



BEEE CREATIVE

Dance connections in Herts & Beds

ADULT SAFEGUARDING POLICY

Terminology:

Staff includes all Trustees, freelancers, sub-contracted staff, volunteers, students or anyone working on behalf or in partnership with BEEE Creative CIO.

Visitors include all participants and audiences.

Adult is anyone aged 18 or over.

Adult at risk: Adults at risk are adults in need of care and support who may be at risk of abuse or neglect. This may be because they are older or have a mental health need, a learning or physical disability.

1. POLICY STATEMENT OF INTENT

BEEE Creative CIO is committed to creating and maintaining a safe and positive environment and accepts our responsibility to safeguard the welfare of all adults involved in dance and other arts activities in accordance with the Care Act 2014.

BEEE Creative CIO safeguarding adults policy and procedures apply to all individuals involved in BEEE Creative CIO.

BEEE Creative CIO will encourage and support partner organisations and staff to adopt and demonstrate their commitment to the principles and practice of equality as set out in this safeguarding adults policy and procedures.

Legal framework

The practices and procedures within this policy are based on the principles contained within the UK legislation and Government Guidance and have been developed to complement the Safeguarding Adults Boards policy and procedures They take the following into consideration:

- The Care Act 2014
- The Protection of Freedoms Act 2012
- Domestic Violence, Crime and Victims (Amendment) Act 2012
- The Equality Act 2010
- The Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005
- Sexual Offences Act 2003
- The Human Rights Act 1998
- The Data Protection Act 1998
- Deprivation of Liberty Safeguards 2008 (Cheshire West Update 2014)

The guidance given in the policy and procedures is based on the following principles:

- All adults, regardless of age, ability or disability, gender, race, religion, ethnic origin, sexual orientation, marital or gender status have the right to be protected from abuse and poor practice and to participate in an enjoyable and safe environment.
- BEEE Creative CIO will seek to ensure that our activity is inclusive and make reasonable adjustments for any ability, disability or impairment, we will also commit to continuous development, monitoring and review.
- The rights, dignity and worth of all adults will always be respected.
- We recognise that ability and disability can change over time, such that some adults may be additionally vulnerable to abuse, in particular those adults with care and support needs
- We all have a shared responsibility to ensure the safety and well-being of all adults and will act appropriately and report concerns whether these concerns arise within BEEE Creative CIO for example inappropriate behaviour of staff, or in the wider community projects.
- All allegations will be taken seriously and responded to quickly in line with BEEE Creative CIO Safeguarding Adults Policy and Procedures.
- BEEE Creative CIO recognises the role and responsibilities of the statutory agencies in safeguarding adults and is committed to complying with the procedures of the Local Safeguarding Adults Boards.

Six principles of adult safeguarding

Statement of Government Policy on Adult Safeguarding 2013 sets out key principles for adult safeguarding work:

- **Empowerment:** Person led decisions and informed consent
- **Protection:** Support and representation for those in greatest need
- **Prevention:** Better to act before harm occurs
- **Proportionality:** Proportionate and least intrusive response
- **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

2. SAFEGUARDING RESPONSIBILITIES

BEEE Creative CIO will follow procedures primarily established by the Hertfordshire Safeguarding Adults Board but also other Local Safeguarding Boards in other areas that it will geographically work.

2.1 Trustees

The Trustees carry and accept ultimate responsibility for the implementation of the Safeguarding Policy that will be reviewed every two years. It will be implemented through the organisation's induction programme for staff and reviewed annually with staff.

Trustees will seek to keep adults safe by:

- appointing a lead board member for safeguarding
- appointing a safeguarding lead to produce and disseminate guidance and resources to support the policy and procedures.

