

# **Believe in You**

## **Safeguarding Adults Policy**

*Policy Owner: Believe in You Teens Ltd*

*Date Policy approved: 19<sup>th</sup> May 2023*

*Next review Date: 19<sup>th</sup> May 2024*

*Designated Safeguarding Lead: Natalie Greenall*

## **Mission Statement**

Believe in You is an Early Intervention Mental Health Support Service. We offer dynamic and solution focused therapies to help service users positively manage their emotional wellbeing. We work with both young people and adults, across various projects, schools and privately in the community.

## **Policy statement**

Believe in You believes everyone has the right to live free from abuse or neglect regardless of age, ability or disability, sex, race, religion, ethnic origin, sexual orientation, marital or gender status. We as a team will do all that we can to ensure our service users are kept safe from harm.

## **Scope**

This policy applies to all of our adult service users, from the initial point of contact through to completion of services.

## **Purpose**

This policy aims to cover:

- The legislation, our commitment and procedures for safeguarding adults.
- Our role and responsibility for safeguarding adults.
- What to do or who to speak to if someone has a concern relating to the welfare or wellbeing of an adult within the business.

## **Implementation**

We intend to apply our policy in to practice. This includes how we:

- use safe recruitment practices
- have a designated safeguarding lead
- communicate the policy
- have a code of conduct when delivering a service
- have undertaken safeguarding adults training
- have a commitment to ensuring that adult safety is included in risk assessments

## Legislation – what is adult safeguarding?

### The Care Act 2014

The Care Act 2014 places a general duty on local authorities to promote the wellbeing of individuals when carrying out care and support functions.

The definition of wellbeing includes:

- personal dignity including treating individuals with respect
- physical and mental health and emotional wellbeing
- protection from abuse and neglect
- control by the individual over day-to-day life
- participation in work, education, training or recreation
- social and economic wellbeing
- domestic, family and personal relationships
- suitability of living accommodation
- the individual's contribution to society

(Department of Health, 2014)

Safeguarding adults comes under the Care Act 2014. For more information, please view our [Safeguarding resources](#)

### Sexual Offences Act 2003

In the past there have been difficulties in bringing prosecutions against individuals who committed sexual offences against people with mental disorders. The Sexual Offences Act (SOA) 2003 modernised the law by prohibiting any sexual activity between a care worker and a person with a mental disorder while the relationship of care continues.

A 'relationship of care' exists where one person has a mental disorder and another person provides care. It applies to people working both on a paid and an unpaid basis and includes:

- doctors
- nurses
- care workers in homes
- workers providing services in clinics or hospitals
- volunteers.

The offences in the Act relating to care workers apply whether or not the victim appears to consent, and whether or not they have the legal capacity to consent.

This does not prevent care workers from providing intimate personal care so long as the behaviour is not intended to be sexual. The Act is not intended to interfere with the right of people with a mental disorder who have the capacity to consent to engage in sexual activity with anyone who is not in a caring relationship with them.

The SOA also attempts to make the prosecution of rape easier by clarifying the meaning of consent. Section 74 of the Act provides that someone consents to a sexual act if, and only if, he or she agrees by choice and has the freedom and capacity to make that choice.

### [Safeguarding Vulnerable Groups Act 2006 and the Protection of Freedoms Bill](#)

This Safeguarding Vulnerable Groups Act (SVGA) 2006 was passed to help avoid harm, or risk of harm, by preventing people who are deemed unsuitable to work with children and vulnerable adults from gaining access to them through their work. The Independent Safeguarding Authority was established as a result of this Act. On 1 December 2012 the Criminal Records Bureau and Independent Safeguarding Authority merged to become the [Disclosure and Barring Service](#) (DBS). Organisations with responsibility for providing services or personnel to vulnerable groups have a legal obligation to refer relevant information to the service.

The Protection of Freedoms Bill (Chapter 1 of Part 5) amends the SGVA 2006, retaining the national barring function whilst abolishing registration and monitoring requirements. For further information see the [Protection of Freedoms Bill Home Office Fact Sheet](#).

