



Safeguarding Adults Policy

1 General Policy Statement

1.1 Winchester Youth Counselling (“WYC”) has a moral and legal duty to ensure that it functions with a view to safeguarding and promoting the welfare of vulnerable adults. We are committed to fulfilling the requirements of the Care and Support Statutory Guidance 2018 issues under the Care Act 2014, Safeguarding of Vulnerable Groups Act 2006, and other relevant legislation aimed at the protection of vulnerable adults.

1.2 Throughout these policies and procedures, reference is made to “adults at risk” which is anybody over the age of 18 that is particularly vulnerable to harm by virtue of their circumstances which may be permanent or temporary. This would include characteristics such as age, disability and care needs, communication difficulties and other aspects that increase the risk of harm.

According to the [Care Act 2014](#), 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;

c) 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.

1.3 WYC recognizes that mental capacity must also be considered when safeguarding and promoting the welfare of vulnerable adults. It is important to ensure 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. 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 i.e. they lack mental capacity. It therefore gives adults the right to make their own decisions, even if others consider them to be unwise.

1.4 WYC is committed to ensuring that all staff and volunteers:

- Know how to recognise signs of abuse of adults at risk.
- Know what to do when safeguarding concerns arise.
- Understand what behaviour is expected from them.
- Take appropriate action to see that such adults at risk are kept safe from harm.

1.5 In pursuit of these aims, WYC will approve and annually review policies and procedures with the aim of:

- Raising awareness of issues relating to the welfare of adults at risk and the promotion of a safe environment for vulnerable adults and young people.
- Providing procedures for reporting concerns.
- Establishing procedures for reporting and dealing with allegations of abuse against members of staff.
- The safe recruitment of staff.

1.6 The organisation has nominated Jill Guppy as designated person with special responsibility for vulnerable adults' protection issues. She will undertake appropriate training. Rose Milford will act as the designated person if Jill is absent or on leave.

1.7 Staff and volunteers working with vulnerable adults will receive training adequate to familiarise them with adults' protection issues and responsibilities and the organisations procedures and policies.

1.8 This policy applies to all contact WYC staff and volunteers may have with adults, including, but not limited to:

- Concerns about an adult who is attending counselling sessions at WYC
- Concerns about the parent or carer of a child or young person who is attending sessions at WYC
- Concerns about an adult who attends a Parenting Workshop
- Concerns about a colleague

Definitions of Abuse

Physical Abuse	Physical abuse causes harm to a vulnerable adult's person. It may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning or suffocating. It may be done deliberately or recklessly, or be the result of a deliberate failure to prevent injury occurring.
Neglect	Neglect is the persistent or severe failure to meet a vulnerable adult's basic physical and/or psychological needs. It will result in serious impairment of the vulnerable adult's health or development.
Sexual Abuse	Sexual abuse involves a vulnerable adult being forced or coerced into participating in or watching sexual activity. It is not necessary for the vulnerable adult to be aware that the activity is sexual and the apparent consent of the vulnerable adult is irrelevant.
Emotional Abuse	Emotional abuse occurs where there is persistent emotional ill treatment or rejection. It causes severe and adverse effects on the vulnerable adult's or young person's behaviour and emotional development, resulting in low self worth. Some level of emotional abuse is present in all forms of abuse.
Financial Abuse	Financial abuse involves misusing a person's money in a way that exhibits control over them or limits their future actions and freedoms of choice. This can include using credit/debit cards without permission, taking on contractual obligations & gambling.
Other safeguarding concerns:	<ul style="list-style-type: none"> • Domestic violence or abuse • FGM • Suicidal ideation or high-risk self-harm • Serious mental illness such as psychosis, depression or severe post-natal depression • High-risk substance misuse • Adults who disclose that they have harmed, or are at risk of harming, either a child or another adult • Honour-based violence or forced marriage • Any concerns about radicalisation and extremist views

	or behaviours must also be reported as a safeguarding concern. WYC works in line with Prevent Duty 2015 guidance and will consult with the local Prevent Partnership Board where necessary
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2. 'Relevant conduct' under the Safeguarding Vulnerable Groups Act 2006.

2.1 In addition, WYC accepts the following definitions of relevant conduct under Schedule 3 of the Safeguarding of Vulnerable Groups Act 2006 in relation to the barring of those who pose a risk of harm to vulnerable adults. A relevant conduct is a conduct which must be referred to the DBS and which could lead to a barring decision. It includes any:

- conduct which endangers a child or vulnerable adult or is likely to endanger a child or vulnerable adult.
- conduct which if repeated against or in relation to a child or vulnerable adult would endanger that child or vulnerable adult.
- conduct involving sexual material relating to children (including possession of such material).
- conduct involving sexually explicit images depicting violence against human beings.
- conduct of a sexual nature involving a child or vulnerable adult (or in the case of a vulnerable adult - an act that is considered inappropriate).

