

Wai Yin Society

Adults Safeguarding Policy

Introduction

When you implement good and effective safeguarding, you reduce the risk of harm and abuse for you, your team and all the adults you work with. There will still be issues to deal with, but a safer organisation prepares its staff and volunteers so they're ready to deal with problems when they happen. Leaders in an organisation must work hard to make sure everyone feels respected and safe so they are able to speak up.

Every adult deserves to be happy and secure in their activities. Their carers, family and friends need to feel sure that the staff and volunteers at Wai Yin running activities are trustworthy, responsible and will do everything they can to keep the adult safe from harm.

Unfortunately, sometimes people who work or volunteer with organisations such as Wai Yin may pose a risk to adults and may wish to harm them. It is therefore the duty of every voluntary organisation working in this sector to put in place safeguards to protect the adults with whom they work.

In addition, organisations such as Wai Yin will want to consider how to avoid putting their workers in positions where abuse might be alleged, and to ensure that all workers know exactly what to do should abuse be suspected. The emphasis has widened in recent years to not only protect from abuse and neglect but to actively promote the welfare of adults - **not just to protect but to safeguard**.

It is the responsibility of all Wai Yin's Board of Trustees to continually review and monitor their safeguarding policy and procedures, gaining further advice and information wherever possible. All our workers and volunteers should be aware of our policy and procedures in order to understand their individual responsibilities and help promote best practice.

Wai Yin has a commitment to working collaboratively with partners and other organisations to ensure that safeguarding is at the heart of all work that we do and takes a multi-agency approach to ensuring that safeguarding is promoted and applied by all parties.

Aim

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.

The aims of adult safeguarding are to:

- Stop abuse or neglect wherever possible;
- Prevent harm and reduce the risk of abuse or neglect to adults with care and support needs;
- Safeguard adults in a way that supports them in making choices and having control about how they want to live
- Promote an approach that concentrates on improving life for the adults concerned

- Raise public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect
- Provide information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult
- Address what has caused the abuse or neglect

Key Principles for adult safeguarding

In the safeguarding of adults, Wai Yin Society are guided by the principles set out in The Care Act 2014, and aim to demonstrate and promote these principles in our work:

- **Empowerment** – People being supported and encouraged to make their own decisions and informed consent
- **Prevention** – It is better to take action before harm occurs.
- **Proportionality** – The least intrusive response appropriate to the risk presented.
- **Protection** – Support and representation for those in greatest need.
- **Partnership** – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
- **Accountability** – Accountability and transparency in delivering safeguarding.

Definition of an Adult at Risk

The Care Act 2014 uses the term ‘adult at risk’ and also, at times, ‘adult with care and support needs’.

An adult at risk of abuse can be anyone over the age of eighteen, including service users, staff or volunteers. Whilst personal characteristics may make an individual more at risk, i.e. disability and communication difficulties, it is the situation around an individual which may increase risk or place them at potential risk of harm. It is therefore vital to be open to the possibility that any adult may be at risk and that this can be temporary or on-going depending on the support and protective factors around them.

The Mental Capacity Act 2005 has five key principles which empower adults and put them at the centre of decision making in safeguarding situations. (Appendix 1) Wai Yin Society recognises that adults should be able to make informed choices about how they wish to live and the risks that they want to take.

The Equality Act 2010 applies to all organisations that provide a service to the public or a section of the public. The Act provides protection from direct or indirect discrimination for people with a ‘protected characteristic’. (Appendix 2) Wai Yin Society has an Equality Policy which applies to all adults to protect against discrimination.

Wai Yin Society Safeguarding Responsibility

Safeguarding Lead: Circle Steele CEO

Contact details: 0161 833 0377, circle_steele@waiyin.org.uk

Responsibilities:

- To advise, support and establish Wai Yin Society's approach to safeguarding.
- To play a lead role in maintaining and reviewing Wai Yin Society's plan for safeguarding.
- To co-ordinate the distribution of policies, procedures and safeguarding resources throughout Wai Yin Society.
- To advise on training needs and development.
- To provide safeguarding advice and support to staff and volunteers.
- To manage safeguarding concerns, allegations or incidents reported to Wai Yin Society.
- To manage referrals to key safeguarding agencies (e.g. social services or police) of any incidents or allegations of abuse and harm.

The Safeguarding Lead is assisted by the following people:

Safeguarding Deputy: Jenny Tsang, Family Unit Manager

Contact details: 0161 833 0377, jenny_tsang@waiyin.org.uk

Safeguarding Board Member: Sally Li (Trustee)

Contact details: 0161 833 0377

Safe Practice Guidance

It is the responsibility of all staff and volunteers to work in a way that will help to prevent abuse.

This means providing good quality support and putting the individual at the centre of everything, empowering them to have as much control over their lives as possible.

Everyone needs to be alert to the possibility of abuse. Remember it can happen in any setting and anyone could be the abuser, so it is important that staff and volunteers learn to recognise the signs of abuse and what should be done if they suspect it.

All staff and volunteers must abide by the Wai Yin Society's **Code of Behaviour** which contains guidance on appropriate conduct and relationships with adults including:

- appropriate touch and language
- taking adults to toilets
- sleeping arrangements
- supervision
- physical activities such as sports
- when parents/carers should be notified such as when staff/volunteers have had to change an adult's clothes
- Positive statements about valuing, respecting and encouraging people and involving them in decision-making as appropriate.