- ensuring there is a clear line of accountability within the organisation for work on promoting the welfare of all adults.
- monitoring compliance of the policy under legislation
- developing and implementing an effective e-safety policy and related procedures
- providing effective management for staff through supervision, support and training as needed
- ensuring that we have effective complaints and whistleblowing measures in place and an open and inclusive culture that enables safeguarding and equality and diversity issues to be addressed.
- using our procedures to manage any allegations against staff appropriately.
- forming a Disciplinary Panel as required for a given incident, if appropriate and should a threshold be met.
- Implementing procedures for dealing with allegations of abuse or poor practice against members of staff and volunteers.
- making arrangements to work effectively with other organisations to safeguard and promote the welfare of adults, including arrangements for sharing information.
- ensure clear codes of conduct are in place for staff, visitors and other relevant individuals.

2.2 Company Director

The Company Director will seek to keep adults safe by:

- ensuring staff can recognise, and are alert to, signs of abuse, neglect and radicalisation
- ensuring staff are aware of the procedures for handling suspected safeguarding issues, including those to be followed if a member of staff is accused or suspected of abuse, or promoting radicalisation
- recruiting staff safely, ensuring all necessary checks are made
- adopting safeguarding practices through procedures and a code of conduct for staff

2.3 Staff

Staff will seek to keep adults people safe by:

- valuing them, listening to and respecting them
- recording and storing information professionally and securely
- using our safeguarding procedures to share concerns and relevant information with agencies who need to know and involving the adult concerned 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 provide a safe physical environment for adults and staff by applying health and safety measures.

3. SAFEGUARDING ARRANGEMENTS

3.1 Recognise, Respond

When concerns arise regarding the safety or welfare of an adult, staff are responsible for filling in 'Expression of Concern' sheet to:

- Make a note of concerns
- Make a note of what the person has said using their own words as soon as practical.
- Describe the circumstances in which the disclosure came about.

- Take care to distinguish between fact, observation, allegation and opinion – ensuring the information is accurate.

Staff should report this immediately to the designated lead responsible for safeguarding being mindful of the need to be confidential at all times. A designated Trustee will be the first point of contact for supporting that member of staff. All staff to know the name, role and contact details for the nominated lead for Safeguarding.

3.2 Refer

The Trustees have appointed a lead person for safeguarding who will receive refresher training every three years to keep their knowledge and skills up to date. Our designated lead has received 'Safeguarding Adults at Risk-Level 1' training that will be updated every three years.

The lead for safeguarding is: **Mrs C Washington, (expiry date: April 2025)**

BEEE Creative CIO will not attempt to investigate if an adult has been abused and will pass on concerns about an adult.

- If someone is in immediate danger or a suspected crime has been committed, the police will be contacted on 999 straight away.
- If there are concerns and or if possible or alleged abuse, poor practice or wider welfare issues are disclosed these will be reported to designated lead for Safeguarding, or, if the lead for Safeguarding is implicated then reported to the designated BEEE Creative CIO trustee.
- When raising a concern, 'Making Safeguarding Personal' will be applied; seeking the adult's views on what they would like to happen next and to inform the adult that the concern will be passed on and ensuring they are kept informed about any decisions and action taken about them and always consider their needs and wishes.

3.3 Allegations against a member of staff

Where there is a concern that a member of staff may have behaved inappropriately the Trustees will discuss the matter with the **Hertfordshire Safeguarding Adults Board (0300 123 4042)**

<https://www.hertfordshire.gov.uk/services/adult-social-services/report-a-concern-about-an-adult/hertfordshire-safeguarding-adults-board/hertfordshire-safeguarding-adults-board.aspx#procedure>

BEEE Creative CIO will not attempt to investigate unless authorised to do so by the local authority.

Helen Kindred (Trustee) is the point of contact for staff who want to discuss a matter of concern.

4. SUPPORTING DOCUMENTS

This policy should be read in conjunction with the following policies

- Equal Opportunities

5. POLICY REVIEW DATE

This policy will be reviewed every two years or sooner in the event of legislative changes or revised policies and best practice.

