



Harrogate District of Sanctuary

Safeguarding Adults Policy and Procedure

Version 4
Amendments by M.Bond and D.Brickles: May 2023
Ratified by Trustees: June 2023
Due for review: May 2026

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POLICY STATEMENT ON SAFEGUARDING ADULTS

Aims and objectives of Harrogate District of Sanctuary (The Charity)

Our vision is of a community open and supportive of refugees and asylum seekers, where they are able to integrate and be successful.

We work in the following ways:

- We help refugees and asylum seekers who come to live in the Harrogate district by offering friendship and practical support, in partnership with other charitable, faith, voluntary and community services.
- We offer social activities that bring the families together to gain mutual support and confidence.
- We provide opportunities for language acquisition to assist in the pursuit of fulfilment and success and to promote social inclusion.
- We celebrate the achievements of refugees in our community.
- We seek to raise awareness locally of the needs and challenges of being a refugee so as to counter prejudicial attitudes and seek support.
- We campaign to influence political and other leaders to ensure humane and compassionate action in the national sphere.

Harrogate District of Sanctuary will promote the safety, inclusion and welfare of refugees and asylum seekers in the Harrogate District, and will support local community, voluntary and faith organisations in welcoming and assisting asylum seekers and refugees. Protecting people and safeguarding responsibilities are governance priorities for the Charity.

This policy has been designed to ensure the welfare and protection of any adult who is included in the above groups.

Harrogate District of Sanctuary will not tolerate the abuse of those at risk in any of its forms.

The Charity is committed to:

- managing its activities in a way which minimises the risk of abuse occurring;
- supporting those who are at risk of, or experiencing abuse;
- working with those at risk and other agencies to end any abuse that is taking place;
- protecting the rights of adults at risk to live in safety and free from abuse and neglect.

In achieving these aims Harrogate District of Sanctuary will:

- ensure that the trustees and volunteers have access to and are familiar with this safeguarding policy and procedure and their responsibilities within it.
- ensure concerns or allegations of abuse are always taken seriously.

- ensure the Mental Capacity Act is used to make decisions on behalf of those adults at risk who are unable to make particular decisions for themselves.
- ensure all trustees and volunteers receive training in relation to safeguarding at a level commensurate with their role.
- ensure that refugees and asylum seekers and their relatives or informal carers have access to information about how to report concerns or allegations of abuse.
- ensure there is a named lead person to promote safeguarding awareness and practice within the organisation
- ensure all trustees and volunteers know how to identify abuse.

This policy and procedure has been developed to be consistent with the Joint Safeguarding Adults Policy and Procedures for West Yorkshire, North Yorkshire and City of York, which can be referred to for additional guidance at www.nypartnerships.org.uk/sab.

POLICY DEFINITIONS

Who is 'a person at risk'?

For the purposes of this policy, a person at risk is an adult who:

- is aged 18 years or more, and
- has needs for care and support (whether or not these needs are currently being met)
- is experiencing, or at risk of abuse or neglect and
- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.
- Such a definition includes adults with sensory mental impairments and learning disabilities, howsoever these impairments have arisen e.g. whether present from birth or due to advancing age, chronic illness or injury.
- Also included are people with mental illness, dementia or other memory impairments and people who misuse substances or alcohol.

Such a definition also includes unpaid carers (family and friends who provide personal assistance and care to adults on an unpaid basis).

In the context of Harrogate District of Sanctuary, this policy also includes those who may be at risk of abuse due to the lack of knowledge of English language and culture, and may be experiencing trauma (often undiagnosed) as a result of what they have been through, both in their country of origin or on their journey to safety. They may be socially isolated, unsure of the UK protocols and norms, fearful of authority and therefore more likely to acquiesce or be more subordinate as a result. This increases their risk of abuse and manipulation,

therefore making them a potential target for exploitation. They may find it difficult to protect themselves from abuse and/or radicalisation.

What is abuse?

Abuse can take many forms and the circumstances of the individual should always be considered. It may consist of a single act or repeated acts. The following are examples of issues that would be considered as a safeguarding concern.

Abuse may be carried out deliberately or unknowingly.

Abuse may be a single act or repeated acts.