3. Protecting vulnerable adults under the Protection of Freedoms Act 2012.

- 3.1 The Protection of Freedoms Act 2012, Chapter 5 defines an adult at risk as a person aged 18 and over who is in receipt of any of the following services –
- a. Health care from a regulated health care professional - provided by, or under the direction or supervision of a regulated health care professional.
 - b. Personal care for adults involving hands-on physical assistance - with washing and dressing, eating, drinking and toileting; prompting and supervising an adult with any of these tasks because of their age, illness or disability; or teaching someone to do one of these tasks.
 - c. Assistance with social care - provision by a social care worker of social work which is required in connection with any health services or social services.
 - d. Assistance with paying bills, shopping because of age, illness or disability arranged via third party.
 - e. Help with conducting own affairs under a formal appointment.
 - f. Being conveyed for reasons of age, illness or disability to a place where they will receive health care, personal care or social work arranged by a third party.
 - g. Note that a person is not deemed vulnerable simply because of age or a disability they must be in receipt of any of the aforementioned welfare services covered by the Protection of Freedoms Act 2012.

3.2 Regulated Activity with Vulnerable Adults under the the Protection of Freedoms Act 2012.

- a. Anyone providing a vulnerable adult with any of the above services in paragraph 3. 1 is considered to be undertaking a regulated activity under the Protection of Freedoms Act 2012 and must therefore have an Enhanced Disclosure and Barring Service check in order to perform the role.
- b. Note that the specified establishment (a care home) has been removed by the protection of Freedoms Act. The focus is now on activities needed by the vulnerable adult, not where the activity takes place.
- c. An individual only needs to engage in the activities listed above once to be carrying out regulated activity relating to adults.
- d. The definition focuses on those activities which are required by any adult at any given point, this means that an adult is considered vulnerable at the point of receiving them and may not be a vulnerable adult once the service ceases.
- e. Note that a person whose role includes the day-to-day management or supervision of any person engaging in regulated activity, is also in regulated activity even if they are not directly involved in providing the service.
- f. Note also that regulated activity relating to adults excludes any activity carried out in the course of family relationships, and personal, non-commercial relationships.

4. Designated Safeguarding Lead (DSL) for Adults at Risk

Primary Designated Safeguarding Lead (DSL) contact:
Clinical Lead Tel: 01962 82044

Clinical.lead@winchesteryouthcounselling.org

Secondary DSL Contact

Deputy Clinical Lead Tel: 01962

82044

DCL@winchesteryouthcounselling.org

Tertiary DSL Contact

CEO

Tel: 01962 82044

ceo@winchyc.org

4.1 The DSL has a key duty to take lead responsibility for raising awareness within the organisation of issues relating to the welfare of adults at risk, and the promotion of a safe environment for them

4.2 The DSL is responsible for ensuring that exempted questions are asked on relevant volunteer and employment application forms. The question must be worded accordingly or with an equivalent statement:

“This post meets the requirements in respect of exempted questions under the Rehabilitation of Offenders Act 1974, any applicants for this post who are offered employment or who become volunteers for this organisation will be subject to a criminal record check from the Disclosure and Barring Service before the appointment is confirmed. This will include details of cautions, reprimands or final warnings as well as convictions. A criminal record will not automatically bar a person from successfully taking up this post”.

4.3 The DSL(s) have received a minimum of Advanced Safeguarding Adults (Level 3) training and should keep up to date with developments in adult protection issues. The DSL will also have responsibility for making new staff and volunteers aware of the existing Safeguarding Adults at Risk Policy.

4.5 The DSL will be the main contact point for adult protection issues and will have contact details for relevant organisations available for employees and volunteers. This list will include contact details of relevant individuals and the local police:

Hampshire Adult Services on 0300 555 1386 (out of hours 0300 555 1373) or the police on 101.

5 Dealing with Disclosure of Abuse and Procedure for Reporting Concerns.

When a client or person makes a disclosure, staff and volunteers should:

- Listen carefully and stay calm.
- Do not interview the vulnerable adult, but question normally and without pressure, in order to be sure that you understand what the vulnerable adult is telling you.
- Do not put words into the person’s mouth.
- Reassure the person that by telling you, they have done the right thing.
- Wherever possible, the staff member or volunteer should relay to the adult that they are concerned and seek to empower the adult to take action themselves. There should be a discussion regarding the sharing of information and the reasons for this, and consent should be obtained if possible.
- If it is essential to contact the relevant authorities, explain to the person that

you must pass the information on, but that only those that need to know about it will be told. Inform them of to whom you will report the matter.

- Note the main points carefully.

NB: Staff should not investigate concerns or allegations themselves but should report them immediately to the Designated Person.

If an adult at risk indicates or discloses possible abuse, follow the procedure:

1) In an emergency, call 999 (if not, proceed to 2).



2) Inform the DSL at the earliest opportunity or the next DSL point of contact available. The DSL will make the referral to the appropriate authority (proceed to 6). If they are unavailable, proceed to 3.



3) If you are unable to reach a DSL contact this is not a reason to delay urgent reporting. You should report this yourself if a delay may put the adult at risk. (Notify the DSL of the action taken as soon as possible.)



