

Arc Community Space CIC


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Children and Vulnerable Adults Safeguarding Policy

Version 1	
Review Date	Nov 2021
This document has been approved by the board and signed by the Managing Director.	
Signed (Name)	 Damien Brown
Date	08/11/2020

Part 1:**1.1: Statement of Policy**

The Arc offers a range of activities open to vulnerable children and adults, including online and in-person classes and courses and community-based events. The Arc is committed to safeguarding and promoting the welfare of vulnerable adults, engaged in the breadth of its activities by ensuring that there are appropriate arrangements in place to enable it to discharge its duty to provide a safe and secure environment and to deal with issues concerned with suspected or reported abuse of vulnerable adults.

The Arc seeks to ensure that its policy and procedures comply with statutory duties; reflect guidance and good practice in safeguarding vulnerable adults; and that safeguarding arrangements are proportionate and based upon common sense.

The Arc recognises that it has a duty to help workers and volunteers recognise their responsibilities (through guidance, support and training), minimise risk and avoid situations (where possible) where abuse or neglect might be alleged. All of The Arc's employees, volunteers and contractors are required to comply with the procedures contained within this policy.

The Arc will ensure that processes are in place to check the suitability of workers and volunteers working directly with vulnerable adults. Some workers, including Food Bank Volunteers, may be in regular or significant occasional contact with vulnerable adults in the course of their duties. There is a commitment that such workers will have satisfactory Disclosure and Barring Service (DBS) disclosures, at an appropriate level, before working with vulnerable adults.

The Arc takes seriously its duty of care and will be proactive in seeking to prevent vulnerable adults becoming the victims of abuse or neglect.

1.2: Purpose of Policy:

This policy is intended to support workers within The Arc to understand their role and responsibilities in safeguarding adults. All workers are expected to follow this policy.

The key objectives of this policy are for all employees and volunteers of The Arc to:

1. have an overview of adult safeguarding
2. be clear about their responsibility to safeguard adults
3. ensure the necessary actions are taken where an adult with care and support needs is deemed to be at risk

This policy is based on:

1. The Care Act 2014 and the Care and Support statutory guidance
2. London Safeguarding Adults policy and procedures
3. Islington Safeguarding Adults Board's local procedures and appendices

Under the Human Rights Act 1998, everyone has the right to live free from abuse and neglect.
<https://www.equalityhumanrights.com/en/human-rights/human-rights-act>

Copies of this policy should be available within The Arc and on The Arc's website, and The Arc will not tolerate the abuse of adults in the organisation and workers should be made aware of how this policy can be accessed.

1.3: Definitions

The Arc - Arc Community Space CIC

Designated Safeguarding Officer - Cler Lewis, cler@thearcentre.org

Managing Director - Damien Brown, damien@thearcentre.org

Board of Directors - Sersha Godfrey (Chair), Nigel Lloyd, Daniel Torres

Operations Lead - Sophia Pettit

Workers - all individuals working for or on behalf of The Arc at all levels and grades, whether permanent, fixed-term or temporary, and wherever located, including consultants, contractors, seconded staff, casual staff, volunteers, sponsors and any other person who performs services for or on behalf of The Arc.

1.4: What is Safeguarding adults?

'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 on any action. This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances.'
(Care and Support Statutory Guidance, Department of Health, updated February 2017)

All vulnerable adults should be able to live free from fear and harm. But some may find it hard to get the help and support they need to stop abuse.

A vulnerable adult may be unable to protect themselves from harm or exploitation due to many reasons, including their mental or physical incapacity, sensory loss or physical or learning disabilities. This could be an adult who is usually able to protect themselves from harm but maybe unable to do so because of an accident, disability, frailty, addiction or illness.

The Arc adheres to following the six key principles that underpin safeguarding work:

4. Empowerment
5. Prevention
6. Proportionality
7. Protection

8. Partnership
9. Accountability

The Arc will not tolerate the abuse of vulnerable adults and workers should ensure that their work reflects the principles above and ensure the adult with care and support needs is involved in their decisions and informed consent is obtained. The Arc will ensure that the safeguarding action agreed is the least intrusive response to the risk. Partners from the community should be involved in any safeguarding work in preventing, detecting and reporting neglect and abuse. The Arc should be transparent and accountable in delivering safeguarding actions.

