



# **Safeguarding Policy and Procedure**

## **Introduction**

Safeguarding is a verb – it involves **being responsive** (to disclosure or allegation) and **being proactive** (planned steps to minimise the risk of abuse happening in the first place).

**Being responsive:** You must respond if:

- You know that someone is being abused or neglected
- You have reason to suspect that someone is being abused or neglected

**Being proactive:** Safeguarding includes day to day operational decisions that contribute towards OpenStoryTellers being a hostile environment for any potential abuser. We don't think 'it could never happen here' instead, we think 'how to we make it difficult to happen here?'

**Disclosure and barring service:** Every employee is required to have an enhanced disclosure and barring service check. We extend this to all our roles because of the smallness of our community and the requirement for all roles to spend time with people with a learning disability. New employees are permitted to work pending their DBS check provided they are supervised by existing staff and do not do any 1:1 work until their check arrives.

**Safeguarding lead:** The safeguarding lead is the **Director of the Charity**, supported by the **Artistic Director**.

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## **Understanding safeguarding**

Our approach to safeguarding is underpinned by the principles of safeguarding that are in the Care Act 2014:

*Six key principles underpin all adult safeguarding work*

### **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.*

**Making safeguarding personal** *In addition to these principles, it is also important that all safeguarding partners take a broad community approach to establishing safeguarding arrangements. It is vital that all organisations recognise that adult safeguarding arrangements are there to protect individuals.*

### **Staff Support**

Openstorytellers recognises that identifying and reporting possible abuse has the potential to be very stressful for any member of staff involved, and is therefore committed to providing support throughout this process.

We also recognise that there are instances where staff may want to speak in confidence or seek a second opinion if signs of abuse are noted; in circumstances such as these your line manager will be available. All discussions will take place in accordance with Openstorytellers Confidentiality Policy.

Staff can request a debriefing session after any report of abuse of a vulnerable adult or child has been made, and in some situations confidential counselling may also be offered.

The staff is also encouraged to make use of the Croner Employee Assist support line at these times.

### **Responsibilities**

The prevention of abuse and neglect is a collective responsibility of all sections of society. However, those in contact with vulnerable people and children have a particular responsibility to be alert to the signs and early detection of abuse from whatever quarter, thus ensuring that appropriate action can be taken.

Members of staff must report allegations or suspicions of abuse, therefore Openstorytellers as the employer, has a responsibility to provide these staff with the necessary training in adult safeguarding, as well as measures which are aimed at preventing abuse. This training will be provided for staff upon induction and at regular intervals, at least every 3 years. The training will set out clear expectations of behaviour, manners and attitude.

Openstorytellers do not have any powers to investigate any form of abuse, however staff have a responsibility to:

- Report suspected abuse and neglect to county council safeguarding teams (<https://ssab.safeguardingsomerset.org.uk> and <https://www.healthwatchwiltshire.co.uk/advice-and-information/2019-04-11/wiltshire-safeguarding-adults-board> )
- Take action to protect a vulnerable adult from abuse if concerns are raised, and we will encourage opportunities to access services and information designed to protect people from abuse.

Openstorytellers is committed to working with our commissioners and other agencies to flag up possible abuse of vulnerable adults and assist in investigations wherever possible.

### **Whistle-Blowing**

Openstorytellers promotes an open organisational culture which we anticipate would encourage staff and service users to speak out and report concerns about abuse. Anyone whistle-blowing will be protected by our whistleblowing policy.

### **Policy Revisions**

This policy will be reviewed every three years and amended as necessary, or earlier in accordance with any forthcoming legislation. All employees should pass suggestions or recommendations for the revision of any aspect of this policy through normal channels to the Director.

