



Alcester Café

Safeguarding Adults Policy

Policy Owner: Alcester Café

Policy approved by: Alcester Café Committee

Date Policy approved: September 2023

Next review Date: 2024

Section 1: Safeguarding Adults Policy

Introduction

The Alcester Café is a friendly social meeting place for people with all forms of memory or dementia problems and their families and friends.

Alcester Café is committed to Safeguarding Adults in line with national legislation and relevant national and local guidelines.

We will safeguard adults by ensuring that our activities are delivered in a way which keeps all adults safe.

Alcester Café is committed to creating a culture of zero-tolerance of harm to adults which necessitates: the recognition of adults who may be at risk and the circumstances which may increase risk; knowing how adult abuse, exploitation or neglect manifests itself; and being willing to report safeguarding concerns.

Alcester Café is committed to best safeguarding practice and to uphold the rights of all adults to live a life free from harm from abuse, exploitation and neglect.

Policy Statement

Alcester Café believes everyone has the right to live free from abuse or neglect regardless of age, ability or disability, sex, race, religion, ethnic origin, sexual orientation, marital or gender status.

Alcester Café is committed to creating and maintaining a safe and positive environment and an open, listening culture where people feel able to share concerns without fear of retribution.

Alcester Café acknowledges that safeguarding is everybody's responsibility and is committed to prevent abuse and neglect through safeguarding the welfare of all adults involved.

Alcester Café recognises that health, well-being, ability, disability and need for care and support can affect a person's resilience. We recognise that some people experience barriers, for example, to communication in raising concerns or seeking help. We recognise that these factors can vary at different points in people's lives.

Alcester Café recognises that there is a legal framework within which we need to work to safeguard adults who have needs for care and support and for protecting those who are unable to take action to protect themselves and will act in accordance with the relevant safeguarding adult legislation and with local statutory safeguarding procedures.

Actions taken by Alcester Café will be consistent with the principles of adult safeguarding ensuring that any action taken is prompt, proportionate and that it includes and respects the voice of the adult concerned.

Purpose

The purpose of this policy is to demonstrate the commitment of Alcester Café to safeguarding adults and to ensure that everyone involved in Alcester Cafe is aware of:

- The legislation, policy and procedures for safeguarding adults.
- Their role and responsibility for safeguarding adults.
- What to do or who to speak to if they have a concern relating to the welfare or wellbeing of an adult within the organisation.

Scope

This safeguarding adult policy and associated procedures apply to all individuals involved in Alcester Café including Trustees, Committee Members, Volunteers and Café Members and to all concerns about the safety of adults whilst taking part in our organisation, its activities and in the wider community.

Commitments

In order to implement this policy Alcester Café will ensure that:

- Everyone involved with Alcester Café is aware of the safeguarding adult procedures and knows what to do and who to contact if they have a concern relating to the welfare or wellbeing of an adult.
- Any concern that an adult is not safe is taken seriously, responded to promptly, and followed up in line with Alcester Café Safeguarding Adults Policy and Procedures.
- The well-being of those at risk of harm will be put first and the adult actively supported to communicate their views and the outcomes they want to achieve. Those views and wishes will be respected and supported unless there are overriding reasons not to (see the Safeguarding Adults Procedures).

- Any actions taken will respect the rights and dignity of all those involved and be proportionate to the risk of harm.
- Confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored in line with our Data Protection Policy and Procedures
- Alcester Café acts in accordance with best practice advice from Local authorities.
- As the Alcester Café is run by volunteers, people with Dementia must be accompanied by a carer – either a family member or a friend.
- Alcester Café will cooperate with the Police and the relevant Local Authorities in taking action to safeguard an adult.
- As the Alcester Café is run by volunteers, people with dementia must be accompanied by a carer, family member or friend.
- All Trustees, Committee Members, and volunteers understand their role and responsibility for safeguarding adults and will undertake safeguarding adult training appropriate for their role.
- Alcester Café uses safe recruitment practices and continually assesses the suitability of volunteers to prevent the deployment of unsuitable individuals in this organisation. All volunteers are DBS checked.
- Actions taken under this policy are reviewed by the Trustees and Committee on an annual basis.
- This policy, related policies (see below) and the Safeguarding Adults Procedures are reviewed no less than on a two yearly basis and whenever there are changes in relevant legislation and/or government guidance as required by the Charity Commission.

Implementation

Alcester Café is committed to implementing this policy and procedures and to review them regularly.