1.5 Who Are We Safeguarding?

A vulnerable adult is, as defined by TPOFA, a person aged eighteen and over, 'and who requires the provision of "regulated" activity' and who has a condition of the following type:

A substantial learning or physical disability;

A significant reduction in physical or mental capacity

1. is elderly and frail due to ill health, physical disability or cognitive impairment;
2. has a physical disability and/or a sensory impairment;
3. has mental health needs including dementia or a personality disorder;
4. has a long-term illness/condition;
5. misuses substances or alcohol;
6. is unable to demonstrate the capacity to make a decision and is in need of care and support;
7. is vulnerable and at risk of exploitation, radicalisation or being drawn into terrorism

"Regulated activity" is defined as:

1. Providing health care
2. Providing personal care
3. Providing social work
4. Assisting with general household matters
5. Assisting in the conduct of a person's own affairs
6. Conveying
7. Day to day management or supervision of any person engaging in the above

Adults are not "vulnerable" under the provisions of the Act because of the setting in which they receive this activity or because of their own personal characteristics or circumstances. However, The Arc recognises that it has a more general moral duty to safeguard the well-being of someone who may be disadvantaged, particularly those who are or may be "in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation' (Department of Health, 2000).

1.6 Forms of Abuse (Vulnerable Adults)

The Children Act 1989 defines four types of abuse: physical, emotional, sexual and neglect. These categories of abuse apply and will be relevant to vulnerable adults who The Arc has contact with as

part of its activities and social care role with people of all ages. Definitions of abuse are:

Physical Abuse

Physical abuse is the physical ill treatment of an adult, which may or may not cause physical injury and causes harm to the individual's person. It may involve pushing, slapping, pinching, punching, hitting, shaking, throwing, poisoning, burning, scalding, drowning or suffocating, force feeding, improper administration of medicines or denial of prescribed medicines, forced isolation and confinement, including a person being locked in a room or inappropriate sanctions or restraint, or inappropriate manual handling. It may be the result of a deliberate failure to prevent injury occurring.

Psychological and Emotional Abuse

Psychological abuse may involve the use of harassment, bullying, intimidation, indifference, hostility, rejection, threats, humiliation, name-calling, other degrading behaviours, shouting, swearing, discrimination or the use of oppressive language, mobile phone texting abuse, email, emotional abuse and all forms of cyber abuse. It can result in feelings of low self-worth. Some level of psychological or emotional abuse is present in all forms of abuse.

Sexual Abuse

Sexual abuse involves a vulnerable adult participating in, or watching, sexual activity to which they have not consented or were pressured into consenting, or to which they cannot give informed consent. It is not necessary for the individual to be aware that the activity is sexual. The activities may include - physical contact, including penetrative or non-penetrative acts, e.g. rape, buggery, indecent assault or inappropriate touch, incest, and situations where the perpetrator touches the abused person's body (e.g. breasts, buttocks, genital area); Non-contact activities, e.g. exposing genitals to the abused person, or coercing the abused person into participating in or watching pornographic videos or photographs.

Neglect

Neglect is the deliberate withholding or unintentional failure to provide help or support, which is necessary for the adult to carry out activities of daily living. It also includes a failure to intervene in situations that are dangerous to the person concerned or to others, particularly when the person lacks the mental capacity to assess risk. Neglect may involve - failing to provide adequate food, shelter and clothing; failure to ensure access to appropriate medical care or treatment; neglect of basic emotional needs

Financial/Material Abuse

Financial/Material Abuse is the exploitation, inappropriate use or misappropriation of a person's financial resources or property. It occurs when the individual is deprived of their own financial assets, for example, by holding money back from the individual, obtaining money by deception, or stealing money. It includes the withholding of money or the improper use of a person's money or property, usually to the disadvantage of the person to whom it belongs.

Institutional Abuse

Institutional abuse can be defined as abuse or mistreatment by a regime as well as by individuals within any building where care is provided. Examples include lack of flexibility and choice, lack of consultation, public discussion of personal matters, inadequate or delayed responses, workers overly controlling service users' relationships and activities.