### **Additional information about Safeguarding Vulnerable Adults:**

(<https://ssab.safeguardingsomerset.org.uk> and <https://www.healthwatchwiltshire.co.uk/advice-and-information/2019-04-11/wiltshire-safeguarding-adults-board> )

## **Safeguarding Vulnerable People Procedure**

**To do nothing is not an option.**

**Anyone who works with or has contact with vulnerable adults must be aware of the potential for abuse, and has a duty to report any actual or suspected abuse.**

If a member of staff is concerned about a vulnerable adult, and/or indicator(s) of abuse have been noted, and he/she would like to seek a second opinion before taking action to report this, your line manager (or another senior manager) will be available to speak with you. Any discussions will take place in accordance with Openstorytellers' Confidentiality Policy.

### **Disclosure of Abuse**

Although staff are encouraged to know about the signs and signals which make them suspect that someone might be being abused, many incidents will only come to light because the person discloses this themselves. A disclosure may take place many years after a traumatic event or when someone has just left a place where they were afraid. All disclosures should be taken seriously.

What to do if a vulnerable adult or child makes a disclosure regarding abuse:

#### **DO**

- Make sure the immediate safety of the person
- Stay calm and do not show shock or disbelief
- Listen carefully to what you are being told \_
- Tell the person:
  - They did the right thing in telling you
  - It was not their fault
- Preserve evidence e.g. paperwork, clothing, blood, semen, etc Explain that you are required to share this information with the regulating authority (as appropriate)
- Explain that further investigations will be conducted sensitively and with their involvement as much as possible
- Write down what the person has said remembering that this information may be used as evidence

#### **DO NOT**

- Be judgmental (for example, "why didn't you stop them...") \_
- Promise to keep secrets or make promises that you will be unable to keep
- Press the person for more details
- Show them photos of possible abusers or ask closed or leading questions
- Contact the alleged abuser or alleged victim (depending on who is making the disclosure)
- Pass on the information to anyone other than people that 'need to know'
- 'Sit' on the information over the weekend or until you are on duty next, make sure you

report the information as soon as possible

### **Criminal Offences**

If you witness abuse which is a criminal offence or someone makes a disclosure to you about being a victim of a recent criminal offence, in addition to the above you must:

#### **DO**

- Call the emergency services by dialing 999
- Allow the police to conduct all questioning
- Take action to make sure that no-one else questions the victim, abuser or witnesses about what happened
- Ask the police for advice about whether the victims and witnesses should be kept apart before they have an opportunity to discuss the events they have witnessed
- Work with the police at the scene and co-operate with the Investigating Officer during any investigation

Failure to comply with this process might result in any defence asking for evidence to be withdrawn on the grounds that the information has been unfairly obtained 'due to leading the victim or a witness'.

**NOTE:** In all cases staff should attempt to obtain the consent of an individual before calling the police. This is not always appropriate and the requirement to obtain consent may be overridden or dispensed with depending on the seriousness of the incident, the risk to other people and/or the capacity of the individual to make the decision (see Mental Capacity).

#### **DO NOT**

- Move anything, clean anything or wash anything up
- Bathe the person or change their clothes
- Remove or alter any documentation
- Where sexual abuse is concerned, do not assume that it is too late to collect forensic evidence, even days after the alleged abuse – let the police decide

### **Recording Statements**

It is important to write a report of the incident as soon as possible, make sure your writing is legible and you must also date, sign and print your name on it.

- Write down any injuries, describing the colour, size, depth and shape
- Note in writing the state of the clothing of the person and the alleged abuser
- Note what was said, using the exact words and phrases spoken wherever possible, including dates and times
- Describe the circumstances in which the disclosure came about

- Note the setting and anyone else that was there at the time
- Write down exactly what happened – not your opinion
- Use a pen or biro with black ink so that it can be photocopied
- Be aware that your report may be required in the future as part of a legal action or disciplinary procedure.
- You must remember that if you witness, discover or suspect abuse, or someone makes a disclosure to you, you have a duty to report it.
- Even if an allegation concerns a member of staff (who may also be a colleague) it is still the clear duty of those concerned to report the matter.

### **Mental Capacity**

In law, every adult has the right to make their own decisions and is assumed to have capacity to do so unless it is proved that they do not. Exceptions to this are:

- Vulnerable adults with severe learning disabilities who are not deemed to be able to give consent to sexual acts
- Vulnerable adults who have already been assessed as incapable of managing their own finances. For example, their finances are subject to the Court of Protection
- Vulnerable adults who are subject to certain Orders under current mental health legislation.

