



NEWBY & SCALBY TOWN COUNCIL

SAFEGUARDING ADULTS POLICY & PROCEDURE

Adopted 11th January 2023

Under
Review

Safeguarding Adults Policy and Procedure

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1. Safeguarding Policy

1.1 Policy Statements

Newby and Scalby Town Council believes that safeguarding adults is everyone's responsibility and should be reflected in every aspect of our work.

Newby and Scalby Town Council will not tolerate the abuse of adults at risk in any of its forms.

Newby and Scalby Town Council is committed to:

- Managing its services in a way which minimises the risk of abuse occurring
- Supporting adults at risk who are at risk, experiencing or have experienced abuse or neglect
- Working with adults at risk and other agencies to end any abuse that is taking place

In achieving these aims the organisation will:

- Make sure that all managers, employees and volunteers have access to and are familiar with this safeguarding adult policy and procedure and their responsibilities within it
- Make sure concerns or allegations of abuse are always taken seriously
- Make sure the Mental Capacity Act 2005 is used to make decisions on behalf of those adults at risk who are unable to make particular decisions for themselves, and decisions are made in their best interest
- Make sure all staff receive training in relation safeguarding adults at a level commensurate with their role.
- Make sure that service users, their relatives or informal carers are supported to identify their needs and have access to information about how to report concerns or allegations of abuse.
- Make sure there is a named lead person to promote safeguarding awareness and practice within the organisation

1.2 Policy Definitions

1.2.1 Who is an 'Adult at risk'?

For the purposes of this policy, an adult at risk is an adult who:

- is aged 18 years or more, and
- has needs for care and support (whether or not these are currently being met) and
- is experiencing, or is at risk of, abuse or neglect, and
- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

Such a definition includes adults with physical, sensory and mental impairments and learning disabilities, howsoever those impairments have arisen e.g. whether present from birth or due to advancing age, chronic illness or injury.

Also included are people with a mental illness, dementia or other memory impairments, people who misuse substances or alcohol.

The definition includes unpaid carers (family and friends who provide personal assistance and care to adults on an unpaid basis).

1.2.2 What is abuse?

Abuse can take many forms and the circumstances of the individual should always be considered. It may consist of a single act or repeated acts. The following are examples of issues that would be considered as a safeguarding concern.

Physical abuse - includes hitting, slapping, pushing, kicking, misuse of medication, unlawful or inappropriate restraint, or inappropriate physical sanctions.

Domestic abuse – is “an incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse... by someone who is or has been an intimate partner or family member regardless of gender or sexuality” (Home Office, 2013). Domestic violence and abuse may include psychological, physical, sexual, financial, emotional abuse; as well as so called ‘honour’ based violence, forced marriage and female genital mutilation.

Sexual abuse - includes rape and sexual assault or sexual acts to which the adult at risk has not consented, or could not consent or was pressured into consenting.

Psychological abuse - includes 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 from services or supportive networks.

Financial and material abuse – includes theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Modern slavery - includes human trafficking, forced labour and domestic servitude. Traffickers and slave masters use the means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhuman treatment.

Neglect and acts of omission - includes ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Discriminatory abuse - includes abuse based on a person's race, sex, disability, faith, sexual orientation, or age; other forms of harassment, slurs or similar treatment or hate crime/hate incident.

Organisational abuse – includes neglect and poor 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.

Self-neglect - covers a wide range of behaviours such as neglecting to care for one's personal hygiene, health or surroundings and includes behaviours such as hoarding.

A safeguarding response in relation to self-neglect may be appropriate where:

- a person is declining assistance in relation to their care and support needs, and
- the impact of their decision, has or is likely to have a substantial impact on their overall individual wellbeing

Carers

Newby and Scalby Town Council will remain vigilant with assessing carers needs alongside safeguarding consideration. We are aware risks increase with isolation and when carers may not be gaining appropriate practical or emotional support. We will assess carers needs quickly taking into account the duties of the carer's role as well as impact of care alongside safeguarding requirements.

1.3 Key Roles

Designated Safeguarding Lead is **Helen King, Head of Hub and Community Support**

Every member of staff and volunteer has a responsibility to act on concerns of possible abuse and must inform the organisation's Designated Safeguarding Lead

The Designated Safeguarding Lead has the responsibility to decide whether it is appropriate to Raise a Safeguarding Concern required or respond to the concerns in an alternative manner.

The Designated Safeguarding Lead is responsible for ensuring this policy and procedure is reviewed by the Parish Council every 3 years and is kept up to date.

