



## **Safeguarding Adults Policy**

### **1. General Policy Statement and Principle**

1.1 The mission of Winchester Youth Counselling (WYC) is to protect and preserve good mental health and wellbeing among people aged between 11 and 25 years of age who are resident in the Winchester district by providing counselling and therapeutic interventions to develop their mental capacity and help them grow to full maturity as individuals and as members of society.

1.2 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 adults at risk. 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 at risk adults.

WYC is committed to ensuring that safeguarding is underpinned by the six principles embedded in the Care Act, 2014. These are:

- Empowerment
- Prevention
- Proportionality
- Protection
- Partnership
- Accountability

1.3 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. These 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

Some legislation still refers to this group as 'vulnerable adult': this means one and the same as 'adult at risk'.

1.4 WYC recognizes that mental capacity must also be considered when safeguarding and promoting the welfare of adults at risk. 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.

1.5 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.

1.6 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 adults at risk 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

1.7 Staff and volunteers working with adults at risk will receive training adequate to familiarise them with adults' protection issues and responsibilities and the organisation's 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 or group
- Concerns about a colleague

1.9 It is a requirement that all staff, volunteers and Board of WYC must be aware of and comply with this policy and the key resources and statutory and legal frameworks referred to therein.

## **2. Contacts**

The organisation has named the following members as safeguarding leads:

- Jill Guppy as Designated Safeguarding Lead for adults at risk.
- Rose Milford as the Deputy DSL if Jill is absent or on leave.
- The CEO as Tertiary DSL.
- The Designated Safeguarding Trustee is the Chair of Trustees

### **Primary Designated Safeguarding Lead (DSL) for Adults at Risk Contact:**

Clinical Lead:

Tel: 01962 820444

[Clinical.lead@winchyc.org](mailto:Clinical.lead@winchyc.org)

### **Secondary DSL Contact:**

Deputy Clinical Lead

Tel: 01962 820444

[dcl@winchyc.org](mailto:dcl@winchyc.org)

### **Tertiary DSL Contact:**

CEO

Tel: 01962 820444

[ceo@winchyc.org](mailto:ceo@winchyc.org)

### **Safeguarding Trustee:**

[SafeguardingTrustee@winchyc.org](mailto:SafeguardingTrustee@winchyc.org)

### 3. Key Guidance resources

The following legislation and resources form the basis of this policy.

<p><b>Care Act (2014) Statutory Guidance</b> <b>A summary of provisions relating to adult safeguarding (Sue Lee)</b> A helpful summary of the relevant provisions of the Care Act (2014)</p>	<p><a href="https://www.hampshiresab.org.uk/wp-content/uploads/Safeguarding-Summary-Care-Act-Statutory-Guidance-v4.pdf">https://www.hampshiresab.org.uk/wp-content/uploads/Safeguarding-Summary-Care-Act-Statutory-Guidance-v4.pdf</a></p>
<p>- <b>Adult Safeguarding Policy Process and Guidance July 2023</b> Hampshire Safeguarding Adults Board guidance</p> <p>- <b>Multi-agency framework to support decision-making in relation to adult safeguarding concerns</b> Covering in detail the definition and recognition of abuses, and other safeguarding concerns; decision tools concerning making a judgement about risk and seriousness, and how to decide what action to take</p>	<p><a href="#">4LSAB Adult Safeguarding Policy Process and Guidance July 2023 (hampshiresab.org.uk)</a></p> <p><a href="#">4LSAB Safeguarding Concerns (hampshiresab.org.uk)</a></p>
<p>Guidance for specified authorities in England and Wales on the duty in the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people from being drawn into terrorism.</p>	<p><a href="#">Prevent Duty Guidance -2015</a></p>

#### 4. **Definitions of Abuse**

WYC will ensure that all staff, volunteers and board have a basic knowledge about types of abuse. These include but are not limited to:

Physical Abuse	Physical abuse causes harm to the adult at risk'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.
Neglect	Neglect is the persistent or severe failure to meet an adult at risk's basic physical and/or psychological needs. It will result in serious impairment of the adult's at risk's health or development. Self-neglect is also a concern.
Sexual Abuse	Sexual abuse involves an adult at risk being forced or coerced into participating in or watching sexual activity. It is not necessary for the adult at risk to be aware that the activity is sexual and apparent consent is irrelevant.
Emotional Abuse	Emotional abuse occurs where there is persistent emotional ill treatment or rejection. It causes severe and adverse effects on the adult at risk 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 an adult at risk'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"> <li>• Domestic violence or abuse</li> <li>• FGM</li> <li>• Suicidal ideation or high-risk self-harm</li> <li>• Serious mental illness such as psychosis, depression or severe post-natal depression</li> <li>• High-risk substance misuse</li> <li>• Adults who disclose that they have harmed, or are at risk of harming, either a child or another adult</li> <li>• Honour-based violence or forced marriage</li> <li>• 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 <a href="#">Prevent Partnership Board</a> where necessary</li> </ul>

