

TOG Mind Adult Safeguarding Policy

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Revision History

Date of this revision: Sept 2023

Date of next review: Sept 2024

Version number	Revised by	Summary of Changes	Changes marked
4	David Stevens	Named leads and contact details added to safeguarding framework document. Section 5.1 edited to include types of abuse. Section 5.2 edited to state that client's wishes should be taken into account. Section 5.4. Added statement around what to do if allegations are made against a member of TOG Mind. Section 5.5. Statements added around staff and volunteer training and incident reporting.	No
5	Jenny Bates	N/A	No
6	Ayesha Alves-Hey	Updated relevant policies and legal framework. Amendment to Appendix A (Safeguarding Framework). Addition of Appendix B (Safeguarding Statement). Amendment of Organisational Commitments section to expand on training provision. Updated Scope to include staff and volunteer cases and defined age ranges. Addition of Making Safeguarding Personal section. Addition of Appropriate Handling of Non-recent Disclosures section. Updated Managing Allegations Against Staff and Volunteers section to include specific PIPOT criteria. Adaptation of Protecting Vulnerable or 'At-risk' Adults section. Wording changed from vulnerable adults to at risk adult.	No

Approvals

This document requires the following approvals.

Signed approval forms are filed in the Management section of the project files.

Name	Title	Date of Issue	Version
Cheryl Eastwood	Chair		4
Cheryl Eastwood	Chair	October 2022	5
Cheryl Eastwood	Chair	October 2023	6

Introduction and Background

Tameside, Oldham, and Glossop Mind (TOG Mind) recognises its responsibility to safeguard the welfare of all at risk adults by protecting them from harm, recognising and responding to concerns and ensuring everyone within our organisation is aware of their individual responsibility to safeguard the welfare of at risk adults.

TOG Mind's policies are underpinned by our values of:

- Relationships: we listen and ask questions to understand others and to build trust. People matter to us both inside and outside our organisation.
- Aspiration: we support one another, clients, and communities to achieve better mental health.
- Learning: we seek insight and grow from experience; finding new or better ways to contribute to the field of mental health.
- Potential: we encourage personal responsibility for development by discovering and realising the abilities and energies of people.

1. Scope

This policy applies to anyone working on behalf of or in partnership with Tameside Oldham and Glossop Mind, including the board of trustees, staff, volunteers and third parties.

Safeguarding policies and procedures cover all the local Mind's work including digital, online and phone support. Clear arrangements are in place where work is delivered in partnership with other agencies.

In addition this policy may extend to situations whereby a member of staff or volunteer discloses that they themselves are a victim or perpetrator of abuse.

This policy defines the term 'Adult' as a person over the age of eighteen. Any young person aged sixteen and seventeen will be protected under the TOG Mind Child Safeguarding Policy. Where a young person is aged between eighteen and twenty-five but has additional needs or a disability a young person may be protected under this policy or the Child Safeguarding Policy. This will be decided on an individual basis by the relevant Safeguarding Lead.

2. Purpose and aims of this Policy

The purpose of this policy is to ensure all staff, volunteers and third parties associated with TOG Mind appropriately safeguard the welfare of at risk adults, protect them from harm and minimise any risks to the welfare of an at risk adult.

This policy will instruct appropriate practice and responses within organisational services and activities directly or indirectly with at risk adults.

3. Legal Framework

This policy has been drawn up on the basis of legislation, policy and guidance that seeks to protect at risk adults in England. This includes:

- Human Rights Act 1998

- The Family Law Act 1996
- The Mental Health Act 1983
- The Mental Capacity Act 2005
- Deprivation of Liberty Safeguards 2009
- National Assistance Act 1948
- The Protection from Harassment Act 1997
- The Care Act 2014
- Care and Support Statutory Guidance 2014
- Safeguarding Vulnerable Groups Act 2006
- Equality Act 2010
- Guidance for service user altercations

This policy has been written in line with key local partners with safeguarding responsibility such as, local Safeguarding Adults Boards and other local safeguarding agencies.

