UK COUNCIL ON DEAFNESS

SAFEGUARDING AND PROTECTING PEOPLE POLICY

1. Manage the risks

Protecting people and safeguarding responsibilities should be a governance priority for all charities. It is a fundamental part of operating as a charity for the public benefit.
As part of fulfilling trustee duties, reasonable steps must be taken to protect from harm people who come into contact with the charity.

This includes:

- people who benefit from our charity's work;
- staff;
- volunteers, including trustees and members of UKCoD's Special Interest Groups;
- other people who come into contact with the charity through its work.

The Charity Commission will hold trustees to account if things go wrong and will check that trustees followed this guidance and the law. Trustees are expected to take responsibility for putting things right and should promote a fair, open and positive culture, ensuring all involved feel able to report concerns, confident that they will be heard and responded to.

All trustees must make sure UKCoD:

- has appropriate policies and procedures in place, which are followed by all trustees, volunteers and beneficiaries;
- checks that people are suitable to act in their roles;
- knows how to spot and handle concerns in a full and open manner;
- has a clear system of referring or reporting to relevant organisations as soon as concerns are suspected or identified;
- sets out risks and how they will be managed in a risk register which is regularly reviewed;
- follows statutory guidance, good practice guidance and legislation relevant to their charity;
- is quick to respond to concerns and carry out appropriate investigations;
- does not ignore harm or downplay failures;
- has a balanced trustee board and does not let one trustee dominate its work – trustees should work together;
- makes sure protecting people from harm is central to its culture;
- has enough resources, including trained staff/volunteers/trustees for safeguarding and protecting people;
- conducts periodic reviews of safeguarding policies, procedures and practice.

The Safeguarding and Protecting People Policy and Procedure is focused on ensuring that processes are put in place to keep people at risk safe, with a referral model developed that offers direction on how to respond, what is recorded, and when internal and external reports should be made to statutory agencies.

2. Other Policies and Procedures that Support Safeguarding People

The Safeguarding and Protecting People Policy and Procedures is supported by and crosscuts other organisational policies in order to help to support an environment in which everyone can feel safe and supported, reviewed and added to as required:

- Code of conduct for all staff, volunteers, and visitors;
- A clear job description for the role of Safeguarding Lead Person;
- Safe recruitment and training of staff and volunteers;
- Bullying and harassment;
- Whistleblowing;
- Equality and Diversity;
- Grievance and Disciplinary.

UKCoD should:

- ensure that everyone is aware of this policy, including trustees and members of UKCoD's Special Interest Groups;
- Have a designating Trustee in place for Safeguarding;
- Know where to inform about adults at risk from harm.

3. Definition of Persons at Risk

The definition of "vulnerable adult" originated in the 1997 Consultation Document "Who Decides?" 'No Secrets' was then published as government guidance for developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse. Introduced in 2000 it encouraged organisations to work together to protect vulnerable adults from abuse.

The definition and use of "vulnerable adult" from No Secrets (2000) will have been used in many older safeguarding vulnerable adults' policy and procedures but should now be replaced with the new definition from the Care Act (2014).

"Adults at risk of harm"

Organisations have now moved away from the terminology of 'vulnerable adults' towards 'adults at risk of harm', usually shortened to 'adults at risk' in policies and procedures. There may also be reference to an 'adult with a care and support need'.

The Care Act 2014 makes it clear that abuse of adults links to circumstances rather than the characteristics of the people experiencing the harm. Labelling groups of people as inherently 'vulnerable' is seen to be disempowering.

4. Safeguarding adults at risk

Safeguarding adults at risk means protecting their right to live in safety and free from abuse and neglect. UKCoD may have trustees, staff, volunteers, including trustees and members of UKCoD's Special Interest Groups, beneficiaries or other connections who are classed as adults at risk.

Abuse can happen in many ways and these descriptions do not cover all kinds of abuse. Consent (understanding well enough to agree to something) is most important in deciding whether a particular act, relationship or situation is abusive. It is always necessary to be sure that the person understands well enough to agree to something, and if they did actually agree. It is

important to find out if an act was meant to be abusive, and if something happened in a way that felt abusive.

UKCoD states that something that is meant to be abusive or is felt to be abusive must be treated as abuse.

All organisations have a duty to ensure that the wellbeing of all adults is ensured. As part of this UKCoD needs to understand when to implement its safeguarding adults reporting procedures.

