**AGE UK**

**CARLISLE AND EDEN**

**SAFEGUARDING**

**POLICY**

**Adopted: January 2014**

**Reviewed: January 2022**

**Next Review: January 2023**

 **Reg Charity No 1128565**



**Safeguarding Policy**

**1. Introduction**

* 1. Age UK Carlisle and Eden recognises that every person has the right to live free from abuse, harm and/or neglect, regardless of race, sex, gender identity, age, disability, sexuality, ethnicity, religion or belief, marriage or civil partnership status. As an Organisation, we have a duty of care to Safeguard all adults at risk.
	2. In the context of the Care Act (2014), specific adult safeguarding duties apply to any adult
* who has care and support needs (whether they are being met or not)
* are experiencing, or are at risk of, abuse, harm and/or neglect
* are unable to protect themselves because of their care and support needs. This may

This may include not only those who use our services, but also our Volunteers, Employees, Trustees and any other individual involved with Age UK Carlisle and Eden. Throughout the Policy and Procedure, these individuals will be referred to as an “adult at risk”. As an Organisation, we also recognise our universal responsibility to promote the wellbeing of the wider population in our community.

* 1. This Policy and accompanying Procedure applies to all Age UK Carlisle and Eden activities and is adopted by Employees, Trustees, Volunteers, and any other individual involved with the Organisation.
	2. Age UK Carlisle and Eden will adhere to the principles and procedures contained within UK legislation, as well as relevant local guidance. Taking the following particularly into consideration:
	+ The Care Act 2014
	+ The Protection of Freedoms Act 2012
	+ Domestic Violence, Crime and Victims (Amendment) Act 2012
	+ The Equality Act 2010
	+ The Safeguarding Vulnerable Groups Act 2006
	+ The Mental Capacity Act 2005
	+ Sexual Offences Act 2003
	+ The Human Rights Act 1998
	+ Serious incident reporting to the Charity Commission
	+ The Data Protection Act 2018 and the General Data Protection Regulation 2016
	+ Cumbria Safeguarding Adults Policy
	+ Cumbria Multi-Agency Safeguarding Adults Threshold Tool & Guidance

**2. Purpose**

2.1 This Policy, to be used alongside the accompanying Procedure, are designed to

 provide the processes and mechanisms in place to prevent, reduce and help

 safeguard adults at risk from abuse, harm and/or neglect.

* 1. Provide a framework for effective working that includes a streamlined process to respond quickly and sensitively to suspicions or disclosed incidents of abuse, harm and/or neglect.
	2. Ensure that abuse, harm and/or neglect does not occur as a result, either directly or indirectly, of any of the services offered by Age UK Carlisle and Eden.
	3. Increase awareness of issues concerning the abuse, harm and/or neglect

of adults at risk.

* 1. Ensure that the 6 principles of safeguarding (Care Act 2014) are adhered to.
	2. Ensure that all adults at risk are empowered to speak out for themselves, ‘making safeguarding personal’ (MSP).

**3. Responsibilities**

3.1 The Chief Executive Officer (CEO) has overall responsibility for ensuring the

 effective implementation of Age UK Carlisle and Eden’s Safeguarding Policy and

 Procedure. This is supported on a day-to-day basis by all Employees, Trustees,

 Volunteers, and any other individual involved with the Organisation adopting and

 endorsing these.

**4. Action to be taken**

4.1 If you are concerned someone is in immediate danger or if you suspect a crime

 has been committed, contact the appropriate emergency services without delay.

4.2 Where an incident of concern is disclosed, suspected or witnessed, and there is no

 immediate risk, then the Safeguarding Flowchart (See Safeguarding Procedure,

 Appendix 1) should be consulted.

4.3 In line with ‘MSP’ it is important to consider the views of the adult at risk, when

 reaching any decisions on what actions are to be taken.

4.4 Where suspected abuse, harm and/or neglect is alleged to be malpractice by any

 individual involved with Age UK Carlisle and Eden, the Whistle Blowing Policy and

 the Disciplinary Policy and Procedure will be invoked.

**5. Recording**

5.1 Make a note of what the adult at risk has said using their own words, as soon as

 practicable.

5.2 Complete a Safeguarding Incident Report (see Safeguarding Procedure, Appendix 2)

 and submit to your line manager within 24 hours of the disclosure. Although it is

 important to capture all pertinent information within this report, it is essential

 that you remain an observer and recorder only. You are not to make any attempts

 to investigate the circumstances, as this is the role of the relevant authorities.

**6. Monitoring and Review**

6.1 The implementation and effectiveness of this policy will be monitored, reviewed (no

 less than annually) and updated to remain compliant with current legislation and

 guidance by the CEO.

