



Motivate, Develop, Inspire,

Adult Safeguarding Policy

1. PURPOSE

The Adult Safeguarding Policy:

- Defines the principles and procedures under which employees will work in relation to Adult Safeguarding.
- Works towards ensuring the safety of all persons with care or support needs who attend Victoria College.
- Works towards minimising risks in relation to Adult Safeguarding within the College.
- Ensures that staff and volunteers adhere to British law and Government policy in relation to Adult Safeguarding.
- Ensures that staff and volunteers embrace a consistent approach in relation to Adult Safeguarding.
- Promotes partnership working between Victoria College private and other organisations.

2. POLICY STATEMENT

It is not the responsibility of staff to take decisions regarding Adult Safeguarding. If staff have any concerns no matter how small they might seem, they must report them immediately to the Designated Safeguarding Leads, the Head of College or the Executive Head. It is the responsibility of Social Services to make any final decision.

3. DEFINITIONS

The term “persons with care and support needs – previously vulnerable adult” refers to any person aged 18 or over who

- **has needs for care and support**
- **is experiencing or 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**

People with learning disabilities, mental health problems, older people and people with disability or impairment are included within this definition, particularly when their situation is complicated by additional factors, such as physical frailty or chronic illness, sensory impairment, challenging behaviour, drug or alcohol problems, social or emotional problems, poverty or homelessness.

Adult with decision making incapacity refers to an adult who for a particular decision is unable to make a decision because of an impairment of, or disturbance in the functioning of the mind or brain (definition in Section 2 of the Mental Capacity Act 2005). Adults are presumed to have capacity to make decisions unless there is information to rebut this presumption. If an adult lacks capacity to make a relevant decision concerning adult Safeguarding, then the decision needs to be made on their behalf in their best interests. An Independent Mental Capacity Advocate (IMCA) can be appointed by the Local Authority after a formal assessment.

Categories of Mistreatment/Abuse

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 of the Care Act 2014 will need to be met before the issue is considered as a safeguarding concern. Training should take place at all levels in an organisation and be updated regularly to reflect best practice. To ensure that practice is consistent - no staff group should be excluded. Training should include issues relating to staff safety within a Health and Safety framework and also include volunteers. In a context of personalisation, boards should seek assurances that directly employed staff (e.g. Personal Assistants have access to training and advice on safeguarding.)

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 or inappropriate physical sanctions eg FGM (female genital mutilation).
- 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, sexting, upskirting, 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.
- Psychological abuse – including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or 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, or the misuse or misappropriation of property, possessions or benefits.
- Modern slavery – encompasses slavery, human trafficking, and 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.
- Discriminatory abuse – including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or 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.
- Criminal exploitation is also known as ‘County Lines’ and is when gangs and organised crime networks exploit children to sell drugs. Often these children are made to travel across counties and they use dedicated mobile phone ‘lines’ to supply drugs.
- This is not a comprehensive list, but identifies the key areas of concern.

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 Care Quality Commission, 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.

Any or all these types of abuse may be perpetrated as a result of deliberate intent, negligence or ignorance. Incidents may be multiple, either to one person in a continuing relationship or service context, or to more than one person as a time.

It is important to note that many situations may involve a combination of the categories listed above.

Confidentiality:

- An individual's wishes cannot overrule an organisation's legal duty to act. However the principles of MSP (Making Safeguarding personal) states that the organisation must work with the individual to achieve the outcome of the individual.
- Informed consent to share information should be obtained but, if this is not possible and vulnerable adults are at risk, it may be necessary to override the requirement.
- Confidential Reporting through 'Whistle Blowing' is a process to enable staff or voluntary workers to raise concerns in the workplace and have those concerns taken seriously. Whilst it is not easy to complain about a colleague's behaviour, everyone has to remember that their first concern has to be the Safeguarding and safety of the vulnerable adult, who may need someone to speak on his/her behalf.