See below for Appendix 3 guidance on appropriate contact.

Please see Wai Yin Society's Lone Working policy for guidance on home visiting.

Safer Recruitment

Reference should be made to our Recruitment Policy

Wai Yin Society recognises its responsibility to ensure that it follows procedures that ensure that staff and volunteers are suitable to work with adults and that these procedures create a safe and positive environment that promotes empowerment and keeps everyone safe.

Our safer recruitment procedures aim to deter unsuitable applicants from applying for roles with groups at risk, and to identify and reject those applicants.

We will apply safer recruitment procedures in creating a job description/person specification/application form, self-disclosure form, advertising a position, shortlisting and interview disclosing the fact that applicants need to undergo a check with the Disclosure and Barring service. We will seek references, including telephone references, and receipt of the DBS check before making an offer of employment.

All new staff and volunteers will have a full induction that includes safeguarding and will be employed on a probationary period before being confirmed in post.

We will offer all staff and volunteers ongoing training, including safeguarding training and regular supervision sessions with their line manager.

Appendix 4 gives further details of Wai Yin Society's Safer Recruitment procedures and guidance on safer recruitment can be found at

https://greatermanchesterscb.proceduresonline.com/chapters/p_safe_rec.html

Management & Support of Paid Staff & Volunteers

Wai Yin Society has the following items in place for managing its staff and volunteers:

- All staff and volunteers are provided with a job description (paid staff) or a role profile (volunteers) outlining their main responsibilities. This includes a requirement to comply with the Safeguarding Policy and Procedures and Code of Conduct.
- All paid staff and volunteers complete a role review at the end of their induction period before being confirmed in post. Inductions will be completed within 6 months.
- All paid staff are given supervision at least every 8 weeks by their line manager.
- All volunteers are given regular support sessions.
- Wai Yin Society disciplinary and grievance procedures are implemented for all paid staff.
- All paid staff and volunteers attend regular ongoing safeguarding training appropriate to their role.
- All paid staff and volunteers receive an induction, which includes information on all the organisation's policies and procedures.

Support for staff/volunteers involved in safeguarding incidents

Wai Yin Society recognise that hearing disclosures of abuse or witnessing abuse, can have a significant impact on the emotional health and wellbeing of staff and volunteers. Therefore, we commit to providing an individual debrief as soon as possible with either

- a manager
- the Designated Safeguarding Lead

Identifying Abuse

Wai Yin Society recognises that it is abuse when someone misuses their power or control over another person, causing harm or distress. The abuser could be in a close relationship with the adult at risk. They could be someone the adult at risk depends on and trusts.

An abuser could be a:

- partner
- relative or other family member
- person entrusted to act on behalf of the adult in some aspect of their affairs
- service or care provider
- neighbour
- health or social care worker or professional
- employer
- volunteer or another service user
- person or people who have no previous connection to the victim

Signs and Symptoms of Types of Abuse

Abuse can include the following as defined in the Care Act 2014:

- physical
- domestic abuse
- sexual
- psychological/emotional
- financial or material
- modern slavery
- discriminatory
- organisational/ institutional
- neglect and acts of omission
- self-neglect

It can also include:

- honour-based violence
- forced marriage
- female genital mutilation (FGM)
- hate
- mate
- cyber
- radicalisation, extremism, terrorism

Appendix 5 gives more information about different types of abuse and the signs to be aware of.

Making Safeguarding Personal

Making safeguarding personal means it should be person-led and outcome-focused. It engages the person in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control as well as improving quality of life, wellbeing and safety.

We aim to empower our service users and provide them with the information they need to make decisions into how to be safe from abuse and reduce risks.

We recognise that adults may make decisions that might be perceived as risky or unwise. Adults must be assumed to have capacity to make their own decisions and be given all practicable help before anyone treats them as not being able to make their own decisions. Where an adult is found to lack capacity to make a decision then any action taken, or any decision made for, or on their behalf, must be made in their best interests.

We need to understand and always work in line with the Mental Capacity Act 2005 (MCA). And seek support and guidance when we have concerns regarding an adult's capacity.

Procedure for Reporting Abuse

What to do if you see, hear about or are concerned about abuse.

The four 'R's

Recognise (the signs of abuse and respond to potential risks to welfare)

Reassure (and make situation safe, contact emergency services if necessary)

Report (to Safeguarding Lead, then external agencies if necessary)

Record (and store securely)

If you feel that you, an adult/s or anyone else is at risk of immediate danger, call 999.

Otherwise, follow the steps below:

- Remain calm and reassure the person that they have done the right thing by speaking up
- Listen carefully and give the person time to speak
- Explain that only the professionals who need to know will be informed, but never promise confidentiality
- CONSENT must be given from the person to report UNLESS there is an immediate risk of harm.
- If a child is also impacted, you may have to report it separately with no consent needed.
- Act immediately, and do not try to address the issue yourself
- Write a statement, giving as much detail as possible; date & time, what was said, how you acted, any names / parties mentioned
- Report to your immediate line manager who is then responsible for contacting the Safeguarding Lead, the Safeguarding Deputy or the Safeguarding Board Member.
- **It is the duty of anyone working with adults at risk to report disclosure or harm**
- Remember that it is not for you to decide whether or not a suspicion or claim is true; all instances must be taken seriously

Worried about an adult

If you believe or suspect an adult at risk is being abused, it is vital you alert the authorities. Please ring:

In an emergency call 999 or call Manchester Contact Centre on **0161 234 5001** to report a concern. For Salford, Adult Social Care Contact Centre on **0161 206 0604** (Monday to Friday 8.00am to 6.00pm). Out of hours call **0161 794 8888** (6:00pm to 8.00am weekdays and 24 hours over weekends and bank holidays). You can also email: worriedaboutanadult@salford.gov.uk

Informing Service Users about Safeguarding

Wai Yin Society recognises the importance of service users being informed about the importance of safeguarding and their right to enjoy a safe and positive experience when receiving support or taking part in any of our activities.