Policy agreed and signed off in June 2022

Policy review June 2024

Signed: *Fiona Ross Vick*

Role: Chair of trustees

Date: 7 June 2022



What should you do if you suspect an adult is being abused or neglected?

If you or someone you know is being abused or neglected please contact Health and Community Services on: **0300 123 4042**.

Or for adults receiving mental health services please contact Hertfordshire Partnership Foundation Trust, on **0300 777 0707**.

If there is immediate danger to life, risk of injury or if a crime is being committed dial **999**. If there is no immediate risk but a police response is required as soon as practicable due to the seriousness of the incident and / or potential loss of evidence then dial **101**.

All information will be treated as confidential although there may be occasions when some information needs to be shared when it is in the best interest of the adult at risk.

Safeguarding Adults at Risk

Working together to protect adults at risk of abuse or neglect

This information can be made available on request in other formats, including large print, Braille, audio and other languages.

Hertfordshire
Safeguarding Adults Board

Any abuse is wrong, everyone has the right to live their life free from violence, fear and abuse. We all have a role to play if we suspect that someone is being abused or neglected and we need to act promptly to prevent this.

This leaflet explains what to do if anyone has concerns about the actual or potential abuse or neglect of an adult at risk in Hertfordshire.

Who is an adult at risk?

Adults at risk are adults in need of care and support who may be at risk of abuse or neglect. This may be because they are older or have a mental health problem, a learning or physical disability.

What is abuse or neglect? There are different forms of abuse:

- **Physical** – such as hitting, pushing, kicking, shaking, restraint.
- **Domestic violence** – including psychological, physical, sexual, financial, emotional abuse, 'honour' based violence.
- **Sexual** – such as inappropriate touching, rape, sexual assault or sexual acts of any kind to which the adult at risk has not consented, or could not consent, or to which they were pressurised into consenting.
- **Psychological or emotional** – includes being shouted at, ridiculed or bullied, as well as being made to feel frightened or pressured into decisions.
- **Financial or material** – means misusing, withholding or stealing someone's money or belongings. When people take control or steal your money.
- **Discriminatory abuse** – poor treatment or harassment based on age, gender, sexuality, disability, race or religious belief.
- **Organisational abuse** – when any of these types of abuse are caused by an organisation, it might be called 'Organisational abuse'.
- **Neglect** – this is failure to provide care or the provision of inappropriate care, that results in someone being harmed.

Who might abuse or neglect?:

We know that this can happen anywhere and can be caused by anyone:

- Family, friends, neighbours
- Paid staff, carers, volunteers
- Other service users or patients
- Strangers