 

**Safeguarding Procedure**

**Introduction**

This Procedure should be used in conjunction with the Safeguarding Policy and explains the practical ways Age UK Carlisle and Eden will:

* Prevent, reduce, and help safeguard adults at risk from abuse, harm and/or neglect.
* Provide support to Employees/ Volunteers/ Trustees/ any individual involved with the Organisation, that may experience an incident of concern (disclosed, suspected, or witnessed), when undertaking their Organisational duties.
* Promote and maintain Employees/ Volunteers/ Trustees/ any individual involved with the Organisation understanding of professional boundaries when they are working in a position of trust.

This Procedure will provide an outline of the following:

* Why it is important to follow the Policy and Procedures.
* The principles that govern Safeguarding.
* Support for Employees/ Volunteers/ Trustees/ any individual involved with the Organisation.
* The process that all individuals involved with Age UK Carlisle and Eden must follow when dealing with concerns about abuse, harm and/ or neglect.
* Issues, in line with ‘Making Safeguarding Personal’ (MSP), such as freedom of choice, consent and capacity. All of which need to be taken into consideration when reaching decisions.
* The necessity of keeping accurate written records.
* Roles and Responsibilities.
* The method by which the Organisation monitors, reviews and maintains high quality responses to these concerns.

**Why follow** **the Policy and Procedures?**

Safeguarding adults, who are at risk of abuse, harm and/or neglect is rarely straightforward. Each situation has its own unique circumstances and therefore it is essential that there are simple and effective processes in place that enable us to deal with a wide variety of concerns. These processes must take into consideration the needs of the adult at risk, the well-being of Employees/ Volunteers/ Trustees and any individual involved with the Organisation and the protection of the Organisation’s name.

Overall, it is expected that all Employees, Trustees, Volunteers, and any other individual involved with the Organisation adopts and endorses these Policies and Procedures when undertaking their day-to-day duties.

**Principles**

The guidance given in this Procedure is based upon the following principles, set out in The Care Act (2014).

* **Empowerment** - People being supported and encouraged to make their

 own decisions and informed consent.

* **Prevention** – It is better to take action before harm occurs.
* **Proportionality** – The least intrusive response appropriate to the risk

 presented.

* **Protection** – Support and representation for those in greatest need.
* **Partnership** – Local solutions through services working with their communities.

Communities have a part to play in preventing, detecting and reporting neglect and abuse.

* **Accountability** – Accountability and transparency in delivering safeguarding.

**Support**

To ensure the effective implementation of both the Policy and the Procedure and that the Organisation’s responsibilities around safeguarding are met, it is recognised that additional support is required for all individuals involved with the Organisation.

Therefore, training on a yearly basis will be undertaken to an appropriate level for their role.

Line Managers may attend additional training to enable them to address the support needs of their team members and comply with the demands of the decision making and reporting process, set out in the Safeguarding Flowchart (see Appendix 1).

**Dealing with concerns about abuse, harm and/ or neglect**

If there are concerns someone is in immediate danger or if a crime

has been committed, any individual involved in Age UK Carlisle and Eden should contact the appropriate emergency services, without delay.

Where there is no immediate risk identified, it is vital that these concerns are brought to the attention of the line manager, as soon as practicable to avoid any attempts of handling a potential safeguarding concern in isolation. The process of consultation with line managers is designed to make sure each situation is considered carefully and any decision to act, or not to act, is made with as much appreciation of the circumstances as possible. The Safeguarding Flowchart (see Appendix 1) has been designed to support this process.

Where any individual involved in Age UK Carlisle and Eden is observed or suspected to be the one partaking in poor practice, carrying out abuse, harm or neglect, then the Age UK Carlisle and Eden Whistleblowing Policy will be immediately invoked. Again, it is key for a written record to be made and a line manager consulted as soon as possible. If the line manager is implicated then an alternative line manager, the Chief Executive Officer or a Trustee must be approached.

It is not the role of Age UK Carlisle and Eden to carry out investigations into abuse, harm, and/or neglect. The purpose of raising an alert to the relevant authority is to bring to their attention pertinent information about an adult who may be at risk. Therefore, it is vital that once a potential safeguarding concern has been raised and a discussion has been held with a line-manager that the Local Authority and/or the Police (where appropriate) are notified in a timely manner. Where necessary the initial report can be made by telephone or e-mail if this will result in getting better support for the adult at risk but may need to be followed up in writing.

**Making Safeguarding Personal - Choice, Consent and Capacity**

Age UK Carlisle and Eden aims to empower adults at risk, to be in control of their own lives, to make informed choices and their own decisions whenever possible. Within the context of this Procedure, Age UK Carlisle and Eden also seeks to protect adults at risk from abuse, harm and/or neglect. Therefore, it is crucial to ensure a balance is maintained between autonomy and protection and that any responses are proportional.