We believe that service users should be able to have access to accessible information about how to report safeguarding concerns and that they should feel confident about reporting incidents to Wai Yin Society.

To this, we provide the following:

- Clear and accessible complaints policy and contact details on literature.
- Accessible posters and leaflets on safeguarding and various forms of abuse which show who to contact.
- Discussion of safeguarding in various forums such as in education sessions and group activities to raise awareness and promote confidence with reporting.
- Promotion of activities with other partner agencies such as the Police during Hate Crime Awareness events, health providers, etc.

Whistle Blowing

Reference should be made to our Whistle-blowing Policy

A whistle-blower is someone who discovers something that is wrong and alerts his/her employer or the relevant authorities to what is going on. The law recognises that whistleblowing occurs and protects employees who are whistle-blowers from detrimental treatment such as dismissal.

Wai Yin Society has a Whistleblowing policy that explains clearly how we implement whistleblowing procedures in line with the Public Interest Disclosure Act 1998.

Handling Concerns, Disclosures or Allegations

Reference should be made to our Complaints Policy

As an organisation we are committed to ensuring that all concerns raised, and disclosures or allegations made, regarding safeguarding, are dealt with in line with this policy and current national and local guidance and legislation, and that everyone feels confident to raise any issue. All concerns, disclosures and allegations will be dealt with in a timely manner.

In order to achieve this, we are committed to the following:

- providing a good standard of quality services to service users, other agencies and organisations
- taking seriously any concerns, disclosures or allegations, which we will deal with in accordance with our safeguarding policy and procedure
- recognising that all service users, agencies and organisations
 - have the right to raise safeguarding and whistleblowing concerns about our services
 - have access to clear information on how to do this
- ensuring that our Safeguarding and Whistleblowing policies are open to everyone who receives or requests a service from Wai Yin Society and people acting on their behalf
- producing accessible information outlining these policies and procedures which should be on display and available to anyone who asks for it.
- dealing with concerns or complaints, safeguarding and whistleblowing concerns in line with our Confidentiality policy
- keeping a register of all safeguarding and whistleblowing concerns, disclosures or allegations which will be reviewed regularly by the Board in line with appropriate confidentiality procedures
- ensuring that safeguarding and whistleblowing concerns, disclosures or allegations will be part of the process of monitoring the quality, effectiveness and non-discriminatory nature of its services
- All staff, volunteers and Board members are required to read, understand and comply with these policies and procedures
- All staff, volunteers and Board members will receive updates and training in line with these policies and procedures

Confidentiality

Reference should be made to our Confidentiality Policy

Wai Yin recognises that safeguarding situations are often extremely sensitive and painful for the individuals involved. These matters should be dealt with in line with Wai Yin Society's Confidentiality policy. Only those parties who need to know should be informed and information should be dealt with securely and safely.

Wai Yin Society recognises that:

- adults have a general right to independence, choice and self-determination including control over information about themselves. In the context of adult safeguarding these rights can be overridden in certain circumstances.
- emergency or life-threatening situations may warrant the sharing of relevant information with the relevant emergency services without consent.
- the law does not prevent the sharing of sensitive, personal information within organisations. If the information is confidential, but there is a safeguarding concern, sharing it may be justified.
- the law does not prevent the sharing of sensitive, personal information between organisations where the public interest served outweighs the public interest served by protecting confidentiality – for example, where a serious crime may be prevented.
- information can be shared lawfully within the parameters of the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).
- They will follow the local agreement or protocol in place for setting out the processes and principles for sharing information between organisations.
- an individual employee cannot give a personal assurance of confidentiality.
- frontline staff and volunteers should always report safeguarding concerns in line with our Safeguarding policy. This means that they will usually report to their line manager in the first

instance except in emergency situations.

- it is good practice to try to gain the person's consent to share information.
- as long as it does not increase risk, the staff member or volunteer should inform the person if they need to share their information without consent.

Monitoring and Evaluating the Safeguarding Policy

The Safeguarding Policy (like all policies at Wai Yin) is reviewed on a regular basis. The Policy Working Group meets on a three monthly basis and has a recurring programme of policy review. In addition, if any member of staff, volunteers, Trustees, external agencies or service users identify the need for a new policy, then the **Policy Working Group** will be responsible for drafting these new policies. All reviews or new policies are circulated to the Trustees for consideration and ratification.

The Safeguarding Policy will be reviewed at least every year, or if there is any material change in legislation or national/local policy guidance

Appendix 1

The Mental Capacity At 2005

The Act is underpinned by five key principles (Section 1, MCA).

