

Help!



Safeguarding adults

Help!

Safeguarding adults

Churches and places of worship reflect society as a whole, with children and adults coming together to share in the services and activities that are taking place. Until now, most attention has been paid to protecting children but we also need to ensure that all those connected with our organisations are safe and can be offered the appropriate support or advice in times of need.

This leaflet deals with the safeguarding of adults, those defined by law as being over the age of 18 years.

Procedures in relation to adults were previously taken from the 'No Secrets' guidance but this has now been replaced by The Care Act 2014 which has brought about changes to our understanding of adults that might formerly have been considered vulnerable.

Previously the term 'Vulnerable adults' was widely used to describe those in our communities who might need extra intervention or assistance, maybe the elderly or those with disabilities but the Care Act has widened the remit to those with 'Care and Support needs', it should be remembered that any of us may be in need of extra care and support

during our lives, sometimes for brief periods or longer.

The key responsibilities fall to the statutory agencies, ie Adult social care, police and health services, but faith organisations also have a key part to play because of the services they provide and their involvement in their local communities, in areas such as;

- Coffee shops for the community
- Working with the homeless or refugees
- Food banks and debt advice services
- Counselling
- Working with those known to the justice system, including acting as an Appropriate Adult
- Street Pastors - providing assistance to those who are

vulnerable due to intoxication or substance abuse

- Supporting those who are subject to domestic abuse
- Day to day contact with people we meet within our churches or faith communities
- Social Groups for older members

Who may be vulnerable?

The Care Act 2014 applies to an adult who;

- Needs 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.

Similarly, the Adult Support and Protection (Scotland) Act 2007 defines an adult at risk as someone who is:

1. Adults at risk" are adults who—
(a) are unable to safeguard their own well-being, property, rights or other interests,
(b) are at risk of harm, and
(c) because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.
2. An adult is at risk of harm for the purposes of subsection (1) if—
(a) another person's conduct is causing (or is likely to cause) the adult to be harmed, or
(b) the adult is engaging (or is likely to engage) in conduct which causes (or is likely to cause) self-harm.

What is adult abuse?

Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect. 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 any action. This must recognize that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances (Care Act guidance Sec 14)

The Care Act gives guidelines on the types of abuse associated with adults;

Physical abuse is to inflict pain or physical injury, which is either caused deliberately, or through lack of care. Examples include hitting, slapping, pushing, kicking, burning, hair pulling, misuse, or using inappropriate restraint or sanctions and the misuse of medication.

Sexual abuse is the involvement in sexual activities to which the person has not consented, or does not truly comprehend and so cannot give informed consent. It may occur where the other party is in a position of trust, power or authority and uses it to override or overcome lack of consent or to which they felt pressurised into consenting such as rape, or sexual assault, being made to watch pornography would also be within this definition.

Domestic Abuse Includes physical, sexual, psychological and financial abuse for those in family or close relationships as well as so called 'honour' based violence.

Psychological or emotional abuse is acts or behavior which causes mental distress or anguish or negates the wishes of the adult. It is also behavior that has a harmful effect on the adult's emotional health and

development - or any other form of mental cruelty. This includes verbal abuse, humiliation, bullying, blaming, the use of threats of harm or abandonment, being deprived of social or any other form of contact, or being prevented from receiving services or support.

Financial or material abuse is the inappropriate use, misappropriation, embezzlement or theft of money, property or possessions including theft, fraud, exploitation, applying pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits

Modern slavery includes slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Discriminatory abuse is the inappropriate treatment of an adult because of their age, gender, race, religion, cultural background, sexuality, or disability. Discriminatory abuse exists when values, beliefs or culture result in a misuse of power that denies opportunity to some groups or individual .

Organisational abuse includes neglect and poor care practice within an institution or specific care setting such as a hospital or care home, or in relation to care provided in one's own home. It can occur through repeated acts of poor or inadequate care and neglect, or poor professional practice, or ill treatment.

Neglect or acts of omission are the repeated deprivation of help that an adult needs which, if withdrawn, will cause them to suffer. This includes failing to intervene in behaviour which is dangerous to the adult, or to others.

Self-Neglect includes a wide range of behavior neglecting to one's personal hygiene, health or surrounding and includes behavior such as hoarding.

Who might be at risk?