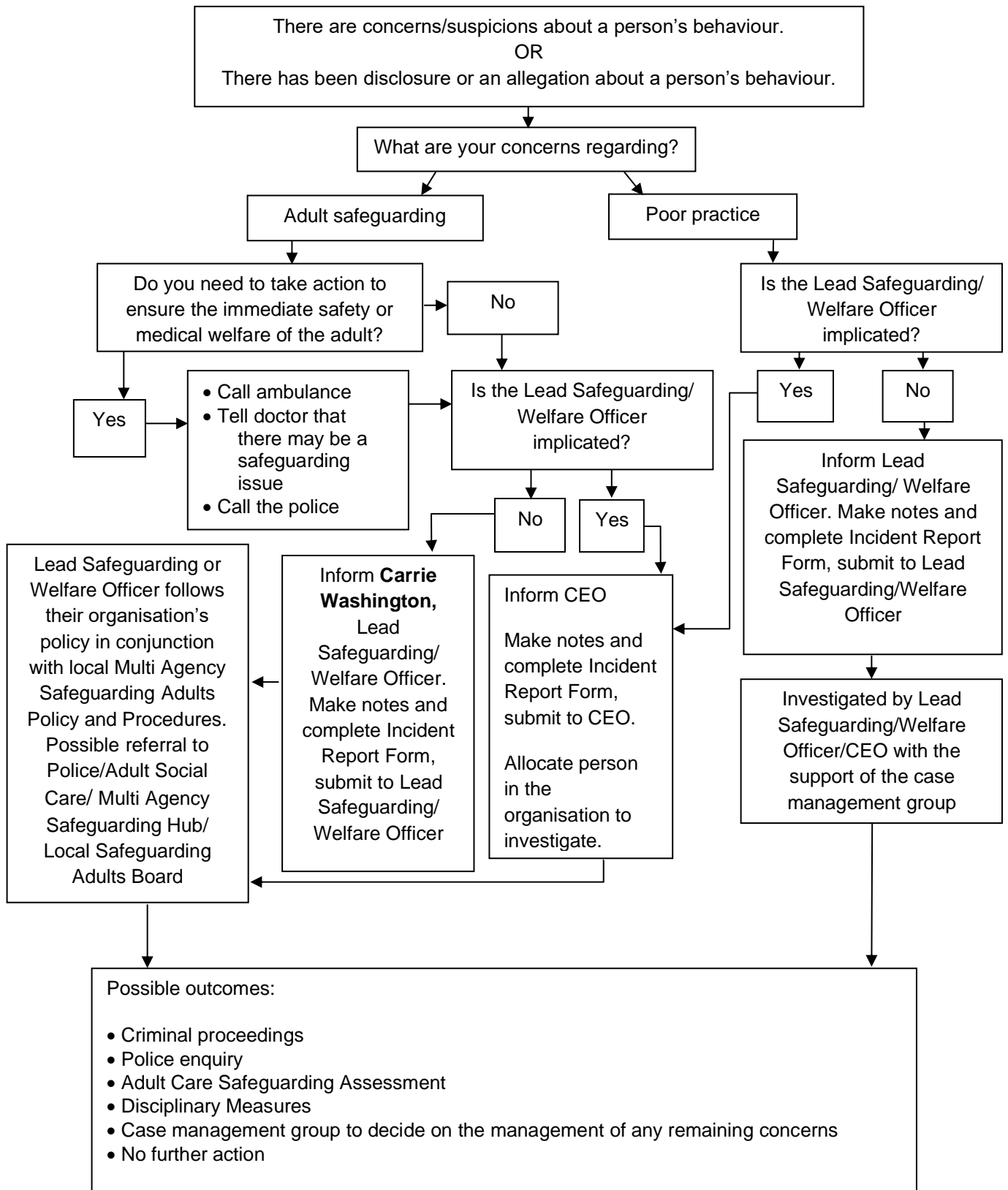
How will you know if someone is being abused?

You may notice a number of signs if someone is being abused for example:

- **Behaviour** – they may become withdrawn, depressed or tearful. They may also be angry or aggressive for little reason.
- **Personal hygiene** – they may not take as much care as normal with their appearance, such as not bathing, shaving or washing their hair.
- **Lifestyle** – they may stop going out, not have any money to access leisure services or buy food, not welcome visitors, not want to be left alone with certain people or lose their appetite.
- **Injuries** – they may have unexplained or frequent injuries.

**APPENDIX 1
SAFEGUARDING ADULTS FLOWCHART**

Dealing with Concerns, Suspicions or Disclosure



Remember to involve the adult at risk throughout the process wherever possible and gain consent for any referrals to social care if the person has capacity

APPENDIX 2

GUIDANCE AND INFORMATION

Making Safeguarding Personal

There has been a cultural shift towards Making Safeguarding Personal within the safeguarding process. This is a move from prioritising outcomes demanded by bureaucratic systems. The safeguarding process used to involve gathering a detailed account of what happened and determining who did what to whom. Now the outcomes are defined by the person at the centre of the safeguarding process.

The safeguarding process places a stronger emphasis on achieving satisfactory outcomes that take into account the individual choices and requirements of everyone involved.

