

Safeguarding Adults Policy

Policy Statement

Talking Money has a statutory duty through its staff, Trustees, and volunteers to safeguard (protect from abuse or neglect) adults with care and support needs with whom they come into contact, who are experiencing or are at risk of abuse. It also recognises a moral duty to safeguard anyone, regardless of whether the statutory duty applies. This policy and procedure applies to all types of abuse, but as a money advice agency, Talking Money staff are well placed to identify and safeguard adults experiencing (or at risk of) financial abuse. Talking Money's Lead Officer for Safeguarding is currently the Partnerships Manager.

1. Definitions

Under the Care Act 2014, Safeguarding duties apply to an adult who:

- Has needs for care and support (whether or not the local authority is meeting any of these needs) and;
- Is experiencing, or at risk of, abuse or neglect; and
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

The statutory guidance enshrines the six principles of safeguarding:

1. Empowerment – presumption of person led decisions and informed consent
2. Prevention – it is better to take action before harm occurs
3. Proportionality – proportionate and least intrusive response appropriate to the risk presented
4. Protection – support and representation for those in greatest need
5. Partnership – local solutions through services working in their communities
6. Accountability – accountability and transparency in delivering safeguarding

Abuse

Abuse is the violation of an individual's human and civil rights. It can be single or repeated acts. It may be something that is done to the person or something not done when it should have been. It does not necessarily have to be intentional, the most important thing is whether the adult at risk has been harmed.

Abuse can be:

- physical: any form of assault, over-medication, unnecessary restraint or bad manual handling
- financial: theft, borrowing money and not repaying it, fraud, internet scamming, coercion in relation to an adult's financial affairs and arrangements, including any pressure about wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits
- sexual: rape or any sexual act that the victim didn't consent to or couldn't understand
- psychological or emotional: threats, intimidation, coercion, harassment or bullying
- neglect: ignoring medical or physical needs, not providing access to care, withholding essentials such as medication, food, water and heating
- discriminatory: all forms of harassment based on a disability, ethnicity, gender or sexuality

- institutional: repeated poor care and treatment of vulnerable adults, and unsatisfactory professional practice
- modern slavery: slavery, human trafficking, forced labour and domestic servitude
- self-neglect: not caring for personal hygiene, health or surroundings, including behaviour like hoarding which puts the person, or others, at risk

2. Legislation

- The Care Act 2014 and accompanying guidance provides the Legal Framework for safeguarding and promoting the welfare of adults.
- Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975
- Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002
- Safeguarding Vulnerable Groups Act 2006
- Human Rights Act 1998
- Youth Justice and Criminal Evidence Act 1999 – special measures for ‘vulnerable’ and/or ‘intimidated’ witnesses. Intermediaries for those with difficulty giving their evidence.
- Mental Health Act 1983 – an Approved Mental Health Practitioner can enter and inspect premises if they believe someone with a mental disorder is not receiving proper care (S.115). The police can enter and remove to a place of safety someone with a mental disorder if they suspect they are being neglected or abused by another or by themselves (S.135).
- Mental Capacity Act 2005 – including criminal offences under S.44 around ill-treating and/or wilfully neglecting someone without capacity.
- Equality Act 2010 – in terms of anti-discrimination
- The Police Act 1997 (Criminal Records) Regulations 2002
- Protection of Freedoms Act 2012
- Protection from Harassment Act 1997

3. Procedure – Introduction

This procedure outlines the steps to be followed if a member of staff suspects that a Talking Money client is at risk of abuse. It refers to abuse, or suspicion of abuse, of an adult with care and support needs that staff or volunteers become aware of during their work at Talking Money.

Particular care needs to be taken in circumstances where a client asks a friend or family member to speak for them in relation to their financial circumstances. If this is for interpreting purposes, clients should be advised that the free Language Line telephone service is available as an alternative.

4. What to do

- Any member of staff or volunteer who becomes aware that an adult with care and support needs is, or is at risk of, being abused should raise the matter immediately with their line manager and/or Talking Money’s Lead Officer (LO) for Safeguarding (currently the Chief Executive). The manager and/or Lead Officer will support you to decide whether you think the person is at risk of abuse or is experiencing abuse, which they may not be able to protect themselves from as a result of their care and support needs.
- If there does appear to be abuse, or a risk of abuse, towards an adult with care and support needs, a plan should be agreed which takes account of the nature of the abuse, the seriousness of it, the extent of the vulnerability of the adult, and the risk to them or to others. Where the adult is also a parent, consideration should be given to any possible safeguarding for children that arises out of the abuse or risk of abuse. For any safeguarding concerns for children, staff should consider the Safeguarding Children Policy. A decision should

be taken on whether it is appropriate to inform an outside agency, and whether there are grounds for not seeking or overriding the client's consent.

