



## **Safeguarding Adults Policy**

**Approved by council: June 2022**

**Next review: June 2023**

**The Trustees in adopting this policy fully understand their legal obligations and the importance of monitoring and implementing the policy within ECI.**

# Safeguarding Adults Policy

## 1. Background

1.1 ECI is a registered charity and company limited by guarantee. Throughout this policy, ECI refers to the organisation as a whole that comprises the work of the individual projects and any support services that are provided corporately.

## 2. Statement of Intent

2.1 This policy has been written with the aim of ensuring that all vulnerable adults accessing any of the services provided by ECI are safe and free from the threat of harm.

2.2 It is also written with the intent of educating staff and volunteers about the increasing number of different ways in which an adult may be abused and/or exploited and the need to take action to prevent or reduce harm.

2.3 ECI wishes to take every possible precaution in order to protect all vulnerable adults with whom we work from the threat of abuse and/or exploitation. Any suspicion of harm will be responded to promptly and appropriately in line with the procedures set out in this policy.

2.4 [Under the Care Act \(2014\)](#), an adult at risk is someone over 18 years old who:

- has care and support needs
- is experiencing, or is at risk of, abuse or neglect
- as a result of their care and support needs is unable to protect themselves against the abuse or neglect or the risk of it.

If someone has care and support needs but is not currently receiving care or support from a health or care service, they may still be an adult at risk.

An adult at risk may therefore be a person who:

- is old and frail due to ill health, physical disability or cognitive impairment
- has a learning disability
- has a physical disability and/or a sensory impairment
- has mental health needs including dementia or a personality disorder
- has a long term illness/condition
- misuses substances or alcohol
- is a carer such as a family member/friend who provides personal assistance and care to adults and is subject to abuse
- is unable to demonstrate the capacity to make a decision and is in need of care and support

Although, anyone can be at risk of abuse or exploitation.

## 3. Scope of Policy:

3.1 The policy applies to all managers, staff, volunteers and users of our services and anyone working on behalf of ECI.

3.2 It is acknowledged that significant numbers of adults at risk are abused and/or exploited and it is important that ECI has a safeguarding adults' policy, a set of procedures to follow and puts in place preventative measures to try and reduce those numbers.

3.3 In order to implement the policy and procedure, ECI will work to:

- prevent harm and reduce the risk of abuse or neglect to adults with care and support needs;
- promote the wellbeing of the adult(s) at risk in safeguarding adults arrangements;
- safeguard adults in a way that supports them in making choices and having control about how they want to live;

- promote an approach that concentrates on improving life for the adults concerned;
- raise awareness of safeguarding adults to ensure that everyone can play their part in preventing, identifying and responding to abuse and exploitation;
- provide information and support in accessible ways to help people understand the different types of abuse and exploitation, how to stay safe and what to do to raise a concern about the safety or well-being of an adult; and
- wherever possible, address what caused the abuse or neglect.

#### 4. ECI will:

- ensure that all Trustees, managers, staff, volunteers and users of our services are familiar with this policy and associated procedures;
- work with other agencies within the framework of the Torbay & Devon Safeguarding Adults Board Policy and Procedures, issued under Care Act 2014 statutory guidance;
- act within its Data Protection policy and will usually gain permission from service users before sharing information about them with another agency.
- pass information to the Local Authority when more than one person is at risk. For example: if the concern relates to a worker, volunteer or organisation who provides a service to adults with care and support needs or children;
- inform service users that where a person is in danger, a child is at risk or a crime has been committed then a decision may be taken to pass information to another agency without the service user's consent;
- make a safeguarding adults referral to the Local Authority as appropriate;
- endeavor to keep up to date with national developments relating to preventing abuse, exploitation and the welfare of adults;
- will ensure that the Designated Adult Safeguarding Manager (DASM) understands his/her responsibility to refer incidents of adult abuse to the relevant statutory agencies (Police/Local Authority).

The Designated Adult Safeguarding Manager in ECI is:

#### **Carole Pilley; Development Manager**

M: 07821 475604

E: carole@eci.org.uk

They should be contacted for support and advice on implementing this policy and associated procedures.