#### 5. **'Relevant conduct' under the Safeguarding Vulnerable Groups Act 2006**

- 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 adults at risk. 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 adult at risk or is likely to endanger a child or adult at risk.
- conduct which if repeated against or in relation to a child or adults at risk would endanger that child or adult at risk.
- 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 adult at risk (or in the case of a adult at risk an act that is considered inappropriate).

#### **6. Protecting adults at risk under the Protection of Freedoms Act 2012.**

- 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:
- Health care from a regulated health care professional - provided by, or under the direction or supervision of a regulated health care professional.
- 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.
- 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.
- Assistance with paying bills, shopping because of age, illness or disability arranged via third party.
- Help with conducting own affairs under a formal appointment.
- 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.
- Note that a person is not deemed at risk 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.

#### **7. Regulated Activity with Adults at Risk under the Protection of Freedoms Act 2012.**

- 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 services defined in the previous section (6).
- 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 adult at risk, not where the activity takes place.
- An individual only needs to engage in the activities listed above once to be carrying out regulated activity relating to adults.

- The definition focuses on those activities which are required by any adult at any given point, this means that an adult is considered at risk at the point of receiving them and may not be a adult at risk once the service ceases.
- 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.
- Note also that regulated activity relating to adults excludes any activity carried out in the course of family relationships, and personal, non-commercial relationships.

## **8. Duties of the Designated Safeguarding Lead**

8.1 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.

8.2 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”.*

8.3 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.

8.4 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.

## **9. Dealing with Disclosure of Abuse and Procedure for Reporting Concerns.**

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

- Listen carefully and stay calm.
- Do not interview the adult, but question normally and without pressure, in order to be sure that you understand what the adult at risk 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.

9.2 Staff and volunteers should not actively investigate concerns or allegations themselves. 'Actively investigating' would include things like conducting an interview, researching facts about the disclosure that the client or person has made, or contacting others involved in the disclosure outside of those involved in the reporting protocol. They should fulfil the steps above and report them immediately to the DSL, who will take the required action.

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



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.  
If unavailable, **consult the Decision Tree to be found in Appendix 1.**

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 adult at risk 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.

## **10. Reporting allegations of Abuse against Members of Staff.**

10.1 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.

10.2 Because of their frequent contact with adults at risk, staff may have allegations of abuse made against them. Winchester Youth Counselling recognises that an allegation 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 the WYC Management of Allegations Policy, which is linked [here](#). This policy details the management of allegations in line with the [Hampshire and Isle of Wight Allegations Management Framework](#) (see link).

## **11. Duty to refer to the Disclosure and Barring Service.**

11.1 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 adult at risk 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.

11.2 The organisation has a legal duty to refer an employee or volunteer who poses a risk of harm to children or adults at risk 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.

11.3 Referral forms can be downloaded from the DBS’s website [www.homeoffice.gov.uk/dbs](http://www.homeoffice.gov.uk/dbs)

## **12. The DBS’s barring process.**

12.1 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.

12.2 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.

12.3 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.

### **13. Ensuring safer recruitment and selection.**

13 WYC already has safer recruitment and selection procedures (see [Recruitment Policy](#)). 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 adults at risk.
- 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. Further guidance on carrying out DBS checks can be found here: [guidance for employers](#)
- Use a variety of selection techniques (e.g. qualifications, previous experience, interview, reference checks).

