

## Safeguarding Adults at Risk Policy

### **1. Purpose of Policy**

- 1.1. RB Mind is committed to providing a safe environment for its employees, volunteers and service users. As an organisation that works with adults at risk we recognise we have a duty of care. RB Mind takes the risk of abuse of adults seriously and is committed to protecting adults at risk and preventing abuse. All employees and volunteers in whatever setting or role will take necessary action to report an incident when a concern arises or take appropriate action to prevent further abuse.

### **2. Scope of Policy**

- 2.1. This policy covers the responsibilities of staff and volunteers in relation to the protection of adults at risk. If any member of the staff, volunteer or Trustee is being abused or is abusing another person within the organisation, then the internal Grievance and/or Disciplinary Procedure should be followed.

### **3. General Principles**

Where abuse is suspected RB Mind will aim to ensure:

- 3.1. Adults have a right to independence, choice and self-determination. This right extends to being able to have control over information about themselves and in most cases to determine what information is shared.
- 3.2. We will always urge the abused person to have their case referred to Social Services and/or the Metropolitan Police, but as long as we believe they have capacity to make decisions we will respect the person's privacy if they refuse to allow this.
- 3.3. We will not allow the person to impose confidentiality on the RB Mind representative to whom they have disclosed the abuse. In all cases it must be made clear that all details of the conversation will be passed to a manager or the Chief Executive Officer (CEO).
- 3.4. It is essential to consider whether the adult at risk is capable of giving informed consent. If they are, RB Mind should obtain written consent to share information and should routinely agree and explain what information will be shared with other people or organisations.
- 3.5. If after a discussion with the adult at risk who has mental capacity they refuse any intervention their wishes will be respected unless:

- 3.5.1. there is a public interest, for example, not acting will put other adults or children at risk, or,
  - 3.5.2. there is a duty of care to intervene, for example, a crime has been or may be committed.
- 3.6. There must be absolute confidentiality within the organisation and the abused person should be assured of this.
- 3.7. If, after discussion with the manager and/or CEO, it is decided that the adult at risk lacks capacity and abuse is suspected RB Mind will alert Adult Social Services in London Borough of Richmond upon Thames Council or the Metropolitan Police even if consent has not been given.
- 3.8. All decisions and actions are taken in line with The Mental Capacity Act 2005.
- 3.9. In a stressful situation a person suffering abuse may later change their mind about pursuing their complaint. The person who suspects abuse must be protected by careful case recording, which will make clear what was agreed with the person who is thought to be abused.
- 3.10. It should be agreed what further support is available, either from within RB Mind or from other specialist organisations. This is particularly important if the person does not wish to report the abuse, and care should be taken that members of staff and volunteers of RB Mind are protected from taking on more than they are trained for.
- 3.11. Members of staff, volunteers and trustees should never at any time allow themselves to be put at risk.

#### **4. Who is an adult at risk?**

The term 'adult at risk' replaces 'vulnerable adult'. An adult at risk can be defined as:

- 4.1. Over 18.
- 4.2. People who may be in need of care because they are frail, learning or physically disabled, cognitively impaired or sensorily impaired.
- 4.3. People with mental health needs such as dementia or a personality disorder
- 4.4. People with a long term condition/illness.
- 4.5. People who misuse alcohol or substances.
- 4.6. A carer such as a family member/friend who provides personal assistance and care to adults who is themselves subject to abuse.
- 4.7. A person who is unable to demonstrate the capacity to make a decision and is in need of care and support.

#### **5. What do we mean by abuse?**

Abuse is a breach of an individual's human rights. This may be a single act or happen repeatedly over a period of time. This may be because of:

- 5.1. Physical or mental aggression.
- 5.2. Neglect.
- 5.3. Persuading someone to agree to something against his/her will.
- 5.4. Taking advantage of someone who is unable to give consent.