#### 5. **Responsibility for Policy**

- 5.1 The trustees of ECI are ultimately responsible for ensuring that this policy is regularly reviewed and properly implemented.
- 5.2 In practice, the day-to-day responsibility for ensuring that any concern about **the welfare of an adult involved in an ECI activity** is dealt with appropriately lies initially with the relevant Project Manager (where appropriate), and ultimately with the ECI Chief Executive and the Designated Adult Safeguarding Manager. This is the case whether the person suspected of abusing and/or exploiting the person is an ECI employee or volunteer or someone else outside the organisation or whether the abuse results from self-neglect, the person's own behaviour or lifestyle.
- 5.3 However, it is now widely accepted that it is the responsibility of every adult to protect vulnerable adults from harm. ECI recognises that anyone who has contact with a vulnerable adult may be abusive in their actions. ECI also recognises that anyone who has regular contact with vulnerable adults may be a link in identifying where an adult needs protection. The organisation will therefore ensure that **staff and volunteers working with**

**vulnerable adults** realise it is their responsibility to act on their concerns. The organisation will provide them with the support needed to follow through the process of raising concerns.

## **6. Safeguarding Procedures**

- 6.1 All staff will know and understand ECI's Safeguarding Adults Policy and Procedure and will confirm their understanding and compliance with the policy upon induction and will confirm, as part of their annual appraisal, that they have reviewed and understand the Safeguarding Adults Policy and their responsibilities within this.
- 6.2 ECI's policy and approach for dealing with suspected harm to an adult need to be communicated. The policy will be available on the ECI website and staff must refer service users to the policy appropriately.

## **7. Recruitment and selection process**

- 7.1 ECI will ensure that any paid member of staff or volunteer recruited to a role which involves work with children or vulnerable adults has been subject to a rigorous selection process including interviews, taking up references (including at least one regarding previous work with children or vulnerable adults) and appropriate level criminal record checks, following ECI's 'Procedures for Disclosure and Barring Service (DBS) checks.
- 7.2 No one will be allowed to carry out tasks with a vulnerable adult (where a DBS check is required) until a satisfactory check has been received

## **8. Induction and training process**

- 8.1 ECI will ensure that all staff, trustees, and volunteers receive the Safeguarding Adults Policy and 'What to do if you suspect an adult is at risk'. Their reading and understanding of this will be checked as part of the induction process even if they do not work with vulnerable adults.
- 8.2 For projects working with vulnerable adults, the project manager will talk through the [Adult Safeguarding Concern Form](#) so that staff are familiar with it and confident to record their concerns.
- 8.3 This policy will be read as part of the Induction programme for new employees and volunteers, and they will sign the relevant form to confirm their commitment to it and again review again as required by ECI.

## **9. Code of behaviour when working with Vulnerable Adults**

- 9.1 To reduce situations where the abuse of vulnerable adults could take place and to protect staff and volunteers, ECI staff and volunteers will:
- ensure that training for staff and volunteers includes how to develop and maintain appropriate professional boundaries.

## **10. Health and Safety Checks**

- 10.1 ECI will risk assess all activities and venues to ensure that Vulnerable Adults are protected from intentional and unintentional harm.

## **11. Other related policies**

- 11.1 This Safeguarding Adults policy is one of several policies adopted by ECI to ensure the safety and well-being of their employees, trustees, volunteers and clients. It should be read and acted upon alongside the following:
- Equality and Diversity Policy
  - Health and Safety Policy
  - Supervision Policy
  - Confidentiality Policy
  - Disclosure & Barring Service Procedures

- Harassment and Bullying Policy
- Lone Working Policy
- Child Protection Policy

## **12. Designated Named Person for safeguarding adults**

12.1 ECI has an appointed individual who is responsible for leading safeguarding adults work in the organisation. In their absence, a deputy will be available with whom managers, staff or volunteers can consult.