It is the role of any individual involved with Age UK Carlisle and Eden to make sure that the adult at risk is aware of what support options are available to them, when dealing with potential safeguarding concerns. But understand that adults at risk have the freedom to choose whether they wish to change their circumstances or not. Generally, their wishes should be respected, however there are occasions when the statutory duty to report overrides consent, for example when:

* There is immediate risk to life or limb.
* The adult at risk lacks the mental capacity to make that decision. This must be properly explored and recorded in line with the Mental Capacity Act (2005).
* There is a reasonable belief that onward disclosure of information is required in order to prevent serious harm to an adult who needs care and support (vital interests) and/or other members of the public (public interests).
* Sharing the information could prevent a crime or a serious crime has already been committed.
* The alleged abuser has care and support needs and may also be at risk.
* Any individual involved with Age UK Carlisle and Eden are implicated.
* The adult at risk has the mental capacity to make that decision, but there is an indication they may be under duress or being coerced.
* A court order or other legal authority has requested the information.

In these circumstances, if the adult at risk cannot be persuaded to give their consent then (as long as it does not increase the risk to the individual) it should be explained to them that the information will be shared, and the reasons should be given and recorded within the Safeguarding Incident form (see Appendix 2). For this reason, individuals involved with Age UK Carlisle and Eden should be mindful when receiving potential disclosures relating to safeguarding concerns to never promise confidentiality.

It is crucial that all safeguarding concerns are discussed directly with a line manager in the first instance, except in emergency situations. This is particularly key if there is any doubt about the ability of the adult at risk to give meaningful consent, bearing in mind that a person is not to be treated as unable to make a decision, merely because they may make an unwise one. Full consideration of the 5 principles of the Mental Capacity Act (2005) to be made on a case-by-case basis.

If a decision cannot be reached within the Organisation about whether the information should be shared externally, further guidance should be sought from the relevant Statutory authority, ensuring full disclosure, without explicit consent, only occurs if this is the overall advice given. In these circumstances, The Care Quality Commission (in Scotland the Care Commission) expects councils to take alerts, from Organisations and the general public without consent being a prerequisite.

**The importance of accurate records?**

A member of staff who has been made aware of an incident of possible or actual abuse, harm, and/or neglect must record in detail all that they know of the incident on the Safeguarding Incident Form (see Appendix 2) and provide this to their line manager within 24 hours of any disclosure.

The Safeguarding Incident form will record the reasons why action is being taken or not taken, as well as facts about what has occurred. These will be stored (separately to client case records), collated and analysed by the CEO of Age UK Carlisle and Eden in readiness for report writing, Trustee updates or should the Organisation be asked to explain how cases have been responded to.

The necessity of maintaining detailed written documentation may be viewed as a burden but it can be invaluable in dealing with concerns in a positive way. It has also made providing reliable witness statements for case reviews, at multi-agency meetings and in court, much easier. Written records are essential for monitoring the standard of the Organisations work and are good tools in learning about the needs of local people, particularly adults at risk.

**Roles and Responsibilities**

**Employees / Volunteers responsibilities**

* Age UK Carlisle and Eden relies on all Employees and Volunteers to deliver their duty of care in a professional, responsible way.
* All Employees/ Volunteers should partake in mandatory training relevant to their role.
* If any Employee/ Volunteer witnesses or receives a disclosure about the abuse, harm and/or neglect of an adult at risk, it is vital that they do not ignore this. The safety and welfare of people are paramount, and a lack of response may have serious consequences.
* This is the same if any Employee/ Volunteer is witness to indicators that make them suspect that an adult at risk is being abused, harmed and/or neglected.
* Employees/ Volunteers must alert the relevant emergency services if there is immediate risk to life or limb of the person(s) involved or if a crime is being committed.
* Employees/ Volunteers are to discharge their duty of care by notifying their line manager where an incident of abuse, harm and/or neglect is disclosed, suspected or witnessed. The notification must be done verbally and then formally in writing within 24 hours on the Safeguarding Incident Form (see appendix 2). The same formal record must be made when the whistle-blowing policy is invoked.
* Employees / Volunteers are to consult with their line manger to ensure that all information is considered before a decision is reached on how to proceed. (For the purposes of this guidance, making a decision not to act is still considered as taking a decision and the reasons for taking this course of action should be recorded as a matter of good practice).