In order to do so the following will be in place:

- Safeguarding and Deputy Safeguarding Lead for safeguarding adults will be appointed. (see Appendix 1)
- A clear reporting process to follow should any concerns be raised.
- A clear line of accountability within the organisation for the safety and welfare of all adults.
- Access to relevant legal and professional advice.
- Safeguarding will feature as an item on every Committee Meeting agenda to check how risks to adult safeguarding are being addressed and how any reports have been addressed.
- Safeguarding adult procedures that deal effectively with any concerns of abuse or neglect, including those caused through poor practice.
- Risk assessments that specifically include safeguarding of adults.
- Policies and procedures which are consistent with this Safeguarding Adults policy.

Section 2: Supporting Information

Safeguarding Adults Legislation

Safeguarding Adults is compliant with United Nations directives on the rights of disabled people and commitments to the rights of older people. It is covered by:

- The Human Rights Act 1998
- The Data Protection Act 2018
- General Data Protection Regulations 2018

The practices and procedures within this policy are based on The Care Act 2014 Care and Support Statutory Guidance (especially chapter 14) 2014.

Many other pieces of UK legislation also affect adult safeguarding.

These include legislation about different forms of abuse and those that govern information sharing. For example, legislation dealing with

- Murder/attempted murder
- Physical Assault
- Sexual Offences
- Domestic Abuse/Coercive control
- Forced Marriage
- Female Genital Mutilation
- Theft and Fraud
- Modern slavery and Human exploitation
- Hate crime
- Harassment
- Listing and Barring of those unsuitable to work with adults with care and support needs

There is legislation about the circumstances in which decisions can be made on behalf of an adult who is unable to make decisions for themselves:

- England and Wales - Mental Capacity Act 2005
- There are specific offences applying to the mistreatment of and sexual offences against adults who do not have Mental Capacity and specific offences where mistreatment is carried out by a person who is employed as a carer: e.g. wilful neglect and wilful mistreatment.

Definition of an Adult at Risk

The Safeguarding Adults legislation creates specific responsibilities on Local Authorities, Health, and the Police to provide additional protection from abuse and neglect to Adults at Risk.

When a Local Authority has reason to believe there is an adult at risk, they have a responsibility to find out more about the situation and decide what actions need to be taken to support the adult.

The actions that need to be taken might be by the Local Authority (usually social services) and/or by other agencies, for example the Police and Health. A sporting organisation may need to take action as part of safeguarding an adult, for example, to use the disciplinary procedures in relation to a member of staff or member who has been reported to be harming a participant. The Local Authority role includes having multi-agency procedures which coordinate the actions taken by different organisations.

An Adult at risk is defined as:

An **adult at risk** is an individual aged 18 years and over who:

- (a) has needs for care and support (whether or not the local authority is meeting any of those needs) AND;
- (b) 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 (Care Act 2014)

Abuse and Neglect

Abuse is a violation of an individual's human and civil rights by another person or persons. It can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it. Any or all of the following types of abuse may be perpetrated as the result of deliberate intent, negligence, omission or ignorance.

There are different types and patterns of abuse and neglect and different circumstances in which they may take place.

Possible categories of abuse include the following types of abuse:

- Physical
- Sexual
- Psychological
- Neglect
- Financial

Abuse can take place in any relationship and there are many contexts in which abuse might take place; e.g. Institutional abuse, Domestic Abuse, Forced Marriage, Human Trafficking, Modern Slavery, Sexual Exploitation, County Lines, Radicalisation, Hate Crime, Mate Crime, Cyber bullying, Scams.

Abuse can take place within any context and the person causing harm might be any

other person. For example: a family member, a carer, a volunteer, a friend or a neighbour.

Abuse or neglect could be carried out by:

- A spouse, partner or family member
- Neighbours or residents
- Friends, acquaintances or strangers
- People who deliberately exploit adults they perceive as vulnerable
- Paid staff, professionals or volunteers providing care and support

Often the perpetrator is known to the adult and may be in a position of trust and/or power.

Signs and Indicators of Abuse and Neglect

An adult may confide to a trustee, committee member, volunteer, carer or another café member that they are experiencing abuse inside or outside of the organisation's setting. Similarly, others may suspect that this is the case.

