



Safeguarding Adults at Risk Policy
(formerly Protection of Vulnerable Adults Policy)

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Safeguarding Adults at Risk Policy
(formerly *Protection of Vulnerable Adults Policy*)

1.0 General Statement

- 1.1 Children in Wales carries out activities which may bring its employees and people working on behalf of the organization into contact with adults at risk. Children in Wales is committed to creating and maintaining the safest possible environment for these people as well as for its employees and workers and all reasonable steps will be taken to prevent all parties from harm, recognizing the risks involved in lone working.
- 1.2 This Policy relates to a range Government legislation, including the Wales Safeguarding Procedures, Social Services and Well-being (Wales) Act 2014, Police Act 1997, the Rehabilitation of Offenders Act 1974, Health & Safety at Work Act 1974, the Human Rights Act 1998, the Protection of Freedoms Act 2012 and the Safeguarding Vulnerable Groups Act 2006.

2.0 Principles

- 2.1 This policy is designed to safeguard and promote the welfare of adults at risk. It is aimed at protecting both the individual and the member of staff or representative of Children in Wales.

3.0 Scope of Policy

- 3.1 This Policy relates to Children in Wales staff, trustees, volunteers and any other partner, agency or individual working on behalf or representing the organisation, including assessors, tutors, trainers, internal verifiers, learners and quality assurance managers of awarding bodies involved in delivering accredited training

3.2 Definition of an Adult at Risk

An “adult at risk”, as defined by Section 126(1) of the Social Services and Well-being Act is an adult who:

- (a) is experiencing or is at risk of abuse or neglect;
- (b) has needs for care and support (whether or not the authority is meeting any of those needs); and
- (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.”

Adults who **may** fall within this definition include adults with a learning disability or mental health problem, older people and disabled people, particularly when their situation is complicated by additional factors, such as physical frailty or

chronic illness, sensory impairment, challenging behaviour, social or emotional problems, poverty or homelessness. It may be that they are unable to take care of themselves or protect themselves against harm and abuse.

3.3 If there is concern which relates to anyone under the age of 18, procedures described in Children in Wales Safeguarding Children Policy should be followed.

3.4 The Children in Wales Designated Safeguarding Lead is Claire Sharp.

4.0 **Related Policies**

4.1 This Policy should be read in conjunction with the following:

- Accredited Training Policy Series
- Disciplinary Policy
- Equality Policy
- Health & Safety Policy
- Recruitment Policy
- Safeguarding Children Policy
- Vetting & Barring Policy
- Whistleblowing Policy

5.0 **Guidance**

5.1 It is the line manager's responsibility to clarify with the staff member, volunteer or associate their roles and responsibilities regarding their relationships with adults at risk with whom they may be in contact. Regular supervision for staff involved will monitor this work and offer the opportunity to raise any issues.

5.2 Specific guidance and procedures at Appendix 1 set out:

- The principles which should be followed when working with adults at risk
- The procedures that should be followed when working with adults at risk

6.0 **Appendices**

6.1 Appendix 1: Guidance, Principles & Procedures to be followed in relation to protection of adults at risk

Appendix 1

Guidance, Principles & Procedures to be followed in relation to Safeguarding Adults at Risk Policy

1. Introduction

- 1.1 Children in Wales has a legal and moral responsibility to provide a duty of care to all adults at risk through implementing procedures to safeguard their well-being and protect them from harm.
- 1.2 This Policy sets out the practice and procedures in order to safeguard and promote the welfare of adults at risk. It is aimed at protecting both the individual and the member of staff or representative of Children in Wales.

2.0 Principles

- 2.1 This policy is designed to ensure that all employees and volunteers working with adults at risk are carefully selected, understand and accept responsibility for the safety of those individuals in their care.
- 2.2 This policy ensures that the health, safety and welfare of all adults at risk is of paramount importance when involved in training courses or activities which come under the responsibility of Children in Wales.
- 2.3 This policy ensures a swift and appropriate response to all suspicions or allegations of abuse, and ensures confidential information is restricted to the appropriate individuals within Children in Wales and appropriate external agencies.
- 2.4 The Children in Wales Designated Safeguarding Lead is Claire Sharp.

3. Safe Recruitment

- 3.1 Those who are involved in situations where they have sustained or prolonged unsupervised access to adults at risk are exempt from the Rehabilitation of Offenders legislation. This means that prospective employees, associates and volunteers must declare all criminal convictions, however long ago and these will be taken into account when deciding on their suitability for working with adults at risk.
- 3.2 In line with Children in Wales Vetting and Barring Policy, all staff, associates and volunteers who will be working with adults at risk as described in 3.1 above, including in the delivery of training, will be asked to complete an Enhanced Disclosure and Barring Service (DBS) check and, if applicable, they will be checked against the appropriate Barred List. Any Disclosure that causes concern will be assessed in line with Children in Wales Vetting & Barring Policy.
- 3.3 In line with Children in Wales Recruitment Policy, following a successful interview process, two references will be taken up for all staff, associates and volunteers.

- 3.4 Children in Wales will ensure that all employees, associates and volunteers have appropriate qualifications and training.
- 3.5 If there is any doubt or concern about an employee, associate or volunteer this should be passed on to the Chief Executive or, in the event that the concern relates to the Chief Executive, this should be passed to the Chair of the Trustee Board.