4. Related Policies and Procedures

This policy should be read in conjunction with the following policies and procedures:

- Code of Conduct for staff and volunteers
- Recruitment Policy
- Incident Reporting Policy
- Whistleblowing Procedure as included in the Employee Handbook
- Disclosure and Barring Service (DBS) Policy
- Confidentiality Policy
- Data Protection Policy
- Complaints Policy
- Risk Assessment and Management Procedure
- Safeguarding Framework- including designated safeguarding roles and responsibilities
- Any other service specific policy directly or indirectly relating to a at risk adult

5. Policy Statement

5.1 Definitions

Adult safeguarding means protecting an individual's right to live in safety, free from abuse and neglect.

The Care Act 2014 identifies 10 categories of abuse:

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

Adult safeguarding aims to:

- prevent harm and reduce the risk of abuse or neglect to adults with care and support needs.
- safeguard individuals in a way that supports them in making choices and having control in how they choose to live their lives.
- promote an outcomes approach in safeguarding that works for people resulting in the best experience possible.

TOG Mind recognises that abuse can take many forms and all within the organisation are required to be trained in being alert to and recognising the signs of potential abuse.

Within this policy an at risk adult means a person aged 18 years or older, who is at risk of abuse, neglect, or harm due to their needs for care and support. TOG Mind recognises the complexities involved in applying this definition and is committed to ensuring this policy guides decisions made for the welfare of at risk adults.

5.2 Protecting at risk adults

TOG Mind are guided by the principles within the Care Act 2014 in the safeguarding and protection of at risk adults:

- **Empowerment** - People being supported and encouraged to make their own decisions and informed consent.
- **Prevention** - It is better to take action before harm occurs.
- **Proportionality** - The least intrusive response appropriate to the risk presented.
- **Protection** - Support and representation for those in greatest need.
- **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 safeguarding practice.

TOG Mind recognises the importance of applying these principles and will do so by ensuring:

- the welfare of the at adults is paramount.
- all at risk adults, regardless of age, disability, gender reassignment and/or identity, race, religion or belief, sex or sexual orientation have a right to equal protection from all types of abuse.
- all at risk adults have the right to be respected, valued, and listened to, including the right to be involved in any action taken by the organisation in minimising risk and protecting from harm, where it is appropriate and safe to do so.
- That adults should be involved in the safeguarding process. Their views, wishes and feelings must be taken into account when decisions are being made because abuse or neglect is suspected. It is important to note that while a client's views, wishes and feelings should be taken into account, this doesn't override our duty of care towards clients who are at risk of harm.

It is the responsibility of everyone within the organisation to uphold the above principles for adult safeguarding and all within the organisation are responsible for responding to and reporting any concerns relating to an at risk adult.

All within the organisation should ensure their practice is informed by the following guidance:

- Suspicions, concerns, disclosures, and allegations of abuse are to be taken seriously.
- Any suspicion, concern, disclosure, or allegation of abuse should be dealt with promptly, in line with this policy and supporting procedures.
- Any disclosure of abuse by third parties should be dealt with promptly, ensuring all involved are kept up to date with any action taken, where appropriate.
- Where a disclosure of abuse is historic the organisation should seek to support the individual and ensure any potential risks posed are explored and responded to in line with this policy – please see specific section related to non-recent disclosures.
- TOG Mind recognises all within the organisation have the right to raise concerns of abuse directly to external agencies. However, it is important to note that TOG Mind has designated internal support and guidance in line with this policy and supporting procedures to assist in doing so. Staff and volunteers are encouraged to utilise Appendix A and Appendix B in accessing further information of Safeguarding roles within the organisation and their responsibilities.

The organisation is not responsible for making a decision about whether abuse has or has not occurred. The organisation is required to gather the relevant information, share this with the relevant agencies and support those involved with any further action required, in line with this policy.

For further information on sharing information please refer to the TOG Mind Information Sharing Policy.