- Further action may include contacting the police, the client's social worker or other support worker, GP, or any other agency that is relevant and appropriate – if in doubt, advice should be sought from the local safeguarding team – see contact details below. All concerns and actions taken must be documented clearly within the client's case record and a separate record of the concerns and actions will be recorded in the Management drive which is only accessible to the Leadership Team
- If appropriate and where possible, explain what you have to do and whom you have to tell, to the person involved or the person informing of the abuse. Ensure that they are kept informed about what will happen next, so they can be reassured about what to expect.
- There may be circumstances when the client does not give consent, but the member of staff believes that the matter is so serious that they are considering breaching client confidentiality. Any potential breach of confidentiality should be discussed with the line manager and/or the Lead Officer for Safeguarding before any action is taken. Talking Money's Confidentiality Policy allows for client confidentiality to be breached in these circumstances.
- If a disclosure is to be made/information is to be given to another agency, a decision needs to be taken on who should do this – normally the member of staff who has had direct contact with the client and who has raised the concerns is best placed to do this with support.
- Ensure that the person subject to alleged abuse is safe and supported before proceeding with any other action. In most situations there will not be an immediate threat and the decision about protecting the person will be taken in consultation with Social Services. In some circumstances it may be necessary to take immediate action to protect the person by calling the police. This is more probable in a home visit situation.
- Direct calls to the police should be reserved for incidents of assault and violence where an element of urgency applies. If you require immediate response and assistance from the police, that is if you cannot stop the incident that is currently happening, or you think that it will re-occur shortly, you should make an emergency 999 call.
- A direct call to the police via the local station on the non-urgent number 101 is appropriate if a crime may have been committed and/or the person subject to alleged abuse wishes to talk to the police at that time, and/or there is evidence to preserve and/or the alleged perpetrator of the offence may come back before you can act to protect the vulnerable adult.
- Abuse can be reported by contacting Bristol Care Direct, the Police or if the abuse is in a regulated service, like a care home or concerns a home care service, the Care Quality Commission.
- Record the discussion accurately giving the name and contact details of the person you spoke to, as soon as possible after the event on the client's case record.

Contact details:

Bristol Social Services & Health -

Make an online report via <https://www.bristol.gov.uk/residents/social-care-and-health/adults-and-older-people/report-suspected-abuse>

Or telephone Bristol Adult Duty Desk (Bristol Care Direct): Tel: 0117 922 2700 Mon – Fri 8.30 – 5.00 p.m. There's an answerphone service outside of these hours.

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South Gloucestershire Adult Protection services -

<https://sites.southglos.gov.uk/safeguarding/adults/i-am-a-carerrelative/concerned-about-an-adult/>

Telephone 01454 868007

The Care Quality Commission (CQC)

For allegations of abuse in care homes or registered home care agencies, or nursing agencies (in addition to reporting to the relevant local authority): <http://www.cqc.org.uk/>

5. Support to Staff and Volunteers

- The key contact and/or the Safeguarding Lead Officer should make themselves available to any member of staff or volunteer reporting concern or an incident to talk it through and offer additional support. If Social Services or the Police need further information or involvement, a decision will need to be taken about whether the member of staff, the manager or the Safeguarding Lead Officer will talk with them.
- Staff may also be subject to allegations of abusing vulnerable people. While support will be offered, Talking Money will ensure that Social Services or the police are given all assistance in pursuing any investigation. Suspension and/or the disciplinary procedure may be implemented.
- Although Talking Money does not engage in 'regulated activity', using the Disclosure and Barring Service (DBS) definition; where the member of staff or volunteer is removed, or removes themselves, from their post following an incident that raises a safeguarding concern, Talking Money will report the incident to the DBS in good faith.

6. Confidentiality

Talking Money respects everyone's right to confidentiality, however we believe that the welfare of vulnerable people has to take priority and we have a duty to disclose abuse to the appropriate agency if deemed necessary. Talking Money's Confidentiality Policy may be overridden in these circumstances and reference should be made to the policy.