### **Designated Adult Safeguarding Manager**

**Carole Pilley; Development Manager**

**M: 07821 475604**

**E: [carole@eci.org.uk](mailto:carole@eci.org.uk)**

### **Deputy Designated Adult Safeguarding Manager**

**Laura Callaway; Transitions Project Coordinator**

**M: 07531 870203**

**E: [laura@eci.org.uk](mailto:laura@eci.org.uk)**

**Should either of these named people be unavailable then managers, staff, volunteers, and service users should contact Care Direct directly. See below for contact details.**

The roles and responsibilities of the named person(s) are to:

- ensure that all staff and volunteers working with vulnerable adults are aware of what they should do and who they should go to if they have concerns that an adult at risk may be experiencing, or has experienced abuse, neglect or exploitation;
- ensure that concerns are acted on, clearly recorded and referred to Care Direct or to the allocated social worker/care manager where necessary;
- follow up any safeguarding adults' referrals and ensure the issues have been addressed;
- manage and have oversight over individual complex cases involving allegations against an employee, volunteer, or student, paid or unpaid;
- consider any recommendations from the safeguarding adult's process;
- re-enforce the utmost need for confidentiality and to ensure that staff and volunteers are adhering to good practice regarding confidentiality and security. This is because it is around the time that a person starts to challenge abuse that the risks of increasing intensity of abuse are greatest;
- ensure that staff and volunteers working directly with service users who have experienced abuse or exploitation, or who are experiencing abuse or exploitation, are well supported and receive appropriate supervision;
- Ensure staff and volunteers are given support and afforded protection, if necessary, under the Public Interest Disclosure Act 1998: they will be dealt with in a fair and equitable manner and they will be kept informed of any action that has been taken and its outcome.

Additionally, one of ECI Trustees will also lead on safeguarding matters. The current lead trustee is Beth Reynolds.

(Reviewed at 29.04.22)

## **Exeter Community Initiatives Adult Safeguarding Policy – Appendix One 'What To Do If You Suspect an Adult is At Risk'**

### **1. What is abuse and exploitation?**

Abuse is a violation of a person's human and civil rights by any other person(s).

Abuse can consist of a single or repeated act(s). It may be physical, verbal or psychological. It may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter a financial or sexual transaction to which he or she has not consented or cannot consent.

Exploitation is the deliberate manipulation or abuse of power used to have control over another person, usually for some form of gain. This can be for a range of reasons including personal, financial or sexual.

Abuse and exploitation can occur in any relationship and may result in significant harm to the person subjected to it.

#### **Types of Abuse:**

##### **Physical abuse**

Physical abuse is deliberately hurting or injuring an individual/s. This could include assault, hitting, slapping, pushing, burning, and misuse of medication, restraint or inappropriate physical sanctions.

##### **Emotional abuse**

Emotional abuse, also referred to as psychological abuse, is the attempt to scare, control or isolate an individual by intimidation or fear. This can include threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber-bullying, isolation or unreasonable and unjustified withdrawal of services or support networks.

##### **Self-neglect**

Self-neglect is when a person being unable, or unwilling, to care for their own essential needs necessary to maintain their physical and mental health, emotional wellbeing and general safety. It can cover a wide range of behaviour including neglecting personal hygiene, health or surroundings, refusal of necessary support and obsessive hoarding.

##### **Sexual abuse**

Sexual abuse involves a person being made to take part in sexual activity when they do not, or cannot, give consent. It may not involve physical contact and can also take place online. It can include sexual touching and all penetrative sex, but also things like indecent exposure and sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts to which the adult has not consented

##### **Online Abuse**

Online abuse is any type of abuse that happens on the internet, for example through social media, or mobile phones. Online abuse covers a wide range of behaviours and

technologies. It can include trolling, stealing someone else's identity, cyber-stalking and cyberbullying.

### **Neglect and acts of omission**

Neglect is the ongoing failure to meet an individual's basic and essential needs, either deliberately, or by failing to understand these. It includes ignoring a person's needs, or withholding essentials to meet needs, such as medication, food, water, shelter and warmth. Including ignoring medical, emotional or physical care needs, failure to access appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

### **Domestic abuse**

Domestic abuse is any type of controlling, bullying, threatening or violent behaviour between people in a personal or family relationship. The most prevalent type of domestic abuse occurs in personal relationships, but the definition of domestic abuse also covers abuse between family members, such as adolescent to parent violence and abuse. It can include aspects of physical, sexual, emotional, financial, and psychological abuse to maintain power and control over another person. [Coercive control](#) is a type of domestic abuse that doesn't necessarily result in physical violence and is recognised as a criminal offence. Abusive behaviour can occur even after a relationship has ended.