Abuse may be verbal or non-verbal

People who behave abusively come from all backgrounds and walks of life. They may be doctors, nurses, social workers, advocates, staff members, volunteers or others in a position of trust. They may also be relatives, friends, neighbours or people who need the same support as the person experiencing abuse.

Different types of abuse

Physical abuse - includes hitting, slapping, pushing, kicking, misuse of medication, unlawful or inappropriate restraint, or inappropriate physical sanctions. It also includes Female Genital Mutilation (FGM)

Domestic abuse – is “an incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse... by someone who is or has been an intimate partner or family member regardless of gender or sexuality” (Home Office, 2013). Domestic violence and abuse may include psychological, physical, sexual, financial, emotional abuse; as well as so called ‘honour’ based violence, and forced marriage.

Sexual abuse - includes rape and sexual assault or sexual acts to which the adult at risk has not consented, could not consent or was pressured into consenting.

Psychological abuse - includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal from services or supportive networks.

Financial and material abuse – includes theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Modern slavery - includes human trafficking, forced labour and domestic servitude.

Traffickers and slave masters use the means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhuman treatment.

Neglect and acts of omission - includes ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Discriminatory abuse - on any grounds in the Equality Act 2010 includes abuse based on a person's race, sex, disability, religion or belief, sexual orientation, gender reassignment, pregnancy and maternity, marriage and civil partnership or age; other forms of harassment, slurs or similar treatment or hate crime/hate incident.

Organisational abuse: - includes neglect and poor practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in the person's own home. This may range from one-off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practice within the organisation

Self-neglect - covers a wide range of behaviours, such as neglecting to care for one's personal hygiene, health or surroundings and includes behaviours such as hoarding.

A safeguarding response in relation to self-neglect may be appropriate where a person is declining assistance in relation to their care and support needs, and the impact of their decision has or is likely to have a substantial impact on their overall individual wellbeing.

Mental Capacity Assessment

The [Mental Capacity Act 2005 www.legislation.gov.uk/ukpga/2005/9/contents](http://www.legislation.gov.uk/ukpga/2005/9/contents) provides a statutory framework to empower and protect people who lack capacity to make decisions for themselves and establishes a framework for making decisions on their behalf. This applies whether the decisions are life-changing events or everyday matters. **All decisions taken in the adult safeguarding process must comply with the Act.**

The Mental Capacity Act outlines five statutory principles that underpin the work with adults who lack mental capacity:

- a person must be assumed to have capacity unless it is established that he/she lacks capacity;
- a person is not to be treated as unable to make a decision unless all practicable steps to help him/her to do so have been taken without success;

- a person is not to be treated as unable to make a decision merely because he/she makes an unwise decision;
- an act done or decision made under this act for or on behalf of a person who lacks capacity must be done or made in his/her best interests;
- before the act is done, or the decision is made, regard must be had to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive of the person's rights and freedom of action.

In the application of this policy all trustees and volunteers will consider the mental capacity of those being supported on a case-by-case basis.

Key Roles

Every trustee, member and volunteer has a responsibility to act on concerns of possible abuse and must inform the charity's Safeguarding Lead.

Safeguarding Lead: The Safeguarding Lead has the responsibility to decide whether it is appropriate to raise a Safeguarding Concern with the local authority on behalf of their charity or to respond to the concerns in an alternative manner.

The role also includes

- ensuring that immediate safety issues are addressed, other parties notified and that volunteers are supported;
- ensuring that they are kept informed when a volunteer has raised a concern;
- establishing the desired outcomes of the adult at risk.

Harrogate District of Sanctuary has an appointed individual who is responsible for dealing with any Safeguarding concerns related to Adults. In their absence, a deputy will be available for volunteers to consult with.

Harrogate District of Sanctuary Safeguarding Lead:

Margaret Bond

0788 0677332

chair@harrogatedistrict.cityofsanctuary.org

Deputy Lead:

Dennis Brickles

07747 864461

treasurer@harrogatedistrict.cityofsanctuary.org

Organisational Lead:

Chair, Harrogate District of Sanctuary:

This person will be responsible for ensuring this policy and procedure is reviewed and kept up to date. They will also be responsible for ensuring that all trustees and volunteers will receive appropriate training and information to fulfil their roles.

Safe Recruitment, monitoring and support of volunteers

Harrogate District of Sanctuary will ensure that any allegations made against trustees, members or volunteers will be dealt with swiftly.