7. Recruitment of Staff and Volunteers/Appointment of Trustees, etc.

- Talking Money uses Disclosure Services to make disclosure applications to the Disclosure and Barring Service (DBS). As an organisation using the DBS service to assess applicants' suitability for positions of trust, Talking Money complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.
- We make every subject of a DBS Disclosure aware of the existence of the Code of Practice and make a copy available on request. The code of Practice can be downloaded from: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/143662/cop.pdf
- Due to the nature of some of the posts and the client group that staff may be working with (adults with care and support needs), Talking Money is permitted by the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975, to ask questions about criminal records, including those which are spent. Standard disclosure certificates will be requested for those positions where this is deemed necessary (e.g. where the role involves casework with vulnerable adults and/or carrying out home visits).
- Applicants called for interview will be requested to provide details of their criminal record at an early stage in the application process. We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

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- In line with good practice guidelines, DBS checks are carried out by the Client and Operations Lead upon recruitment, or move, into roles which may include making visits to clients in their homes and renewed every three years. Records of DBS checks are held on the Talking Money HR database.

Review

As part of our commitment to Safeguarding, Talking Money will review this policy and good practice on an annual basis.

Safeguarding Children Policy

Policy Statement

Talking Money does not provide a direct service to children or young people under the age of 16, but has a statutory duty through its staff, trustees and volunteers to safeguard (protect from abuse) all children and young people (under 18 years) with whom they come into contact, through parents, carers or any other way. All children without exception have the right to protection from abuse regardless of gender, ethnicity, disability, sexuality or beliefs. Talking Money's Lead Officer for Safeguarding is currently the Partnerships Manager.

1. Legislation

- **The Childrens Act 1989**
- **The Childrens Act 2004**
- **Children and Social Work Act 2017**

2. Definitions

The 1989 Children Act identifies four categories of abuse:

- Physical Abuse
- Sexual Abuse
- Emotional Abuse
- Neglect

Physical Abuse

Actual or likely physical injury to a child or young person under age 18, or failure to prevent physical injury.

Sexual Abuse

Actual or likely sexual exploitation of a child or young person. The child may be dependent or developmentally immature.

Neglect

The persistent or severe neglect of a child, or the failure to protect a child from exposure to any kind of danger, resulting in the significant impairment of a child's health or development, including failure to thrive.

Emotional Abuse

Severe or persistent emotional ill-treatment or rejection likely to cause adverse effects on the emotional and behavioural development of a child. All abuse involves some emotional ill-treatment.

2. Historical Abuse

There may be occasions when an adult will disclose abuse which occurred in the past, during their childhood. The response to a survivor should be the same as if it related to current abuse, that is, the response should be supportive, reassuring, and clear that we take the disclosure seriously and that the safeguarding lead will be consulted and together with the client, we will decide what will happen next.

If a non-current disclosure is made, but the perpetrator is not identified, it is useful to ask the person if they want anything to happen as a result of the disclosure and signpost them to where they can get support/report the concern if they choose to do so.

In some non-current cases there will be a need to report to other services. This should happen where the victim identifies the perpetrator and there may be an ongoing risk, for example, disclosure of abuse relating to a person in a position of trust or relating to person who still has access to children (e.g. younger siblings still at home).

In the first instance we will try to support the person to report the concerns themselves or get consent for us to make the report. If the survivor is not able or willing to do this, we may need to report the abuse without consent. If we have to do this, we will not provide the details of the person who has made the disclosure and we will tell the survivor that we intend to report the abuse.

3. Awareness

As a staff member, trustee or volunteer, you are not responsible for diagnosing abuse. However, you have a responsibility to be aware and alert to signs that all is not well with a child or young person. Not all concerns about children or young people relate to abuse, there may well be other explanations. It is important to keep an open mind and consider what you know about the child and its circumstances. It is also possible that a client may indicate that s/he is abusing/has abused a child.

Staff may become aware of a safeguarding concern for an adult who is a parent, which leads them to consider a safeguarding concern for the children which should be considered additionally and separately.

Staff need to be alert to the possibility of child abuse, and should familiarise themselves with the South West Child Protection Procedures – <https://swcpp.trixonline.co.uk/>

4. What to do

Due to the nature of the work of Talking Money (often working with families), staff, management and volunteers have a duty, when abuse is disclosed or observed to take the following action:

1. Inform whoever has disclosed the information that it cannot be guaranteed to be kept confidential and may be passed on to the appropriate agencies. Never guarantee absolute confidentiality, as Child Protection will always have precedence over any other issues.
2. Raise the matter immediately with your Talking Money's Lead Officer for Safeguarding (currently the Partnerships Manager). Where the Lead Officer is not in the office eg. towards the end of the working day,

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they can be contacted on their personal mobile. In the situation where the Lead Officer is unavailable, eg on leave, the staff member should contact the Chief Executive. Together with the Safeguarding Lead you should decide whether it is a Child Protection issue, and if so, or if in doubt, you will need to consult or inform an appropriate agency. The decision to break confidentiality and report the Safeguarding ultimately lies with the Safeguarding Lead.