5.3 Making Safeguarding Personal

TOG Mind is committed to embedding the Making Safeguarding Personal framework into our decision-making processes in relation to Adult Safeguarding, to ensure we deliver a person-centred approach. The six Cs of MSP are as follows:

- **Care** for the individual at a time when they are most vulnerable.
- **Compassion** for individuals and families and staff who find themselves in complex and often frightening situations.
- **Competence:** The Framework tests our staff's ability to safeguard the most vulnerable members of society.
- **Communication:** is key to ensuring the voice of the person is heard clearly and their wishes are respected and safeguarded.
- **Courage:** The framework is in collaboration between providers and commissioners and provides a voice for adults and children at risk of abuse and/or neglect and staff. Designated safeguarding professionals must use their courage to ensure that voices are heard for the benefit of adults and children at risk of abuse and/or neglect and to ensure they are safeguarded.
- **Commitment:** The framework is a commitment to ensure that all patients are safeguarded and achieve the best outcome for them.

TOG Mind is committed to ensuring our actions regarding safeguarding adults are based on meaningful conversations with the people accessing our services, supported by our

policies and processes. TOG Mind recognises that in the act of safeguarding adults we must respect an adult's autonomy and independence as individuals. In the act of Making Safeguarding Personal, TOG Mind will take into consideration the following:

- The person's opinions, views and wishes.
- The person's desired outcome.
- Cultural, racial, and religious background.
- If English is a second language for the individual.
- Disabilities and health conditions
- A person's capacity and ability to understand and/or retain information.
- A person's support system and trusted individuals in their lives.
- Any other factor relevant to the individual.

TOG Mind is committed to upholding the standard that no decision **about** the person is made **without** the person.

5.4 Appropriate conduct and behaviour

TOG Mind wants to ensure under no circumstances that anyone within the organisation is subject to an allegation concerning their conduct or behaviour towards an at risk adult. All within the organisation are required to ensure that professional boundaries are vigorously adhered to at all times.

The Code of Conduct stipulates the expectations regarding conduct, and this should be adhered to. Where anyone within the organisation is unsure about the Code of Conduct they should discuss this with their line manager or other named safeguarding lead before proceeding with any action or behaviour that could be in breach of the Code of Conduct and make them vulnerable to an allegation.

5.5 Managing allegations against staff and volunteers

We are aware that all staff and volunteers at TOG Mind are PIPOT's (People in a Position of Trust), therefore allegations of abuse against anyone within TOG Mind in relation to an at risk adult are to be reported immediately to the relevant safeguarding lead.

Specific situations that relate to at-risk adults that must be reported to the Adult's Safeguarding Lead are where the staff member or volunteer has:

- Behaved in a way that has harmed or may have harmed an adult with care and support needs.
- Possibly committed a criminal offence against or related to an adult with care and support needs.
- Behaved in a way which has harmed children or may have harmed children which means their ability to provide a service to adults with care and support needs must be reviewed.
- May be subject to abuse themselves and as a consequence means their ability to provide a safe service to adults with care and support needs must be reviewed.
- Allegations may relate to the individual's behaviour at work, home or in another setting.

It is the responsibility of everyone within the organisation to report any concerns they have relating to another member of TOG Mind, please see Whistleblowing Procedure for further details.

Once an allegation is reported the relevant safeguarding lead will gather information relating to the allegation and discuss with the CEO or other Director regarding further action required, this will include:

- Seek support from and reporting allegations to local safeguarding agencies, within a timely manner. This may include obtaining support from the local PIPOT.
- Decision to suspend the TOG Mind member until a thorough investigation has been completed by local safeguarding team.
- Reporting allegations to the police, where appropriate.
- Informing Disclosure and Barring Service (DBS), where appropriate.
- Informing the relevant commissioner/funder as required within our contracts/agreements.
- Communicating with the assigned lead Trustee for Safeguarding.

Any concerns regarding the conduct or behaviour of a member of TOG Mind will be dealt with promptly, fairly and in line with this policy.

Any staff member of TOG Mind subject to allegations may also be subject to our disciplinary procedures following the outcome of external safeguarding investigations.

5.6 Recording and sharing information

TOG Mind recognises the importance of accurate, factual records in relation to adult safeguarding and is committed to ensuring all information collected relating to an at risk adult is stored securely and in line with our Data Protection Policy.