Discriminatory Abuse

Repeated, ongoing or widespread discrimination on the grounds of age, race, disability, religion, sexual preference or gender, slurs, harassment, name-calling, breaches in civil liberties, unequal access to health or social care.

Significant Harm

Sometimes, a single traumatic event may constitute significant harm, eg: violent assault, suffocation or poisoning. More often, significant harm is a compilation of significant events, both acute and long-standing, which interrupt, change or damage the adult's physical and psychological development.

1.7 Scope of Policy

This policy applies to all employees, trustees and volunteers. Its purpose is to protect the personal safety of all vulnerable adults using the facilities, resources and activities provided by The Arc actively promoting awareness, good practice and sound procedures. The Directors will review this policy regularly and as informed by risk assessments relating to all activities of The Arc.

Part 2:

2.1 SAFEGUARDING STRUCTURE

The Arc has identified a structure for safeguarding vulnerable adults, with key workers having designated safeguarding responsibilities including:

1: Cler Lewis: Designated Safeguarding Officer for all Bookings and Operations; provides management and coordination role including investigations if required, cler@thearcentre.org

The Designated Safeguarding Officer are responsible for vulnerable adult's protection and the implementation of this policy. It is the responsibility of the Designated Safeguarding Officer to take appropriate action following any expression of concern and make referrals to the appropriate agencies.

2: Damien Brown: (Managing Director) Overall leadership and overview of Safeguarding: damien@thearcentre.org

The Managing Director must also be informed of issues which arise under this policy.

2.2: RESPONSIBILITIES OF WORKERS

Safeguarding and promoting the welfare of vulnerable adults is everyone's responsibility. Everyone who comes into contact with vulnerable adults has a role to play in safeguarding them. In order to fulfil this responsibility effectively, all professionals should consider, at all times, what is in the best interests of the vulnerable person.

Workers in direct contact with vulnerable adults may come across signs of harm and/or abuse.

Workers must ensure that significant concerns for the wellbeing of a vulnerable adult are reported to the appropriate nominated manager. This will invoke the appropriate procedures to protect the vulnerable adult, involving Social Services and/or the Police as appropriate, using the reporting procedures detailed in this policy. Where workers members are unsure and need guidance about safeguarding issues, they are encouraged to seek support from their **Designated Safeguarding Officer**.

In the event of any concern by any worker, or if any worker is approached by a vulnerable adult, regarding any matter concerning abuse, they must tell the vulnerable adult that they are bound to pass on the information to the **Designated Safeguarding Officer**. The person receiving the information should pass it on as a matter of urgency to ensure the matter can be dealt with as soon as possible. If the **Designated Safeguarding Officer** is not available, the worker should contact the Managing Director.

All workers should feel able to raise concerns about poor or unsafe practice and potential failures in The Arc's safeguarding regime and know that such concerns will be taken seriously by Arc workers. Whistleblowing procedures should be followed where there are such concerns.

Part 3: Controls

3.1 Risk assessments must be carried out for all activities involving children and vulnerable adults, and reasonable, proportionate adaptations made to those activities as a result in order to safeguard the wellbeing of such individuals.

3.2 Disclosure checks

The Protection of Freedoms Act 2012 places a duty on The Arc to undertake an Enhanced check with list checks with the Disclosure and Barring Service for all workers supervising or carrying out regulated activity with children or vulnerable adults.

3.3 DBS Checks

All paid and unpaid workers involved in regulated or intensive contact with vulnerable people as part of their work for The Arc will be subject to the Disclosure and Barring procedures of the Disclosure and Barring Service (DBS). If the job or role is eligible then a DBS 'Standard', 'Enhanced' or 'Enhanced check with list checks' as appropriate check will be carried out.

These requirements will be reviewed annually and updated where necessary.

Disclosure checks will be obtained for new starters prior to the commencement of any work where the Disclosure check is required.

The Arc will adhere to all relevant regulations and codes of practice as issued by the DBS.

This information will be recorded securely.

All hirers and facilitators delivering activities with children and vulnerable adults will need to provide a DBS check. This will be requested before the booking is confirmed, alongside a passport to confirm ID and will be stored for 6 months, when they are then reviewed and updated if needed.