4) If discussion is needed, contact the Hampshire Safeguarding Adults Team

Phone 0300 555 1386 during office hours 8.30am to 5pm Monday; 9.30 am to 5pm Tuesday to Thursday; 8.30am to 4.30pm on Friday OR,
Phone 0300 555 1373 at all other times to contact the Out of Hours service. Complete the [Professional Referral Online Form](#)



5) If there is a risk of harm to self (Suicide or severe self-harm) contact the individual's GP and next of kin, with their consent if possible



6) Prepare a written report of the situation within one hour of the disclosure or incident. If the adult at risk has a Tacklit file or is the parent or carer of a client who has a Tacklit file, record the details in a Note, and select the Safeguarding Alert option. You should record your name and role, and make a detailed note of the date, time, place, what the vulnerable adult said and did, the questions you asked and their answers.

If the adult at risk does not have a Tacklit file, use the 'Serious Incident Form' template, available on Sharepoint and file securely: [Serious Incident Form](#)



7) If the person is thought to be a suicide risk, also fill out the [Suicide Risk Form](#).

Inform the Clinical Lead by phone, noting actions taken in a note on Tacklit. Share information with other agencies only when it is in the best interests of the client



8) Remember, all notes are disclosable during a criminal investigation. Please ensure these are dated, professional, objective and use the person's own words.

6 Reporting allegations of Abuse against Members of Staff.

6.1 The procedures apply to all staff, whether trustees, administrative, management or support, as well as to volunteers. The word “staff” is used for ease of description.

6.2 Because of their frequent contact with vulnerable adults, staff may have allegations of abuse made against them. Winchester Youth Counselling recognises that an allegation of vulnerable made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. It is imperative that those dealing with an allegation maintain an open mind and that the investigations are thorough and not subject to delay. See also WYC Management of Allegations Policy.

7 Duty to refer to the Disclosure and Barring Service.

7.1 The Safeguarding of Vulnerable Groups Act 2006 also makes it mandatory to refer anyone known to pose a threat of harm to a child or vulnerable people to the DBS. The designated member of staff responsible for safeguarding must not knowingly employ anyone who poses a risk of harm to children or adults, this includes anyone who is believed to have committed a relevant conduct while on the job or who has a record of such conduct.

7.2 The organisation has a legal duty to refer an employee or volunteer who poses a risk of harm to children or vulnerable adults to the Disclosure Barring Service (“DBS”), failure to do so can result in a fine and/or up to 5 years imprisonment. There must be sufficient and solid evidence that the employee or volunteer poses a risk of harm before they can be referred to the DBS. The DBS will not consider evidence based on rumour or unsubstantiated reports. The employer should also inform the police and other relevant authorities if they believe relevant misconduct has occurred.

7.3 Referral forms can be downloaded from the DBS’s website www.homeoffice.gov.uk/dbs

8 The DBS’s barring process.

8.1 Whenever new relevant information (such as a conviction or caution) becomes known, the information will be sent to the DBS. The DBS will consider this information, together with other information known on the individual, and decide whether it indicates that the individual poses a risk of harm to vulnerable groups. If so, the DBS will commence its barring process and the DBS will issue a disclosure certificate to the applicant with the barring information.

8.2 The applicant should be advised by the designated member of staff to make a representation to the DBS regarding the barring information. The DBS will assess the barring information and representation and decide whether to bar the applicant. If there is sufficient barring evidence, the applicant will be placed on either the Children’s Barred List or the Vulnerable Adults Barred List or both depending on the offence. The applicant must then be removed from regulated activity.

8.3 The applicant has the right of appeal to a tribunal and must be advised of this right. Serious offences committed against vulnerable people will lead to automatic barring and the applicant will have no right to make representations or to appeal against a barring decision.

9 Ensuring safer recruitment and selection.

9.1 WYC will already have safer recruitment and selection procedures. These should be reviewed in order to ensure that they take account of the following:

- The procedures should apply to staff and volunteers who work with vulnerable adults.
- The post or role should be clearly defined.
- The key selection criteria for the post or role should be identified.
- Vacancies should be advertised widely in order to ensure a diversity of applicants.
- Obtain professional and character references.
- Verify previous employment history.
- Obtain a relevant enhanced disclosure check from the Disclosure and Barring Service.
- Use a variety of selection techniques (e.g. qualifications, previous experience, interview, reference checks).

Annual Updates:

Last Updated	By Whom	Trustee Approved date	Next Review Due
November 2023	R Milford	6 December 2023	December 2024

Amendments:

Date	By Whom	Changes Made
01/09/22	E McMurtry	Update Secondary DSL
13/10/23	R Milford	Update Primary and Secondary DSL Update procedures to reflect use of Tacklit for recording. Added detail on definitions to 1.2 Added 1.8 on mental capacity and edited 5, Dealing with disclosure to reflect this emphasis on respecting adult mental capacity and decision-making where possible.