Some adults might be more at risk than others. The following factors could increase the risk of abuse:

- Learning, sensory or physical disability
- Old age and frailty, especially if creates dependency on or needing help from others
- Mental health problems
- Dementia or confusion

- Severe illness
- Alcohol or illegal substance dependency

Who may abuse?

- A partner, child, relative or friend
- A paid or volunteer carer
- A health, social care or other worker
- A church worker, or minister of religion

Where may abuse occur?

Abuse can happen anywhere, and can be caused by anyone in our communities, for example:

- In the home
- In supported housing
- At a carer's home
- Within a nursing home, hospital, residential care or day care
- At work or in educational establishments
- In places of worship, such as churches

In addition adults may be made vulnerable by means of a permanent or temporary reduction in physical, mental or emotional capacity brought about by life events - for example an illness, bereavement, past abuse or trauma.

Responding to concerns

You may suspect abuse due to the role that you have or because of those that you come into contact with. This might be a general concern about a person's well-being or something that you see or hear which could be abusive.

In these circumstances, don't delay. Pass on your concerns to the Safeguarding Adults Co-ordinator (or deputy) in your church or organisation immediately.

Matters involving Adult Social Services, Social Care or the Police:

- Where the Safeguarding Adults Co-ordinator is concerned that an adult may have been, or is in danger of being, abused they should contact Adult Social Services immediately.
- If he or she is not sure whether an official referral is warranted, but they nevertheless have legitimate concerns, they should still contact Adult Social Services to discuss the matter. Alternatively, they may contact CCPAS for advice
- The primary responsibility for managing any investigation process rests with the managers of Adult Social Care social services teams. When the concern involves someone in

residential care, supported living or receives support to manage their personal care or medication the Care Quality Commission will be involved. Where a crime may have been committed, the police will investigate.

- Adult Social Care Teams operate Emergency Duty Teams (EDT), outside regular office hours, at weekends and over statutory holidays. They are available to offer advice and will also take action to protect an adult, including arranging emergency medical treatment and, where appropriate, contacting the police.

Creating a safe welcoming environment

Churches and faith communities should be safe places for all, both children and adults, where everyone is made to feel welcome, are valued, respected and cared for. We can promote this by ensuring that our buildings are accessible, recognising the limitations that the design of some buildings cause and addressing them, together with the acoustics and lighting. It should be borne in mind that negative and uncaring attitudes are also a major barrier to access. We should also be careful to use appropriate language and suitable vocabulary, which can often reflect people's attitudes towards others.

CCPAS ten safeguarding standards

Churches should have safeguarding policies - for both children and adults – which should cover the following:

1. Safeguarding Policy

2. Developing Safeguarding Awareness Training

3. Safe Recruitment

4. Management of Workers

5. Working Safely

6. Communicating Effectively

7. Responding to Concerns

8. Pastoral Care

9. Managing Those Who May Pose a Risk

10. Working in Partnership

For further information please see CCPAS's Safe and Secure Key Facts booklet.

If you are a CCPAS Member, you will find this information in Safe and Secure, our online manual which can be accessed in the secure area of our website – www.ccpas.co.uk

Safer recruitment and safer organisations

Legislation and best practice specifies what measures should be taken. This ensures that recruitment and workforce management processes are both robust and effective in deterring unsuitable individuals from working with vulnerable people

The key point to remember is that recruiting safely provides the first opportunity to safeguard children and adults by protecting the entry point to churches or organisations, for staff and volunteers. It should therefore be seen as part of your wider safeguarding responsibilities and procedures, rather than just another administrative human resources process.

It is important that all places of worship and faith-based organisations working with adults are clear about the status of their work, or whether it is "regulated activity" or not. This status will determine precisely what sorts of checks should be undertaken for staff and volunteers (including criminal background checks) Regardless of what checks are required for certain posts and activities, the responsibility remains to ensure that every appropriate measure has been

undertaken in both the recruitment and ongoing management of staff and volunteers. This is to ensure that those who are unsuitable are not given the opportunity to work with vulnerable people. These measures range from the appropriate use of job adverts, role descriptions, application forms, interviewing processes and the taking-up of references, through to providing appropriate support, supervision and training for new workers.

More positively, churches and faith-based organisations have the opportunity to demonstrate their commitment to safeguarding and setting an open, positive culture through their employment practices. These are essential in setting the foundations for safer organisations.