Part 4: RECORD KEEPING

The **Designated Safeguarding Officer** for the protection of vulnerable adults will retain the central record of all allegations and actions taken. This will include:

- The formal report on form VAPC – see Appendix 1
- Any notes, memoranda or correspondence dealing with the matter
- Any other relevant material

Copies of reports, notes etc will be kept securely locked at all times but will be shared in accordance with the Data Protection Act 1998.

All stages of the reporting procedure must be documented, marked CONFIDENTIAL and stored securely following the procedures laid out in the Data Protection Policy.

Part 5: Training:

All workers, including volunteers, will undergo training so that they are fully aware of this policy and their responsibilities. The **Designated Safeguarding Officer** will receive additional training so that she / he can effectively fulfil her /his responsibilities.

Part 6: REVIEW AND MONITORING OF POLICY AND PROCEDURES

The **Designated Safeguarding Officer** will review and monitor the policy and procedures on an annual basis and will recommend and implement approved changes where necessary. A revised version of the policy will be submitted to The Board of Directors as required to ensure that any identified deficiencies or weaknesses have been dealt with without delay.

Part 7: OUTSIDE ORGANISATIONS/ HIRERS

Any club, society, organisation or individual undertaking activities on The Arc's behalf involving vulnerable adults will be required to either adopt The Arc's Safeguarding Policy or show proof that they have their own robust policies.

Any club, society, organisation or individual working with vulnerable adults who refuse to adopt The Arc's policies or adopt their own policies and procedures will not be permitted to use The Arc facilities.

Any club, society, organisation or individual working with vulnerable adults will be subject to random spot checks periodically by The Arc employees to ensure policies and procedures are in place and being implemented.

Part 8: SUMMARY PROCEDURE FOR REPORTING DISCLOSURES

8.1: This procedure **must** be followed whenever any member of The Arc workers hears an allegation from a vulnerable adult that abuse has, or may have, occurred or where there is a significant concern that a vulnerable adult may have been or being abused:

All workers, volunteers and others working in direct or indirect contact with vulnerable adults as part of the organisation's activities or as part of the environment where the activities take place, must be alert to the signs of abuse. Anyone who suspects that abuse is taking place in this environment or to whom a vulnerable adult discloses issues relating to safeguarding should contact the **Designated Safeguarding Officer** immediately.

Any Worker who raises an issue (**Whistleblowing**) where they believe the employer, a fellow employee or any volunteer is acting in a way which is unlawful or falls below proper standards or contrary to this policy are protected by the Public Disclosure Act 1998, provided they comply with statutory procedures.

Any suspicion or allegation must be reported as soon as possible on the day of the occurrence to the **Designated Safeguarding Officer**. Disclosure or evidence for concern may occur in a number of ways including a comment made by a vulnerable adult, physical evidence such as bruising, a change in behaviour, or inappropriate behaviour or knowledge.

It is the responsibility of the **Designated Safeguarding Officer** to liaise with other relevant agencies where necessary and seek clarification from the Safeguarding and Protection Unit of the local Constabulary if there is any concern about the validity of any allegation.

Any suspicion or allegation of abuse must be recorded by the observer/s on the appropriate incident reporting form. This form must be kept strictly confidential and stored securely following the Data Protection Procedures. All employees and volunteers are instructed to report the disclosure or

discovery of abuse or alleged abuse directly to the **Designated Safeguarding Officer**, and in their absence, the Managing Director who will then inform the **Designated Safeguarding Officer**.

All stages of the reporting procedure must be documented, marked CONFIDENTIAL and stored securely following the procedures laid out in the Data Protection Policy.

The Arc is aware that safeguarding cases can be distressing and that both paid and unpaid workers who have been involved may find it helpful to talk about their experiences, in confidence, with the **Designated Safeguarding Officer** or with a trained counsellor. Workers wishing to be referred for counselling should contact the **Designated Safeguarding Officer**.