3. If appropriate, explain to the client what you have to do and whom you have to tell. Ensure that they are kept informed about what will happen next, so they can be reassured about what to expect. This may not be necessary or appropriate if the 'discloser' is also the abuser.
4. If a safeguarding referral is to be made it will need to be decided if it is to be made by the staff member working with the client or their manager or Safeguarding Lead.
5. Record the discussion accurately on the case file immediately, or if this is not possible then by the end of the working day, or by the end of the next working day at the latest. The concern, discussion and action agreed will also be recorded in the Management Drive which is only accessible to the Leadership Team.
6. All child protection issues and the decision made by the manager/Safeguarding Lead in how to respond will be reported to the Board of Trustees.

Bristol Social Services

Use the online form to raise concerns: <https://www.bristol.gov.uk/residents/social-care-and-health/children-and-families/concerns-about-a-child/first-response-for-professionals-working-with-children>

If your concern relates to a disclosure of abuse requiring a same-day response, call the First Response Team 0117 9036444

If there is a concern about a person who works with children, then additionally the Local Authority Designated Officer should be informed: Email: referrals-LADO@bristol.gov.uk

South Gloucestershire Child Protection

<https://sites.southglos.gov.uk/safeguarding/category/children/i-am-a-professional/>

It is requested that professionals read the Right Help in the Right Way at the Right Time document before deciding whether to make a referral.

<https://sites.southglos.gov.uk/safeguarding/children/i-am-a-professional/threshold-tool-the-right-help/>

To make a referral telephone 01454 866000 Monday to Friday 9am to 5pm or 01454 615165 out of hours. **Police Child Protection Team:** Tel: 101 or visit a police station in person

- Direct calls to the police should be reserved for incidents of assault and violence where an element of urgency applies. If you require immediate response and assistance from the police, that is if you cannot stop the incident that is currently happening, or you think that it will re-occur shortly, you should make an emergency 999 call.

The NSPCC has guidance if you suspect abuse of a child: <https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/what-if-suspect-abuse/> **and there is a helpline for support and advice:** Tel: 0800 800 5000 Monday to Friday 10am to 4pm

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Childline: Helpline for children & young people: 0800 1111 24 hour service

5. Support to Staff and Volunteers

As a result of reporting concerns, the person who disclosed the information may be upset or angry. The Manager should make themselves available to talk this through with the staff member or volunteer and offer additional support. If Social Services or the Police need further information or involvement, a decision will need to be taken about whether the member of staff, the line manager or the Safeguarding Lead Officer will talk with them.

Staff may also be subject to allegations of abusing children. While support will be offered, Talking Money will ensure that children's social care or the police are given all assistance in pursuing any investigation. Suspension and/or the disciplinary procedure may be implemented.

Although Talking Money does not engage in 'regulated activity', using the Disclosure and Barring Service (DBS) definition; where the member of staff or volunteer is removed, or remove themselves, from their post following an incident that raises a safeguarding concern, Talking Money will report the incident to the DBS in good faith.

6. Confidentiality

Talking Money respects everyone's right to confidentiality, however the welfare of children has to take priority and we will inform Social Services if we have any concerns about a child's wellbeing in accordance with our Confidentiality Policy.

7. Recruitment of Staff and Volunteers/Appointment of Trustees, etc

Talking Money uses [Disclosure Services](#) to make disclosure applications to the Disclosing and Barring Service (DBS).

As an organisation using the DBS Disclosure service to assess applicants' suitability for positions of trust, Talking Money complies fully with the CRB Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.

We make every subject of a DBS Disclosure aware of the existence of the Code of Practice and make a copy available on request. The code of Practice can be downloaded from: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/143662/cop.pdf

Due to the nature of certain roles and the client group that staff may be working with (vulnerable adults and/or children) Talking Money is permitted by the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975, to ask questions about criminal records, including those which are spent. Standard disclosure certificates will be requested for those positions where this is deemed necessary (e.g., where the role involves carrying out home visits).

We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

In line with good practice guidelines, DBS checks are carried out by the Client and Operations Lead upon recruitment or move into roles which may include making visits to clients in their homes and renewed every three years. Records of DBS checks are held on the Talking Money HR database.

8. Review

As part of our commitment to Safeguarding, we will review our policy and good practice on an annual basis.