

Ryedale & District Mencap

Safeguarding Adults at Risk  
Policy & Procedure

April 2022

Ryedale & District Mencap

## **SAFEGUARDING ADULTS AT RISK**

### **POLICY & PROCEDURE**

This policy and procedure has been adopted by Ryedale & District Mencap through its Trustee Committee which remains responsible for its review.

Original signed version is kept at the Ryedale & District Mencap registered office.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

#### **Chair of Trustee Committee**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

#### **Committee Member**

#### **Record of adoption and review of this policy and procedure:**

**Adopted**

**Next review**

Ryedale & District Mencap

**SAFEGUARDING ADULTS AT RISK  
POLICY & PROCEDURE**

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## **Ryedale & District Mencap Safeguarding Adults Statement**

It is acknowledged that significant numbers of adults at risk are abused. Ryedale & District Mencap has a Safeguarding Adults policy, a set of procedures to follow and put in place preventative measures to try and reduce that number.

Ryedale & District Mencap is committed to zero tolerance of abuse and neglect within the organisation. This Policy Statement and associated procedures have been drawn up in order to enable it to:

- implement processes which enable it to meet the requirements of the Multi - agency Safeguarding Adults policy and procedure for North Yorkshire
- promote good practice and work in a way that can prevent harm, abuse and coercion occurring.
- ensure that any allegations, disclosures of abuse or suspicions are dealt with appropriately and the person experiencing abuse are supported.
- stop that abuse occurring.

In order to implement the policy Ryedale & District Mencap will work to:

- manage services in a way which promotes safety and prevents abuse
- promote the freedom and dignity of the person who has or is experiencing abuse
- promote the rights of all people to live free from abuse and coercion
- ensure the safety and wellbeing of people who do not have the capacity to decide how they want to respond to abuse that they are experiencing

### **Ryedale & District Mencap will:**

- ensure that all management committee members, staff, volunteers and service users are familiar with this policy
- work with other agencies within the framework of the North Yorkshire Safeguarding Adults Multi-Agency Adult Policy and Procedures
- act within its confidentiality policy and will usually gain permission from service users before sharing information about them with another agency
- inform service users that where a person is in danger, a child is at risk or a serious crime has been committed then a decision may be taken to pass information to another agency without the service user's consent
- make a referral to North Yorkshire Health and Adult Services as appropriate
- endeavour to keep up to date with national developments relating to preventing abuse and welfare of adults
- ensure that the named person understands his/her responsibility to refer incidents of adult abuse to the relevant statutory agencies (Police/Health and Adult Services)

## **Named Person**

The named person for Safeguarding Adults in Ryedale & District Mencap is:

**Ms Josephine Hall  
Manager**

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

**This policy should be read in conjunction with the North Yorkshire Safeguarding Adults Multi-agency Policy and Procedures.**

**These are kept in the Policies File in the Mencap Office.**

# Ryedale & District Mencap

## SAFEGUARDING ADULTS POLICY & PROCEDURE

### 1. Definitions

In this policy and procedure:

“staff and staff members” means all Ryedale & District Mencap employees and volunteers (including Trustees)

“Safeguarding Adults at Risk” means the document “Safeguarding Adults West and North Yorkshire and York Multi-Agency Policy and Procedures”

### 2. Introduction

This policy and procedure has been adopted by the Trustee Committee of Ryedale & District Mencap in line with Safeguarding Adults West and North Yorkshire and York Multi-Agency Procedures (published April 2018)

### 3. Policy Commitments

1) Ryedale & District Mencap believe it is always unacceptable for anyone to experience abuse of any kind and recognises its responsibility to safeguard the welfare of adults at risk. In providing its services, Ryedale & District Mencap is committed to safeguarding and promoting the welfare of adults at risk.

In particular, Ryedale & District Mencap is committed to:

- working together to prevent and protect adults at risk from abuse
- empowering and supporting people to make their own choices
- reporting actual or suspected abuse and neglect
- supporting adults at risk and providing a service to those who are experiencing abuse, neglect and exploitation.

2) Ryedale & District Mencap recognises that:

- the welfare of the adult at risk is paramount
- all adults at risk have the right to equal protection from all types of harm or abuse
- working in partnership with adults at risk, their parents, responsible carers, and other agencies is essential in promoting the welfare of adults at risk

3) Ryedale & District Mencap is committed to protecting and promoting the safety of adults at risk with whom it works and recognises the need to work with those agencies charged with statutory duties for the protection of adults at risk.

4) Ryedale & District Mencap will ensure its recruitment and working practices reflect these policy commitments.