Safeguarding duties apply to an adult who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs);
- Is experiencing, or is at risk of, abuse or neglect;
- 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;
- have an illness affecting their mental or physical health;
- have a learning disability;
- suffer from drug or alcohol problems ;
- be frail.

Consent for specific use of images of people with care and support needs

In the event of taking photographs or filming people with care and support needs for UKCoD's social and public media:

- Adults must be able to consent to their image being used;
- Legally, the only person who can offer consent for the use of their image is the adult themselves. Family members such as adult children, parents, spouses or siblings and support workers/ personal assistants should not be approached to sign consent forms for adults;
- Information about how the images will be used should be provided to an adult in an accessible format;
- If there are any concerns about an adult not having the capacity to give consent to photography or filming or understand that photographs or films are being taken during an activity, it must be discussed with them, including if appropriate, any support person or personal assistant for the adult;
- If after this conversation it is felt that the adult still cannot give consent then the photo must not be used.

5. Types of abuse and harm

The Care Act 2014 recognised categories of abuse that may be experienced by adults.

Self-neglect

This covers a wide range of behaviour, but it can be broadly defined as neglecting to care for one's personal hygiene, health, or surroundings. An example of self-neglect is behaviour such as hoarding.

Modern Slavery

This encompasses slavery, human trafficking, forced labour, and domestic servitude.

Domestic Abuse

This includes psychological, physical, sexual, financial, and emotional abuse perpetrated by anyone within a person's family. It also includes so-called "honour" based violence.

Discriminatory

Discrimination is abuse that centres on a difference or perceived difference, particularly with respect to race, gender, disability, or any of the protected characteristics of the Equality Act.

Organisational

This 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. Organisational abuse can range from one-off incidents to ongoing ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Physical

This includes hitting, slapping, pushing, kicking, restraint, and misuse of medication. It can also include inappropriate sanctions.

Sexual

This includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault, or sexual acts to which the adult has not consented or was pressured into consenting.

Financial or Material

This includes theft, fraud, internet scamming, and coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions. It can also include the misuse or misappropriation of property, possessions, or benefits.

Neglect and Acts of Omission

This includes ignoring medical or physical care needs and failing to provide access to appropriate health social care or educational services. It also includes the withdrawing of the necessities of life, including medication, adequate nutrition, and heating.

Emotional or Psychological

This includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation, or withdrawal from services or supportive networks.

Additional Types of Harm

There are four additional types of harm that are not included in The Care Act, but they are also relevant to safeguarding adults.

Cyber Bullying

Cyber bullying occurs when someone repeatedly makes fun of another person online, or repeatedly picks on another person through emails or text messages. It can also involve using online forums with the intention of harming, damaging, humiliating, or isolating another person. It includes various different types of bullying, including racist bullying, homophobic bullying, or bullying related to special education needs and disabilities. The main difference is that, instead of the perpetrator carrying out the bullying face-to-face, they use technology as a means to do it.

Forced Marriage

This is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-Social Behaviour, Crime and Policing Act 2014 make it a criminal offence to force someone to marry.

Mate Crime

A “mate crime” is when “vulnerable people are befriended by members of the community who go on to exploit and take advantage of them” (Safety Network Project, ARC). It may not be an illegal act, but it still has a negative effect on the individual. A mate crime is carried out by someone the adult knows, and it often happens in private. In recent years there have been a number of Serious Care Reviews relating to people with a learning disability who were seriously harmed, or even murdered, by people who purported to be their friend.

Radicalisation

The aim of radicalisation is to inspire new recruits, embed extreme views and persuade vulnerable individuals to the legitimacy of a cause. This may be direct through a relationship, or through social media.

Other risks to be alert to include:

- Negligent treatment;
- Bullying or harassment;
- Health and safety;
- Commercial exploitation;
- Criminal exploitation;
- Human trafficking;

- Female genital mutilation;
- Self-neglect;
- People may target the organisation to exploit it;
- UKCoD's culture may allow poor behaviour and poor accountability;
- People may abuse a position of trust they hold within UKCoD;
- Data breaches, including those under General Data Protection Regulations (GDPR).

6. Policies, procedures and practices required:

UKCoD's policies and procedures for protecting people and where appropriate, safeguarding should be:

- put into practice;
- responsive to change;
- reviewed as necessary, always following a serious incident and at least once a year;
- available to the public.

