



DERBY COUNTY
Community Trust

POLICY TITLE: SAFEGUARDING VULNERABLE ADULTS POLICY

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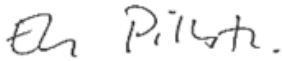
Statement of intent

The Board of Trustees at The Derby County Community Trust (The Trust) acknowledges and accepts it has a statutory obligation and responsibility for the wellbeing and safety of all Children and young people who participate in the Trust's activities or utilise The Trust's facilities.

The Trust's Safeguarding Children Policy applies to senior managers and all staff, paid or volunteers, sessional workers, agency staff, interns / students or anyone working on behalf of The Derby County Community Trust and will be given to all adults working with our children and young people.

The welfare of the child is paramount and all adults working at The Trust have a 'duty of care' to safeguard the welfare of children and young people by creating safe environments that protect them from harm, abuse and exploitation. All DCCT staff will be formally training in appropriate and relevant, safeguarding practices and the policy will be supplemented by in-service training and additional guidance.

DCCT are fully committed to the safeguarding and wellbeing all people that engages in any Trust activities.



Signed by Andrew Pilkington, Chair of Derby County Community Trust Dated: 29/01/18

Derby County Football Club is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects all staff and volunteers to share this commitment. The Club has systems in place to ensure that the welfare of vulnerable groups is dealt with appropriately and sensitively.

Everyone working at the Club has a duty of care to safeguard the welfare of children and young people by creating an environment that protects them from harm. Our standards of practice ensure all staff are fully aware and understand their responsibilities under safeguarding legislation and statutory guidance.

All staff and volunteers are alert to signs of abuse or maltreatment and will refer concerns to the Designated Safeguarding Lead using the agreed safeguarding procedures.

The Club ensures that all staff that have a direct responsibility for children, young people or vulnerable adults (vulnerable groups) have been subject to the most stringent of recruitment practices which include Enhanced Criminal Record Checks and reference checks.

This Safeguarding Statement will be reviewed on an annual basis.

Mel Morris CBE, Executive Chairman, DCFC

Dated: 29/01/18

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1. AIM OF THE POLICY:

The aim of this policy is to outline the practice and procedures for staff at DCFC and DCCT (The “Organisation”) to contribute to the prevention of abuse of vulnerable adults through raising awareness and providing a clear framework for action when abuse is suspected. It is aimed at protecting the vulnerable adult and the worker, recognising the risks involved in lone working.

The policy covers all staff and areas of work with specific guidance for projects regularly in contact with vulnerable adults.

SAFEGUARDING STRUCTURE - DESIGNATED SAFEGUARDING LEAD/OFFICER

The Trust has a Designated Safeguarding Lead (DSL), Paul Newman, who has overall responsibility for the safeguarding of vulnerable adults at the Derby County Community Trust.

The Trust has Designated Safeguarding Officers (DSO) who have overall responsibility for the safeguarding of vulnerable adults at The Trust. Each head of department has been appropriately trained to for fill this role

The DSO’s are the focal point for Safeguarding vulnerable adults in The Trust and will undertake regular monitoring and risk assessments of activities involving vulnerable adults, within their designated business areas.

Anybody with a concern about a vulnerable adults or young person’s welfare should contact the DSO direct or their line manager for advice in the first instance – details can be found at the end of this policy.

We will seek to keep vulnerable adults safe by:

- valuing them, listening to and respecting them
- adopting child protection practices through procedures and a code of conduct for staff and volunteers
- developing and implementing an effective e-safety policy and related procedures
- providing effective management for staff and volunteers through supervision, support and training
- recruiting staff and volunteers safely, ensuring all necessary checks are made
- sharing information about child protection and good practice with children, parents, staff and volunteers
- Sharing concerns with agencies who need to know, and involving parents and children appropriately.
- Working in partnership with the local vulnerable adult safeguarding boards, parent Club and internal stakeholders to ensure the safety and wellbeing of all vulnerable adults.

2. DEFINITIONS

Definition of a Vulnerable Adult

Under the Care Act 2014, the safeguarding adult's procedures apply to anyone aged 18 or over who:

- is in need of care and support and
- is at risk of, or is experiencing abuse or neglect and
- is unable to keep themselves safe because of their care and support needs.
- is in need of care and support and
- is at risk of, or is experiencing abuse or neglect and
- is unable to keep themselves safe because of their care and support needs.