Principle 1: A presumption of capacity

Every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless it is proved otherwise. This means that you cannot assume that someone cannot make a decision for themselves just because they have a particular medical condition or disability.

Principle 2: Individuals being supported to make their own decisions

A person must be given all practicable help before anyone treats them as not being able to make their own decisions. This means you should make every effort to encourage and support people to make the decision for themselves. If lack of capacity is established, it is still important that you involve the person as far as possible in making decisions.

Principle 3: Unwise decisions

People have the right to make decisions that others might regard as unwise or eccentric. You cannot treat someone as lacking capacity for this reason. Everyone has their own values, beliefs and preferences which may not be the same as those of other people.

Principle 4: Best interests

Anything done for or on behalf of a person who lacks mental capacity must be done in their best interests.

Principle 5: Less restrictive option

Someone making a decision or acting on behalf of a person who lacks capacity must consider whether it is possible to decide or act in a way that would interfere less with the person's rights and freedoms of action, or whether there is a need to decide or act at all. Any intervention should be weighed up in the particular circumstances of the case.

<https://www.scie.org.uk/mca/introduction/mental-capacity-act-2005-at-a-glance>

Appendix 2

The Equality Act 2010 applies to all organisations that provide a service to the public or a section of the public. The Act provides protection from direct or indirect discrimination for people with a 'protected characteristic' that relate to:

- Disability.
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion belief or non-belief
- Sex, and
- Sexual orientation
- Age

There is a legal requirement for organisations to understand the effect that their policies have on all these groups. The Equality Act 2010 also contains other provisions, including the principle of dual discrimination and eliminating age discrimination in services and public functions.

Discrimination may also be because a person is associated with someone who has a protected characteristic for example a carer of a person with an impairment.

Appendix 3

Appropriate Contact Guidance

1. Physical Contact

There are many situations where physical contact between staff, volunteers and adults may be necessary. However, it is crucial that staff and volunteers only touch adults in ways that are appropriate to their professional or agreed role and responsibilities.

Not all adults feel comfortable about physical contact and staff should not make the assumption that it is acceptable practice to use touch as a means of communication. Permission should be sought from an adult before physical contact is made. Some of the adults supported by Wai Yin may have experienced physical or sexual abuse and touch may have negative and frightening associations for them.

2. Sexual Contact

All staff and volunteers must clearly understand the need to maintain appropriate boundaries in their contacts with adults. Intimate or sexual relationships between adults and the staff who work with them will be regarded as a grave breach of trust.

Any sexual activity between a member of staff and the adults with whom they work may be regarded as a criminal offence and reported to the police. In addition, it will always be a matter for disciplinary action.

3. Behaviour Management

All adults have the right to be treated with respect and dignity even in those circumstances where they display difficult or challenging behaviour.

Staff should not use any form of degrading treatment towards an adult. The use of sarcasm, demeaning or insensitive comments towards adults is not acceptable in any situation.

Where adults display difficult or challenging behaviour, staff must follow agreed plans drawn up with and agreed by all parties.

4. **One to One situations**

It is not realistic to state that one to one situations should never take place. Wai Yin staff may well need to talk quietly and in confidence with an adult, who may be in distress and need to talk

One to one situations have the potential to make adults more at risk to harm by those who seek to exploit their position of trust.

Staff working in one to one settings may also be more at risk to unjust and unfounded allegations being made against them. Both possibilities should be recognised so that when one to one situations are unavoidable, reasonable and sensible precautions are taken.

Simple precautions could include using a room with windows so that other people can see in (even if they can't hear). Another precaution would be to inform a colleague that a one to one session was going to take place.

Each session must be recorded in the case file.

Meetings with adults outside agreed working arrangements should not take place without agreement of senior managers and parents and carers

5. **Home Visits**

Reference must be made to Wai Yin's Health and Safety Policy

It is recognised that from time to time a home visit is required.

A **Risk Assessment** must be made and included in the case notes;

Risk factors such as hostility, child protection concerns, complaints and grievances and other issues must be discussed with the adult's social worker or other relevant parties.

Where there is little or no information available, then visits should be arranged in accordance with the Personal Safety Policy; e.g. don't visit alone, don't meet in secluded or dark areas etc.

When staff or volunteers are carrying out a home visit, the following procedure must be followed:

- The staff member or volunteer must inform their line manager of the reason for the visit and give the name and address of the person to be visited
- A risk assessment must be carried out to ascertain if the visit is safe
- The staff member or volunteer must have a mobile phone and inform their line manager of their number
- A time limit for the visit must be agreed in advance
- A password/safe word must be agreed in advance that the staff member or volunteer can use if they feel that they are at risk
- An agreed plan of action should be decided in advance regarding action to be taken if the staff member or volunteer feels that they are at risk and calls using the password
- Once the staff member or volunteer arrives at the destination, they should call their line manager to let them know that they are entering the property
- The staff member or volunteer should call their line manager once they have left the property
- If the agreed time is exceeded, without contact from the staff member or volunteer, the line manager must act in accordance with the agreed plan of action

Under no circumstances should a member of staff visit an adult in their home outside agreed work arrangements or invite a child to their own home or that of a family member, colleague or friend.

6. Transporting Adults

There will be occasions when staff or volunteers will be expected or asked to transport adults as part of their duties. Staff or volunteers, who are expected to use their own vehicles for transporting adults, should ensure that their vehicles are roadworthy, appropriately insured and that the maximum capacity is not exceeded.