Capacity:

- Difficulties arise when it is not clear whether the vulnerable person is capable of making a decision or whether the decision is being made under duress or undue influence. All practical steps must be taken to enable a person without capacity to communicate their views and preferences. It should not be assumed that if an adult lacks capacity to make a decision, then the only persons who should make best interests decisions on their behalf are their parents, especially if a parent or, the parents are suspected to be the perpetrator of the abuse. In making a best interests decision, professionals must take into account, if it is practicable and appropriate to consult them, the views of anyone engaged in caring for the adult or interested in his or her welfare (Section 4(7) of the Mental Capacity Act)
- Thus if a parent is the suspected perpetrator of abuse, then staff would not need to obtain parental consent to action, e.g. a medical examination of a vulnerable adult who lacks capacity to make such a decision. That decision should be made by staff in the adult's best interests. Parents of vulnerable adults who lack capacity should not be allowed to veto action taken in that adult's best interests. Staff must fulfil their legal duty of care to the vulnerable adult, whether or not the adult lacks decision making capacity. Staff should find out if the persons with care and support needs has an IMCA and if they do to use them in these situations.

PRINCIPLES

- 4.1 Victoria College believes that safeguarding persons with care and support needs is everyone's responsibility. It is a responsibility present in every aspect of our work. The person with care and support needs will be treated with dignity and respect at all times.
- 4.2 Victoria College adheres to the central principle of Protecting Persons with Care and Support Needs from Abuse as per the Care Act 2014. It replaces the "no secrets" guidance.
- 4.3 Victoria College is committed to promoting the welfare and safety of all people with care and support needs accessing the College regardless of age, culture, religion, gender, sexuality, disability or decision making capacity or incapacity.
- 4.4 Victoria College recognises the need for working in partnership with other agencies in order to protect people with care and support needs, and will work towards a professional culture of openness and co-operation whilst maintaining professional confidentiality.
- 4.5 Victoria College will keep up to date with Local Authority Guidelines that apply within Birmingham and will work within them, liaising with the Safeguarding Committee and Adult Safeguarding Team when appropriate.
- 4.6 Victoria College will take all concerns or allegations of abuse of a person with care and support needs from staff, volunteers, other professionals or members of the public seriously and report to Social Services where appropriate.
- 4.7 Victoria College will, when dealing with adult Safeguarding, follow relevant training, legislation, Government and Local Authority Policies and adhere to College procedures.
- 4.8 Victoria College will strive to support people with care and support needs and staff/volunteers/visitors when involved in a person with care and support needs abuse allegation through appropriate means such as professional counselling.
- 4.9 Victoria College will always tackle and address behaviour that is characterised as abuse.
- 4.10 If an allegation of abuse is received Victoria College will inform the Police when necessary and relevant statutory organisations immediately.
- 4.11 It is good practice for parents/carers to be informed of any referral under adult Safeguarding procedures. However there may be occasions when, following consultation with appropriate professionals, this will not be the case e.g. when a parent/carer is the suspected abuser. The views and wishes of the vulnerable adult will be taken into account in making the decision whether or not to inform parents/carers. The views and wishes of the persons with care and support needs will be taken into account in making the decision whether or not to inform parents. It should not be just for the parents but the whole process even regarding referrals. It is about the principle of MSP (making safeguarding personal).
- 4.11a Where there are concerns about an institution these should be referred to the relevant professional i.e. Social Care.
- 4.12 Victoria College will have regard to the provisions of the Mental Capacity Act 2005, The Deprivation of Liberty Safeguarding Policies and Procedures (DoLs) its Code of Practice and MSP when working with adults who appear to lack decision making capacity on adult Safeguarding issues.

5. ROLES AND RESPONSIBILITIES

5.1 Trustees will have overall responsibility for:

- ensuring that this policy is adhered to and for monitoring the effectiveness of it.
- ensuring compliance with legal and Government, Local Authority and ESFA requirements.
- keeping in line with best practice.
- ensuring an appropriate adult Safeguarding induction, support and training programme is in place and implemented.
- ensuring recruitment procedures are implemented to safeguard persons with care and support needs' welfare.