## 5.5. Abuse can be

- 5.5.1. **Physical** - Including hitting, slapping, pushing, kicking, restraint or inappropriate sanctions.
- 5.5.2. **Sexual** - Including rape and sexual assault or sexual acts to which the adult at risk has not consented, could not consent or was pressured into consenting.
- 5.5.3. **Psychological** - Including and not limited to; emotional abuse, threats of harm or abandonment, controlling behaviour, intimidation and harassment.
- 5.5.4. **Financial or material** – Including, and limited to, theft, fraud, exploitation and the misuse or misappropriation of property, possessions or benefits.
- 5.5.5. **Neglect or acts of omission** - Including ignoring medical or physical care needs, failure to provide access to appropriate health care, social care, education services or misuse of medication, adequate nutrition or heating.
- 5.5.6. **Discriminatory** - Including racist, sexist behaviour or harassment based on a person's ethnicity, race, culture, sexual orientation, age or disability, and any other forms of harassment, slurs or similar treatment.
- 5.5.7. **Institutional abuse** - This can sometimes happen in residential homes, nursing homes or hospitals when people are mistreated because of poor or inadequate care, neglect or poor practice that affects the whole of that service.
- 5.5.8. This list is not exhaustive; there are many other types of abuse.

## 6. What you should do if you are concerned about abuse?

6.1. If you are concerned that any adult at risk is experiencing abuse or neglect, whether it is by an employee, carer, family member, neighbour or other, it is your responsibility to report any concern immediately or within 4 hours, to a manager in RB Mind or the CEO of RB Mind, who is the designated contact person for the organisation.

- 6.1.1. CEO – Val Farmer
- 6.1.2. Telephone: 020 7195 0118
- 6.1.3. Email: [val.farmer@rbmind.org](mailto:val.farmer@rbmind.org)

6.2. After discussing your concerns with a manager or the CEO and agreeing an alert should be raised, you must then alert Adult Social Services in London Borough of Richmond Upon Thames Council within 24 hours on the contact details below to raise a safeguarding alert:

- 6.2.1. Telephone: 020 8891 7971
- 6.2.2. Text: 07800 002439
- 6.2.3. Email: [adultsocialservices@richmond.gov.uk](mailto:adultsocialservices@richmond.gov.uk)
- 6.2.4. Use an [online form](#)

Office hours are 9am to 5.15pm, Monday to Thursday and 9am to 5.00pm on Friday.

Where there is uncertainty about the appropriateness of raising a safeguarding alert, advice can be sought from Adult Social Services on the contact details above.

### 6.3. Out of hours enquiries:

For emergency queries outside of office hours you can call London Borough of Richmond Upon Thames Adults Emergency Duty Team

- 6.3.1. Telephone: 020 8744 2442
- 6.3.2. Minicom: 0845 600 7752
- 6.3.3. Type Talk: 1800 1 020 8744 9414
- 6.3.4. The service is available from 5pm to 8am on Monday to Friday and 24 hours on weekends and Bank Holidays.

#### 6.4. Suspected Crime

The police should be informed if a criminal activity is suspected. The police must be involved if

- 6.4.1. There is an allegation from an adult to another person of sexual abuse.
- 6.4.2. There is a suspicion that sexual abuse has occurred.
- 6.4.3. There has been an alleged or suspected case of physical injury that has caused harm to an adult constituting an assault, actual or grievous bodily harm.
- 6.4.4. An alleged or suspected case of cruelty, including where an adult is ill-treated or neglected.
- 6.4.5. There are allegations or suspicions that involve unusual circumstances e.g. organised or institutional abuse.
- 6.4.6. There is an alleged or suspected case of financial abuse.

If the crime is in the process of occurring call 999 otherwise call your local station using the following number: 101. Your manager or the CEO should be consulted at the earliest opportunity.

Non-emergency crime allegations should first be discussed with your manager or the CEO and then, if they agree, be referred to the Community Safety Unit at Teddington Police Station. This unit deals with hate crime and domestic violence as well as crime committed against vulnerable people.

Community Safety Unit Telephone: 020 8247 5809  
Community Safety Unit Fax: 020 8247 5821

The MPS will always be responsible for the gathering and preservation of evidence to pursue criminal allegations against people causing harm . However other organisations can play a vital role in the preservation of evidence to ensure that vital information or forensics are not lost.

#### 6.5 Person alleged to have caused harm.

- In order to manage the risks involved, discussion with Adult Social Services or the police could be considered.
- Do not discuss the allegation with the person alleged to have cause the harm , unless the immediate welfare of the adult at risk requires this. However where an immediate decision has to be made to suspend the member of staff, the person has a right to know in broad terms what allegations or concerns have been raised against them.
  - If the person alleged to be causing harm is an employee or volunteer, ensure that they are not in contact with the adult at risk or any others who may be at risk, such as whistleblowers.
- Where the person alleged to be causing harm is another service user, it may be necessary to remove them from contact with the adult at risk. Arrangements should be put in place to ensure that their needs are met.