Where a trustee, volunteer or member is thought to have committed a criminal offence the police will be informed. If a crime has been witnessed the police should be contacted immediately.

Where the allegation involves alleged abuse of a person at risk, a concern should be raised following the procedure described below.

The safety of those at risk is paramount and it should be ensured that they are safe and away from the person(s) who is alleged to have caused harm.

The Safeguarding Lead is responsible for ensuring the best course of action, and that investigations and procedures are co-ordinated with any other enquiries taking place as part of the on-going management of the allegation.

Safeguarding Procedures

Responding to an allegation/concern:

Harrogate District of Sanctuary recognises that it has a duty to act on reports, or suspicions of abuse or neglect. **Anyone** who has contact with adults at risk and witnesses or hears disclosures or allegations, or has concerns about potential abuse or neglect has a **duty** to pass them on appropriately.

Responsibilities of all trustees, members and volunteers

If any trustee, member or volunteer has reason to believe that abuse is or may be taking place they have a responsibility to act on this information. It does not matter what their role is, doing nothing is not an option.

If a person discloses abuse to you directly, use the following principles to respond to them:

- Assure them that you are taking the concerns seriously.
- Do not be judgemental or jump to conclusions.
- Listen carefully to what they are telling you, stay calm, get as clear a picture as you can. Use open ended questions.
- Do not start to investigate or ask detailed or probing questions.
- Explain that you have a duty to tell the Safeguarding Lead.
- Reassure the person that they will be involved in decisions about them

Your responsibilities are:

- To take action to keep the person safe if possible.
- To preserve evidence if a crime has occurred.

- To inform the Safeguarding Lead. You cannot keep this information secret, even if the person asks you to.
- To record what you have witnessed or been told, record your responses and any actions taken.

If consulting with the Safeguarding Lead or Deputy will lead to an undue delay, and thereby leave a person in a position of risk, you should 'Raise a Safeguarding Concern' yourself. (See below)

Raising a Safeguarding Concern

Raising a safeguarding concern means reporting abuse to the local authority under the safeguarding procedure. Anyone can raise a safeguarding concern, often however, this is undertaken by the Safeguarding Lead.

You witness, or are informed or become aware of possible abuse or neglect

Gather information, including what the adult wants to happen now, and what changes they want to achieve from the support they could receive

Take action to ensure the immediate safety and welfare of the adult at risk (and any other person at risk)

Consider

- Is urgent medical attention/ambulance required? (Dial 999)
- Is an urgent police presence required? (Dial 999)

Does a crime need to be reported?
(Dial 101 unless there is immediate risk, in which case dial 999)

Decide whether to raise a safeguarding concern,
if so, take action

Do this:

- Immediately where the concern is urgent and serious
- Within the same day where possible for any other concerns

Document the incident and any actions or decisions taken

Ensure key people are informed:
Harrogate District of Sanctuary Safeguarding Lead,

or if not available, NYCC Customer Resolution Centre 01609 780780
others e.g. relatives as appropriate

Provide support for the person identifying the safeguarding concern

Additional Guidance:

Considering whether to Raise a Safeguarding Concern

When deciding whether a safeguarding concern should be raised, consider the following key questions:

1. Is the person an 'adult at risk' as defined within this policy/procedure?
2. Is the adult experiencing, or at risk of, abuse and neglect?
3. What is the nature and seriousness of the risks?

Take the following circumstances into account:

- the person's individual circumstances;
- the nature and extent of the concerns;
- the length of time it has been occurring;
- the impact of any incident;
- the risk of repeated incidents for the person;
- the risk of repeated incidents for others.

4. What does the adult at risk want to happen now?

Wherever possible, consider what the adult at risk wants to happen next, what do they want to change about their situation, and what support do they want to achieve that.