“What good is it making someone safer if it merely makes them miserable?” – Lord Justice Mundy, “What Price Dignity?” (2010)

What this means in practice is that adults should be more involved in the safeguarding process. Their views, wishes, feelings and beliefs must be taken into account when decisions are made.

The Care Act 2014 builds on the concept, stating that “We all have different preferences, histories, circumstances and lifestyles so it is unhelpful to prescribe a process that must be followed whenever a concern is raised.”

However, the Act is also clear that there are key issues that should be taken into account when abuse or neglect are suspected, and that there should be clear guidelines regarding this.

<https://www.local.gov.uk/topics/social-care-health-and-integration/adult-social-care/making-safeguarding-personal>

Capacity – Guidance on Making Decisions

The issue of capacity or decision making is a key one in safeguarding adults. It is useful for organisations to have an overview of the concept of capacity.

We make many decisions every day, often without realising. We make so many decisions that it’s easy to take this ability for granted.

But some people are only able to make some decisions, and a small number of people cannot make any decisions. Being unable to make a decision is called “lacking capacity”.

To make a decision we need to:

- Understand information
- Remember it for long enough
- Think about the information
- Communicate our decision

A person’s ability to do this may be affected by things like learning disability, dementia, mental health needs, acquired brain injury, and physical ill health.

The Mental Capacity Act 2005 (MCA) states that every individual has the right to make their own decisions and provides the framework for this to happen.

The MCA is about making sure that people over the age of 16 have the support they need to make as many decisions as possible.

The MCA also protects people who need family, friends, or paid support staff to make decisions for them because they lack capacity to make specific decisions.

Our ability to make decisions can change over the course of a day.

Here are some examples that demonstrate how the timing of a question can affect the response:

- A person with epilepsy may not be able to make a decision following a seizure.
- Someone who is anxious may not be able to make a decision at that point.
- A person may not be able to respond as quickly if they have just taken some medication that causes fatigue.

In each of these examples, it may appear as though the person cannot make a decision. But later in the day, presented with the same decision, they may be able to at least be involved.

The MCA recognises that capacity is decision-specific, so no one will be labelled as entirely lacking capacity. The MCA also recognises that decisions can be about big life-changing events, such as where to live, but equally about small events, such as what to wear on a cold day.

To help you to understand the MCA, consider the following five points:

- Assume that people are able to make decisions, unless it is shown that they are not. If you have concerns about a person's level of understanding, you should check this with them, and if applicable, with the people supporting them.
- Give people as much support as they need to make decisions. You may be involved in this – you might need to think about the way you communicate or provide information, and you may be asked your opinion.
- People have the right to make unwise decisions. The important thing is that they understand the implications. If they understand the implications, consider how risks might be minimised.
- If someone is not able to make a decision, then the person helping them must only make decisions in their "best interests". This means that the decision must be what is best for the person, not for anyone else. If someone was making a decision on your behalf, you would want it to reflect the decision you would make if you were able to.
- Find the least restrictive way of doing what needs to be done.

Remember:

- You should not discriminate or make assumptions about someone's ability to make decisions, and you should not pre-empt a best-interest's decision merely on the basis of a person's age, appearance, condition, or behaviour.
- When it comes to decision-making, you could be involved in a minor way, or asked to provide more detail. The way you provide information might influence a person's ultimate decision. A person may be receiving support that is not in-line with the MCA, so you must be prepared to address this.

Consent and Information Sharing

Workers and volunteers within physical activity organisations should always share safeguarding concerns in line with their organisation's policy, usually with their safeguarding lead or welfare officer in the first instance, except in emergency situations. As long as it does not increase the risk to the individual, the worker or volunteer should explain to them that it is their duty to share their concern with their safeguarding lead or welfare officer.

The safeguarding lead or welfare officer will then consider the situation and plan the actions that need to be taken, in conjunction with the adult at risk and in line with the organisation's policy and procedures and local safeguarding adults board policy and procedures.