The Service Manager is responsible for ensuring staff have appropriate training and information to be able to do their job roles.

1.4 Safe Employment

- The organisation is committed to achieving best practice in respect to the safe recruitment of employees and volunteers,
- The organisation is committed to working within best practice as established by the Disclosure and Barring Scheme (DBS)

Refer to the [*relevant Recruitment Policies*] for further information.

1.5 Training and Supervision:

- Awareness of this safeguarding policy/procedure is covered within the induction programme of all new employees or volunteers and their understanding checked within supervision meetings
- All staff will receive training on safeguarding adults at a level commensurate with their roles.
- All staff will receive training on the requirements and provisions of the Mental Capacity Act

Refer to the [*relevant Training/Supervision policies*] for further information.

1.6 Managing Allegations Against Staff

All allegations against people/staff who work with adults will be reported immediately to the Designated Safeguarding Lead – Newby and Scalby Town Council will follow the organisations disciplinary procedures to investigate ensuring individuals are aware of the timescale and processes. Support and advice will be available to individuals against whom allegations have been made.

If Newby and Scalby Town Council make the decision to remove the individual from work, because the person poses a risk of harm to adults they are supporting, Newby and Scalby Town Council will make a referral to the Disclosure and Barring Service

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2. Safeguarding Adult Procedures

2.1 Responsibilities of all employees and volunteers

The person who raises the concern has a responsibility to first and foremost safeguard the adult.

- a) Make an evaluation of the risk and take steps to ensure that the adult is in no immediate danger
- b) Arrange any medical treatment. (Note that offences of a sexual nature will require expert advice from the Police)
- c) If a crime is in progress or life is at risk, dial emergency services – 999
- d) Encourage and support the adult to report the matter to the Police if a crime is suspected and not an emergency situation
- e) Take steps to preserve any physical evidence if a crime may have been committed and preserve evidence through recording
- f) Ensure other people are not in danger
- g) If you are a paid employee, inform your Designated or Deputy Safeguarding Leads. Also report if an employee is the source of risk
- h) Record the information received, risk evaluation and all actions

If any member of staff or volunteer has reason to believe that abuse is or may be taking place you have a responsibility to act on this information. It does not matter what your role is, doing nothing is not an option.

If a person discloses abuse to you directly, use the following principles to respond to them:

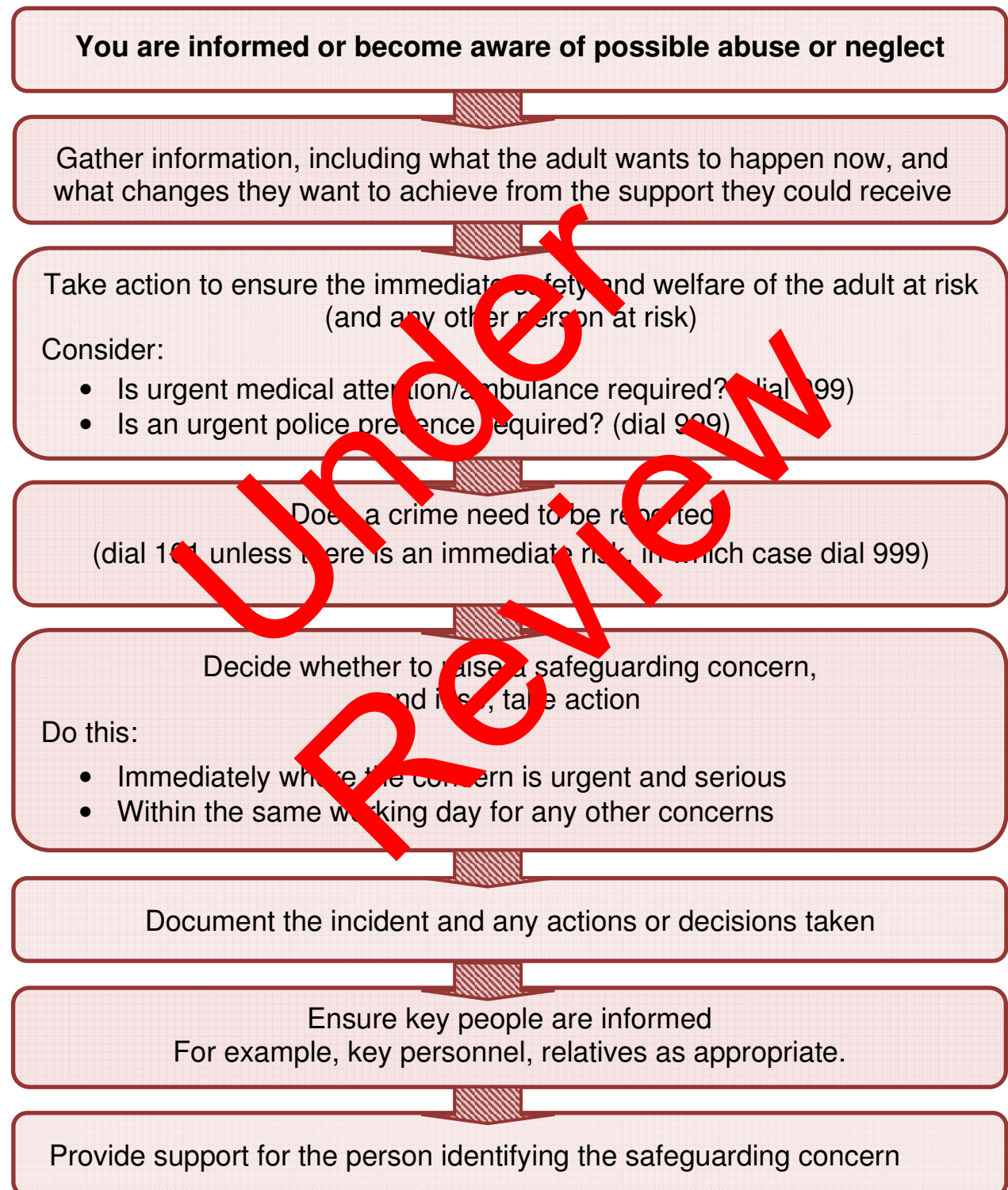
- Assure them that you are taking their concerns seriously
- Do not be judgemental or jump to conclusions
- Listen carefully to what they are telling you, stay calm, get as clear a picture as you can. Use open ended questions
- Do not start to investigate or ask detailed or probing questions
- Explain that you have a duty to tell your manager or the designated officer
- Reassure the person that they will be involved in decisions about them

Your responsibilities are:

If consulting with your Designated Safeguarding Lead (Deputy Safeguarding Lead) or Service Manager will lead to an undue delay and thereby leave a person in a position of risk, you should 'Raise a Safeguarding Concern' yourself.

2.1.1 Raising a Safeguarding Concern

Raising a safeguarding concern, means reporting abuse to the local authority under the safeguarding adults procedure. Anyone can raise a safeguarding concern, often however this is undertaken by a manager in the organisation.



Additional Guidance:

A. Considering whether to Raise a Safeguarding Concern

When deciding whether a safeguarding concern should be raised, consider the following key questions:

1. Is the person an 'adult at risk' as defined within this policy/procedure?
2. Is the person experiencing, or at risk of, abuse and neglect?
3. What is the nature and seriousness of the risks?

Consider:

- The person's individual circumstances
- The nature and extent of the concern
- The length of time it has been occurring
- The impact of any incident
- The risk of repeated incidents for the person
- The risk of repeated incidents for others

4. What does the adult at risk want to happen now?

Wherever possible, consider what the adult at risk wants to happen next, what do they want to change about their situation, and what support do they want to achieve that.

On some occasions, it may be necessary to raise a safeguarding concern even if this is contrary to the wishes of the adult at risk. Any such decision should be proportional to the risk, for example:

- It is in the public interest (e.g. there is also a risk to others, a member of staff or volunteer is involved, or the abuse has occurred on property owned or managed by an organisation with a responsibility to provide care)
- The person lacks mental capacity to consent and it is in the person's best interests
- The person is subject to coercion or undue influence, to extent that they are unable to give consent
- It is in the person's vital interests (to prevent serious harm or distress or life threatening situations)

If you remain unsure whether to raise a safeguarding concern, you can:

- Refer to the Decision Support Tool for Raising Safeguarding Concerns in Appendix B
- Contact your organisations safeguarding adults lead for advice

- Seek advice from a Safeguarding Officer by contacting North Yorkshire County Council Customer Service Centre and asking to talk to a Safeguarding Officer 01609 780780
- Refer to the West Yorkshire and North Yorkshire Safeguarding Adult Policy and Procedures at www.nypartnerships.org.uk/sab for further information and guidance

B. Considering whether to report a concern to the police

If a crime has been or may have been committed, seek the person's consent to report the matter immediately to the police. This will be in addition to raising a safeguarding concern with the local authority.

