

Safeguarding Adults Policy

Policy Statement

Talking Money has a 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. 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 the Chief Executive.

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 – as above
- 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. If however they still prefer to use their own representative, the adviser should speak to them on their own (using Language Line) to confirm that this is their wish, and they should be asked to sign an Interpreting Disclaimer form (available in community languages).

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 Talking Money’s Lead Officer (LO) for Safeguarding (currently the Chief Executive). The manager and 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. 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.

- If appropriate, 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 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 numbers:

Bristol Social Services & Health

Bristol Adult Duty Desk (Bristol Care Direct): Tel: 0117 922 2700 Mon – Fri 8.30 – 5.00 p.m.

Outside office hours - Out of hours Emergency Duty Service: Telephone: 01454 615165

Fax: 0117 903 6689

Online referral form: <https://www.bristol.gov.uk/social-care-health/report-suspected-abuse-safeguarding-adults-at-risk>

South Gloucestershire Adult Protection services

<http://sites.southglos.gov.uk/safeguarding/adults/>

Monday to Friday 9am - 5pm - 01454 868007

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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 supervisor/line manager and/or the Safeguarding LO should ensure that they are familiar with this procedure, and with the local multi-agency safeguarding arrangements as referenced in Para 8 below. They 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 line manager or the Safeguarding LO 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 Bristol City Council 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). Where the post is considered to be 'Regulated Activity' an Enhanced check with a children's and/or adults' barred list check will be required.
- 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.

- In line with good practice guidelines, DBS checks will be renewed every three years for those positions deemed relevant and whenever a member of staff moves into a relevant role.

8. Further Information

Safeguarding Adults Multi-Agency Policy April 2015

<https://www.bristol.gov.uk/documents/20182/33728/Bristol+Safeguarding+Adults+Policy2015.pdf>

Review

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

Cross Ref: Safeguarding Children Policy

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 duty through its staff, trustees & volunteers to safeguard (protect from abuse) children and young people with whom they come into contact. 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 the Chief Executive.

1. 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 non organic 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 (either sexual or physical) which occurred in the past, during their childhood. This information needs to be treated in exactly the same way as a disclosure or suspicion of current child abuse. The reason for this is that the abuser may still represent a risk to children now.

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3. Awareness

As a member, trustee, paid staff or a 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 need to be alert to the possibility of child abuse, and to familiarise themselves with the South West Child Protection Procedures – <https://www.proceduresonline.com/swcpp/>

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 manager and Talking Money's Lead Officer (LO) for Safeguarding (currently the Chief Executive). 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.
3. If appropriate, explain to the client what you have to do and whom you have to tell. Ensure that the 'discloser' is 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 disclosure is to be made you will need to decide if it is to be made by you or your Supervisor/Manager.
5. Record the discussion accurately, as soon as possible after the event on the case file.
6. All child protection issues will be reported to the Board of Trustees.

Bristol Social Services

<https://www.bristol.gov.uk/social-care-health/reporting-concerns-about-a-child-first-response>

First Response Team Tel: 0117 9036444

Email (all Bristol): childprotection@bristol.gov.uk

Offices are open Monday to Thursday 8.30am to 5pm and Friday 8.30am to 4.30pm.

In an emergency outside office hours contact Tel. 01454 615 165

South Gloucestershire Child Protection

<http://sites.southglos.gov.uk/safeguarding/children/i-am-a-professional/information-sharing-2/>

Offices are open Monday to Friday 9am to 5pm Tel. 01454 866 000

In an emergency outside office hours contact Tel. 01454 615 165

Police Child Protection Team: Tel: 0117 945 4320

NSPCC 24 Hour Help line: Tel: 0800 800 5000

NSPCC Asian Child protection helpline: Tel 0808 800 5000

The NSPCC's helpline takes calls and provides advice about child protection in Asian languages. They work with NSPCC to arrange to follow up cases with interpreters and bi-lingual workers as needed.

Childline: Help for children & young people: 0800 1111

5. Support to Staff and Volunteers

As a result of reporting concerns you may find the person who disclosed the information is upset or angry. The Manager should make themselves available to talk this through with you and offer you 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 LO 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 we believe that the welfare of children has to take priority and we will inform Social Services if we have any concerns about a child's well being in accordance with our Confidentiality Policy.

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

Talking Money uses Bristol City Council 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 the position 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 (eg, where the role involves carrying out home visits). Where the post is considered to be 'Regulated Activity' an Enhanced check with a children's and/or adults' barred list check will be required.

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.

In line with good practice guidelines, DBS checks will be renewed every three years for those positions deemed relevant and whenever a member of staff moves into a relevant role.

8. Review

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

Cross Ref: Safeguarding Adults Policy and Procedure