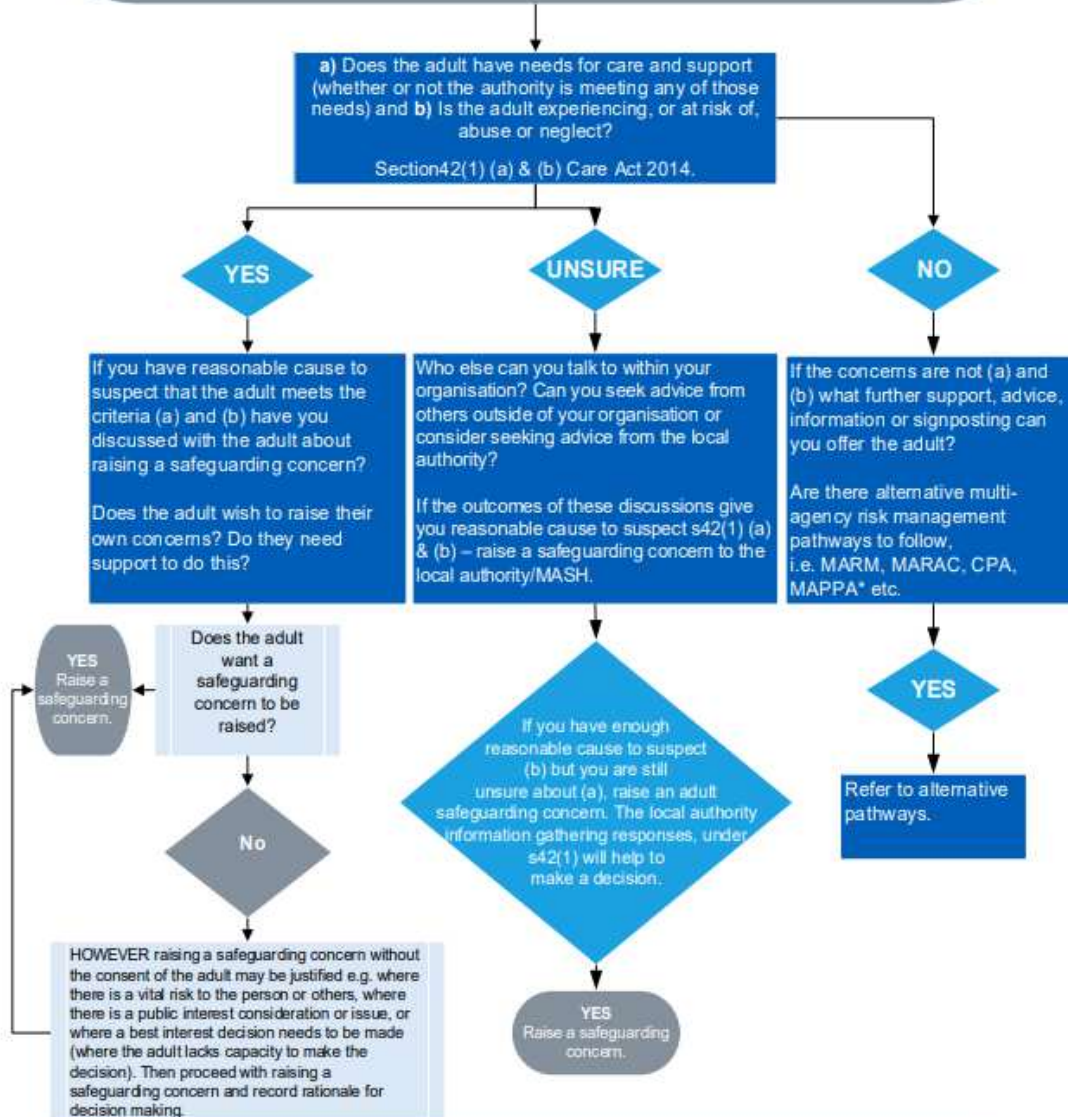
Reviewed on:	May / Aug / Sept 2024
Reviewed by:	Hannah Reidy, Kirsteen Hook, Rose Milford, Andy Newberry
Details of Updates Made:	<ul style="list-style-type: none"> <li>- Update of terminology and references to legislation to adhere to Hampshire Council framework</li> <li>- Inclusion of Tertiary DSL and Safeguarding Trustee</li> <li>- Inclusion of statement on whole organisation adherence (1.9)</li> <li>- Other minor clarifying statements and formatting</li> </ul>
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Next Review Due:	Sept 2025

# Appendix 1

Source: [4LSAB Safeguarding Concerns \(hampshiresab.org.uk\)](http://4LSAB Safeguarding Concerns (hampshiresab.org.uk) (p.3)) (p.3)

## Deciding if you need to raise a safeguarding concern to the Local Authority/ Multi-Agency Safeguarding Hub (MASH)

Are you concerned that an adult is at risk of or is experiencing abuse or neglect?  
 What types of abuse or neglect are you concerned about?  
 Have you had a conversations with the adult about the concerns?  
 Have you sought the views and wishes of the adult? \*  
 Are there any immediate risks to the adult or to others including children?  
 Have you discussed and agreed next steps with the adult? \*  
 Have you provided advice, information or signposted the adult?



\* There may be circumstances where the safety of the adult or yourself prevent this from happening. If you still have concerns about abuse or neglect and it is not possible or within the scope of your role to have a conversation with the adult, then if in doubt continue with the process and raise a safeguarding concern.  
 \* Multi-Agency Risk Management (MARM), Multi-Agency Risk Assessment Conference (MARAC), Care Programme Approach (CPA).