There are many signs and indicators that may suggest someone is being abused or neglected. There may be other explanations, but they should not be ignored. The signs and symptoms include but are not limited to:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- Person has belongings or money going missing.
- Person is not attending / no longer enjoying their sessions.
- Someone losing or gaining weight / an unkempt appearance.
- A change in the behaviour or confidence of a person.
- Self-harm.
- A fear of a particular group of people or individual.
- A parent/carer always speaks for the person and doesn't allow them to make their own choices
- They may tell you / another person they are being abused – i.e. a disclosure

Mental Capacity and Decision Making

We make many decisions every day, often without realising. UK Law assumes that all people over the age of 16 have the ability to make their own decisions, unless it has

been proved that they can't. It also gives us the right to make any decision that we need to make and gives us the right to make our own decisions even if others consider them to be unwise.

We make so many decisions that it is easy to take this ability for granted. The Law says that to make a decision we need to:

- Understand information
- Remember it for long enough
- Think about the information
- Communicate our decision

A person's ability to do this may be affected by things such as learning disability, dementia, mental health needs, acquired brain injury and physical ill health.

Most adults have the ability to make their own decisions given the right support however, some adults with care and support needs have the experience of other people making decisions about them and for them.

Some people can only make simple decisions like which colour T-shirt to wear or can only make decisions if a lot of time is spent supporting them to understand the options. If someone has a disability that means they need support to understand or make a decision this must be provided. A small number of people cannot make any decisions. Being unable to make a decision is called "lacking mental capacity".

Mental capacity refers to the ability to make a decision at the time that decision is needed. A person's mental capacity can change. If it is safe/possible to wait until they are able to be involved in decision making or to make the decision themselves.

For example:

- A person with epilepsy may not be able to make a decision following a seizure.
- Someone who is anxious may not be able to make a decision at that point.
- A person may not be able to respond as quickly if they have just taken some medication that causes fatigue.

Mental Capacity is important for safeguarding for several reasons.

Not being allowed to make decisions one is capable of making is abuse. For example, a disabled adult may want to take part in an activity but their parent who is their carer won't allow them to and will not provide the support they would need. Conversely the adult may not seem to be benefiting from an activity other people are insisting they do.

Another situation is where an adult is being abused and they are scared of the consequences of going against the views of the person abusing them. It is recognised in the law as coercion and a person can be seen not to have mental capacity because they cannot make 'free and informed decisions'.

Mental Capacity must also be considered when we believe abuse or neglect might be taking place. It is important to make sure an 'adult at risk' has choices in the actions taken to safeguard them, including whether or not they want other people informed about what has happened, however, in some situations the adult may not have the mental capacity to understand the choice or to tell you their views.

The principles about how and when we can make decisions for people who are unable to make decisions for themselves are as follows:

- We can only make decisions for other people if they cannot do that for themselves at the time the decision is needed.
- If the decision can wait, wait – e.g. to get help to help the person make their decision or until they can make it themselves.
- If we have to make a decision for someone else then we must make the decision in their best interests (for their benefit) and take into account what we know about their preferences and wishes.
- If the action we are taking to keep people safe will restrict them then we must think of the way to do that which restricts to their freedom and rights as little as possible.

Many potential difficulties with making decisions can be overcome with preparation. A person needing support to help them make decisions will ordinarily be accompanied by someone e.g. a family member or formal carer whose role includes supporting them to make decisions.

If a person who has a lot of difficulty making their own decisions is thought to be being abused or neglected you will need to refer the situation to the Local Authority, and this should result in health or social care professionals making an assessment of mental capacity and/or getting the person the support they need to make decisions.

There may be times when Alcester Café needs to make decisions on behalf of an individual in an emergency. Decisions taken in order to safeguard an adult who cannot make the decision for themselves could include:

- Sharing information about safeguarding concerns with people that can help protect them.

Recording and Information Sharing

All organisations must comply with the Data Protection Act (DPA) and the General Data Protection Regulations (GDPR).

Information about concerns of abuse includes personal data. It is therefore important to be clear as to the grounds for processing and sharing information about concerns of

abuse.

Processing information includes record keeping. Records relating to safeguarding concerns must be accurate and relevant. They must be stored confidentially with access only to those with a need to know.

Sharing information, with the right people, is central to good practice in safeguarding adults. However, information sharing must only ever be with those with a 'need to know'. This does **NOT** automatically include the persons spouse, partner, adult, child, unpaid or paid carer. Information should only be shared with family and friends and/or carers with the consent of the adult or if the adult does not have capacity to make that decision and family/ friends/ carers need to know in order to help keep the person safe.