Difficulties arise when it is not clear whether the vulnerable adult is capable of making a decision or whether the decision is being made under duress.

When a vulnerable adult with capacity has made a decision that they do not want action taken to address any abuse they are being subjected to, this will be respected unless failure to act will leave other vulnerable adults or children at risk, the incident is of a serious nature, or the capacity of the individual to make a decision is called into question.

When a vulnerable adult declines contact with the police, staff should then contact either the relevant Social Work team for an assessment as to what would be in the best interest of that person or other vulnerable adults. This decision must be discussed with the local Team Manager or Emergency Duty Team if out of office hours.

**NOTE:** As an Agency it is imperative that disclosures or suspicions of abuse are passed on to the relevant local authority safeguarding team even if the vulnerable person does not want to take action against the abuse, obviously the wish of the vulnerable person must also be reported.

### **How to make an Adult safeguarding Referral**

Openstorytellers and its projects do not have any powers to investigate any form of abuse; however staff do have a responsibility to take action to report suspicions of abuse to a vulnerable adult or child.

In circumstances where abuse amounts to a criminal offence the emergency services must be called, firstly the Police/Ambulance and then local authority safeguarding team or the relevant Out of Hours Emergency Duty Team.

In the interests of confidentiality, when making the referral it is imperative not to disclose any details about the case (this could be personal details about the victim or the alleged abuser) until you are speaking to a person that 'needs to know'.

If the vulnerable adult lives in a care home, is receiving care from a domiciliary care agency or any registered service, you must also report the incident to the Commission for Social Care Inspection (CSCI) or the relevant regulatory authority.

If abuse is witnessed or suspected in services provided by a hospital trust, you should report your concerns to a senior manager in the trust. You may also report your concerns to the Patient Advocacy Liaison Service (PALS).

You will be advised as to which forms to complete to make the referral by whichever authority you have reported the incident/suspicion/allegation to.

The Police or regulatory authority will then become responsible for investigating the alleged abuse. As the referrer you will undoubtedly be asked to assist in the investigation. In line with Openstorytellers Safeguarding Vulnerable People Policy you will contribute to the investigation as appropriate, however it is the role of the Police or other authority to ensure that the vulnerable adult or child is supported from this point forward.

### **Allegations of Abuse against Staff**

If a member of staff is alleged to be involved in an incidence of abuse, the Director must be informed as soon as possible, it would not be acceptable to wait until he/she returns from leave unless he/she is entirely un-contactable. If it is not possible to contact the Director, the Chair of Trustees must be contacted.

The Director (or the next most senior member of staff) must contact the member of staff against which the allegation has been made, to suspend them indefinitely pending further enquiries, making it clear that they are prohibited from contacting any service users especially the alleged victim, any member of the alleged victims' family or employees. The Director will make it clear to the member of staff that their suspension does not presume guilt, but is in order to protect both them and the person who has made the allegation. The Director will contact the relevant authorities as necessary and follow their guidance from this point.



## Appendix 1

### Definition of Abuse – Copied from Care Act Statutory Guidance

#### *What constitutes abuse and neglect?*

14.16 This section considers the different types and patterns of abuse and neglect and the different circumstances in which they may take place. This is not intended to be an exhaustive list but an illustrative guide as to the sort of behaviour which could give rise to a safeguarding concern. This chapter also contains a number of illustrative case studies showing the action that was taken to help the adult stay or become safe.

14.17 Local authorities should not limit their view of what constitutes abuse or neglect, as they can take many forms and the circumstances of the individual case should always be considered; although the criteria at paragraph 14.2 will need to be met before the issue is considered as a safeguarding concern. Exploitation, in particular, is a common theme in the following list of the types of abuse and neglect.