Definition of Abuse

Abuse is a violation of a person's rights or dignity by someone else

Types of Abuse

Physical

This could be hitting, slapping, pushing or kicking.

Sexual

This includes rape and sexual assault or sexual acts to which the adult at risk:

- has not consented, could not consent and was pressured into consenting

Psychological

This could be:

- emotional abuse, threats of harm or abandonment, depriving the person of contact, humiliating, blaming, controlling, intimidating, coercing, harassing, verbally abusing, isolating, withdrawing the person from services or support networks

Financial or material

This includes:

- theft, fraud, exploitation, pressure in connection with wills, property, inheritance or financial transactions, misusing or misappropriating property, possessions or benefits

Neglect or acts of omission

This includes:

- ignoring medical or physical care needs, failing to provide access to appropriate health care, social care or education services, misusing medication, inadequate nutrition or heating

Discriminatory

This includes:

- racist behaviour, sexist behaviour, harassment based on a person's ethnicity, race, culture, sexual orientation, age or disability, other forms of harassment, slurs or similar treatment

Since the Care Act 2014, categories of abuse have been increased to include the following:

Domestic violence

- acts of assault, threats, humiliation and intimidation, harming, punishing, or frightening the person, isolating the person from sources of support, exploitation of resources or money

Sexual Exploitation

- Appearing with unexplained gifts and possessions that cannot be accounted for, having mood swings that change in temperament, showing signs of unexplained physical harms, such as bruising, Experiencing health problems

Organisational abuse

- Lack of leadership and supervision, Insufficient staff or high turnover resulting in poor quality care, abusive and disrespectful attitudes towards people using the service, lack of respect for dignity and privacy, not providing adequate food and drink, or assistance with eating

Self-neglect

- Lack of self-care to an extent that it threatens personal health and safety, neglecting to care for one's personal hygiene, health or surroundings, inability to avoid self-harm, failure to seek help or access services to meet health and social care needs, Inability or unwillingness to manage one's personal affairs

Modern Slavery

- Seeming to be under the control of others rarely interacting with neighbours or people at work, living in dirt or overcrowded accommodation, few personal possessions, no travel documents

3. RIGHTS AND RESPONSIBILITIES:

- To ensure staff are aware of the adult protection policy and are adequately trained
- To notify the appropriate agencies if abuse is identified or suspected
- To support and where possible secure the safety of individuals and ensure that all referrals to services have full information in relation to identified risk and vulnerability
- To DBS check employees that have access to or work with Vulnerable Adults

Responsibilities

- To be familiar with the adult protection policy and procedures
- To take appropriate action in line with the policies of the Organisation
- To declare any existing or subsequent convictions. Failure to do so will be regarded as gross misconduct, possible resulting in dismissal

Support for those who report abuse

All those making a complaint or allegation or expressing concern, whether they be staff, service users, carers or members of the general public should be reassured that:

- They will be taken seriously
- Their comments will usually be treated confidentially, but their concerns may be shared if they or others are at significant risk
- If service users, they will be given immediate protection from the risk of reprisals or intimidation
- If Staff they will be given support and afforded protection if necessary in line with the Public Interest Disclosure Act 1998.

The Vulnerable Adult has the right:

- To be made aware of this policy
- To have alleged incidents recognised and taken seriously
- To receive fair and respectful treatment throughout
- To be involved in any process as appropriate
- To receive information about the outcome

4. Good Practice:

Recruitment of staff

- Risk assessment of role to assess need for DBS checks
- Check references thoroughly including appropriate checks
- All staff have a duty to declare any existing or subsequent convictions. Failure to do so will be regarded as gross misconduct, possibly resulting in dismissal

REFERRALS

A referral is information about a person. It tells us of concerns that an individual may have harmed a child or vulnerable adult, or put a child or vulnerable adult at risk of harm.

Legal duty to refer: the two conditions that must be met

If you are a regulated activity provider or fall within the category of personnel supplier, you must make a referral when both of the following conditions have been met:

Condition 1

- you withdraw permission for a person to engage in regulated activity with children and/or vulnerable adults. Or you move the person to another area of work that isn't regulated activity.