It is a legal requirement that all passengers should wear seat belts and it is the responsibility of the staff member to ensure that this requirement is met.

7. Trips and Outings

Reference must be made to Wai Yin's Organised Trips Policy

Staff should take particular care when supervising adults on trips and outings. Staff members remain in a position of trust and need to ensure that their behaviour remains professional at all times and stays within clearly defined professional boundaries.

Where activities include overnight stays, careful consideration needs to be given to sleeping arrangements.

8. Photography and Videos

Working with adults may involve the taking or recording of images. Such work must be undertaken with regard to the law and the need to safeguard the privacy, dignity, safety and well-being of adults. Informed **written** consent, where possible, should always be sought before an image is taken for any purpose. Care should be taken to ensure that all parties understand the implications of the image being taken especially if it is to be used for publicity purposes and published in the media.

Staff members need to remain sensitive to any adults who appear uncomfortable, for whatever reason, and should recognise the potential for such activities to raise concerns or lead to misunderstandings.

Appendix 4

Safer Recruitment

(Refer to Recruitment and Selection of Staff Policy and Volunteers Policy)

- Safe recruitment applies to both employees and volunteers.
- Wai Yin will pay the administration fee charged by the Disclosure and Barring Service (DBS)

Wai Yin Society must check on potential employees and volunteers before employing them in both a regulated activity and a controlled activity – they cannot take the individual's word for it nor can they allow the person to start work, even if supervised, before they know the outcome of the check.

It will also be an offence for employers/providers to permit a barred individual to work for any length of time (no matter how infrequent) in a regulated activity. However, providing sufficient safeguards are put in place, a barred person can be allowed to work in a controlled activity.

All employees and volunteers working at Wai Yin will be registered with the DBS, if they are expected to work alone with vulnerable adults.

Safeguarding Vulnerable Groups Act 2006

The scheme aims to ensure that unsuitable individuals are barred from working, or seeking to work with children and vulnerable adults (now adults at risk) and the earliest opportunity. Application process will be run by the Independent Safeguarding Authority (now DBS) and decisions on who should be placed on the barred lists will lie with the Independent Safeguarding Authority (now DBS), which is an independent statutory body.

The Act covers regulated and controlled activity providers.

Regulated activity includes work that involves;

- any activity which involves close contact with children or vulnerable adults (now adults at risk) and is of a specified nature (e.g. teaching, training, care, supervision, advice, treatment or transport)
 - any activity allowing contact with children or vulnerable adults (now adults at risk) and is in a specified place (e.g. schools, care homes, etc.)
 - fostering and childcare
 - certain defined positions of responsibility (e.g. school governor, director of social services, trustees of certain charities)
- and where the activity is 'frequent' (once a month or more) or takes place on three or more days in a 30 day period ('intensive').

Controlled activity includes;

- support work in general health, NHS, Further Education settings (e.g. cleaner, caretaker, shop

worker, catering staff, car park attendant, receptionist)

- those working for specified organisations (e.g. a local authority) with frequent access to sensitive records about children and vulnerable adults
- support work in adult social care settings (e.g. day centre cleaners, those with access to health records)

and where the activity is 'frequent' (once a month or more) or takes place on more than three or more days in a 30 day period ('intensive').

The Act does not cover any employment which may occur in the context of private arrangements between family members or friends, nor is it necessary for domestic employers (e.g. of a private tutor, nanny or care worker) to check individuals, but they will have the opportunity to check the status of the individual if they wish. But it will be an offence for a barred person to undertake regulated activity in a domestic circumstance.

All barred individuals must not engage in any regulated activity whether paid or unpaid.

It is a criminal offence for employers to employ someone in a regulated activity if they are not registered with the Independent Safeguarding Authority (now DBS).

Making an application:

Those who are working, or applying to work, with children or vulnerable adults will apply to the scheme via the ISA (now DBS).

How the vetting and barring decision is made:

The ISA (now DBS) will check whether there is any relevant information from the police or any referral information from other sources (e.g. employers, professional and regulatory bodies).

- If there is no relevant information, the ISA (now DBS) will inform the applicant that he/she has become "subject to monitoring".
- If there is relevant information, the Independent Safeguarding Authority (now DBS) will make a barring decision. In all cases, except those involving the most serious offences, individuals will have the opportunity to make representations about why they should not be barred on the basis of this information. They will also have the right of appeal to the Care Standards Tribunal.

Subject to monitoring:

All applicants, except those who are barred, will become "subject to monitoring". This means that the individual is not on a barred list and that the Independent Safeguarding Authority (now DBS) would review its barring decision if relevant new police or referral information became available. Employers and providers would be notified – where they have registered an interest - if the individual's monitoring status changed.

DBS form overseas

For staff and volunteers who have recently come to the UK, or who are here for a short period of time, the ISA (now DBS) may not be able to get access to any previous criminal records or other relevant information necessary for their DBS check. This may result in an incomplete picture of the individual's past criminal activities being provided for their DBS check. In these circumstances, a

police check from their country of origin may be required before they are offered a job. For staff and volunteers who have recently come to the UK, or who are here for a short period of time, senior staff at Wai Yin Society need to be extra vigilant about supervision and the monitoring of performance, and they must act very quickly if any concerns are raised. Other types of references are essential in the circumstances described above, as well as risk assessments, close supervision of the individuals concerned and robust safeguarding procedures.

Training

We will make sure all staff involved in the recruitment process receive appropriate **guidance and training** in the relevant legislation including the Rehabilitation of Offenders Act 1974.

Policy for the recruitment of ex-offenders

It is estimated that at least 20% of the population has a criminal record and it would be a huge waste of potential to rule out all individuals with any kind of criminal record. Wai Yin Society has a self-disclosure form as part of the application process for our SaferRecruitment Policy.

There are no set guidelines on the offences that make an individual unsuitable to work with vulnerable people, other than specified crimes against children including murder, manslaughter, rape, GBH and a number of sexual offences. Careful consideration is required as to what is truly relevant to the post when considering past offences, and to ensure that ability is not missed and that ex-offenders are not discriminated against. The ISA (now DBS) has a list of considerations to take into account with regard to offences:

- Whether the conviction is relevant to the position
- The seriousness of the offence
- The length of time since the offence occurred
- Whether the applicant has a pattern of offending behaviour
- Whether the applicant's circumstances have changed
- The circumstances surrounding the offence and explanation offered by the applicant.

Code of Behaviour

All staff and volunteers must abide by a **Code of Behaviour** which includes the appropriate conduct and relationships with adults.

- appropriate touch and language
- taking children or adults to toilets
- sleeping arrangements
- supervision
- physical activities such as sports
- when parents/carers should be notified such as when staff/volunteers have had to change a child or adult's clothes
- positive statements about valuing, respecting and encouraging people and involving them in decision-making as appropriate.

Appendix 5

Definitions of Abuse in the Care Act 2014

Physical abuse

This includes: hitting, slapping, pinching, pushing, misuse of medication and inappropriate holding

or restraint. It may also include inappropriate sanctions or punishment and rough handling.

Possible indicators:

- History of unexplained falls
- Unexplained bruising in well protected or soft parts of the body e.g. ears or buttocks
- Multiple bruising in different stages of healing
- Unexplained burns – unusual location or type
- Unexplained fractures
- Unexplained lacerations or abrasions
- Slap, kick punch or finger marks
- Injury shape similar to an object
- Untreated medical problems
- Weight loss due to malnutrition or dehydration

Domestic abuse

The Home Office definition of domestic abuse (2013):

- 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
- Includes psychological, physical, sexual, financial, emotional abuse; so called 'honour' based violence; Female Genital Mutilation; forced marriage
- Includes anyone aged 16 or over

Many people think that domestic abuse is about intimate partners, but it is clear that other family members are included and that much safeguarding work that occurs at home is, in fact is concerned with domestic abuse.

Sexual abuse

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

Possible indicators:

- Sudden change in behaviour
- Sudden onset of confusion
- Incontinence
- Withdrawal
- Overt sexual behaviour/language by the adult
- Self-inflicted injury
- Disturbed sleep pattern/poor concentration
- Difficulty in walking
- Torn, stained underwear
- 'Love bites'
- Pain/itching/bleeding or bruising in genital area
- Sexually transmitted disease/urinary tract/vaginal infection
- Bruising to upper arms and thighs
- Frequent vaginal and urinary tract infection

- Severe upset or agitation when bathing
- Pregnancy in a person who is unable to consent

People find sexual abuse particularly difficult to speak about. Patience and empathy is essential.

Emotional/Psychological abuse

Examples: threats of harm or abandonment, blackmail, deprivation of contact, humiliation and ridicule, blaming, controlling, intimidation, coercion, harassment, isolation, cyber bullying, shouting and swearing, unreasonable support of services or support networks, denial of cultural or religious needs, denial of access to the development of social skills.

Possible indicators:

- Change in appetite, weight loss or gain
- Low self esteem
- Upset and tearfulness
- Confusion and agitation
- Insomnia
- Avoiding eye contact, withdrawal
- Isolation, unable to make contact
- Distress
- Poor hygiene, resulting from restricted access to facilities
- Uncharacteristic behaviour

Financial and Material abuse

Examples: fraud, theft, taking property without permission, assuming ownership of money or items, scamming (which can be in person, by letter, phone and internet), coercion in relation to an adult's financial affairs including the writing of or changing a Will, and misuse of benefits. Financial abuse can involve small and large amounts of money or value of property.

Possible indicators:

- Sudden inability to pay bills
- Sudden debt
- Unexplained or unusual patterns of cash withdrawal from an account
- Lack of belongings that the adult can clearly afford
- Resistance by family to give explanation for unusual financial activity
- Extraordinary interest by family in an adult's assets
- Purchase of items that the adult would not usually buy or need
- Personal items going missing
- The main interest shown by a family member is financial and not the in relation to the care of the adult

Modern slavery

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

Traffickers are those who arrange for the people to move from place to place to do the tasks that

they are made to do. It includes moving within the UK and doesn't have to be from abroad. You may often hear the words 'harvesters' or gardeners' used in relation to the victims of modern slavery being made to grow and look after cannabis farms. Very often the traffickers trick victims into believing that they are arranging for them to have a better life and genuine employment.

Discriminatory abuse

Examples: discriminatory abuse is often on the grounds of age, race, gender or gender identity, culture, religion, sexual orientation or disability.

Other examples of abuse include:

- Hate crime (acts of violence or hostility directed at people because of who they are or who someone thinks they are)
- 'Mate crime' (sometimes used to describe a crime committed against an adult by someone who has befriended them)
- Derogatory comments
- Harassment
- Being made to move to a different resource/service based upon an adult's age
- Being denied medical treatment on grounds of age or mental health

Organisational/Institutional abuse

Examples: Neglect, poor practice within an institution such as a care home or hospital and also poor practice in relation to care provided in the adult's own home. This can be only one incident or a series of incidents which are neglect or poor practice as a result in organisations poor policies, procedures and practice.

It is important not to jump to the wrong conclusions too quickly but the following list may be possible indicators of institutional abuse:

- No flexibility in bedtime routine and/or deliberate waking
- People left on a commode or toilet for long periods of time
- Inappropriate care of possessions, clothing and living area
- Lack of personal clothes and belongings
- Un-homely or stark living environments
- Deprived environmental conditions and lack of stimulation
- Inappropriate use of medical procedures such as enemas, catheterisation
- Batch care - lack of individual care programmes
- Illegal confinement or restrictions
- Inappropriate use of power or control
- People referred to, or spoken to with disrespect
- Inflexible services based on convenience of the provider rather than the person receiving services
- Inappropriate physical intervention
- Service user removed from the home or establishment, without discussion with other appropriate people or agencies because staff are unable to manage the behaviour

Neglect (and acts of omission)

Examples: ignoring medical, emotional or physical needs; failure to provide access to appropriate health, care and support or educational services; withholding the necessities of life including medication, adequate nutrition and heating.

Possible indicators:

- Poor environmental conditions
- Inadequate heating and lighting
- Poor physical condition of the adult
- Malnutrition
- Clothing is ill-fitting, unclean or in poor condition
- Isolation of the adult
- Withdrawal, unhappiness or change in demeanour
- Carer's reluctance to engage with professionals
- Carers not allowing contact by professionals with the adult

Self-neglect

Examples: self-neglect can sometimes be as a result of a person's choice of lifestyle and covers a wide range of behaviour including neglect to care for one's personal hygiene, health or surroundings and can include hoarding when it becomes extreme (including animal hoarding). In these circumstances there is no abuser.

Possible indicators:

- Living in grossly unsanitary conditions
- Suffering from untreated illness or disease/condition
- Suffering from over or under eating to the extent that if untreated the adult's physical or mental health could be impaired
- Creating a hazardous situation that would likely cause serious physical harm to the adult or cause substantial loss of assets

Further Definitions of Abuse

Honour Based Violence

There is no specific offence of 'honour'-based violence. However, the Crown Prosecution Service describes 'honour'-based violence as an incident or crime "which has, or may have, been committed to protect or defend the 'honour' of the family and or the community." 'Honour' can be the motivation, excuse or justification behind a range of violent acts against women and girls.

'Honour'-based violence includes:

- Forced marriage
- Domestic violence (physical, sexual, emotional or financial abuse)
- Sexual harassment and sexual violence (rape and sexual assault or threat of rape and sexual assault)
- Threats to kill
- Social ostracism or rejection and emotional pressure
- Denial of access to children
- Pressure to go or move abroad
- House arrest and excessive restrictions of freedom
- Denial of access to the telephone, internet, or passport/key documentation
- Isolation from friends and own family

Forced marriage

A forced marriage is where one or both people do not (or in cases of people with learning difficulties or who are under-age, cannot) consent to the marriage and where duress is used to enforce the marriage. 'Duress' includes psychological, sexual, financial or emotional pressure and physical violence.

Forced marriage is a violation of human rights and is seen in the UK as a form of domestic violence and/or child abuse. It may affect girls, boys, women and men from any community or background. However, existing statistics show that greater numbers of women are affected.

Forcing someone to marry without their consent is a criminal offence. The maximum penalty is seven years imprisonment. It is also illegal to take someone overseas to force them to marry (whether or not the forced marriage takes place) or to marry someone who lacks the mental capacity to consent to the marriage (whether they are pressured to or not).

Female genital mutilation (FGM)

Female genital mutilation (FGM) is a collective term for a range of procedures which involve partial or total removal of the external female genitalia for non-medical reasons. It is sometimes referred to as female circumcision, or female genital cutting. FGM is a global issue and happens all over the world. Practising communities tend to originate from parts of the Middle East, Asia and Africa.

FGM is a crime in the UK under the Female Genital Mutilation Act 2003. It is also illegal to take a British national or permanent resident abroad for FGM or to help someone trying to do this. The maximum sentence for carrying out FGM or helping it to take place is 14 years in prison.

FGM is recognised internationally as a gross violation of the human rights of girls and women.

Health risks of FGM include:

- Shock, haemorrhage and death
- Wound infections, including tetanus and gangrene, as well as blood-borne viruses such as HIV, hepatitis B and hepatitis C
- Damage to other organs, such as the urethra (where urine passes) and the bowel
- Chronic vaginal and pelvic infections
- Difficulty passing urine and persistent urine infections
- Abnormal periods – increased pain, prolonged blood flow due to reduced vaginal opening

- Kidney impairment and possible kidney failure
- Permanently tender scar tissue
- Pain during sex, lack of pleasurable sensation and related low libido
- Damage to the reproductive system, including infertility
- The need for later surgery to open the lower vagina for sexual intercourse and childbirth
- Complications in pregnancy and labour, and new-born deaths
- Post-traumatic stress disorder (PTSD)
- Depression, anxiety and low self-esteem

Mate crime

Mate Crime is a form of hate crime and can become a very serious form of abuse.