All within the organisation are to ensure this guidance is followed when collecting and recording information about any safeguarding concern regarding an at risk adult:

- Ensure information recorded is exactly what has been said by the at risk adult or third party. All are reminded not to make assumptions or judgements regarding any information received.
- Ensure all relevant information relating to the at risk adult, others involved, details disclosed by the at risk adult, or third party are clear, concise, and accurate.
- Information regarding disclosures of abuse should be dealt with sensitively and calmly, ensuring the wellbeing of the at risk adult during a disclosure is as important as collecting relevant information. All are reminded not to ask about specific details without guidance from a relevant manager.
- Individuals should seek support and guidance from a relevant manager in relation to disclosures of abuse promptly in line with this policy and the Risk Assessment and Management Process.
- The relevant line manager or safeguarding lead should be alerted once all information is recorded on the internal system to check this policy has been followed appropriately.

Any suspicion, concern, disclosure, or allegation of abuse should be recorded on the organisation's incident reporting system (Sharepoint) within a timely manner, however recording information on the system should not prevent other agencies being contacted

or relevant actions taking place. Volunteers should complete an incident report form (Appendix 9, incident policy), with the support of a member of staff.

All staff and volunteers will attend a half day of training on how to report incidents using this system and will be made aware of their responsibilities.

Any information shared with other agencies should be done so in line with the principles of this policy and in line with the Information Sharing Policy, Confidentiality Policy, and Data Protection Policy. This should ensure, where necessary, seeking the relevant consent to share information but recognising this is not always possible, where doing so may pose a further risk to an at risk adult.

5.7 Appropriate handling of non-recent disclosures

TOG Mind is committed to the robust safeguarding of at-risk adults upon a non-recent disclosure of abuse. TOG Mind is conscious of the effects that reporting of non-recent abuse may have on therapeutic, trusting relationships and how this may break down an adult's engagement in services when reports are made against their expressed wishes. TOG Mind is also mindful that non-recent disclosures may also impact others, including children, if disclosures of abuse are not reported through appropriate channels i.e. social care and the police and alleged perpetrators are not identified thus continuing the cycle of abuse unto others. Therefore, TOG Mind staff and volunteers will obtain relevant information regarding non-recent abuse upon disclosure and make decisions on a case-by-case basis on whether to make further reports.

TOG Mind staff and volunteers will seek to support and empower any adult wishing to make a report regarding abuse they have experienced and will always seek consent from the adult to share this information whenever it is safe to do so. At minimum, adults will be informed about any onward information sharing required from TOG Mind. TOG Mind staff and volunteers will receive robust clinical support, guidance, and supervision to aide in decision making in regard to the reporting of non-recent abuse. TOG Mind is committed to ensuring the six Cs of Making Safeguarding Personal are incorporated into this decision-making process.

6 Organisational commitments

TOG Mind is committed to ensuring all within the organisation are aware of their responsibilities for the safeguarding and protection of at risk adults. The organisation ensures this by:

- Providing access to training for everyone within the organisation relevant to their role and level of responsibility, for further details see our Safeguarding Framework – Appendix A. The Safeguarding Framework details mandatory training expectations, and all client-facing staff are encouraged to undertake continued professional development in relation to safeguarding via locality safeguarding boards, our internal training platform and from any other relevant organisation.
- Providing access to appropriate supervision and management for all individual within the organisation relevant to their role and level of responsibility
- Ensuring all individuals undertaking direct and indirect activities with at risk adults in the organisation have appropriate checks prior to undertaking activities, in line with our DBS Policy.

- Ensuring all individuals within the organisation have access to support and guidance via a line manager or safeguarding lead during all times when activities or services are taking place.
- Ensuring all activities with at risk adults within the organisation are guided by informed consent, individuals are reminded to apply principles within the Mental Capacity Act 2005 to ensure at risk adults can make informed choices about the care and support they receive from the organisation. Where an individual is unsure about informed consent, they should seek support from the relevant line manager or safeguarding lead prior to undertaking activities.

Appendix A –



Appendix A Safeguarding Fram

Appendix B –



Appendix B Public Safeguarding Stater

Policy Revisions

This policy will be reviewed annually, and any amendments made as necessary or earlier if changes to national legislation or operational procedures at TOG Mind occur. We welcome feedback on policies to help us continuously improve. If you would like to provide any suggested improvements on the content of this policy, please email your feedback to HR@togmind.org

All policies are subject to Executive Committee approval.