

Safeguarding Adults Policy

This policy applies to all staff, including senior managers and the board of trustees, paid staff, volunteers and sessional workers, agency staff, students or anyone working on behalf of Tees Valley Arts.

1. Our Aim

- (1) To protect adults who receive Tees Valley Arts services.
- (2) To provide staff and volunteers with the overarching principles that guide our approach to safeguarding protection.

2. About Our Policy

- (1) Tees Valley Arts works in partnership with Teeswide Safeguarding Adults Board to safeguard and promote the wellbeing and independence of adults living in the Boroughs of Hartlepool, Middlesbrough, Redcar & Cleveland and Stockton-on-Tees, who are experiencing, or at risk of abuse or neglect.
- (2) The purpose of this policy is to outline the principles and definitions that underpin safeguarding work and to describe the statutory duties set out under the Care Act 2014.
- (3) This policy sets out the responsibilities of Tees Valley Arts to protect adults from abuse or neglect. The safeguarding duties apply to any adult who:
 - has needs for care and support (whether or not the Local Authority is meeting any of those needs) and;
 - 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.
- (4) The adult experiencing, or at risk of abuse or neglect will hereafter be referred to as the adult throughout this policy document.
- (5) For the purposes of this policy an adult is a person, aged 18 years and over who is at a greater risk of suffering abuse or neglect because of physical, mental, sensory, learning or cognitive illnesses or disabilities; and substance misuse or brain injury, and includes:
 - those who purchase their care through personal budgets
 - those whose care is funded by Local Authorities and/or health services
 - those who fund their own care
 - informal carers, family and friends who provide care on an unpaid basis
 - adults who are in prison or living in approved premises on licence
 - those aged between 18 and 25 years and in receipt of children's services
 - informal carers, family and friends who provide care on an unpaid basis

(6) Legal Framework:

This policy has been developed within the context of the law and guidance that seeks to protect adults including:

- The Care Act 2014
- Care Act 2015 Statutory Guidance - revised March 2016
- The Mental Capacity Act 2005 (including Deprivation of Liberty Safeguards)
- The Human Rights Act 1998
- The Equality Act 2010
- Mental Health Act 1983 and the New Code of Practice 2015

- Serious Crime Act 2015
- Modern Slavery Act
- Criminal Justice and Courts Act 2015
- Statutory Guidance on Female Genital Mutilation

(7) **Related Policies and Procedures:**

This policy should be read alongside our policies and procedures on:

- Recruitment, induction and training
- Role of the designated safeguarding officer
- Dealing with disclosures and concerns about an adult
- Managing allegations against staff and volunteers
- Recording and information sharing
- Code of conduct for staff and volunteers
- Safer recruitment
- E-safety
- Anti-Bullying
- Complaints
- Whistle Blowing
- Health and Safety
- Training, supervision and support
- Lone working policy and procedure
- Quality assurance

(8) **What we mean by Adult Safeguarding**

The Care Act 2014 Guidance describes safeguarding as the means of protecting an adult's right to live in safety, free from abuse and neglect. It further states that 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. Within this context, the guidance recognises that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances.

Abuse and neglect can take many forms and it is important that staff working in all organisations should not be constrained in their view of what constitutes abuse or neglect, and the circumstances of an individual case should always be considered. It should be emphasised however that safeguarding procedures are not a substitute for:

- Providers' responsibilities to provide safe and high-quality care and support;
- Commissioners regularly assuring themselves of the safety and effectiveness of commissioned services;
- The [Care Quality Commission](#) (CQC) ensuring that regulated providers comply with the fundamental standards of care or by taking enforcement action
- The core duties of the police to prevent and detect crime and protect life and property.

Abuse or Neglect may be:

- a single act or repeated acts
- multiple in form
- an deliberate act of neglect or a failure to act
- an opportunistic act or a form of serial abusing where the perpetrator seeks out and grooms the individual(s)

The Department of Health Care and Support Statutory Guidance issued under the Care Act 2014 sets out the different types and patterns of abuse and neglect, though stresses that the list is not exhaustive, and describes the different circumstances in which they may take place.