On some occasions, it may be necessary to raise a safeguarding concern even if this is contrary to the wishes of the adult at risk. Any such decision should be proportional to the risk, for example:

- It is in the public interest? e.g. if there is also a risk to others or a member or volunteer is involved;
- the person lacks mental capacity to consent and it is in the person's best interests;
- the person is subject to coercion or undue influence, to the extent that they are unable to give consent;
- It is in the person's vital interests (to prevent serious harm or distress or life threatening situations)

If you remain unsure whether to raise a safeguarding concern, remember that you don't have to be certain before you speak up. You can:

- Contact Harrogate District of Sanctuary Safeguarding Lead or Deputy for advice;
- Seek advice from a **Safeguarding Officer** by contacting **North Yorkshire County Council Resolution Centre** and asking to talk to a Safeguarding Officer by phone on 01609 780780, 8am to 5.30pm, Mon-Fri. Calls will be answered by the Emergency Duty Team outside these hours).
- Refer to the Joint Multi-Agency Safeguarding Adults Policy and Procedures for West Yorkshire, and North Yorkshire and York on line at www.nypartnerships.org.uk/sab for further information and guidance.

Considering whether to report a concern to the police

If a crime has been or may have been committed, seek the person's consent to report the matter immediately to the police. This will be **in addition** to raising a safeguarding concern with the local authority.

If the person has mental capacity in relation to the decision and does not want a report made, this should be respected unless there are justifiable reasons to act contrary to their wishes, such as:

- the person is subject to coercion or undue influence, to the extent that they are unable to give consent, or
- there is an overriding public interest, such as where there is a risk to other people
- it is in the person's vital interests (to prevent serious harm or distress or in life threatening situations)

There should be clear reasons for overriding the wishes of a person with the mental capacity to decide for themselves. A judgement will be needed that takes into account the particular circumstances.

If the person does not have the Mental Capacity in relation to this decision, a 'Best Interest' decision will need to be made in line with the Mental Capacity Act.

If a crime has occurred, try to preserve evidence in case there is a criminal investigation.

- try not to disturb the scene, clothing or victim if at all possible;
- secure the scene, for example, lock the door, if possible;
- preserve all containers, documents, locations, etc. ;
- evidence may be present even if you cannot actually see anything;
- if in doubt, contact the police and ask for advice.

The police should be contacted for advice wherever required.

Document the concern and any actions or decisions taken

Ensure all actions and decisions are fully recorded. It is possible that your records may be required as part of an enquiry, be as clear and accurate as you can. Record the reasons for your decisions and any advice given to you in making these decisions.

Ensure that appropriate records are maintained, including details of:

- the nature of the safeguarding concern/allegation;
- the wishes and desired outcomes of the adult at risk;
- the support and information provided to enable the adult at risk to make an informed decision;
- the decision of the organisation to raise a concern or not.

How to raise a safeguarding concern in the absence of the safeguarding lead or deputy:

If it is not possible to contact Harrogate District of Sanctuary Safeguarding Lead or Deputy please do the following:

Contact:

North Yorkshire County Council Customer Resolution Centre:
01609 780780 (8am –5:30pm Mon-Fri). This number will be answered by the Emergency DutyTeam outside these hours.

The person you speak to will ask you for details about the allegation/concern. If you have reported the incident to the police, tell the person this as well.

Then complete the Safeguarding Adults: Inter-agency safeguarding adults concerns form; sometimes called the SA_A Form. This can be found on:

<https://www.northyorks.gov.uk/adult-care/safeguarding/safeguarding-vulnerable-adults>

The form should be completed and e-mailed to social.care@northyorks.gov.uk

REMEMBER: If you suspect that someone is being abused and they are in **immediate** danger you should ring the Police on **999**.

The safeguarding concern will be allocated to an appropriate team, who will then contact you to discuss the concerns further.

Information should be provided to the individual. This could be about other sources of help or information that could enable them to decide what to do about their

experience, enable them to recover from their experience and enable them to seek justice.

Inform the Harrogate District of Sanctuary Safeguarding Concerns Manager (or Deputy) of any action taken as soon as possible.

Useful Contacts

Harrogate District of Sanctuary Safeguarding Lead:

Margaret Bond

0788 0677332

chair@harrogatedistrict.cityofsanctuary.org

Deputy Lead:

Dennis Brickles

07747 864461

treasurer@harrogatedistrict.cityofsanctuary.org

North Yorkshire Council Customer Resolution Centre:

01609 780780 (8am –5:30pm Mon-Fri). This number will be answered by the Emergency DutyTeam outside these hours.

Contacting the police

If the person is in imminent danger: Tel: 999 (Emergency Service)

If you need to report a crime, but the person is not in imminent danger: Tel: 101 (Non-Emergency Service)