This includes situations when you would have taken the above action, but the person was re-deployed, resigned, retired, or left. For example, a teacher resigns when an allegation of harm to a student is first made.

Condition 2

You think the person has carried out one of the following:

- engaged in relevant conduct in relation to children and/or adults. An action or inaction has harmed a child or vulnerable adult or put them at risk of harm or;
- satisfied the harm test in relation to children and / or vulnerable adults. e.g. there has been no relevant conduct but a risk of harm to a child or vulnerable still exists. Or
- been cautioned or convicted of a relevant (automatic barring either with or without the right to make representations) offence.

The power to refer can be used when an organisation thinks a person has either:

- harmed or poses a risk of harm to a child or vulnerable adult
- has satisfied the harm test; or
- has received a caution or conviction for a relevant offence and;
- the person they're referring is, has or might in future be working in regulated activity and;
- the DBS may consider it appropriate for the person to be added to a barred list

<https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs>

Management and Supervision

It is the Line Manager's responsibility to clarify with the worker or volunteer their roles and responsibilities regarding their relationships with vulnerable adults with whom they may be in contact. Regular supervision for staff and volunteers will monitor the work and offer the opportunity to raise any issues.

Training

- Familiarisation with all the Trust policies and procedures during induction
- Further training, dependent on nature of role, e.g.
- Risk assessment & management
- Types of abuse and recognising signs of abuse
- Keeping appropriate records
- Listening skills

A continual programme of Safeguarding Awareness courses is also provided by the Trust to develop knowledge which are department specific towards vulnerable adults.

All DCCT staff supervising DCCT activity will ensure that the participants, players and parents/guardians/supporters will follow the FA's Respect guidelines and expectations.

All DCCT staff will understand and adhere to the following;

- Staff code of conduct/behaviour policy
- IT and social network policy
- Whistle Blowing policy
- Complaints and appeals policy

- Safer Recruitment and Selection policy
- IT and Information Security policy
- NCS - DCCT Safeguarding and Work with Young People Guidance

Record Keeping

- There should be a written record of any concerns. This confidential information will be kept in a locked drawer by the appropriate person, and will be kept for as long as deemed necessary, in line with Data Protection principles (please refer to Confidentiality & Data Protection Policy)
- All incidents should be discussed in supervision with Line Manager.
- Records kept by paid workers about vulnerable adults should only include:
 - Contacts made
 - Referrals made, including date, time, reason and referral agency used

Planning

- Wherever possible staff should avoid lone working with a vulnerable adult. But if unavoidable, one to one contact should take place in an environment where other staff are present or within sight.

Access to an independent person

- Any vulnerable adult who comes into contact with the Trust staff regularly, should be given information on their right to talk with an independent person, and their name and contact arrangements. This could form part of the normal registration process.

5. TRIPS AND TOURS

- All DCCT staff will understand and adhere to the Trust's Trips and Tours guidance and policy
- All DCCT staff will understand and adhere to the Trust's NCS Trips and Tours guidance and policy

6. WHAT TO DO:

To act or not to act

All allegations or suspicions are to be treated seriously. No abuse is acceptable and some abuse is a criminal offence and must be reported to the Police as soon as possible. To determine the appropriate action, it is important to consider:

- Risk – does the vulnerable adult, staff member understand the nature and consequences of any risk they may be subject to, and do they willingly accept such a risk?

- Self-determination – is the vulnerable adult able to make their own decisions and choices, and do they wish to do so
- Seriousness – A number of factors will determine whether intervention is required. The perception of the victim must be the starting point. Factors informing assessment of seriousness will include:
 - The perception by the individual and their vulnerability
 - The extent of the abuse
 - The length of time it has been going on
 - The impact on the individual
 - The risk of repetition or escalation involving this or other vulnerable adults
 - Is a criminal offence being committed

7. KEY CONTACTS

Key Safeguarding contacts and further information sources

Internal Safeguarding Contacts

Gary Parkin – Derby County Football Club
 Designated Safeguarding Lead
 Gary.Parkin@dcfc.co.uk
 07808 531230