### [Ill treatment or wilful neglect](#)

It is an offence under the Criminal Justice and Courts Act 2015 for an individual who has the care of another individual by virtue of being a care worker to ill-treat or wilfully to neglect that individual.

Under S44 of the Mental Capacity Act, ill-treatment and wilful neglect is a criminal offence for anyone, including those with powers of attorney and court appointed deputies, who has care of a person who lacks capacity

Ill treatment and wilful neglect are different. **Ill treatment** must be deliberate, is an offence irrespective of whether it causes harm, and involves an appreciation by the perpetrator that they were inexcusably ill-treating the person. Ill treatment includes acts such as hitting, administering sedatives to keep people quiet, pulling hair, rough treatment, verbal abuse or humiliation.

**Wilful neglect** is a failure to act rather than a deliberate act to commit harm. Managers with responsibility for ensuring good care can be held accountable but currently there is no offence of corporate neglect.

### [Public Interest Disclosure Act 1998](#)

An important part of providing care is ensuring a working environment that encourages people to challenge practices in their own workplace. The law offers some protection from victimisation to people who blow the whistle under the Public Interest Disclosure Act (PIDA) 1998. The parameters of 'protected disclosure' are set out in the Employment

Rights Act (ERA) 1996. The person making the disclosure should not commit an offence in doing so (e.g. breach the Official Secrets Act 1989) and must reasonably believe one or more of the following:

- that a criminal offence has been committed, is being committed or is likely to be committed
- that a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject
- that a miscarriage of justice has occurred, is occurring or is likely to occur
- that the health or safety of any individual has been, is being or is likely to be endangered
- that the environment has been, is being or is likely to be damaged
- that information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed. (ERA1996).

## Procedures



## Key Contact Details

Believe in You DSL is Natalie Greenall. All concerns will be managed in the above way.

## Raising and Managing a Concern

- Any safeguarding concern can be passed on either in person, via email or telephone.
- If concerns come directly from a service user, we will use the Listen, Respect, Reassure principles to respond.
- In an emergency situation, we will call 999.
- For other concerns, we will raise a concern to The Safeguarding Adults Team. (SAT)

## Whistleblowing

In the first instance, a staff member should raise their concerns with Natalie Greenall (Designated Safeguarding Person) within the BIY organisation.

However, someone may choose not to do this for multiple reasons and has the option to go straight to a prescribed body instead. They are able to remain anonymous, as part of this process.

Additionally, a person may choose to go to a prescribed body after they've reported their concern internally if it wasn't dealt with in an appropriate and timely manner.

Prescribed bodies include Police, Social Services, The Care Quality Commission (CQC), who are the independent regulator of health and social care services in England. The CQC have published a guide for contacting them [on their website](#).

Whistleblowers are protected by the Public Interest Disclosure Act 1998 (PIDA). People can challenge practices in their workplace and not be discriminated against because of it.

## Recording and Information Sharing

All safeguarding concerns will be recorded in writing or electronically and shared with the relevant agencies in line with keeping the wellbeing and safety of the service user at the centre of decision making.

Information is stored electronically under password protected devices in line with GDPR and Data Protection guidance.

## Sources of Information and Support

Local Safeguarding Adults Team in Hastings through East Sussex County Council – any safeguarding concern can be reported by phoning **0345 60 80 191**.

They also have an online portal to directly file a concern with them.

Further points of support agencies include:

### Action on Elder Abuse

A national organisation based in London. It aims to prevent the abuse of older people by raising awareness, encouraging education, promoting research and collecting and disseminating information.