8.2 Responding to an Allegation

A full record shall be made as soon as possible on Form VAPC/Appendix 1 of the nature of the allegation and any other relevant information including:

1. The date
2. The time
3. The place where the disclosure of information took place
4. The place where the alleged abuse happened
5. Your name and the names of others present
6. The name of the complainant and, where different, the name of the vulnerable adult who has allegedly been abused
7. The nature of the alleged abuse
8. A description of any injuries observed
9. The account which has been given of the allegation

When a Safeguarding issue is raised it is important to record what is said or seen and what action was taken. This record or any other written record should be kept in a locked cabinet. Access should be limited to only:

1. The person who has completed the form
2. The designated Safeguarding Officer
3. The Managing Director - The vulnerable adult can be shown this record, but discretion should be used. Their permission should be sought before showing it to the guardian/carer.

It may be shown to the police and/or social services and could possibly be used in court although this is rare.

8.3: Guidelines for Responding to an Allegation of Abuse

General Points

1. Keep calm – do not appear shocked or disgusted
2. Accept what the vulnerable adult says without passing judgement (however unlikely the disclosure may sound)
3. Look directly at the vulnerable adult

4. Be honest
5. Let them know you will need to tell someone else, don't promise confidentiality
6. Be aware the vulnerable adult may have been threatened and fear reprisals for having spoken to you
7. Never push for information or question the vulnerable adult as this can undermine any subsequent criminal investigation. If at any point a vulnerable adult decides not to continue, accept that and let them know that you are ready to listen should they wish to continue at any time.

Helpful things to say or show

1. Show acceptance of what the vulnerable adult says
2. "I take what you are saying very seriously"
3. "I am pleased that you have told me. Thank you for telling me"
4. If appropriate,
"It isn't your fault and you are not to blame at all"
"I am sorry that happened to you"
"I will help you"

Things not to say

1. "Why didn't you say something before?"
2. "I really can't believe it"
3. "Are you sure this has happened?"
4. "Why?" "Where?" "When?" "Who?" "What?" "How?"
5. Don't make false promises to the vulnerable adult – like confidentiality – be honest now, any lies will be further abuse and betrayal
6. Never make statements such as 'I am shocked!' or 'don't tell anyone else'.

Concluding the conversation

1. Reassure the vulnerable adult that they were right to tell you
2. Let the vulnerable adult know what you are going to do next and tell them that you will let them know what is happening at each stage.

8.4: Responding to an allegation about a worker

Any suspicions, allegations of actual abuse of a vulnerable adult by a worker must be reported to the **Designated Safeguarding Officer** immediately. On being notified of any such matter, the designated worker shall:

Notify the Managing Director who will initiate an investigation of this incident in line with the disciplinary procedure,

Take such steps as he/she considers necessary to ensure the safety of the person in question and any other person who might be at risk.

Report the matter. It is the responsibility of the Safeguarding Officer to make the decision as to whether to inform Social Services, NHS Community Mental Health Team (CMHT) and/or the Safeguarding Unit of the local Constabulary, depending on the nature of the allegation. They may also need to follow their legal duty to report the case to the Independent Safeguarding Authority or to the Islington Adult Protection Unit (020 7527 2299 or email access.Service@islington.gov.uk).

Ensure that a report of the matter is completed by the person who reported the original concern. If the complaint is made against any member of the Management Team or the **designated safeguarding officer**, then the person dealing with the complaint must be either The Managing Director or a Board Member. If the complaint is made against The Managing Director, then the Chair of the Board should be immediately notified. If any of the above (Managing Director or the designated Safeguarding Officer) is the person against whom a complaint has been made they will be excluded from the processing of the complaint.

The Managing Director or **designated Safeguarding Officer** will have the right to suspend from duty and/or the premises, any person who is a party to the allegation until a full investigation has been made in line with The Arc's Disciplinary Procedures or the Code of Conduct.

This action does not prejudice the outcome of the investigation of the complaint or imply in any way that the person suspended is responsible for, or is to blame for, any action leading up to the complaint. The purpose of any such suspension is to enable a full and proper investigation to be carried out in a totally professional and objective manner.

The Arc will cooperate fully with the Police, Social Services, the NHS and all other parties involved.

The Managing Director or his/her nominated deputy will make a full written report of the incident and the actions taken. This report will be stored securely following the procedures detailed in the Data Protection Policy.

If, during the course of an investigation relating to safeguarding, an employee tenders his or her resignation, or ceases to provide their services, The Arc is not prevented from following up an allegation in accordance with these procedures.