The purpose of Data Protection legislation is not to prevent information sharing but to ensure personal information is only shared appropriately. Data protection legislation allows information sharing within an organisation. Anyone who has a concern about harm can make a report to an appropriate person within the same organisation

There are also many situations in which it is perfectly legal to share information about adult safeguarding concerns outside the organisation. Importantly personal information can be shared with the consent of the adult concerned. However, the adult may not always want information to be shared. This may be because they fear repercussions from the person causing harm or are scared that they will lose control of their situation to statutory bodies or because they feel stupid or embarrassed. Their wishes should be respected unless there are over-riding reasons for sharing information.

The circumstances when we need to share information without the adult's consent include those where:

- it is not safe to contact the adult to gain their consent – i.e. it might put them or the person making contact at further risk.
- you believe they or someone else is at risk, including children.
- you believe the adult is being coerced or is under duress.
- it is necessary to contact the police to prevent a crime, or to report that a serious crime has been committed.
- the adult does not have mental capacity to consent to information being shared about them.
- the person causing harm has care and support needs.

When information is shared without the consent of the adult this must be explained to them, when it is safe to do so, and any further actions should still fully include them.

If you are in doubt as to whether to share information seek advice e.g. seek legal advice and/or contact the Local Authority and explain the situation without giving personal

details about the person at risk or the person causing harm.

Any decision to share or not to share information with an external person or organisation must be recorded together with the reasons to share or not share information.

Section 3: Appendices

Appendix 1 – Role Description: Safeguarding Lead

The designated person within Alcester Café (Safeguarding Lead) has primary responsibility for:

- Coordinating safeguarding policy and procedures at the Alcester Café
- Being the first point of contact for safeguarding issues
- Being an advocate for good safeguarding practice in the Alcester Café

Duties and responsibilities include:

- To familiarise themselves with Alcester Café safeguarding policy and procedure.
- To ensure that the Alcester Café's policies and procedures are reviewed annually, kept up to date and are fit for purpose.
- To make sure that trustees, committee members, volunteers and café members are aware of the Alcester Café safeguarding policies and procedures, including Charity Commission responsibilities.
- To collaborate with external agencies eg adult social care and the police where necessary.
- To ensure that all volunteers have up to date Disclosure and Barring Service (DBS) / Protecting Vulnerable Groups scheme (PVG) checks.

To be the first point of contact for safeguarding issues

- To be the named person that adults at risk, volunteers, café members and outside agencies can talk to regarding any issue to do with safeguarding.
- To be aware of the names and telephone numbers of appropriate departments and teams within Social Care and the Police in the event of a referral needing to be made.
- To be aware of when to seek advice, and when it is necessary to inform Social Care, the Police or the Designated Officer (previously known as LADO) of an incident or concern.
- To take appropriate action in relation to any safeguarding concerns which arise within the Alcester Café.
- To ensure safe practice is in place for supporting people who pose a risk to adults at risk at the Alcester Café.
- To cooperate with Social Care or the Police in safeguarding investigations relating to people within the Alcester Café.
- To ensure that appropriate records are kept by the Alcester Café, and that information in relation to safeguarding issues is handled confidentially and stored securely.

To be an advocate for good safeguarding practice in the Alcester Café

To promote positive safeguarding procedures and practice and ensure procedures are adhered to.

To arrange and /or promote opportunities for training in safeguarding to all trustees and members of the committee and volunteers as recommended by the Charity Commission and ensure that their training is renewed every 3 years.

To attend appropriate training for the role, including refresher training every 3 years and keep updated on matters relating to safeguarding.

To report to the Alcester Café committee regularly on any safeguarding concerns.

Appendix 2 – Sources of Information and Support

Alcester Café **Safeguarding Lead** is the person to whom all concerns or allegations relating to adults, young people or children should be addressed:

Name: Lesley Parkin

Telephone number: 07876 298122

Email: parkinlesley@sky.com

In the absence of the Safeguarding Lead, **the Deputy Safeguarding** lead can be contacted:

Name: Eileen Barnes

Telephone: 07909 455718

Email: ebarnes222@btinternet.com

Warwickshire Designated Officer

Name: Bally Bal

Telephone: 01926 745376

Email: lado@warwickshire.gov.uk

Statutory Contact in the case of an adult at risk: 01926 412080

Statutory Contact in the case of a child 01926 414144 (Out of Hours 01926 886922)

National 24Hour Freephone Domestic Abuse Helplines

Tel: 0808 2000 247

www.nationaldahelpline.org.uk/Contact-us