### **Organisational (sometimes referred to as institutional) abuse**

Organisational abuse is the inability to provide a good level of care to an individual or group of people in a care setting such as a hospital or care home, or in a person's own home if they receive care assistance there. It may be a one-off incident, repeated incidents or on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

### **Stalking**

Stalking can be defined as persistent and unwanted attention that makes you feel pestered and harassed. It includes behaviour that happens twice or more, directed at or towards you by another person, which causes you to feel alarmed or distressed or to fear that violence might be used against you.

### **Discriminatory Abuse**

Discriminatory abuse is unequal treatment based on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation. It can include insulting language, harassment, and denial of access to services or ill-treatment due to these personal characteristics.

### **Financial or material abuse**

Financial abuse can involve theft, fraud and exploitation, coercion in relation to an adult's financial affairs or arrangements, including pressure in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

### **Female Genital Mutilation**

Female genital mutilation (FGM) is when a woman or girl's genitals are deliberately cut, injured or changed for no medical reason. It is also known as female circumcision or cutting. It is usually carried out on young girls but can also happen to adult women.

Abuse may be carried out deliberately or unknowingly. Abuse may be a single act or repeated acts. Any or all of these types of abuse may be perpetrated as the result of deliberate intent, negligence or ignorance.

## **Types of Exploitation:**

### **Sexual Exploitation**

Adult Sexual Exploitation (ASE) is a form of sexual abuse that involves someone taking advantage of an adult, sexually, for their own benefit through threats, bribes, and violence. Adults can be exploited in many ways and anybody can be a victim of sexual exploitation, including men.

### **Radicalisation**

Radicalisation is the process through which people come to support increasingly extreme political, religious or other ideals. This can lead them to support violent extremism and terrorism. It may be particularly appealing to someone who is experiencing difficulties and challenges in their life.

### **Modern slavery and Human Trafficking**

Modern slavery is the act of exercising control or ownership over another person and using this power to exploit them. It can take many forms including human trafficking, forced labour, sexual exploitation, criminal exploitation, debt bondage and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

### **County Lines**

County lines is when criminals from larger cities expand their drug networks to other areas of the country - usually rural and suburban areas. Vulnerable adults are often exploited to move and store drugs and money and regularly use coercion, intimidation, violence and weapons.

### **Mate Crime**

Mate crime is when a person is harmed or taken advantage of by someone, they thought was their friend. This can include a friend asking for money and refusing to give it back or emotional or physical abuse by a person who was thought to be a friend.

### **Scamming**

Scamming is when someone misleads or deceives you through unsolicited or uninvited contact in order to obtain money. This could be by letter, email, phone or through advertising. Victims may also be targeted at home, also known as 'doorstep scamming'.

### **Blackmail**

Blackmail is a form of exploitation. It is an act of coercion, often criminal, using the threat of revealing or publicising either substantially true or false, and often damaging, information about a person, to the public, family members, or associates unless certain demands are met.

### **Fraud**

Fraud is when someone tricks or deceives you to gain a dishonest advantage – usually money, goods, services or property. Everyone is susceptible to fraud, and every day criminals invent new ways of taking money from innocent people.



## 2. Health and Wellbeing

Good physical and emotional health is key to living a fulfilled life. When someone is struggling to cope, either physically or mentally, it can lead to more serious issues and have a negative impact on their life.

### Self-Harm Awareness

Self-harm is when someone deliberately hurts themselves. It can include cutting, burning, hitting or bruising, poisoning, scratching, hair-pulling or overdosing.

Adults who self-harm aren't usually trying to commit suicide or looking for attention (although self-harming can result in accidental death). Often, it is a way for the person to deal with overwhelming or distressing feelings and emotions. It's a way of coping.

It is often a sign that there is an underlying problem.

Self-harm can be hard to understand but it is a lot more common than some people think.

The best thing to do is for the person to get help to deal with the underlying issues. Getting the right help is often the key to overcoming or managing self-harm.

### Suicide Awareness

Each day around 16 people take their life in England and the UK. This [link](#) has information on how to respond if someone tells you they are feeling suicidal.

### Mental Capacity and the Mental Capacity Act

Mental capacity is our ability to make decisions about all aspects of our lives. This could be affected permanently or temporarily by an injury, a serious illness or a disability. The following [link](#) has more information.

## 3. What might you notice if someone is being abused or exploited?

These are only a few examples of possible signs, none being conclusive on their own.