4. Creating a Safe and Caring Environment

- 4.1 Risk Assessments should be undertaken prior to any offsite visits or new types of activities.
- 4.2 Employees/volunteers working with adults at risk should be appropriately trained and qualified to ensure the safe provision of services, use of equipment, activities undertaken, etc.
- 4.3 Employees/volunteers working with adults at risk should carefully plan activity sessions with the care and safety of individuals as their main concern including the use of activities at an appropriate age/ability level.
- 4.4 Wherever possible we will encourage an 'open environment' eg avoiding private or unobserved situations and discouraging the keeping of secrets. This especially includes employees, associates or volunteers being alone with adults at risk at any time. When this is unavoidable, it should be done with the full knowledge and consent of someone in charge of the activity.
- 4.5 Employees, associates or volunteers must treat all with respect.
- 4.6 Employees, associates or volunteers must not make racist, sexist or any other remarks which upset or humiliate
- 4.7 Employees/volunteers must take care to avoid showing any favouritism.
- 4.8 Employees, associates or volunteers must never subject any adult at risk to any form of harm or abuse. This means that it is unacceptable, for example, to treat an adult at risk in any of the following ways:
 - 4.8.1 to cause distress by shouting or calling them derogatory names
 - 4.8.2 to slap
 - 4.8.3 to hold them in such a way that it causes pain, or to shake them
 - 4.8.4 to physically restrain them except to protect them from harming themselves or others
 - 4.8.5 to take part in horseplay or rough games
 - 4.8.6 to allow or engage in inappropriate touching of any kind
 - 4.8.7 to do things of a personal nature for the person that they can do for themselves (this includes changing clothing, or going to the toilet with them unless another adult is present)

- 4.8.8 to allow or engage in sexually suggestive behavior within a person's sight or hearing, or make suggestive remarks to or within earshot
- 4.8.9 to give or show anything which could be construed as pornographic
- 4.8.10 to seek or agree to meet them anywhere outside of the normal workplace without the full prior knowledge and agreement of the parent, guardian or carer.

5. Roles and Responsibilities of employees/volunteers

- 5.1 The safety of all parties, including participants and employees, associates or volunteers is of prime consideration at all times.
- 5.2 All accidents involving anyone should be recorded in the organisation's accident book immediately or as soon as practicably possible. The accident book is kept by the Administrator at Children in Wales.
- 5.3 Employees, associates and volunteers are responsible for familiarising themselves with building/facility safety issues, such as, fire procedures, location of emergency exits, location of emergency telephones and first aid equipment.
- 5.4 Employees, associates and volunteers are responsible for reporting suspected cases of abuse to the Designated Safeguarding Lead. Any such case should not be investigated by the employee, associate or volunteer.
- 5.5 Employees, associates and volunteers will be expected to keep an attendance register for all organised sessions.
- 5.6 Employees, associates and volunteers should ensure that their activities start and end on time.
- 5.7 Employees, associates and volunteers are expected to promote, demonstrate and incorporate the values of fair play, trust and ethics throughout their activities.
- 5.8 Employees, associates and volunteers should ensure that they are adequately insured, to protect against claims of negligence, through their organisation or their own personal insurance if acting as a self employed agent.
- 5.9 **An adult at risk who is arrested or detained for interview by the Police**
If an adult at risk with whom Children in Wales is working is detained for interview or arrested by the Police under the Crime and Disorder Act 1998 and/or the Police and Criminal Evidence Act (PACE) 1984 (revised July 2018) they are entitled to be supported by an 'Appropriate Adult'. The definition of an 'Appropriate Adult' is a responsible person aged 18 or over who supports children and vulnerable adults detained at the police station or being interviewed by the police.

Children in Wales staff, volunteers, Trustees *or any other agency or individual working on behalf of or representing the organisation* must **not** act as an appropriate adult in support of an adult at risk with whom Children in Wales is working.

The appropriate line manager, a member of the Senior Management Team or the Children in Wales' Designated Safeguarding Officer must be notified as soon as possible in the event that any adult at risk with whom Children in Wales is working has been detained, arrested or had involvement with the Police.

For further information relating to the role of Appropriate Adults, please visit <https://www.gov.uk/government/publications/guidance-for-appropriate-adults> or <https://yjlc.uk/appropriate-adult/>.

6 Responding to Signs of Abuse

Employees, associates and volunteers are responsible for reporting suspected cases of abuse to the Designated Safeguarding Lead who will then contact the appropriate authorities if necessary.

- 6.1 Any such case should not be investigated by the employee, associate or volunteer.
- 6.2 The Children in Wales Designated Safeguarding Lead will need to take into account: the need for discussion with an appropriate representative of any external organisation associated with the concern; the involvement of Children in Wales staff or representatives, and/or referral to external agencies including the police, DBS or social services etc. as appropriate.
- 6.3 The Children in Wales Designated Safeguarding Lead is not responsible for making or contributing to any disciplinary decisions on behalf of, or confirming that an alleged abuse has occurred within, any third party organisation.

7 Confidentiality

- 7.1 Every effort must be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a need to know basis only. Information must be stored in a secure place with limited access to designated people, in line with data protection.

8 Protecting Employees, Associates and Volunteers from Abuse

- 8.1 Staff and volunteers are openly discouraged from giving or accepting gifts in whatever form from service users or well-wishers of the organisation. Should any staff member receive any such item they must report it to their appropriate line manager.

9. Breach of this Policy

- 9.1 Failure to follow the guidelines in this policy is considered a serious offence and will be investigated thoroughly through Children in Wales' Disciplinary Policy in the case of employees, or by the Senior Leadership Team in relation to associates or volunteers.

10. Policy Review

- 10.1 This policy will be reviewed on a three yearly basis or if legislation changes.