(9) **Types of Abuse and Neglect**

<p>Physical Abuse</p>	<p>Financial or Material Abuse</p>
<p>Including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.</p>	<p>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.</p>
<p>Sexual Abuse</p>	<p>Psychological Abuse</p>
<p>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 and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.</p>	<p>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.</p>
<p>Modern Slavery</p>	<p>Discriminatory Abuse</p>
<p>Encompasses slavery, human trafficking, 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.</p>	<p>Including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.</p>
<p>Organisational Abuse</p>	<p>Neglect and Acts of Omission</p>
<p>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.</p>	<p>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</p>
<p>Self-Neglect</p>	<p>Domestic Abuse</p>
<p>This covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.</p>	<p>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 be, but not limited to: psychological, sexual, financial and emotional.</p>

(10) Six key principles underpin all safeguarding adult work

The Department of Health Care and Support Statutory Guidance issued under the Care Act 2014, describes six principles that underpin all safeguarding adult work which applies to all sectors and settings including care and support services, further education colleges, commissioning, regulation and provision of health and care services, social work, healthcare, welfare benefits, housing, wider Local Authority functions and the criminal justice system. These principles should always inform the ways in which professionals and other staff work with adults.

Empowerment	People being supported and encouraged to make their own decisions and informed consent. <i>"I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens."</i>
Prevention	It is better to take action before harm occurs. <i>"I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help."</i>
Proportionality	The least intrusive response appropriate to the risk presented. <i>"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."</i>
Protection	Support and representation for those in greatest need. <i>"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."</i>
Partnership	Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse. <i>"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."</i>
Accountability	Accountability and transparency in delivering safeguarding. <i>"I understand the role of everyone involved in my life and so do they."</i>

3. Our Responsibilities

(1) We recognise that:

- The welfare of an adult is paramount, as enshrined in the Care Act 2015
- All adults, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have a right to equal protection from all types of harm or abuse

4. Our Commitments

(1) We will seek to keep adults safe by:

- Involving the adult from the beginning of safeguarding procedures unless there are exceptional circumstances, and where possible their consent should be sought prior to concerns being shared on an inter-agency basis. The adult's (or their representative's) views and wishes including their desired outcomes must be considered as part of the ongoing procedures (Enquiry).

- Where the adult has mental capacity, involvement of family, friends or informal carers will be agreed with the adult. Where the adult does not have mental capacity, family, friends or informal carers will be consulted in accordance with the Mental Capacity Act 2005.
- We recognise that the Local Authority has a duty under to involve an appropriate person to facilitate an adult's involvement in the safeguarding adult's process if it is deemed that they would have substantial difficulty in participating themselves and will facilitate this where necessary.
- Where there is no other appropriate person to assist the adult, we recognise that the Local Authority has a duty of care under the Care Act 2014 to arrange an independent advocate. is not possible, we recognise that the Local Authority
- Where the adult has substantial difficulty in participating in the safeguarding adults process, and there is no other appropriate person to assist them, under the Care Act 2014 independent advocacy must be arranged by the Local Authority. The details of local arrangements for advocacy are held by each Local Authority.
- Appointing a Designated Safeguarding Officer (DSO) for adults, a deputy and a lead board member for safeguarding
- Adopting adult safeguarding practices through procedures and a code of conduct for staff and volunteers
- Developing and implementing an effective e-safety policy and related procedures
- Providing effective management for staff and volunteers through supervision, support, training and quality assurance measures
- Recruiting staff and volunteers safely, ensuring all necessary checks are made
- Recording and storing information professionally and securing, and sharing information about safeguarding and good practice with the adult, their families, staff and volunteers via leaflets, posters, one-to-one discussions
- Using our safeguarding procedures to share concerns and relevant information with agencies who need to know, and involving the adult, their families and carers appropriately
- Using our procedures to manage any allegations against staff and volunteers appropriately
- Creating and maintaining an anti-bullying environment and ensuring that we have a policy and procedure to help us deal effectively with any bullying that does arise
- Ensuring that we have effective complaints and whistleblowing measures in place
- Ensuring that we provide a safe physical environment for our adults, staff and volunteers, by applying health and safety measures in accordance with the law and regulatory guidance.

5. Working with contractors, suppliers and partners

- (1) It is important to us that suppliers, contractors and any other individual or organisation working on behalf of TVA are aware of and agree to comply with our safeguarding adults policy while that work is underway.

6. Review and Action

- (1) We recognise that it is important for us to regularly review this policy to ensure that it reflects up to date safeguarding legislation and best practice.
- (2) A review of our Safeguarding Adults Policy will be carried out on an annual basis as a minimum and any necessary actions taken.

Adopted: 21 July 2017 by the governance sub-committee under delegated authority of the board
Last Revised: 2 August 2017 by the Operations Manager to substitute CEO for Executive Director

Source: Based on Teeswide Safeguarding Adults Single Agency Policy 2016-17:
<https://www.nspcc.org.uk/preventing-abuse/safeguarding/writing-a-safeguarding-policy/>

Safeguarding Adults Policy Essential Contact Details

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3. Senior Lead for Safeguarding

Mike McNulty, Chair of the Governance Sub-Committee
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4. Teeswide Safeguarding Adults Board: www.tsab.org.uk