- Injuries – such as unexplained or frequent bruises;
- Being involved in a sexual act they don't want or didn't agree to like watching pornography
- Weight loss
- Dehydration
- Lack of personal care
- Bills not being paid
- An overly critical or disrespectful carer who may for example bully, undermine, say that a person is worthless
- Sudden loss of assets, someone may threaten the person to gain access to their money, get them to change their will for example
- Not getting to medical appointments
- Deference or submission to a suspected abuser
- Change in behaviour or mood
- Isolation from usual networks of friends/family/community
- Where a carer looks after the person in a way that is convenient to them, not what is needed, and this results in their health being affected

Incidents of abuse and exploitation may be multiple, either to one person in a continuing relationship or service context, or to more than one person at a time. This makes it important to look beyond a single incident or breach of standards to underlying dynamics and patterns of harm. Some instances of abuse will constitute a criminal offence. In this respect, vulnerable adults are entitled to the protection of the law in the same way as any other

member of the public. When complaints about alleged abuse suggest that a criminal offence may have been committed, it is imperative that reference should be made to the Police as a matter of urgency. Criminal investigation by the Police takes priority over all other lines of enquiry.

#### **4. Who can be the abuser?**

People who behave abusively come from all backgrounds and walks of life. They may be doctors, nurses, social workers, advocates, staff members, volunteers or others in a position of trust. They may also be relatives, friends, neighbours or people who use the same services as the person experiencing abuse.

#### **5. If you know of an adult who may be at risk of abuse/exploitation or is being abused/exploited**

##### **It is your responsibility to -**

- Ensure your safety and the safety of the vulnerable adult
- Write down any disclosure/incident information you have as soon as possible
- Tell someone - contact the Project Coordinator/Manager or the Designated Adult Safeguarding Managers

##### **You must not:**

- Put yourself at risk
- Speak to the alleged abuser about the allegation
- Try and investigate the allegation further

#### **Responding to disclosure - Some incidents of abuse only come to light because the abused person discloses the information themselves.**

The abused person may not understand that they are being abused/exploited and so not realize the significance of what they are telling you. Some disclosures happen many years after the abuse. There may be good reasons for this for example the person they were afraid of has left the setting. Therefore, any delay in an individual reporting an incident should not cast doubt on its truthfulness.

#### **When someone discloses to you, remember you are not investigating.**

##### **Do:**

- Stay calm and try not to show shock.
- Listen very carefully.
- Be sympathetic.
- Be aware of the possibility that medical evidence might be needed.
- Tell the person that:
  - They did a good/right thing in telling you.
  - You are treating the information seriously.
  - It was not their fault.
- Explain that you must tell your Line Manager (and Designated Adult Safeguarding Managers) and, with their consent, the manager will contact Adult Services and/or Police. The manager will, in specific circumstances, contact Adult & Community Services without their consent but their wishes will be made clear throughout.
- If a referral is made but the vulnerable adult is reluctant to continue with an investigation, record this and bring this to the attention of the Safeguarding Adults

Coordinator. This will enable a discussion of how best to support and protect the vulnerable adult.

However, a professional case discussion will still need to take place and should be recorded appropriately.

**Do not:**

- Press the person for more details.
- Promise to keep secrets (you can never keep this kind of information confidential).
- Pass on the information to anyone other than those with a legitimate "need to know", such as your Line Manager.
- Make promises you cannot keep (such as, "I will never let this happen to you again").
- Contact the alleged abuser.
- Be judgmental (for example, "Why didn't you run away?").
- Gossip about abuse.
- Stop someone when they are telling you what has happened to them, as they may never tell you again.

**You must:**

- Make a note of what the person said, using his or her own words and phrases.
- Describe the circumstance in which the disclosure came about.
- Note the setting and anyone else who was there at the time.
- When there are cuts, bruises or other marks on the skin use a body map to indicate their location, noting the colour of any bruising.
- Make sure the information you write is factual. You may wish to indicate your own opinion or a third party's information. If you do, ensure the separation is made very clear.
- Sign and date the report, noting the time and location. Be aware that your report may be needed later as part of a legal action or disciplinary procedure.

**6. Is the information offered confidential?**

No. All information should be recorded on the Safeguarding Adults Concern Form. The information will be passed to Adult and Community Services if a referral is made. A strategy to manage the sharing of information should be formed with the Designated Adult Safeguarding Manager.

