention and being unwilling or unable to manage personal affairs.
- **Domestic violence or abuse** – includes controlling, coercive and/or threatening behaviour involving individuals who are or have been intimate partners or family members.
- **Financial / material abuse** – includes fraud, theft, exploitation, financial transactions, misappropriation e.g. willed inheritance, property, benefits and possessions.
- **Modern slavery** – includes human trafficking, forced labour and coercing services from a captive individual.
- **Discrimination** – includes harassment and/or exclusion because of race, creed, culture, ability, age, gender and any slur deemed offensive and abusive.
- **Institutional abuse** – indicated by repeated instances of unsatisfactory professional practice, pervasive ill treatment or gross misconduct indicating an abusive climate.

Additional types of abuse include:

- **Abuse using social media** – cyber bullying, threats, offensive comments and obscene remarks, sexting and grooming
- **County Lines / Cuckooing** – use of mobile phone by gangs to facilitate the movement and supply of drugs to users and/or using a local property as a base often belonging to an adult at risk that has been obtained through force or coercion (known as 'cuckooing').

## What to do if you suspect that an adult at risk is being abused.

A concern about abuse may be raised where:

- there is direct disclosure of abuse by the adult at risk or;
- there is a complaint or expression of concern by another person or;
- the behaviour or appearance of the adult at risk causes concern.

Care must be taken not to disclose the allegation of abuse to the alleged perpetrator as this may place the adult at risk under an increased risk of abuse or escalation.

Care must be taken not to disturb or destroy anything that may be used in evidence if a criminal investigation were to take place.

It is important to:

1. Take reasonable steps to ensure there is no immediate danger.
2. Seek appropriate medical treatment if required.
3. Contact the police if it appears that a crime has been committed.
4. Obtain permission from the adult at risk before disclosing confidential information about them (see below for guidance on confidentiality).
5. Where appropriate, discuss concerns with the person responsible for overseeing the care of the adult at risk.
6. Consider the need to inform care professionals that support the adult at risk (after first obtaining their consent). This may include but is not limited to their GP, CPN, Co-Worker, or a range of other care professionals.
7. Where a child is also thought to be at risk, Child Protection procedures should be invoked.

If, after discussion with the adult at risk, abuse or neglect is considered to be a possibility, then a referral should be made to a Designated Safeguarding Officer (DSO) who may, in consultation with the member of staff, refer to the appropriate local authority Social Service department.

A referral form should be completed in all cases and given to the DSO.

#### **If you receive an allegation about any adult:**

1. Immediately tell a DSO, who will discuss the situation with you before considering the most appropriate course of action to be taken.
2. Record the facts as you know them including time and date of the incident and sign the record before giving a copy to the DSO.
3. Try to ensure no-one is placed in a position which could cause further compromise.

#### **If you receive an allegation about yourself:**

1. Immediately tell a DSO, who will discuss the situation with you and decide the most appropriate course of action to be taken.
2. Record the facts as you know them including time and date of the incident and sign the record before giving a copy to the DSO.
3. If an allegation is made against a member of staff or volunteer the DSO will be required to advise the Chief Executive or, in their absence, the SLT Safeguarding Lead. The Trust's Disciplinary Procedure may be implemented if genuine concerns are raised.

**You must refer – you must not investigate**

#### **Confidentiality**

WWT employees and trained WWT volunteers have a duty to respect and protect the confidentiality of any information that they have relating to adults at risk. Such information should not normally be disclosed without the consent of the adult at risk. However, there is an underlying professional requirement to act in the interests of service users, members of the public in general, Trust staff and Trust volunteers. It may become necessary to disclose information without the consent of the adult at risk in certain situations, namely:

1. If an adult at risk's health renders them incapable of consent (e.g. mental incapacity).
2. Where disclosure is necessary to prevent serious injury or damage to the health of the adult at risk, a third party or to public health (e.g. others are placed at risk).
3. When disclosure is required by law or by a court order.

It should be borne in mind that adults at risk experience the same protection under the Data Protection Act 1999 as other UK citizens. They should be given the assurance of confidentiality, but never of **absolute** confidentiality. The reasons for this should be explained at the outset of involvement with any adult at risk.