#### *Physical abuse including:*

- assault
- hitting
- slapping
- pushing
- misuse of medication
- restraint
- inappropriate physical sanctions

#### *Domestic violence including:*

- psychological
- physical
- sexual
- financial
- emotional abuse
- so called 'honour' based violence

#### *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
- sexual assault
- sexual acts to which the adult has not consented or was pressured into consenting

*Psychological abuse including:*

- emotional abuse
- threats of harm or abandonment
- deprivation of contact
- humiliation
- blaming
- controlling
- intimidation
- coercion
- harassment
- verbal abuse
- cyber bullying
- isolation
- unreasonable and unjustified withdrawal of services or supportive networks

*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
- the misuse or misappropriation of property, possessions or benefits

*Modern slavery encompasses:*

- slavery
- human trafficking
- forced labour and domestic servitude.
- traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment

*Discriminatory abuse including forms of:*

- harassment
- slurs or similar treatment:
  - because of race
  - gender and gender identity
  - age
  - disability
  - sexual orientation
  - religion

*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.

*Neglect and acts of omission including:*

- ignoring medical
- emotional or physical care needs
- failure to provide access to appropriate health, care and support or educational services
- the withholding of the necessities of life, such as medication, adequate nutrition and heating

*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. It should be noted that self-neglect may not prompt a section 42 enquiry. An assessment should be made on a case by case basis. A decision on whether a response is required under safeguarding will depend on the adult's ability to protect themselves by controlling their own behaviour. There may come a point when they are no longer able to do this, without external support.

14.18 Incidents of abuse may be one-off or multiple, and affect one person or more. Professionals and others should look beyond single incidents or individuals to identify patterns of harm, just as the CCG, as the regulator of service quality, does when it looks at the quality of care in health and care services. Repeated instances of poor care may be an indication of more serious problems and of what we now describe as organisational abuse. In order to see these patterns it is important that information is recorded and appropriately shared.

14.19 Patterns of abuse vary and include:

- serial abuse, in which the perpetrator seeks out and 'grooms' individuals. Sexual abuse sometimes falls into this pattern as do some forms of financial abuse
- long-term abuse, in the context of an ongoing family relationship such as domestic violence between spouses or generations or persistent psychological abuse
- opportunistic abuse, such as theft occurring because money or jewellery has been left lying around

*Domestic abuse*

14.20 The cross-government definition of domestic violence and abuse is: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- psychological
- sexual
- financial
- emotional

14.21 A new offence of coercive and controlling behaviour in intimate and familial relationships was introduced into the Serious Crime Act 2015. The offence will impose a maximum 5 years imprisonment, a fine or both.

14.22 The offence closes a gap in the law around patterns of coercive and controlling behaviour during a relationship between intimate partners, former partners who still live together, or family members, sending a clear message that it is wrong to violate the trust of those closest to you, providing better protection to victims experiencing continuous abuse and allowing for earlier identification, intervention and prevention.

14.23 The offence criminalising coercive or controlling behaviour was commenced on 29 December 2015.

#### *Financial abuse*

14.24 Financial abuse is the main form of abuse investigated by the Office of the Public Guardian both amongst adults and children at risk. Financial recorded abuse can occur in isolation, but as research has shown, where there are other forms of abuse, there is likely to be financial abuse occurring. Although this is not always the case, everyone should also be aware of this possibility.

14.25 Potential indicators of [financial abuse](#) include:

- change in living conditions
- lack of heating, clothing or food
- inability to pay bills/unexplained shortage of money
- unexplained withdrawals from an account
- unexplained loss/misplacement of financial documents
- the recent addition of authorised signers on a client or donor's signature card
- sudden or unexpected changes in a will or other financial documents

14.26 This is not an exhaustive list, nor do these examples prove that there is actual abuse occurring. However, they do indicate that a closer look and possible investigation may be needed.

14.27 The above case study highlights the need for local authorities not to underestimate the potential impact of financial abuse. It could significantly threaten an adult's health and wellbeing. Most financial abuse is also capable of amounting to theft or fraud and would be a matter for the police to investigate. It may also require attention and collaboration from a wider group of organisations, including shops and financial institutions such as banks.