- overseeing an annual review of this policy

5.2 Designated Safeguarding Leads will have responsibility for:

- reporting any adult Safeguarding concerns to Social Services or the police
- ensuring that they have an understanding of all relevant legislation and local procedures, and to ensure that other staff/volunteers have an adequate level of understanding of adult Safeguarding and their responsibilities.
- liaising with the Area Safeguarding Committee and local Social Services Department and Police when appropriate.
- attending adult Safeguarding meetings with staff/volunteers involved in adult Safeguarding cases.
- ensuring staff/volunteers and the victim are supported during and after incidents involving adult Safeguarding and referrals to Social Services or the police.
- identifying available counsellors for external professional support when needed.
- feeding back appropriate information to staff/volunteers involved in an adult Safeguarding case.

5.3 Executive Head Teacher will have overall responsibility for:

- ensuring that this policy is implemented and is adhered to.
- providing staff with opportunities to discuss adult Safeguarding cases.
- providing extra support opportunities for any staff involved in an adult Safeguarding case or refer staff on to an available counsellor so that they can receive extra support.
- ensuring appropriate training and support is available to all staff. – www.bsab.org/email BSABSupport@birmingham.gov.uk
- supporting a staff member for as long as necessary regarding adult Safeguarding cases.
- arranging appropriate regular and ongoing training and support for staff.
- reporting any incidents of adult Safeguarding to the Commission for Social Care Inspectorate and following their guidelines.
- Reporting allegations or concerns of vulnerable adult abuse to Social Services, or Police, when the Safeguarding Officer is unavailable. When the allegation has to do with someone in a position of trust eg a Teacher, it is referred to the LA Person in Position of Trust Lead (Pipot) and information can be found on the BASB website, www.bsab.org.

5.4 All Staff and Volunteers will have responsibility for:

- ensuring they are aware of the aim of adult Safeguarding and its related issues.
- adhering to this policy and its procedures.
- reporting any incidents or concerns regarding vulnerable adults well-being or safety to the Safeguarding DSL, or Executive Head Teacher immediately.
- recording any incidents or concerns of an adult Safeguarding nature.
- attending induction and other training courses and ongoing training in adult Safeguarding.

If an employee/volunteer/visitor suspects abuse the following guidelines are useful.

DO

Remember the role of the alerter is to pass on information.

- Stay calm.
- Listen rather than ask questions.
- Believe the person and take them seriously.
- Be empathic.
- Reassure them that they are not to blame.
- Be aware that medical evidence may be needed.
- Write down everything that is said in the person's own words as soon as possible, include the date and time.
- Describe the circumstances in which the disclosure came about (noting the setting and anyone else who was there at the time).
- Be aware that your report may be required later as part of legal action Safeguarding Procedures or disciplinary procedure.
- Explain to the vulnerable adult what you are going to do. This could include seeking medical attention if necessary.
- Call the police if it is an emergency or if a crime has been committed.
- Inform your line manager and contact Social Services Duty Team.
- Only share information with colleagues following discussion with your designated line manager.

DO NOT

- Appear shocked, horrified, disgusted or angry.
- Stop the person from speaking freely.
- Ask leading or investigative questions.
- Promise to keep secrets – you have a duty to pass this information on.
- Make judgement.
- Offer the victim of a sexual and/or physical assault a bath, food or drink until after a medical examination.
- Contaminate or remove possible forensic evidence.
- Make contact with the alleged abuser.
- Question the alleged abuser.
- Alert the alleged abuser to the situation.

Contact numbers:

- First call/Duty Team- 0121 675 4806 (Birmingham)
- Adult Safeguarding Team (Senior Social Workers) — 0121 303 1234
 - ACAP@birmingham.gov.uk
 - www.bsab.org
- SEN Team - 01905 768063 (Worcester)
- SEN Social Worker Transition Team – 01384 813252 (Dudley)

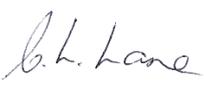
6.

RELATED PROCEDURES:-

- anti-bullying
- complaints
- confidentiality
- disciplinary
- equal opportunities

- health and safety
- induction programme
- home visits
- recruitment
- emergency use of restrictive physical intervention
- whistle blowing

Date Accepted by Chair of Board of Victoria College 16.09.2020

Signed: 

Review Date: September 2021