**7. How do I know whether it is definitely abuse?**

Naming the concern as 'abuse' is less important than assessing the level of risk posed to the person. You may feel unsure in your judgment, the Designated Adult Safeguarding Manager and / or Care Direct will be able to advise on whether there needs to be a referral made to Adult and Community Services.

You may have this discussion with either of the following:

The ECI Designated Adult Safeguarding Manager is Carole Pilley.

If you wish to discuss a potential case before making a safeguarding alert, you can contact the Devon County Council Safeguarding Adults Team on 01392 381208.

**Care Direct – 0345 1551 007** opening Hours 8am-8pm Monday to Friday, 9am-1pm Saturday. Outside of these times, the **Emergency Duty Team** can be contacted on 0845 6000 388.

**7. Making a referral.**

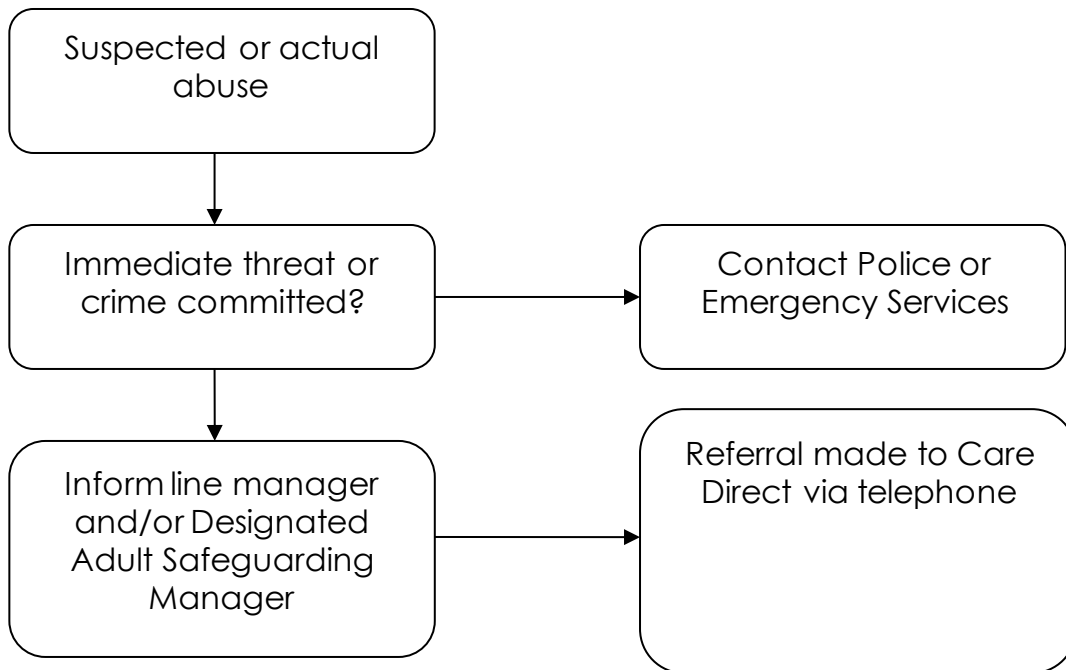
If the discussion with the Designated Adult Safeguarding Manager/ Care Direct concludes that there is a risk to the person; at this point you will be required to share your personal details and those of the person you are referring. Give all the information you have no matter how insignificant it might seem.

To refer to the Adult and Community Services contact Care Direct. **The main contact number for Care Direct is 0345 1551 007** opening Hours 8am-8pm Monday to Friday, 9am-1pm Saturday. **Email:** [csc.caredirect@devon.gov.uk](mailto:csc.caredirect@devon.gov.uk)

Outside of these times, the **Emergency Duty Team** can be contacted on **0845 6000 388** or contact the Police.

Note that it is not necessary to refer a safeguarding adults concern out of hours unless the individual or others have urgent social care needs.

Concerns can also be reported through the [Torbay and Devon Safeguarding Adults Partnership](#) website. There are also several resources and useful links on this site for deepening your understanding of Adult Safeguarding.



If the referral is accepted by Adult and Community Services an investigation into the person's situation takes place at once. In exceptional circumstances, the evidence of an individual may be required in a Court of Law.