14.28 Internet scams, postal scams and doorstep crime are more often than not, targeted at adults at risk and all are forms of financial abuse. These scams are becoming ever more sophisticated and elaborate. For example:

- internet scammers can build very convincing websites
- people can be referred to a website to check the caller's legitimacy but this may be a copy of a legitimate website
- postal scams are mass-produced letters which are made to look like personal letters or important documents
- doorstep criminals call unannounced at the adult's home under the guise of legitimate business and offering to fix an often non-existent problem with their property. sometimes they pose as police officers or someone in a position of authority

14.29 In all cases this is financial abuse and the adult at risk can be persuaded to part with large sums of money and in some cases their life savings. These instances should always be reported to the local police service and local authority Trading Standards Services for investigation. The SAB will need to consider how to involve local Trading Standards in its work.

14.30 These scams and crimes can seriously affect the health, including mental health, of an adult at risk. Agencies working together can better protect adults at risk. Failure to do so can result in an increased cost to the state, especially if the adult at risk loses their income and independence.

14.31 Where the abuse is perpetrated by someone who has the authority to manage an adult's money, the relevant body should be informed - for example, the Office of the Public Guardian for deputies or attorneys (see para 14.61) and Department for Work and Pensions (DWP) in relation to appointees.

14.32 If anyone has concerns that a DWP appointee is acting incorrectly, they should contact the DWP immediately. Note that the DWP can get things done more quickly if it also has a National Insurance number in addition to a name and address. However, people should not delay acting because they do not know an adult's National Insurance number. The important thing is to alert DWP to their concerns. If DWP knows that the person is also known to the local authority, then it should also inform the relevant authority.

#### *Who abuses and neglects adults?*

14.33 Anyone can perpetrate abuse or neglect, including:

- spouses/partners
- other family members
- neighbours
- friends
- acquaintances
- local residents
- people who deliberately exploit adults they perceive as vulnerable to abuse
- paid staff or professionals and volunteers
- strangers

14.34 While a lot of attention is paid, for example, to targeted fraud or internet scams perpetrated by complete strangers, it is far more likely that the person responsible for abuse is known to the adult and is in a position of trust and power.

14.35 Abuse can happen anywhere: for example, in someone's own home, in a public place, in hospital, in a care home or in college. It can take place when an adult lives alone or with others.

### *Spotting signs of abuse and neglect*

14.36 Workers across a wide range of organisations need to be vigilant about adult safeguarding concerns in all walks of life including, amongst others in health and social care, welfare, policing, banking, fire and rescue services and trading standards; leisure services, faith groups, and housing. GPs, in particular, are often well-placed to notice changes in an adult that may indicate they are being abused or neglected. Findings from serious case reviews have sometimes stated that if professionals or other staff had acted upon their concerns or sought more information, then death or serious harm might have been prevented. The following example illustrates that someone who might not typically be thought of, in this case the neighbour, does in fact have an important role to play in identifying when an adult is at risk.

14.37 Anyone can witness or become aware of information suggesting that abuse and neglect is occurring. The matter may, for example, be raised by a worried neighbour (see above case study), a concerned bank cashier, a GP, a welfare benefits officer, a housing support worker or a nurse on a ward. Primary care staff may be particularly well-placed to spot abuse and neglect, as in many cases they may be the only professionals with whom the adult has contact. The adult may say or do things that hint that all is not well. It may come in the form of a complaint, a call for a police response, an expression of concern, or come to light during a needs assessment. Regardless of how the safeguarding concern is identified, everyone should understand what to do, and where to go locally to get help and advice. It is vital that professionals, other staff and members of the public are vigilant on behalf of those unable to protect themselves. This will include:

- knowing about different types of abuse and neglect and their signs
- supporting adults to keep safe
- knowing who to tell about suspected abuse or neglect
- supporting adults to think and weigh up the risks and benefits of different options when exercising choice and control

14.38 Awareness campaigns for the general public and multi-agency training for all staff will contribute to achieving these objectives.