Every effort will be made to reach a conclusion, including in cases where the person concerned refuses to cooperate with the process.

Part 9: Confidentiality

All employees and volunteers must work under the principle that confidentiality is extremely important and plays a large part in much of the work carried out with vulnerable adults. However, under no circumstances will any individual in the employment of The Arc, or acting as a volunteer, keep confidential any information that raises concerns about the safety and welfare of a vulnerable adult. This statement relating to confidentiality is made known to all who access any provision of

The Arc.

Part 10: Duty to refer

The Arc is under a duty to refer information to the Disclosure and Barring Service (DBS) in certain circumstances, for example, where there is a concern relating to the risk of harm to vulnerable adults.

If The Arc holds information on disciplinary proceedings related to a person engaged in regulated or controlled activity, **it will be under a duty to provide the DBS with information if The Arc ‘withdraws permission for the person to engage in the activity’**. The Arc may take action to stop an employee working in regulated or controlled activity when:

- the person has committed an offence that is subject to an automatic bar, or a bar with the right to make representations;
- the person has engaged in ‘relevant conduct’ as defined in the Act (see below); or
- the ‘harm test’ is satisfied (see below).

‘Relevant conduct’ is:

- conduct which endangers or is likely to endanger a vulnerable adult;
- conduct which, if repeated against or in relation to a vulnerable adult, would endanger or would be likely to endanger that vulnerable adult;
- conduct involving sexual material relating to children (including possessing such material);
- conduct involving sexually explicit images depicting violence against humans; and
- conduct of a sexual nature involving a child or vulnerable adult.

The ‘harm test’ is that the person may:

- harm a child or vulnerable adult;
- cause a child or vulnerable adult to be harmed;
- put a child or vulnerable adult at risk of harm;
- attempt to harm a child or vulnerable adult; or
- incite another to harm a child or vulnerable adult.

So, where The Arc takes action to stop an employee working in regulated or controlled activity for any of these reasons, there will be a legal duty to refer information to the Vetting and Barring Procedures of the DBS.

This could be a situation involving:

- dismissal;
- a case that could have resulted in dismissal had the employee not resigned before the procedure concluded; or
- where The Arc stops a person working in regulated/controlled activity but
- continues to engage him/her in other that is neither regulated nor controlled activity.

Information that may be referred:

If The Arc has a concern about an employee’s or Volunteer’s behaviour, they may report this to the ISA. The DBS will consider all relevant information. For example, if a disciplinary case has not been

completed but The Arc suspects that the individual may pose a risk of harm, it may refer him to the DBS.

Appendix 1

Vulnerable Adult Protection Concern and Report Form (VAPC)

Name of Vulnerable Adult:	
Address:	
Telephone Nos:	
Carers details: Name(s):	Telephone No(s):
What is said to have happened or what was seen?	
When and where did it occur?	
Who else, if anyone, was involved and how?	
What was said by those involved?	

Was the vulnerable adult able to say what happened, if so, how did they describe it?
Were there any obvious signs e.g., bruising, bleeding changed behaviour?
Who has been told about it and when?
Do the carers know?

Signed

Date

Appendix 2

Risk assessment Template

1. Name of activity/event:

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2. Nature, length and frequency of contact: (Insert text describing the type of activity, length of time involved and the frequency e.g. lunch club, 1.5 hours once a fortnight.

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3. Safeguarding Risk Rating:

High: Legal Action is being taken and Protection Plan is being implemented

Moderate: Safeguarding Protection Plan is in place

Low: Safeguarding Issue has been addressed

None: No Safeguarding Action is taking place

4. Contact

Contact Name of Employee/Volunteer	Nature of Contact	Length	Type of Contact	Risk

5. Health and Safety Issues

Hazard	Risk	Action	Alternative working practice

6. Any children or vulnerable adults particularly vulnerable:

Hazard	Risk	Action

7. Identified children or vulnerable adults with particular needs (medical, disability, behavioural)

Hazard	Risk	Action

8. Any additional requirements for DBS check?

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9. Safe use of ICT

Hazard	Risk	Action

10. Risk assessment carried out by:
(insert name)

Date completed:

Signed off by Safeguarding Officer: (insert name)

Signature of Safeguarding Officer:
