

Adults Safeguarding Policy and Procedure

(NB this policy applies to individuals that are 18 or over, see the Children's Safeguarding Policy for specific guidance and procedures in safeguarding individuals under 18)

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1. Introduction

This document is the Adults Safeguarding Policy for Morecambe Bay Partnership which will be followed by all members of the organisation.

Morecambe Bay Partnership believes that everyone we encounter, regardless of age, gender identity, disability, sexual orientation or ethnic origin has the right to be protected from all forms of harm, abuse, neglect and exploitation. Morecambe Bay Partnership will not tolerate abuse and exploitation by staff, it's associated personnel or by anyone within our communities.

This policy will address the following areas of safeguarding: adult safeguarding, and protection from sexual exploitation and abuse. These key areas of safeguarding may have different policies and procedures associated with them.

Morecambe Bay Partnership commits to addressing safeguarding throughout its work, through the three pillars of prevention, reporting and response.

2. Definitions

- Morecambe Bay Partnership uses definitions of the term 'safeguarding' from statutory guidance.
- Safeguarding Adults at risk is defined in the [Care and support statutory guidance](#) issued under the Care Act 2014 as:
 - Protecting the rights of adults to live in safety, free from abuse and neglect.
 - People and organisations working together to prevent and stop both the risks and experience of abuse or neglect.
 - People and organisations making sure that the adult's wellbeing is promoted including, where appropriate, taking fully into account their views, wishes, feelings and beliefs in deciding on any action.
 - Recognising that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances and therefore potential risks to their safety or well-being.
 - For adults, abuse can take the form of either physical abuse, domestic violence, sexual abuse, psychological or emotional abuse, financial or material abuse, modern slavery, discriminatory abuse, organisational or institutional abuse, neglect or acts of omission and self-neglect.

(NB see guidance on types of abuse in Appendix 3 at end of this document)

3. Accountability

The Designated Safeguarding Lead has overall responsibility for the safeguarding and protection of service users within Morecambe Bay Partnership. Supporting the

Designated Safeguarding Lead is the designated Deputy safeguarding Lead as well as and when appropriate Team Leaders with a direct overview of services being delivered on a day-to-day basis, and suitably trained in the safeguarding of adults and children. These staff are available to guide and advise staff/volunteers who may have a potential safeguarding concern.

In the event of being unable to contact one of the safeguarding leads, a senior member of staff such as a Team Leader should be contacted who will be able to provide guidance.

Information regarding safeguarding and child protection issues must be passed to line managers immediately by staff and volunteers, and then forwarded to the Designated Officer within Morecambe Bay Partnership.

4. Preventative Measures.

- Adopting adult safeguarding best practice through our policies, procedures and code of conduct for our workforce.
- Developing and implementing an effective safety policy and related procedures.
- Providing an induction process using Morecambe Bay Partnership values, which establishes the expectations for the workforce, including trustees, and volunteers to include professional boundaries and code of conduct.
- Providing effective management for staff and volunteers through supervision, support, training and quality assurance measures.
- Safer recruitment, ensuring all necessary checks are made.
- Recording and storing information professionally and securely.
- Using our safeguarding and confidentiality procedures to share concerns and relevant information with agencies, who need to know, and involving service users, parents, families and carers appropriately.
- Using our procedures to manage any allegations against staff and volunteers appropriately.
- Creating and maintaining an anti-bullying environment and ensuring that we have a policy and procedure to help us deal effectively with any bullying that does arise.
- Ensuring that we have effective complaints and whistleblowing measures in place.
- Ensuring that we provide a safe physical environment for our service users and workforce, by applying health and safety measures in accordance with the law and regulatory guidance.
- In accordance with the Safer Recruitment policy, Morecambe Bay Partnership carries out safe recruitment checks on its workforce. All appropriate roles require a Disclosure and Barring Service (DBS) check and references before the individual joins us. Some roles will be subject to an enhanced DBS check. [Find out which DBS check is right for your employee - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/which-dbs-check-is-right-for-your-employee)
- Adopting safer recruitment measures in relation to volunteers e. g. references and DBS check as appropriate.

5. Expectations of Morecambe Bay Partnership workforce and volunteers

Everyone working for Morecambe Bay Partnership either as an employee, self-employed contractor, freelancer or volunteer must familiarise themselves with this safeguarding policy as well as the separate Children's Safeguarding Policy and the procedures that go with it. They must maintain a proper focus on the safety and welfare of service users in all aspects of their work.

Anyone who is assigned to, works or volunteers for Morecambe Bay Partnership must inform their manager if they or any adult living in their household become(s) the subject of an allegation of abuse against a child or vulnerable adult, or a police enquiry, irrespective of the nature of that enquiry.

6. Code of Conduct for Morecambe Bay Partnership Staff

All employees and volunteers will be required to undergo awareness training: Level 1 Safeguarding within 3 months of commencing their role with Morecambe Bay Partnership. Those working with children, young people and/or vulnerable adults will be required to undertake a higher level or deemed appropriate to the role.

Staff and volunteers should not:

- Meet with a child or vulnerable adult in their own time, in their own home or other place.
- Ask overly personal questions, including those about age or appearance (unless specifically related to a work project, in which case it must be documented.)
- Send/give out material that could be considered offensive, which includes digital material or social media sites.
- Suggest or imply a personal relationship could develop.
- Take an aggressive or bullying tone.
- Have physical contact.
- Offer or accept personal gifts.
- Travel alone with a young and/or vulnerable person unless part of their contracted role and sufficient risk assessment is in place.

Staff and volunteers should:

- Promote the safety and welfare of Children and Adults at Risk at all times.
- Report all concerns and disclosures (including any historic unreported concern or disclosure)
- Follow MBP's Social Media Policy (see staff Handbook p30) and adhere to MBP's online safety guidance detailed below.

7. Website/Online safety

The internet is a significant tool in the distribution of indecent photographs and some adults use the internet to try and establish contact with children, young people and/or vulnerable adults to 'groom' them for inappropriate or abusive relationships.

Morecambe Bay Partnership consider the involvement of staff and anyone undertaking duties on behalf of Morecambe Bay Partnership in such activities as gross misconduct, which could ultimately lead to dismissal and referral for police investigation.

Presence on websites and social media - All persons should take care when communicating with others online, particularly when identifying themselves as Morecambe Bay Partnership staff and when in contact with children and vulnerable adults.

Morecambe Bay Partnership staff obtaining and accessing inappropriate text and images - Many websites contain offensive, obscene or indecent material such as

- Sexually explicit images and related material
- Advocating of illegal activities
- Advocating intolerance of others

Employees and others undertaking duties on behalf of Morecambe Bay Partnership, authorised to use the internet, must not download pornographic or other unsuitable material on to Morecambe Bay Partnership machines or distribute such material to others. Morecambe Bay Partnership will consider this gross misconduct which could ultimately lead to dismissal and referral for police investigation.

In addition, no material should be placed on to the internet that would be considered inappropriate, offensive, or disrespectful of others. Disciplinary action will be taken against employees and others that breach this policy.

Where this is done inadvertently, the user must escape from the website and/or delete the material immediately. They should also report the incident to the DSL or Team Leader/CEO. Breach of this will be treated as gross misconduct.

8. Safeguarding Training

All staff, trustees, volunteers and others working on behalf of Morecambe Bay Partnership will be required to undertake safeguarding training within three months of commencing and appropriate to their role/involvement but at least Level 1 of either or both, Children's/Adult Safeguarding.

Level 1 awareness of safeguarding is an e-learning course. All higher levels of training will require attendance of a designated course. Training will be accessed via Cumbria Safeguarding Adults Board (CSAB) or Cumbria Safeguarding Children's Partnership (CSCP) or another recognised provider.

Level 2 training will be completed by designated managers as appropriate.

Safeguarding training will be regularly reviewed and updated at least every 2 years or sooner if appropriate. Competence will be reviewed annually.

9. Duty of Care / Duty to refer

All practitioners (staff, volunteers and trustees) have a duty of care to prevent or act on incidents or concerns of abuse and/or neglect. Practitioners must take concerns seriously and own their responsibilities to safeguard children and adults.

A duty of care is fulfilled when all the acts reasonably expected of a person in their role have been carried out with appropriate care, attention and prudence. Duty of care will involve actions to keep a person safe.

Immediate risk and need for urgent medical attention:

If a child or adult has a serious injury, requires treatment or is at immediate risk, medical or police involvement must be sought immediately by calling emergency services (dial 999) or, in unusual circumstances where medical attention is required, by taking the individual to the Accident and Emergency Department of the local hospital. The medical professional(s) / police must be informed of the nature of the concerns, and the individual who identified the concerns must make a referral in accordance with this procedure as soon as practicably possible.

Practitioners must not place themselves at risk or in danger in these situations.

To ensure there is no delay, all practitioners are authorised to call emergency services without prior discussion with a manager.

10. Confidentiality

Where there are safeguarding concerns about an adult absolute confidentiality cannot and should not be promised to anyone.

The individual should be informed about the limits of confidentiality and what will happen next, specifically that concerns will be discussed with a manager and it may be necessary to inform the relevant authorities.

If suspicions or allegations are about relatives, friends or colleagues, professional or otherwise, the concerns must not be discussed with them before making a safeguarding referral to social care.

Referrals made by professionals can never be anonymous.

11. Adult safeguarding and individuals mental capacity

The Mental Capacity Act 2005 is underpinned by a set of 5 key principles applicable to safeguarding:-

- a) A person must be assumed to have capacity unless it is established that they lack capacity
- b) A person is not to be treated as unable to make a decision unless all practicable steps to help them do so have been taken without success.
- c) A person is not to be treated as unable to make a decision because they make an unwise decision
- d) An act, or decision made, under this Act for or on behalf of a person who lacks capacity must be done, or made, in their best interests
- e) 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 right and freedom of action.

Someone is said to lack capacity if they are unable to make a particular decision. This inability must be caused by an impediment or disturbance of the mind or brain whether temporary or permanent. In order to make a decision, the person needs to be able to:-

- Absorb basic information about the pros and cons of the issue.
- Retain the information for long enough to process it.
- Weigh up the pros and cons against their own value system and arrive at a decision.
- Communicate that decision.

Where an individual does not consent to information being disclosed to the appropriate authorities, and there is reasonable belief that the individual may lack capacity to make that decision and it would be in their best interests to disclose that information, this should be highlighted when discussing concerns/sharing information.

12. Deprivation of Liberty Safeguards (DoLS) – to be superseded by the Liberty Protection Safeguards 'LPS' date to be confirmed- find the latest information and updates here - [Mental Capacity Act including DoLS and LPS | Local Government Association](#) - LPS delayed till 2024 (post election)

The Deprivation of Liberty Safeguards (DoLS) provides protection to adults in hospital and care homes. DoLS apply to people who have mental ill health and do not have the capacity to decide whether or not they should be accommodated in the relevant care home or hospital to receive care or treatment. The acid test to be applied to decide if DoLS is applicable is: a person is being deprived of their liberty if they:

- Are under continuous supervision and control
- Are not free to leave, and
- Lack capacity to consent to these things

Requests for authorisation to deprive someone of their liberty, if considered in the person's best interests, are made through the local authority as the supervisory body. All decisions on care and treatment must comply with the Mental Capacity Act and the DoLS Code of Practice.

13. Acting on Safeguarding Concerns

No one working for Morecambe Bay Partnership should investigate concerns about individual service users who are or may be being abused or who are at risk. However, this does not mean that we should do nothing when we learn of a concern. We all have a responsibility to make sure that concerns about service users are passed to the agency (usually Adults or Children's social care) that can help them without delay.

- If anyone is concerned that a service user is at risk of being abused or neglected, they should not ignore their suspicions and should not assume that someone else will take action to protect that person.
- During office hours, all workers and volunteers should immediately bring any cause for concern to the attention of their Line Manager who should pass this information directly on to the Designated Safeguarding Lead
- The Designated Safeguarding Lead, where appropriate, will consider all the information available and if they believe that a child or adult may be suffering, or is at risk of suffering significant harm, they should refer the concerns using the local authority protocol (refer to Children's Safeguarding Policy for detailed protocol for children).
- All concerns and actions must be documented within 24 hours (Appendix 1 – Adult Safeguarding Reporting Form).
- In the event of an immediate and urgent need to protect a service user the individual will call the emergency services and then contact their line manager and Designated Safeguarding Lead as soon as possible. The Designated Safeguarding Lead will contact the local relevant professionals.
- Some roles working in partnership with other statutory agencies (e.g. NHS and Education) may also be required to fulfil the safeguarding protocols and reporting procedures of the relevant statutory agency in addition to those set out in this policy.
- Anyone working for Morecambe Bay Partnership who has concerns about the behaviour of a colleague must always raise this with their Line Manager or the CEO as quickly as possible.

Key Contacts:

Adults Safeguarding

Local Authority Adult contacts:

- Westmorland 0300 303 3589 <https://www.cumbriasab.org.uk/>
- Cumberland 01228 526690
- Lancashire 0300 123 6720 <https://www.lancashire.gov.uk/health-and-social-care/adult-social-care/report-a-concern-about-an-adult/>
- Out of hours for Westmorland and Cumberland - 01228 526690

Adult Safeguarding, Thresholds Tool (see link below) Cumbria notes that the use of such a tool is a contentious issue however the guide that they have produced seeks to support practitioners, partners and providers, working within the adult safeguarding sector, to report and respond to concerns at the appropriate level and to have a

consistency of approach across agencies. If you use the guidance tool and deem that it is a minor low risk incident and probably not reportable then you must discuss the matter with the Morecambe Bay Partnership safeguarding lead.

[CSAB Safeguarding Adults Thresholds Tool and Guidance \(cumbria.gov.uk\)](http://cumbria.gov.uk)

14. Legal Framework

All of the following provide the legal framework for safeguarding adults at risk:

- The Human Rights Act 1998
- The Sexual Offences Act 2003
- The Mental Capacity Act 2005
- Safeguarding Vulnerable Groups Act 2006
- The Care Act 2014
- Care Act statutory guidance on safeguarding Mental Capacity Act 2005
- SCIE: Adult Safe Sharing Information
- Modern Slavery Act 2015

Appendix 1 – Concern Report Form (Part 1 and 2)

A Concern Report Form should be completed in the following circumstances/situations involving a service user, staff member or volunteer:

- Any physical abuse and mistreatment of vulnerable adults, children and young people (service users, staff or volunteers)
- Any psychological, sexual or financial abuse of the above persons
- Cases of neglect
- Cases of discrimination

If you wish to discuss any concerns please contact the DSL or your Line Manager officer and/or a member of SMT in their absence.

All information submitted in this form will be treated as confidential. Please complete the form as fully with as much detail as possible.

Appendix 2 Reporting Flowchart – (at end of this document)

Appendix 1
Adult Safeguarding Concern Report Form
Part 1 – To be completed by Referrer

Please give as much detail as possible (ensuring handwriting is readable)

Please keep it factual and include exactly what you were told (in persons own words)

Please include who it involved including witnesses, staff, members of the public

Please give any details of previous incidents

Date of Record:
Date of Incident:
Time of Incident:
Name of Referrer:
Role of Referrer:
Adult's Name/Initials:
Has the individual been notified of this referral? YES/NO
If NO, please explain why.
Details of concern <i>Use initials for other children/young people/vulnerable adult involved unless there is a specific need to name them in full.</i> <i>Please give include names of any perpetrator, or other person/witnesses.</i> <i>Other notes can be added to this document.</i>
Reported to:
Title and Role of person reported to:
Date Reported:
Signed
<i>Please email to relevant manager/designated officer to complete</i>

GDPR The retention length of this record will be subject to discussion with the GDPR lead at Morecambe Bay Partnership and review of current best practice guidance at the time.

Part 2 – To be completed by Manager

Date Form Received			
Action Taken		Advice Sought (from whom and what was advice given)	
Concern/Referral discussed with parent/carer.		If not state reasons why – if yes note discussion with parent	
Referral made		If not state reasons why – if yes record to whom and any agreed actions	
Feedback to referring member of staff			By whom Date
Response to / action taken with person			By whom Date
Name and contact number of key workers			
Other notes / information / concerns			
Any other action required?			

Signed: _____ **Job Title:** _____

Date: _____

GDPR The retention length of this record will be subject to discussion with the GDPR lead at Morecambe Bay Partnership and review of current best practice guidance at the time.

Appendix 2

Morecambe Bay Partnership: Safeguarding Policy Flowchart

A. Suspected Abuse identified or complaint received	
<ul style="list-style-type: none"> • Ensure the vulnerable person is safe and protected • Report to the Designated Safeguarding Lead (DSL) or Line Manager in their absence by completing Part 1 of the Concern Report Form • If the DSL and/or your Line Manager are both unavailable, please contact a member of the Senior Management Team (SMT). Immediate risk/harm – call 999 Crime committed call 999 	
B. Reporting to official bodies	
<p>To be reported by DSL within 24 hours:</p> <ul style="list-style-type: none"> • Adults: Report to Safeguarding Adults Cumberland / Westmoreland / Lancashire Adult Social Care • Report to the local Public Protection Unit (PPU) of Cumbria or Lancashire Police within 24 hours <u>if</u> advised by Cumberland or Westmorland or Lancashire Children's or Adults Safeguarding Hubs 	
C. Allegations against staff or volunteers – Designated Manager responsibilities	D. Allegations against other parties – Designated Manager responsibilities
<ul style="list-style-type: none"> • Ensure the vulnerable person is safe & protected. • Contact SMT to report a possible breach of policy which will require investigation under the Disciplinary Procedure. • Either suspend or remove member of staff. If no suspension, it must be fully documented and endorsed by Senior Officer from Adult or Children Safeguarding Hubs or Cumbria Police. • Complete Part 2 of Concern Report Form. • Investigate and record all actions and ensure all records are kept of the allegation and the outcome in line with this Policy. 	<ul style="list-style-type: none"> • Ensure the vulnerable person is safe & protected. • Complete Part 2 of Concern Report Form. • Investigate and record all actions and ensure all records are kept of the allegation and the outcome in line with this Policy.
E. High Level Reporting	
<ul style="list-style-type: none"> • Notify relevant bodies if feel the member of staff or volunteer is unsuitable to work with vulnerable adults or children. 	
F. Storage of Information	
<ul style="list-style-type: none"> • DSL will ensure that all Concern Report Forms are stored in a secure location. 	

Appendix 3 – Guidance - types of Abuse or neglect

Full social Care Institute for Excellence (SCIE) guidance – [Types of abuse: Safeguarding adults | SCIE](#)

There are ten common categories for types of abuse of adults

- Physical abuse
- Domestic violence or abuse
- Sexual abuse
- Psychological or emotional abuse
- Financial or material abuse
- Modern slavery
- Discriminatory abuse
- Organisational or institutional abuse
- Neglect or acts of omission
- Self-neglect

Examples of each category:

Types of physical abuse

Assault, hitting, slapping, punching, kicking, hair-pulling, biting, pushing

Rough handling

Scalding and burning

Physical punishments

Inappropriate or unlawful use of restraint

Making someone purposefully uncomfortable (e.g. opening a window and removing blankets)

Involuntary isolation or confinement

Misuse of medication (e.g. over-sedation)

Forcible feeding or withholding food

Unauthorised restraint, restricting movement (e.g. tying someone to a chair)

Types of domestic violence or abuse

Domestic violence or abuse can be characterised by any of the indicators of abuse:

psychological

physical

sexual

financial

emotional

Types of sexual abuse

Rape, attempted rape or sexual assault

Inappropriate touch anywhere

Non- consensual masturbation of either or both persons

Non- consensual sexual penetration or attempted penetration of the vagina, anus or mouth

Any sexual activity that the person lacks the capacity to consent to

Inappropriate looking, sexual teasing or innuendo or sexual harassment

Sexual photography or forced use of pornography or witnessing of sexual acts

Indecent exposure

Types of psychological or emotional abuse

Enforced social isolation – preventing someone accessing services, educational and social opportunities and seeing friends

Removing mobility or communication aids or intentionally leaving someone unattended when they need assistance

Preventing someone from meeting their religious and cultural needs

Preventing the expression of choice and opinion

Failure to respect privacy

Preventing stimulation, meaningful occupation or activities

Intimidation, coercion, harassment, use of threats, humiliation, bullying, swearing or verbal abuse

Addressing a person in a patronising or infantilising way

Threats of harm or abandonment

Cyber bullying

Types of financial or material abuse

Theft of money or possessions

Fraud, scamming

Preventing a person from accessing their own money, benefits or assets

Employees taking a loan from a person using the service

Undue pressure, duress, threat or undue influence put on the person in connection with loans, wills, property, inheritance or financial transactions

Arranging less care than is needed to save money to maximise inheritance

Denying assistance to manage/monitor financial affairs

Denying assistance to access benefits

Misuse of personal allowance in a care home

Misuse of benefits or direct payments in a family home

Someone moving into a person's home and living rent free without agreement or under duress

False representation, using another person's bank account, cards or documents

Exploitation of a person's money or assets, e.g. unauthorised use of a car

Misuse of a power of attorney, deputy, appointeeship or other legal authority

Rogue trading – e.g. unnecessary or overpriced property repairs and failure to carry out agreed repairs or poor workmanship

Types of modern slavery

Human trafficking

Forced labour

Domestic servitude

Sexual exploitation, such as escort work, prostitution and pornography

Debt bondage – being forced to work to pay off debts that realistically they never will be able to

Types of discriminatory abuse

Unequal treatment based on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation (known as ‘protected characteristics’ under the Equality Act 2010)

Verbal abuse, derogatory remarks or inappropriate use of language related to a protected characteristic

Denying access to communication aids, not allowing access to an interpreter, signer or lip-reader

Harassment or deliberate exclusion on the grounds of a protected characteristic

Denying basic rights to healthcare, education, employment and criminal justice relating to a protected characteristic

Substandard service provision relating to a protected characteristic

Types of organisational or institutional abuse

Discouraging visits or the involvement of relatives or friends

Run-down or overcrowded establishment

Authoritarian management or rigid regimes

Lack of leadership and supervision

Insufficient staff or high turnover resulting in poor quality care

Abusive and disrespectful attitudes towards people using the service

Inappropriate use of restraints

Lack of respect for dignity and privacy

Failure to manage residents with abusive behaviour

Not providing adequate food and drink, or assistance with eating

Not offering choice or promoting independence

Misuse of medication

Failure to provide care with dentures, spectacles or hearing aids

Not taking account of individuals’ cultural, religious or ethnic needs

Failure to respond to abuse appropriately

Interference with personal correspondence or communication

Failure to respond to complaints

Types of neglect and acts of omission

Failure to provide or allow access to food, shelter, clothing, heating, stimulation and activity, personal or medical care

Providing care in a way that the person dislikes
Failure to administer medication as prescribed
Refusal of access to visitors
Not taking account of individuals' cultural, religious or ethnic needs
Not taking account of educational, social and recreational needs
Ignoring or isolating the person
Preventing the person from making their own decisions
Preventing access to glasses, hearing aids, dentures, etc.
Failure to ensure privacy and dignity

Types of self-neglect

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

If any type of abuse or neglect is reported or suspected staff must follow the safeguarding procedures outlined in this policy.