To make an adult safeguarding referral you need to call the local safeguarding adults team. This may be part of a MASH (Multi-Agency Safeguarding Hub). A conversation can be had with the safeguarding adults team without disclosing the identity of the person in the first instance. If it is thought that a referral needs to be made to the safeguarding adults team, consent should be sought where possible from the adult at risk.

Individuals may not give their consent to the sharing of safeguarding information with the safeguarding adult's team for a number of reasons. Reassurance, appropriate support and revisiting the issues at another time may help to change their view on whether it is best to share information.

If they still do not consent, then their wishes should usually be respected. However, there are circumstances where information can be shared without consent such as when the adult does not have the capacity to consent, it is in the public interest because it may affect other people or a serious crime has been committed. This should always be discussed with your safeguarding lead and the local authority safeguarding adults team.

If someone does not want you to share information outside of the organisation or you do not have consent to share the information, ask yourself the following questions:

- Is the adult placing themselves at further risk of harm?
- Is someone else likely to get hurt?
- Has a criminal offence occurred? This includes: theft or burglary of items, physical abuse, sexual abuse, forced to give extra money for lessons (financial abuse) or harassment.
- Is there suspicion that a crime has occurred?

If the answer to any of the questions above is 'yes' - then you can share without consent and need to share the information.

When sharing information there are seven Golden Rules that should always be followed.

- Seek advice if in any doubt
- Be transparent - The Data Protection Act (DPA) is not a barrier to sharing information but to ensure that personal information is shared appropriately; except in circumstances where by doing so places the person at significant risk of harm.
- Consider the public interest - Base all decisions to share information on the safety and well-being of that person or others that may be affected by their actions.
- Share with consent where appropriate - Where possible, respond to the wishes of those who do not consent to share confidential information. You may still share information without consent, if this is in the public interest.
- Keep a record - Record your decision and reasons to share or not share information.

- Accurate, necessary, proportionate, relevant and secure - Ensure all information shared is accurate, up-to-date; necessary and share with only those who need to have it.
- Remember the purpose of the Data Protection Act (DPA) is to ensure personal information is shared appropriately, except in circumstances where by doing so may place the person or others at significant harm.

Making Safeguarding personal

'Making safeguarding personal' means that adult safeguarding should be person led and outcome focussed. 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, well-being and safety.

Wherever possible discuss safeguarding concerns with the adult to get their view of what they would like to happen and keep them involved in the safeguarding process, seeking their consent to share information outside of the organisation where necessary.

Wellbeing Principle

The concept of wellbeing is threaded throughout the Care Act and it is one that is relevant to adult safeguarding in dance activity. Wellbeing is different for each of us, however the Act sets out broad categories that contribute to our sense of wellbeing. By keeping these themes in mind, we can all ensure that adult participants can take part in **dance** fully.

- Personal dignity (including treatment of the individual with respect)
- Physical and mental health and emotional wellbeing
- Protection from abuse and neglect
- Control by the individual over their day-to-day life (including over care and support provided and the way they are provided)
- Participation in work, education, training or recreation
- Social and economic wellbeing
- Domestic, family and personal domains
- Suitability of the individual's living accommodation
- The individual's contribution to society.

Capacity and Consent

It is important to be alert to issues of cognitive capacity which can increase the vulnerability of people where they have a reduced ability to make informed decisions in the moment. This may be transient (e.g. due to fear, shock, injury, illness) or long term (e.g. due to learning differences, disability, mental health issues).

Whilst this is a complex issue, it should not get in the way of staff and volunteers genuinely seeking to ensure that all individuals are respectfully consulted in relation to participation in activities and/or sharing of information about them.

A young person aged 16 or older is presumed in law to have capacity to consent, unless there is evidence to the contrary. Capacity to consent is not simply based on age however, particularly where learning and communication difficulties and disabilities are identified. You should also consider a person's capacity to understand the consequences of giving or withholding their consent. They should not be treated as unable to make a decision until all practicable steps to help them have been taken.