If the person has mental capacity in relation to the decision and does not want a report made, this should be respected unless there are justifiable reasons to act contrary to their wishes, such as:

- the person is subject to coercion or undue influence, to the extent that they are unable to give consent, or
- there is an overriding public interest, such as where there is a risk to other people
- it is in the person's vital interests (to prevent serious harm or distress or in life-threatening situations)

There should be clear reasons for overriding the wishes of a person with the mental capacity to decide for themselves. A judgement will be needed that takes into account the particular circumstances.

If the person does not have mental capacity in relation to this decision, a 'best interests' decision will need to be made in line with the Mental Capacity Act.

Preserving evidence

If a crime has occurred, try to preserve evidence in case there is a criminal investigation.

- try not to disturb the scene, clothing or victim if at all possible
- secure the scene, for example, lock the door, if possible,
- preserve all containers, documents, locations, etc.
- evidence may be present even if you cannot actually see anything
- if in doubt, contact the police and ask for advice

The police should be contacted for advice wherever required.

C. Who else to inform

If you are a service provider and a safeguarding concern has been raised, notify your regulatory body and the authority that commissions your service for the adult at risk.

You may also need to inform:

- relatives of the adult at risk according to their wishes, or in their 'best interests' where they lack the mental capacity to make this decision for themselves
- child protection services, if children are also at risk from harm
- the Charities Commission, if your service is a registered charity
- your line manager (and safeguarding adults lead if different) of your decisions and actions in line with this procedure
- your Chief Executive Officer or Chair of Trustees if allegations/concerns relate to a member of employee or volunteer
- staff delivering a service on a need-to-know basis so that they do not take actions that may prejudice an enquiry

D. Document the concern and any actions or decisions taken

Ensure all actions and decisions are fully recorded. It is possible that your records may be required as part of an enquiry, be as clear and accurate as you can. Record the reasons for your decisions and any advice given to you in making these decisions.

Ensure that appropriate records are maintained, including details of:

- the nature of the safeguarding concern/allegation
- the wishes and desired outcomes of the adult at risk
- the support and information provided to enable the adult at risk to make an informed decision
- assessments of Mental Capacity where indicated
- the decision of the organisation to raise a concern or not.

E. How to make a Raise a Safeguarding Concern:

To raise a safeguarding concern under the safeguarding adults procedures:

Contact:

- Adult Social Care Customer Services: **01609 780780** (8am – 5:30pm Mon-Fri)
This number will be answered by the Emergency Duty Team outside these hours.

The person you speak to will ask you for details about the allegation/concern. If you have reported the incident to the police, tell the person this as well.

- Email Raising a Safeguarding Concern forms to social.care@northyorks.gov.uk or social.care@northyorks.gcsx.gov.uk

The safeguarding concern will be allocated to an appropriate team, who will then contact you to discuss the concerns further and advise you to whom the Supporting Information form (SA1) should be sent.

For Information / advice

- For general questions and enquiries about safeguarding adults, please email: nysab@northyorks.gov.uk or via secure email: nysab@northyorks.gcsx.gov.uk Please note this email is NOT for Raising a Safeguarding Concern
- For additional information please visit North Yorkshire County Council website: www.northyorks.gov.uk/safeguardingadults or North Yorkshire Partnerships website: www.nypartnerships.org.uk/sab
- To access and download an Interagency Safeguarding Adults Concerns Form: www.northyorks.gov.uk/safeguarding-vulnerable-adults

This policy and procedure has been developed to be consistent with the Safeguarding Adults Multi-Agency Policy and Procedures for West Yorkshire and North Yorkshire, which can be referred to for additional guidance www.nypartnerships.org.uk/sab

Appendix A: Useful Contacts

To raise a safeguarding concern	
Adult Social Care Customer Services: (8am – 5:30pm Mon-Fri) This number will be answered by the Emergency Duty Team outside these hours.)	Tel: 01609 780780
Contacting the police	
If the person is in imminent danger If you need to report a crime, but the person is not in imminent danger If you are reporting, or have concerns, about a safeguarding matter please contact the	Tel: 999 (Emergency Service) Tel: 101 (Non-Emergency Service) Police Force Control Room via 101.
Employment related advice lines	
Disclosure and Barring Service (DBS)	Tel: 01325 537000
Whistleblowing advice services	
Public Concern at Work www.pcaw.org.uk	Tel: 020 7404 6609

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