## **6.6 Regulated social care and health settings**

If the adult at risk is allegedly abused in a regulated health or social care setting by a member of staff who is employed by a regulatory body, the Care Quality Commission (CQC) must be informed by the regulated service or by the Safeguarding Alert Manager in the council where the Safeguarding Adults concern has been reported to the local authority.

## **6.6 Mental Capacity and Consent**

The Mental Capacity Act 2005 underpins the safeguarding process where the adult does not necessarily have the capacity. A mental capacity assessment will be carried out by a social worker to ascertain if the person has the capacity to make decisions regarding the abuse allegation and give consent to a safeguarding investigation. They may then appoint an Independent Mental Capacity Advocate (IMCA) to make decisions in the best interests of the adult at risk. If you suspect that someone is being deprived of their liberty in a care home or hospital the Deprivation of Liberty Safeguards provide a framework for protecting people who lack the mental capacity to make the decision as to whether they receive care and/or treatment in a care home.

## **7 What can RB Mind do to reduce the risk of harm?**

After the alert has been raised with Adult Social Services, discuss with your manager if any other measures or risk assessments can be undertaken e.g. visiting in pairs. If an employee is involved then ensure they have no further contact until the case has been fully investigated, and the employee is cleared by the investigation. Pending the result of the investigation, a risk assessment should be carried out by the employee's manager and/or the Operations Manager to determine whether the employee can continue with other service users. The investigation should also be viewed as a protection for the employee where the allegation is part of the adult at risk's mental state, or the allegation is malicious.

RB Mind's complaints policy should be implemented where a service user raises a complaint about an employee, and an investigation carried out accordingly. This investigation would usually run in tandem with a safeguarding investigation and a police investigation if there is one.

All employees and volunteers working with adults at risk will have enhanced DBS checks and complete e-learning training on safeguarding.

It is everyone's responsibility to ensure that adults at risk are protected from abuse. This may mean sharing relevant information with other agencies in a timely manner in order to prevent abuse occurring wherever possible but should be done in accordance with RB Mind's Confidentiality Policy. This might be information concerning someone's general vulnerability due to their health condition, lack of support network, isolation, dependency on one person, new friends etc.

Wherever possible you should be open and honest with the person themselves about the concerns that you have as the person has the right to know what information is being shared and with whom.

## **7.5 You can help an individual to protect himself / herself from abuse by enabling him / her to:**

7.5.1 Access information about adult abuse.

- 7.5.2 Access an independent advocacy scheme.
- 7.5.3 Talk about any concerns they may have.
- 7.5.4 Contact agencies including Adult and Community Services and the Police if required.
- 7.5.5 Develop safe and supportive relationships with others.

**7.6 Staff can minimise the risk of adult abuse by:**

- 7.6.1 Developing an awareness of what adult abuse is by attending up to date training.
- 7.6.2 Acknowledging that it could happen to any adult anywhere and at any time.
- 7.6.3 Being alert to the support needs of carers.
- 7.6.4 Being alert to risk factors.
- 7.6.5 Attending staff meetings and regular supervision to discuss and learn about care practices which could be abusive.
- 7.6.6 Accessing support from colleagues and managers as required.

**7.7 Carers can minimise the risk of adult abuse by:**

- 7.7.1 Accessing support with caring for the adult at risk.
- 7.7.2 Identifying appropriate ways to meet the adult at risks needs.
- 7.7.3 Finding someone to talk to about the caring experience.

**7.8 Logging and monitoring safeguarding**

All alerts will be logged by a staff member or manager on the Charity Log database and monitored to ensure that all referrals have been investigated. After investigation is completed the outcomes will be logged as upheld or unfounded.

**7.9 Further information**

For more information or to read the London Borough of Richmond's Safeguarding policy and procedures visit their website on

[http://www.richmond.gov.uk/local\\_safeguarding\\_procedures\\_jun\\_2014.pdf](http://www.richmond.gov.uk/local_safeguarding_procedures_jun_2014.pdf)

NB note this link is to a document update on June 2015.