When assessing a person's understanding you should seek to explain the issues using their preferred mode of communication and language. This should be done in a way that is suitable for them, considering all you know about them from your contact with them, particularly their age, language and likely understanding.

It is important to try and ensure that they really understand the issues and are not just agreeing to what is proposed. If you are unsure whether they have the capacity to consent, then you should seek advice from your line manager or the NSPCC Helpline staff (0808 800 5000), The person's friends, carer, another professional working with them, or an advocate, where available, may be able to provide relevant information or advice where consulting these people does not increase potential risks.

The following criteria should be considered when assessing whether a person has sufficient understanding at any time to consent, or to refuse consent, to sharing of information about them or participating in specific activities:

- Can the person understand the question being asked of them?
- Are they taking an active part in the discussion?
- Can they rephrase the question in their own words?
- How would they explain it to someone else?
- Do they have a reasonable understanding of what the risks or benefits of giving their consent or saying no?
- What do they say they think would happen if they agree the action being suggested?

APPENDIX 3

LEGISLATION AND GOVERNMENT INITIATIVES

Sexual Offences Act 2003

<http://www.legislation.gov.uk/ukpga/2003/42/contents>

The Sexual Offences Act introduced a number of new offences concerning vulnerable adults and children. www.opsi.gov.uk

Mental Capacity Act 2005

<http://www.legislation.gov.uk/ukpga/2005/9/introduction>

Its general principle is that everybody has capacity unless it is proved otherwise, that they should be supported to make their own decisions, that anything done for or on behalf of people without capacity must be in their best interests and there should be least restrictive intervention. www.dca.gov.uk

Safeguarding Vulnerable Groups Act 2006

<http://www.legislation.gov.uk/ukpga/2006/47/contents>

Introduced the new Vetting and Barring Scheme and the role of the Independent Safeguarding Authority. The Act places a statutory duty on all those working with vulnerable groups to register and undergo an advanced vetting process with criminal sanctions for non-compliance. www.opsi.gov.uk

Deprivation of Liberty Safeguards

<https://www.gov.uk/government/collections/dh-mental-capacity-act-2005-deprivation-of-liberty-safeguards>

Introduced into the Mental Capacity Act 2005 and came into force in April 2009. Designed to provide appropriate safeguards for vulnerable people who have a mental disorder and lack the capacity to consent to the arrangements made for their care or treatment, and who may be deprived of their liberty in their best interests in order to protect them from harm.

Disclosure & Barring Service 2013

<https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>

Criminal record checks: guidance for employers - How employers or organisations can request criminal records checks on potential employees from the Disclosure and Barring Service (DBS). www.gov.uk/db-update-service

The Care Act 2014 – statutory guidance

<http://www.legislation.gov.uk/ukpga/2014/23/introduction/enacted>

The Care Act introduces new responsibilities for local authorities. It also has major implications for adult care and support providers, people who use services, carers and advocates. It replaces No Secrets and puts adult safeguarding on a statutory footing.

Making Safeguarding Personal Guide 2014

<http://www.local.gov.uk/documents/10180/5852661/Making+Safeguarding+Personal+-+Guide+2014/4213d016-2732-40d4-bbc0-d0d8639ef0df>

This guide is intended to support councils and their partners to develop outcomes-focused, person-centred safeguarding practice.

APPENDIX 4
USEFUL CONTACTS

BEEE Creative Lead Safeguarding Officer: **Carrie Washington (07971 171061)**

Hertfordshire Safeguarding Adults Board (0300 123 4042)

<https://www.hertfordshire.gov.uk/services/adult-social-services/report-a-concern-about-an-adult/hertfordshire-safeguarding-adults-board/hertfordshire-safeguarding-adults-board.aspx#procedure>

Ann Craft Trust - Safeguarding Adults in Sport and Activity:

Website: www.anncrafttrust.org

Email: Ann-Craft-Trust@nottingham.ac.uk

Telephone: 0115 951 5400