Mate Crime is defined as the exploitation, abuse or theft from any person at risk from those they consider to be their friends. Those that commit such abuse or theft are often referred to as 'fake friends'.

People with disabilities, particularly those with learning disabilities, are often the targets of this type of crime. In some cases victims of mate crime have been badly harmed or even killed.

There are different forms of mate crime, for example:

- Theft/financial abuse:
 - the abuser might demand or ask to be lent money and then not pay it back
 - the perpetrator might misuse the property of the adult.
- Physical assault/abuse:
 - the abuser might hurt or injure the adult.
- Harassment or emotional abuse:
 - the abuser might manipulate, mislead and make the person feel worthless.
- Sexual assault/abuse:
 - the abuser might harm or take advantage of the person sexually.

Learning disability and mate crime

People with learning disabilities may be more at risk to mate crimes. They may be living very isolated lives, but – like everyone – need friends.

This need is easily exploited. In addition, many people with learning disabilities haven't had the usual opportunities to become 'streetwise' when growing up. Incidents can therefore be more likely to take place when they are in the community, on public transport or using services without support.

Features of mate crime

Mate crimes are likely to happen in private, often in the victim's own accommodation. They can also happen via social media, where victims are financially or sexually exploited after being befriended online.

Mate crimes often occur within long-term relationships, which may have started out as genuine friendships. They can appear to be real friendships to many observers. Social workers can be so delighted that a person with learning disabilities has a 'friend' that they don't question the relationship any further.

Identifying mate crime

Indicators of mate crime can be similar to other forms of abuse. Potential signs include:

- bills not being paid, a sudden lack of money, losing possessions, suddenly changing their will
- changes in routine, behaviour, appearance, finances or household (new people visiting or staying over, lots of new 'friends', lots more noise or rubbish than normal)
- cutting themselves off from established networks of friends/family and support, missing weekly activities
- secretive internet or mobile phone use.

Cyber Abuse

Cyber bullying can be defined as the use of internet and/or mobile technology to harass, intimidate, or cause harm to another.

The intentions and results of cyber bullying is not a new problem. However, it has migrated from the workplace and playground to social networking sites, over email and via text.

Cyber bullying can be much more pervasive than traditional bullying and therefore increasingly traumatising. In addition, the public nature of it can mean that anyone can view the victim being cyber bullied; adding shame and embarrassment on top of the already painful experience.

Types of Cyber Abuse

Cyber bullying can take many forms. Often it looks like calling people names, cursing them, spreading lies about them, or any other behaviour that can be construed as trying to hurt or bully them.

There are seven typical ways a victim may be bullied online:

- **Harassment**– repeatedly sending offensive, rude, and insulting messages.
- **Denigration** – sharing information about another person that is fake, damaging and untrue with the purpose to ridicule them.
- **Flaming**– purposely using extreme and offensive language to cause reactions of distress in the victim.
- **Impersonation**– hacking into someone's email or social networking account to use their online identity to post vicious or embarrassing material.
- **Outing and Trickery**– sharing personal information about another or tricking them into revealing secrets and forwarding it to others.
- **Cyber Stalking** – repeatedly sending messages that include threats of harm, harassment or intimidating messages. This may be illegal.
- **Exclusion** – intentionally leaving someone out of group messages, online apps, gaming sites and other online engagement.

Radicalisation, Extremism and Terrorism

The aim of radicalisation is to inspire new recruits, embed extreme views and persuade adults to the legitimacy of a cause.

Individuals who, because of their circumstance, experiences or state of mind can be led towards a terrorist ideology. Individuals can be drawn towards the process of radicalisation in a number of ways.

Signs to look for include:

- Being drawn into to strong principles and ideologies held by others, as a means to control
- Social network involvement in extremism
- Being at a transitional time in life
- Having a need for identity, meaning and belonging
- Being influenced or controlled by a groups
- Feelings of grievance and injustice
- Feeling under threat
- Displaying mental health concerns
- A desire for status
- A desire for excitement or adventure
- A need to dominate and control others.

Useful online links to find out more information about any of the above types of abuse:

<https://www.refuge.org.uk/>

<https://www.manchestersafeguardingpartnership.co.uk/adults/adultsadvise/>

<https://www.scie.org.uk/safeguarding/adults/introduction/types-and-indicators-of-abuse>

<https://www.gov.uk/government/publications/prevent-duty-guidance/revised-prevent-duty-guidance-for-england-and-wales>

Appendix 6

The link below gives further information about the legislation which underpins safeguarding in England

<https://www.scie.org.uk/key-social-care-legislation/safeguarding-adults>

Appendix 7

Related policies

The following are also linked to Safeguarding Policies and Procedures for Wai Yin Society:

Policy Number	Policy Name
2	Code of Conduct, Standing Orders and Financial Regulations
9a	Child Safeguarding Policy
10	Complaints Procedure
11	Confidentiality Policy
12	Information Security and Archive Policy

17	Volunteer Policy
18	Organised Trips Policy
19	E-Safety Policy for Children and Young People
20	Health and Safety Policy
24	Recruitment and Selection Policy
26	Whistle-blowing Policy

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