Tel: 020 8765 7000

Email: [enquiries@elderabuse.org.uk](mailto:enquiries@elderabuse.org.uk)

[www.elderabuse.org.uk](http://www.elderabuse.org.uk)

### Ann Craft Trust

A national organisation providing information and advice about adult safeguarding. The Ann Craft Trust has a specialist Safeguarding Adults in Sport and Activity team to support the sector

Tel: 0115 951 5400

Email: [Ann-Craft-Trust@nottingham.ac.uk](mailto:Ann-Craft-Trust@nottingham.ac.uk)

[www.anncrafttrust.org](http://www.anncrafttrust.org)

### Men's Advice Line

For male domestic abuse survivors

Tel: 0808 801 0327

### National LGBT+ Domestic Abuse Helpline

Tel: 0800 999 5428

### National 24Hour Freephone Domestic Abuse Helplines

England	Northern Ireland
Tel: 0808 2000 247 <a href="http://www.nationaldahelpline.org.uk/Contact-us">www.nationaldahelpline.org.uk/Contact-us</a>	Tel: 0808 802 1414 <a href="http://www.dsahelpline.org">www.dsahelpline.org</a> Twitter: <a href="https://www.twitter.com/dsahelpline">www.twitter.com/dsahelpline</a>

	Facebook: <a href="http://www.facebook.com/dsahelpline">www.facebook.com/dsahelpline</a>
<b>Scotland</b>	<b>Wales</b>
Tel: 0800 027 1234 Email: <a href="mailto:helpline@sdaafmh.org.uk">helpline@sdaafmh.org.uk</a> Web chat: <a href="http://sdaafmh.org.uk">sdaafmh.org.uk</a>	Llinell Gymorth Byw HebOfn/ Live free from fear helpline Tel: 0808 8010 800 Type Talk: 18001 0808 801 0800 Text: 078600 77 333

### Rape Crisis Federation of England and Wales

Rape Crisis was launched in 1996 and exists to provide a range of facilities and resources to enable the continuance and development of Rape Crisis Groups throughout Wales and England.

Email: [info@rapecrisis.co.uk](mailto:info@rapecrisis.co.uk)

[www.rapecrisis.co.uk](http://www.rapecrisis.co.uk)

### Respond

Respond provides a range of services to victims and perpetrators of sexual abuse who have learning disabilities, and training and support to those working with them.

Tel: 020 7383 0700 or

0808 808 0700 (Helpline)

Email: [services@respond.org.uk](mailto:services@respond.org.uk)

[www.respond.org.uk](http://www.respond.org.uk)

### Stop Hate Crime

Works to challenge all forms of Hate Crime and discrimination, based on any aspect of an individual's identity. Stop Hate UK provides independent, confidential and accessible reporting and support for victims, witnesses and third parties.

24 hours service:

Telephone: 0800 138 1625

Web Chat: [www.stophateuk.org/talk-to-us/](http://www.stophateuk.org/talk-to-us/)

E mail: [talk@stophateuk.org](mailto:talk@stophateuk.org)

Text: 07717 989 025

Text relay: 18001 0800 138 1625

By post: PO Box 851, Leeds LS1 9QS

### Susy Lamplugh Trust

The Trust is a leading authority on personal safety. Its role is to minimise the damage caused to individuals and to society by aggression in all its forms – physical, verbal and psychological.

Tel: 020 83921839

Fax: 020 8392 1830





Email: [info@suzylamplugh.org](mailto:info@suzylamplugh.org)  
[www.suzylamplugh.org](http://www.suzylamplugh.org)

**Victim Support**

Provides practical advice and help, emotional support and reassurance to those who have suffered the effects of a crime.

Tel: [0808 168 9111](tel:08081689111)

[www.victimsupport.com](http://www.victimsupport.com)

**Women's Aid Federation of England and Wales**

Women's Aid is a national domestic violence charity. It also runs a domestic violence online help service.

[www.womensaid.org.uk/information-support](http://www.womensaid.org.uk/information-support)

**ann craft trust**  
acting against abuse

Centre for Social Work

University of Nottingham

NG7 2RD

0115 951 5400

[ann-craft-trust@nottingham.ac.uk](mailto:ann-craft-trust@nottingham.ac.uk)

**[anncrafttrust.org](http://anncrafttrust.org)**



Everyone has a right to be treated with respect and dignity.

Everyone deserves to be safe.

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