All trustees, staff, volunteers, members and beneficiaries should be aware of the policies. They all need to know how to apply them.

In your policies make clear how we will:
- protect people from harm;
- make sure people can raise safeguarding concerns;
- handle allegations or incidents;
- respond, including reporting to the relevant authorities.

Checking policies, procedures and practice

- Trustees must be assured that all policies, procedures and practice are checked and challenged to ensure they are fit for purpose and UKCoD;
- Works within all relevant statutory guidance;
- Keeps accurate records;
- Stays aware of current affairs, trends and themes and how these can influence your policies and practices;
- Complies with its policies and procedures, as well as with good practice and legislation;
- Updates policies and procedures to reflect changes to statutory requirements, good practice and current issues;
- Every trustee should have clear oversight of how safeguarding and protecting people from harm are managed within their charity. This means monitoring performance, not just using statistics, but with supporting information, such as qualitative reports to help to understand common themes, identify risks and gaps to ensure they are addressed.

Reviews:

- Review current policies and make sure they are suitable;
- Consider whether any extra policies are needed to cover any new situations or risks;
- Record these discussions and decisions as part of your risk management procedures;
- Record the risks faced by the charity and how these are managed;
- Make sure trustees understand how to raise concerns and get feedback on past experiences;
- Work with statutory agencies and partners;
- Training plans for trustees, staff and volunteers on safeguarding and protecting people from harm;
- Recording any potential conflicts of interest at any level;
- Plan a standing agenda item on safeguarding and protecting people from harm at meetings;
- Review a sample of past concerns to identify any lessons to be learnt and make sure they were handled appropriately;
- External reviews or inspections.

7. Code of Conduct and Ethical Values (see policy)

The Code of Conduct is closely aligned to this policy and stresses:

- Placing the interests of UKCoD's beneficiaries first in all aspects of the work;
- All staff and volunteers upholding the highest level of institutional integrity and personal conduct;
- Culture and values which enable openness about how an organisation operates and spends funds;
- Providing a right to be safe for all people who work with or come into contact with UKCoD.
- Zero tolerance to inappropriate, discriminatory, offensive or harmful behaviour towards any person who works for, volunteers with, or comes into contact with UKCoD and where people's wellbeing and mental health are valued and promoted, so that everyone involved in this charity is encouraged to value and invest in their own health and wellbeing. (From Charity Ethical Principles, NCVO 2019).

('*Safeguarding and Protecting People for Charities and Trustees', Charity Commission 2018a*)

8. Zero Tolerance

Central to the government response to safeguarding and addressing bullying cultures in charities is one of zero tolerance. There is an absolute requirement for UKCoD to put in place robust and effective systems for internal leadership and management to identify, report, investigate and deal with misconduct, and to remove wrongdoers.

Charity Commission guidance on whistleblowing:

Complaints protected by law in relation to whistleblowing:

- A criminal offence, for example fraud;
- Someone's health and safety is in danger;
- Risk or actual damage to the environment;
- A miscarriage of justice;

- The company is breaking the law;
- It is believed someone is covering up wrongdoing.

See UKCoD's Whistleblowing Policy.

Bullying (for more detailed information see UKCoD's Bullying Policy)

Some examples are:

- Physical assault;
- Intentional damage of property or work;
- Social bullying (for example belittling in front of colleagues;
- Lying, spreading rumours or making comments to damage someone's reputation;
- Preferential treatment of others;
- Excluding from activities/opportunities, or encouraging others to exclude;
- Cyber/remote bullying;
- Group bullying (mobbing) behaviour.

9. Safeguarding and Protection Procedure

If someone tells you he or she, or another person, has been abused:

What to do:

- Listen carefully to what the person tells you;
- Believe what the person tells you;
- Stay calm and listen patiently;
- Keep and/or protect any evidence;
- Reassure the person. Tell them:
  - They have done the right thing by sharing the information with you;
  - You are treating the information seriously;
  - The abuse is not their fault (if the alleged victim);
  - They will be provided with (emergency) medical treatment if necessary;
  - You will report it to the Manager;
  - They will be involved in further investigation as appropriate and sensitive;
  - You and UKCoD will do all it can to support and protect them.