**Line Managers responsibilities**

* Ensure that all their Employees/ Volunteers have received relevant training for their role.
* Ensure that their team members are familiar with Age UK Carlisle and Eden’s Whistle Blowing policy, Gifts policy, Disciplinary Procedures and Safeguarding policy.
* Ensure that all notifications of abuse, harm and/or neglect witnessed or suspected, are treated with the highest priority.
* When receiving a concern about abuse, harm and/or neglect discuss the issue with the individual who raised the concern in order to ascertain the circumstances of the incident.
* Complete a risk analysis of the information provided and decide whether to alert the relevant authority. Working within the parameters of making safeguarding personal, drawing upon the Mental Capacity Act (2005) and Cumbria Multi-Agency Safeguarding Adults Threshold Tool & Guidance to help form their decision making.
* The Line Manager should work with the individual raising the concern to complete the Safeguarding Incident form within 24 hours, ensuring accurate, signed and dated written records are maintained throughout the process.
* If receiving a concern regarding abuse, harm and/or neglect, where an individual involved with the Organisation is implicated, Line Managers should follow Age UK Carlisle and Eden’s Whistle-Blowing and Disciplinary policies and notify the CEO or a Trustee.
* Conduct risk assessments for the roles within their teams to determine whether their day-to-day duties are defined under ‘regulated’ activities or that their role is ‘eligible’ to apply for an Enhanced Disclosure and Barring Service (DBS) check. Ensuring that, where relevant these are applied for, indicate that the individual is suitable for the role, and that they remain up to date.
* Be aware that they, and their Employees/ Volunteers may be exposed to difficult or disturbing cases of abuse, harm and/or neglect. They should be able to offer effective supervision and support, whilst ensuring that any personal issues are communicated to their own line manager (generally this will be the CEO).

**CEO responsibilities**

* Provide support for Employees/Volunteers before, during and after any concern raised and / or whistle-blowing case.
* Oversee training and specialist support for Age UK Carlisle and Eden Employee’s, Trustees and Volunteers.
* Alert cases of abuse to the Cumbria local Safeguarding Adults Board, Local Authority or Police when deemed necessary.
* Obtain feedback regarding the outcomes of alerts given to Cumbria local Safeguarding board, Local Authority or Police, as necessary.
* Inform the board of trustees of any incidents of concern involving Age UK Carlisle and Eden Employees/ Volunteers.
* Ensure that all information on safeguarding is stored securely, monitored and analysed, in line with Age UK Carlisle and Eden policy.
* Provide information on good practice in respect of issues of abuse, harm and/or neglect.
* Review Age UK Carlisle and Eden’s safeguarding Procedure and Policy annually and update them when necessary.

**Trustee responsibilities**

* Age UK Carlisle and Eden Trustees approve the Safeguarding Policy and have a duty of care to the Organisation, which includes taking the necessary steps to safeguard those at risk from abuse, harm and/or neglect. Managing risk and protecting the reputation of the Organisation.
* Age UK Carlisle and Eden Trustees have overall responsibility for ensuring that serious incidents are reported to The Charity Commission. A serious incident is an adverse event, whether actual or alleged, which results in or risks significant:
1. harm to the Organisation’s Beneficiaries, Employees, Volunteers, or any other individuals who come into contact with our Organisation.
2. loss of the Organisation’s money or assets
3. Damage to the Organisation’s property
4. Harm to the Organisation’s work or reputation

**Monitoring and Review**

The implementation and effectiveness of this Procedure will be monitored, reviewed (no

less than annually) and updated to remain compliant with current legislation and guidance by the CEO.



**Appendix 1**

**Safeguarding Flowchart**

There are concerns/suspicions about an adult at risk.

OR

There has been disclosure or an allegation about an adult at risk.

No

Yes

Is there an immediate risk to the safety of the adult at risk or others?

Call the relevant Emergency Services on 999.

Is your Line Manager implicated in any way?

Yes

No

Notify the CEO, or a Trustee if the CEO is also implicated. Complete Safeguarding Incident Report within 24 hours of the incident

Notify your Line Manager and complete Safeguarding Incident Report within 24 hours of the incident.

Follow the Organisation’s Policy and Procedure, in conjunction with local Multi Agency Safeguarding Adults Policy and Procedures.

Possible referral to Police/Adult Social Care/ Multi Agency/ Safeguarding Hub/ Local Safeguarding Adults Board/ The Charity Commission.

Possible outcomes

Criminal proceedings, Police enquiry, Adult Social Care Safeguarding Investigation, Disciplinary Measures, No further action

\*Remember to involve the adult at risk throughout the process (wherever possible).



**Appendix 2**

**Safeguarding Incident Report**

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| --- |
| Name and position of person reporting: |
| Date and time of completion of the form: |
| Date and time of the incident/disclosure: |
| Name of individual:  |
| Date of birth:  |
| Address:  |
| Please describe your concerns here (give details of location, times of specific incidents, any physical, behavioural or indirect signs and the people involved): |
| Have you spoken to the individual involved? If so, what exactly was said? (please record details in the person’s own words):  |
| Action taken so far: |

Signature: …………………………………………………………………………………………

Date: …………………………………………………………………………………………………

Line Manager’s Signature: ……………………………………………………………………

Date: …………………………………………………………………………………………………