For further information on recruiting safely, see CCPAS's Help...I want to recruit safely leaflet.

Guidelines for those in positions of trust who provide pastoral care

It is important that anyone seeking pastoral care should know exactly what to expect in terms of good conduct, that those caring for them are accountable and that any boundaries set are respected at all times.

In addition:

- Those providing pastoral care should avoid any behaviour that may give the impression of favoritism
- Workers should be aware of the limits of their own abilities and competencies. They should seek further help when dealing with situations outside their expertise
- Clear guidelines should be put in place where workers are involved in any aspect of personal finance, to ensure financial integrity. This is important when, for example, collecting the benefits or pension of, or doing the shopping for, an adult with care and support needs.

Be informed and respond appropriately

Part of working safely involves providing an inclusive and open environment which recognises differences, where someone has a specific condition consider seeking specialist advice. Be inclusive, for example, older children and young adults with learning disabilities should not be placed in the Sunday School rather than the main church service just because they understand the material better there. Instead, support should be given to enable the individual concerned

to participate in the church service itself.

Confidentiality

Every effort should be made to ensure that confidentiality is preserved; although this may well be subject to what may be an overriding need to protect someone who has been, or is at risk of, abuse. Everyone working with adults must be clear that it may not be possible to keep information about suspected or actual abuse confidential. The needs of the person and any potential risk to others means that any such suspicion must be reported to the Safeguarding Adults Co-ordinator immediately.

Mental Capacity Act 2005

When supporting adults you may have concerns about their ability to manage even the simplest of tasks or that they are being abused and therefore want to report this to Social Services. They will refer to the Mental Capacity Act which gives guidance on how to test a person's mental capacity to make decisions.

The act says that all adults are assumed to have the capacity to make their own decisions and be given all practicable help before anyone treats them as not being able to make their own decisions. When

an adult is found to lack capacity to make a decision then any action taken, or any decision made for, or on behalf, must be made in their best interests.

Adults will sometimes make lifestyle choices that we don't agree with or seem strange to us, this is especially relevant in relation to self-neglect when people might hoard excessively or fail to care for themselves or domestic abuse where they return to an abusive partner.

Any referral made to Adult Social Care will be triaged and checked against information already known, if the person has an allocated social worker then this referral will be passed to them, otherwise the matter will be assessed by the duty team to decide if further intervention is needed.

If the referral involves the possibility of a crime being committed, the police will also be notified so that the relevant agencies can be involved and protective action implemented.

Six principles of all adult safeguarding work

Empowerment - People being supported and encouraged to make their own decision and informed consent.

'I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens':

Prevention – it is better to take action before harm occurs.

'I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help'

Proportionality – The least intrusive response appropriate to the risk presented.

'I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as is needed'

Protection – Support and representation to those in greatest need.

'I get help and support to reduce 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'

Partnership – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.

'I know that staff treat any personal and sensitive information in

confidence, only sharing what is helpful and necessary. I am confident that professions will work together and with me to get the best result for me'

Accountability – accountability and transparency in delivering safeguarding

'I understand the role of everyone involved in my life and so do they'

If there is a concern that an adult may be subjected to violence or sexual harm the Police may become involved. In circumstances involving domestic violence, for example, the perpetrator may become subject to Multi Agency Public Protection Arrangements (MAPPA) or Multi Agency Risk Assessment Conferences (MARAC).

For further information see Help... Domestic Violence! How should my church respond?

Where the concern is about the quality of care provided by a nursing home, residential home, or domiciliary provider, contact the Care Quality Commission on 0333 405 3333.

See the Care Quality Commission website for more information; www.cqc.org.uk

The involvement of relatives and carers

Generally, families are informed of an allegation of abuse and the action being taken. However this may not happen if;

- The adult is able to give informed consent and does not wish their families to be informed.
- The alleged perpetrator is a member of the family.
- Where a police investigation is likely and the rules of evidence apply.

What if the adult doesn't want certain action taken ?

The mental capacity of the adult is a key factor in deciding what should be done. All actions should be based on the presumption of mental capacity (Mental Health Act 2005 and Mental Health Act 2007) whilst bearing in mind personal choices in relation to their personal safety and well-being.

In normal circumstances, an adult has the right to follow a course of action that others may judge unwise or eccentric, including one which may lead to them being abused.