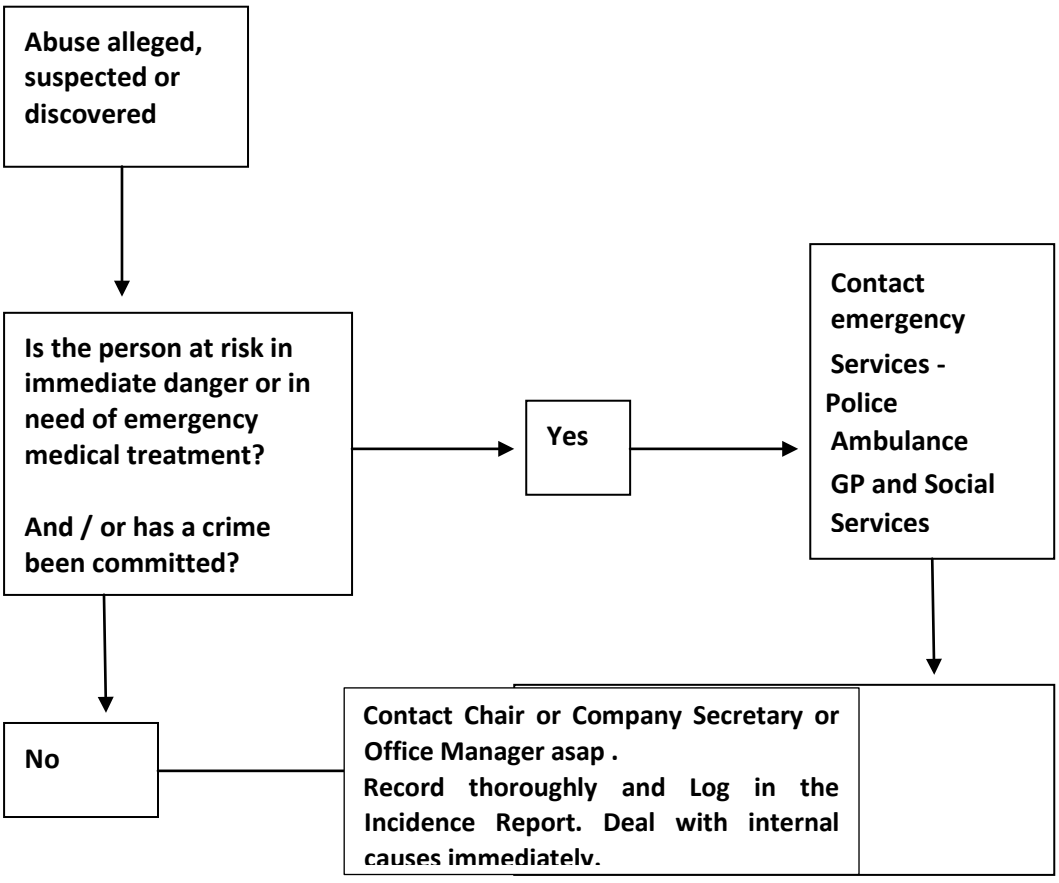
What NOT to do:

- Do not ask too many questions (someone else will do the full investigation);
- Make any comments or judgements, other than to show sympathy and concern;
- Do not stop someone who is freely remembering significant events. Instead, allow them to share whatever seems important to them;
- Do not touch or clean up anything which the police might need as evidence if the police are likely to be involved;
- Do not confront the alleged abuser;
- Do not break confidentiality between the person disclosing the information, you and another trustee or Office Manager; under no circumstances should you talk to others about information that has been shared with you.

What to do next:

1. Seek consent from the person concerned. If you feel that they do not have capacity to consent, you can act without consent but you must log your decision.
2. Collect all available relevant facts and appropriate information.
3. Make a written record of the concern.
4. Tell the person involved what you are going to do about the concern and note any views that they may have regarding how they wish the matter to be dealt with.
5. Tell only the people who need to know, such as the safeguarding lead person.
6. Consider the balance between listening to someone's wishes and needing to refer information where others may be at risk.
7. Inform the person involved about the outcome of any process.

If someone is injured or at immediate risk, take immediate action to contact emergency services.



EMERGENCY SERVICES – VOICE 999 MINICOM 18000

Contact Numbers:

Email:

Agreed by the UKCoD Board on the Board meeting held on 24.02.2021; Approved and minuted.