Whether the conclusion is that the person is or is not at risk, every effort should be made to handle information discreetly for the benefit of the person by working openly and in partnership with other professionals. This helps identify lower-level needs and appropriate action can still be taken. It encourages the spirit of cooperation that makes it easier to share information, which is important when abuse is suspected. The Designated Adult Safeguarding Manager will be able to offer you practice supervision to manage information sharing appropriately.

## 8. Everyone working for ECI should:

- Be familiar with and follow ECI's procedures and protocols for promoting and safeguarding adults and know who to contact in ECI if you have concern about a person's welfare (see flowchart and Safeguarding Adults Concern Form).
- Remember that an allegation of abuse or neglect may lead to a criminal investigation so don't do anything that may jeopardise a police investigation, such as asking the person leading questions or attempting to investigate the allegations of abuse.
- When you make a referral, agree with the recipient of the referral what the person will be told, by whom and when.
- Record all concerns, discussions about the person, decisions made and the reasons for those decisions. If you make a referral by telephone, confirm it in writing within 48 hours.
- Ensure that the Designated Adult Safeguarding Manager is kept informed and up to date. (If the concern relates to the Designated Adult Safeguarding Manager, inform the Chief Executive of ECI about your concerns and contact Care Direct).
- Ensure that the Chief Executive is informed if the issue involves allegations against an ECI member of staff or volunteer, or you or the Designated Adult Safeguarding Manager believe the issue has the potential to be the subject of significant media interest, or is likely to bring ECI into disrepute

## 9. **Guidance on information sharing for safeguarding and promoting the welfare of adults**

It is rare for the law or professional codes of conduct to provide an absolute barrier to disclosure. The simplest way of viewing information sharing is:

If you suspect a vulnerable adult is at risk of abuse and/or exploitation, all information needs to be shared with Devon Adult & Community Services and / or the police.

Anyone who receives information, knowing it is confidential, is also subject to a duty of confidence. Whenever you give or receive information in confidence you should ensure there is clear understanding as to how it may be used or shared.

A young person aged 16 or over, who has the capacity to understand and make their own decisions, may give (or refuse) consent to a disclosure. If consent to sharing the information is refused, you will need to decide if the circumstances justify the disclosure, considering what is being disclosed, for what purposes and to whom. Where the person lacks the capacity, this is covered by the:

### **Mental Capacity Act 2005:**

- Provides a legal framework for making significant life decisions for adults who lack the capacity to make such decisions themselves.
- Examples of the decision the act covers are managing finances, some medical treatments and where to live.
- The act also makes the ill treatment or neglect of an adult who lacks capacity a criminal offence.
- In some circumstances, an Independent Mental Capacity Advocate (IMCA) can be instructed by the Local Authority or NHS to facilitate a decision-making process.
- The act also covers situations for people who want to plan for their care and finances in the event they lose their capacity in the future – 'advance decisions' & 'lasting powers of attorney'.

The key factor in deciding whether to disclose confidential information is proportionality. The amount of confidential information disclosed and the number of people to whom it is disclosed should be no more than is strictly necessary to meet the public interest in protecting the health and well-being of a vulnerable adult (the 'need to know' basis). The

approach should be the same whether the information is being shared internally within an organisation or between agencies.

#### **10. If your concern relates to a member of staff or a volunteer.**

- Inform and discuss your concerns with your project manager, and inform the ECI Chief Executive
- If the person to whom the concern relates is your project manager, inform and discuss your concerns with the person above him/her.
- Whether a referral is to be made or not always inform the Designated Adult Safeguarding Manager of your concerns, and always complete a Safeguarding Adult Concern Form to record the issues raised.
- A member of staff or volunteer may be suspended while appropriate investigations take place. These could include criminal, child protection and disciplinary investigations.
- The usual ECI disciplinary procedures will be followed as outlined in the Disciplinary Policy. These may be influenced by the outcome of investigations by the Police and/or ACS.
- Contact **Care Direct** to discuss your concern.

#### **11. Where can you find more information?**

This policy has been developed in accordance with the information developed by Torbay & Devon Safeguarding Adults Partnership. For more information visit:

<https://www.devonsafeguardingadultspartnership.org.uk/>

Department of Health:

**'No secrets: guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse'**

[http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_4008486](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4008486)

Local Government Association:

Making Safeguarding Personal

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

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