Exceptions to allowing a person to make choices about their safety from abuse and neglect include:

- Where the person lacks mental capacity to make such a choice
- Where the rights or safety of others would be compromised in allowing the person to exercise their right in making choices about their safety from abuse and neglect

Acting in the best interests of the concerned adult

Where an adult lacks the mental capacity to protect themselves or other adults from abuse, it may be necessary to take action on their behalf, in their (and possibly other's) best interests.

Issues of capacity and consent are key elements in adult protection work. Capacity refers to the ability to make and understand a decision, act, or transaction. However, there remains a fundamental duty to balance the person's right to autonomy with their need for protection.

The law assumes that adults are able to make their own decisions, unless proved otherwise. So as long as an adult can understand the information relevant to the decision, retain the information relevant to that decision, have the ability to use the information in order to make a decision and have the ability to communicate that decision - then the decision is theirs to make.

Any decision concerning mental capacity will follow an assessment carried out by doctors and/or Adult Social Care. If the adult is proven to lack mental capacity, the person authorised to make decisions on their behalf should provide the necessary intervention in line with the key principles of the Mental Capacity Act and the Care Act 2015:

Any decisions taken that are deemed to be in the person's best interest should be clearly documented to show how the decision was reached.

Safeguarding adults policy statement

All organisations, including those that are faith based, need to have a safeguarding policy for children and adults. CCPAS have a model policy available to their members on their web site but below are some suggestions if you writing a policy and want to show your commitment to adult safeguarding.

The following statement was agreed by the leadership on [date]:

- We are committed to safeguarding adults and to ensuring their well-being.
- We recognise that we all have a responsibility to help prevent the physical, sexual, spiritual, financial, psychological, discriminatory abuse, neglect and self-neglect as well as domestic abuse of adults and to report any such abuse that we discover or suspect.
- We recognise the personal dignity and rights of adults and will ensure all our policies and procedures and practice reflect this
- We believe all adults should enjoy and have access to every aspect of the life of this place of worship
- We undertake to exercise proper care in the appointment and selection of those who will work with adults with care and support needs, or those who will be in positions of trust. We will promote safer practice and support, resource and train and regularly review those who undertake this work
- We will keep up to date with national and local developments relating to safeguarding. We will follow statutory, denominational and specialist guidelines in relation to safeguarding adults and we will ensure that all workers will work within the agreed procedure of our safeguarding policy.
- We will implement the requirements of the Care Act 2014 and the Equality Act 2010 and all other relevant legislation

- We will support everyone in the place of worship/organisation who may be affected by abuse of any kind

We recognise that:

- Adult Social Care has the lead responsibility for investigating all allegations or suspicions of abuse where there are concerns about a vulnerable adult
- Where an allegation suggests that a criminal offence may have been committed, the police should be contacted as a matter of urgency
- Safeguarding is everyone's responsibility

We will review this statement and our policy annually.

Useful contacts

Age UK

Offering advice and support for those in the later stages of life.

0800 678 1174

www.ageuk.org.uk

Action on Elder Abuse

Advice line to assist reporting elder abuse.

080 8808 8141

www.elderabuse.org.uk

Care Quality Commission

They monitor, inspect and regulate services to make sure they meet fundamental standards of quality and safety and publish what they find, including performance ratings to help people choose care.

National Customer Service Centre

03000 616161

www.cqc.org.uk

Prospects

Lead Christian organisation for people with learning difficulties.

0118 950 8781

info@prospects.org.uk

Through the Roof

Equipping churches to provide opportunities to those with disabilities.

01372 737040

www.throughtheroof.org

Mind

Provide advice and support to empower anyone experiencing a mental health problem, they campaign to improve services, raise awareness and promote understanding.

020 8519 2122

www.mind.org.uk

Restored

An international Christian alliance working to transform relationships and end violence against women.

0208 943 7706

www.restoredrelationships.org

Victim Support

Support victims of crime

08 08 16 89111

www.victimsupport.org.uk

National Autistic Society

Supporting people and families living with autism.

08 08 800 4104

www.autism.org

This is one of a series of **Help!** leaflets published by CCPAS.
For our full range of resources and for more information
visit our website www.ccpas.co.uk



CCPAS
PO Box 133, Swanley, Kent, BR8 7UQ.
Tel: 0303 003 11 11
Email: info@ccpas.co.uk Web: www.ccpas.co.uk