Paul Newman
 Designated Safeguarding Officer – Derby County Community Trust
 Paul.Newman@dcct.co.uk
 07890 391695

8. SUMMARY:

- The employee's primary responsibility is to protect the vulnerable adult if they are at risk
- Each employee or volunteer has a duty to take action
- Employees should not have to cope alone

PRACTICE GUIDE

Actions and Considerations

THE FIRST PRIORITY SHOULD ALWAYS BE TO ENSURE THE SAFETY AND PROTECTION OF VULNERABLE ADULTS. TO THIS END IT IS THE RESPONSIBILITY OF ALL STAFF TO ACT ON ANY SUSPICION OR EVIDENCE OF ABUSE OR NEGLECT AND TO PASS ON THEIR CONCERNS TO A RESPONSIBLE PERSON OR AGENCY.

- In situations of immediate danger, take urgent action by calling the relevant emergency services (e.g. Police, ambulance, GP)

- Remember to have regard to your own safety. Leave the situation if it is not safe for you.
- Listen to the vulnerable adult, offer necessary support and reassurance.
- Issues of confidentiality must be clarified early on. For example, staff must make it clear that they will have to discuss the concerns with their supervisor.
- Where a vulnerable adult expresses a wish for concerns not to be pursued then this should be respected wherever possible. However, decisions about whether to respect the service user's wishes must have regard to the level of risk to the individual and others, and their capacity to understand the decision in question. In some circumstances the vulnerable adult's wishes may be overridden in favour of considerations of safety.
- Decisions to override the vulnerable adult's wish not to take the matter further should if possible be the product of discussion with appropriate line management.
- Note your concerns and any information given to you or witnessed by you.
- Report concerns to the appropriate Line Manager.

REMEMBER IT IS NOT NECESSARY OR ADVISABLE FOR YOU TO SEEK EVIDENCE.

By supporting the vulnerable adult and carefully logging any information given to you at this stage, you will lay the Trusts for an effective formal investigation.

- Understand the need not to contaminate, or to preserve evidence if a crime may have been committed.

Discussion and Decision Making

INFORMATION SHOULD BE SHARED WITH YOUR LINE MANAGER, WHO MUST APPROVE ANY ACTIONS TO BE TAKEN AND ANY DOCUMENTATION OR CORRESPONDENCE BEING SENT OUT.

Employees with concerns should discuss them with their Line Manager on the same day.

If the Line Manager is not available, then any concerns should be discussed with the Head of Trust.

Concerns about colleagues:

These should be addressed initially with the Line Manager, but if this is not possible or the concern is about the Line Manager or other member of staff, then any concerns should be discussed with the Head of Trust.

To Refer or not to Refer

THE DECISION TO REFER OR NOT TO REFER SHOULD BE MADE BY THE LINE MANAGER AND THE HEAD OF TRUST SHOULD BE INFORMED.

When considering the decision as to whether to refer elsewhere (e.g. to Police, Social Services, National Care Standards Commission) the following should be taken into account:

- The wishes of the vulnerable adult, & their right to self-determination
- The mental capacity of the vulnerable adult
- Known indicators of abuse
- Definitions of abuse
- Level of risk to this individual
- The seriousness of the abuse
- The effect of the abuse on the individual
- Level of risk to others
- The effect of the abuse on others
- Whether a criminal offence has been committed
- Whether other statutory obligations have been breached (e.g. NCSC)
- The need for others to know
- The ability of others (e.g. Police, Social Services) to make a positive contribution to the situation

Issues of Mental Capacity & Consent

The consent of the vulnerable adult must be obtained except where:

- The vulnerable adult lacks the mental capacity to make a decision, and a risk assessment indicates that referral would be in their best interests
- Others may be at risk
- A crime has been committed

Who to Refer or Report Concerns to:

- Relevant hospital Social Services team if vulnerable adult is in hospital
- Community Mental Health Team where the vulnerable adult has an ongoing mental health need
- National Care Standards Commission where there are issues relating to standards and regulations in care homes and domiciliary care agencies.