If it becomes necessary to disclose information about an adult at risk for any of the reasons named above, it is vital that the adult at risk should be informed of any decision to share information that is contrary to their wishes. They should be aware of which information is being shared and with whom. This is necessary for the purposes of damage limitation and so that the person will not be further disempowered by the disclosure. Disclosure could, in certain circumstances, place the adult at risk at increased risk of abuse or harm, so this matter should be handled with the greatest of care to ensure this is not the case and with full recourse to all of the necessary agencies.

It is very important that information is handled sensitively and on a need to know basis as incorrect information can sometimes prove very detrimental to the reputations of organisations and to the lives of all parties involved if it were to fall into inappropriate hands. Many adults at risk are at increased risk of stigmatisation within society and due care and attention is needed to ensure that this risk is not exacerbated with life changing consequences.

Social Service authorities, and where a criminal offence may have been committed, the police, have a responsibility to make inquiries into concerns about the welfare of an adult at risk. At a local level, agencies involved in the care and protection of adults at risk (e.g. commissioners, providers and regulators of health and social care services; the police; local housing and education departments; voluntary and private sector organisations) work in partnership to ensure robust procedures are in place.

## **Procedure following receipt of a report**

1. The DSO will discuss the incident with the member of staff or volunteer completing the reporting form and together they will agree the course of action to be taken. This may include the DSO speaking to Social Services, Senior Leadership Safeguarding Lead, police or social worker.
2. If an allegation is made against a member of staff or volunteer the DSO will be required to advise the Chief Executive or in their absence the Head of Finance and Resources. The Trust's Disciplinary Procedure will be followed immediately.
3. Where appropriate the DSO will keep the member of staff informed of the outcome.
4. All incident reports, records and notes relating to subsequent actions will be securely held (double locked within a filing cabinet and password protected if held electronically).

## **Internal Processes**

1. Prior to the commencement of recruitment for all staff and volunteer roles the Exec Team safeguarding lead should be consulted to confirm whether the role requires a DBS check. All new roles will be added to the Role Specification DBS Register.
2. If a DBS check is a requirement of a role the individual will complete a DBS application form and provide a DSO with all the required identification documents. The individual will not be able to commence the role until they have shown the DBS certificate to their Line Manager.
3. During the recruitment of any post which works with children, young people or adults at risk, there will be at least one lead person on the interview panel who has current safer recruitment training.
4. If an offence is disclosed on the DBS certificate a DSO should be notified. The DSO will then consider the individual's suitability for the role in light of the nature of the offence. This will include a discussion with the individual regarding the circumstances of the offence. Once all evidence has been gathered the DSO and the Exec Safeguarding Lead will meet to discuss the situation and will make a joint decision regarding the suitability of the person for the role(s) they will undertake while with the Trust. This decision will be documented and this record will be kept with a copy of the DBS certificate. All disclosures will be treated on a case by case basis.
5. A DBS certificate will be renewed every 3 years or when there is a change to a role.
6. The DSO will update the Safeguarding team (NB – names and personal details will not be divulged) on a regular basis.
7. When appropriate information included on DBS certificates will be passed to the CEO or Director of Finance & Operations (head of HR) to assist with the approval of contracts.
8. The Safeguarding Team will review Safeguarding processes and procedures annually and meet quarterly to update as needed.
9. The DSOs will attend a review with an external, independent provider annually.
10. In the case of a serious incident the Trust will provide a free and independent counselling service to staff and volunteers.

**Contact numbers:**

**Exec Safeguarding Lead:** **Damian Haasjes** **01380 736096 / 07793251558**

**Care Farm Head of Service:** **Dean Sherwin** **01666 860699 / 07887758380**

**YEW Team Head of Service:** **Gail Grimes** **07736 457649**

**F & E Safeguard Lead:** **Becki McKinlay** **07597 589587**

**Volunteer Safeguard Lead:** **Ali Nott** **07849 089875**

**Adult Wellbeing Team Leader** **Imogen Jackson** **07702 802961**

**Wiltshire Wildlife Trust Safeguarding Phone:** **07849 085423**

**Adult Multiagency Safeguarding Hub** **0300 456 0111**