- Hospital Trusts/Primary Care Trusts where there is a complaint of abuse by a member of staff
- The Police, if there is an emergency where delay may result in serious harm to the vulnerable adult or if the abuse may constitute a crime

INFORMATION, IF KNOWN, WHICH WILL BE REQUIRED WHEN YOU MAKE A REFERRAL OR REPORT YOUR CONCERNS:

- Details of alleged victim – name, address, age, gender, ethnic background including principle language spoken, details of any disability
- Details of GP and any known medication
- Whether the individual is aware of and has consented to the referral/report.
- The mental capacity of the individual (are there are any concerns/doubts about this?)
- If appropriate advise agency on preferred/advised method or environment when approaching the alleged victim or perpetrator.

Also, any relevant information, for example:

- Reasons for concerns and therefore this referral
- Details of how these concerns came to light
- Specific information relating to these concerns
- Details of any arrangements which have already been made for the protection of the vulnerable adult or any immediate action taken
- Details of anyone else to whom this referral has also been made
- Details of the alleged perpetrator and if they are a vulnerable adult
- Details of alleged abuse and information about suspicions
- Details of any other background information
- An impression of how serious the situation might be
- Details of any other professional involved
- Details of carers and any significant family members, neighbours, friends

INFORMATION PASSED ON MUST BE RELEVANT, NECESSARY AND UP TO DATE
CONFIRM IN WRITING INFORMATION GIVEN VERBALLY

Do's and Don'ts:

Staff should:

- Stay Calm
- Listen patiently
- Reassure the person they are doing the right thing by telling you
- Explain what you are going to do
- Report to relevant Manager
- Write a factual account of what you have seen, immediately.

Staff member should not:

- Appear shocked, horrified, disgusted or angry
- Press the individual for details (unless requested to do so)
- Make comments or judgements other than to show concern
- Promise to keep secrets
- Confront the abuser
- Risk contaminating evidence

Discuss with the Relevant Manager who will:

- Ascertain whether the situation might fall within the definitions of abuse outlined in this policy
- Consider the vulnerable adult's capacity to make decisions
- Ascertain whether an advocate or appropriate adult might be necessary
- Ascertain any immediate action required
- Ascertain whether an investigation is necessary in accordance with internal personnel policies and procedures
- Where abuse is suspected conclude that a referral be made to the appropriate agency

Sources of further information and advice:

<http://www.legislation.gov.uk/ukpga/1974/37/contents>

<http://www.legislation.gov.uk/ukpga/1998/29/contents>

<http://www.legislation.gov.uk/ukpga/2006/47/section/2>

<http://www.legislation.gov.uk/ukpga/2010/15/contents>

<http://www.legislation.gov.uk/ukpga/2012/9/contents/enacted>

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

<http://www.legislation.gov.uk/ukpga/1989/41/contents>

<https://www.gov.uk/government/publications/protecting-children-from-radicalisation-the-prevent-duty>

<http://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/>

<http://www.nhs.uk/conditions/social-care-and-support-guide/pages/vulnerable-people-abuse-safeguarding.aspx>

<http://www.forwarduk.org.uk/>

<https://www.ceop.police.uk/>

DCCT SAFEGUARDING REPORTING FLOW CHART

-
- A child/vulnerable adult indicates that they wish to disclose something and you (DCCT employee/volunteer) feel that there is cause for concern, including current and/or historical abuse



- Take **IMMEDIATE** action to safeguard the child/vulnerable adult if the situation is dangerous and ensure medical attention is if necessary



- If a child/vulnerable adult wants to confide in you, keep the child the focus of the discussion.



- DO; listen carefully and make accurate notes using the child/vulnerable adult's own words. Tell the child/vulnerable adult that they were right to have shared with you. Ensure that you inform the DSL/DSO as soon as possible



-
- DO; use the '5W model' if you need to ask open questions for clarification; who, where, why, what, when?



- DO NOT; ask leading questions, use your own words to describe events, further investigate or promise confidentiality.



- Complete and submit the DCCT Disclosure Form to the DSL/DSO within **24 HOURS** (refer to the Safeguarding/vulnerable adult's policy for guidance). If out of hour, and guidance is required, utilize the local authority contact points found in the DCCT safeguarding folder.

Paul Newman – Designated Safeguarding Lead DCCT

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