#### **4. Purpose**

The purpose of this policy and procedure is to:-

- safeguard adults at risk who receive Ryedale & District Mencap's services
- provide Ryedale & District Mencap staff with guidance on the procedures and conduct they should adopt during their work for Ryedale & District Mencap

#### **5. Safeguarding Adults at Risk**

##### **Definition of an Adult at Risk**

For the purpose of this policy, an adult at risk is an adult who:

- is aged 18 years or more, and
- has needs for care and support (whether or not these are currently being met)
- is experiencing, or is at risk of, abuse or neglect, and
- as a result of these needs is unable to protect himself or herself against the abuse or neglect or the risk of it

Such a definition includes adults with physical, sensory and mental impairments and learning disabilities, howsoever those impairments have arisen e.g. whether present from birth or due to advancing age, chronic illness or injury.

Also included are people with a mental illness, dementia or other memory impairments, people who misuse substances or alcohol.

The definition includes unpaid carers (family and friends who provide personal assistance and care to adults on an unpaid basis).

#### **What is abuse?**

Abuse can take many forms and the circumstances of the individual should always be considered. It may consist of a single act or repeated acts. The following are examples of issues that would be considered as a safeguarding concern.

Abuse may be carried out deliberately or unknowingly.

Abuse may be a single act or repeated acts.

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.

Physical abuse - includes hitting, slapping, pushing, kicking, misuse of medication, unlawful or inappropriate restraint, or inappropriate physical sanctions.

Domestic abuse – is “an incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse... by someone who is or has been an intimate partner or family member regardless of gender or sexuality” (Home Office, 2013). Domestic violence and abuse may include psychological, physical, sexual, financial, emotional abuse; as well as so called ‘honour’ based violence, forced marriage and female genital mutilation.

Sexual abuse - includes rape and sexual assault or sexual acts to which the adult at risk has not consented, or could not consent or was pressured into consenting.

Psychological abuse - includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal from services or supportive networks.

Financial and material abuse – includes theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Modern slavery - includes human trafficking, forced labour and domestic servitude. Traffickers and slave masters use the means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhuman treatment.

Neglect and acts of omission - includes ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.



Discriminatory abuse - includes abuse based on a person's race, sex, disability, faith, sexual orientation, or age; other forms of harassment, slurs or similar treatment or hate crime/hate incident.

Organisational abuse – includes neglect and poor practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to 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.

Self-neglect - covers a wide range of behaviours, such as neglecting to care for one's personal hygiene, health or surroundings and includes behaviours such as hoarding.

A safeguarding response in relation to self-neglect may be appropriate where:

- a person is declining assistance in relation to their care and support needs, and
- the impact of their decision, has or is likely to have a substantial impact on their overall individual wellbeing.

## **6. Key Roles**

Every member of staff, volunteer and Trustee has a responsibility to act on concerns of possible abuse and must inform Ryedale & District Mencap's Safeguarding Concerns Manager.

Safeguarding Concerns Manager: The Safeguarding Concerns Manager has the responsibility to decide whether it is appropriate to Raise a Safeguarding Concern with the local authority on behalf of Ryedale & District Mencap or to respond to the concerns in an alternative manner.

The role also includes:

- ensuring that immediate safety issues are addressed, other parties notified (such as the regulator) and that staff are supported.
- ensuring that they are kept informed when a member of staff, volunteer or Trustee has raised a concern and assisting establishing the desired outcomes of the adult at risk.

### **The Safeguarding Concerns Manager:**

Ryedale & District Mencap has an appointed individual who is responsible for dealing with any Safeguarding Adults concerns. In their absence, a deputy will be available for people to consult with.

### **Named person for Safeguarding Adults:**

Manager – Ms J Hall

Emergency contact number:

### **Deputy person:**

Chairman – Mr M Harrison

Emergency contact number: 07984978156

### **Organisational Lead for Safeguarding Adults:**

The Chairman and Trustee Committee of the Ryedale & District Mencap are responsible for making sure that this policy and procedure is reviewed and up to date. The Chairman and the Trustee Committee are also responsible for making sure that staff and volunteers have appropriate training and information to fulfil their roles.

## **7. Safe Employment**

- a. Ryedale & District Mencap is committed to achieving best practice in respect to the safe recruitment of employees, volunteers and Trustees and will also observe best practice as established by the Disclosure and Barring Scheme (DBS).
- b. The organisation has procedures in place to deal with allegations of abuse made against members of staff, volunteers and Trustees. (see Whistle Blowing, Complaints, Disciplinary and Grievance Policy and Procedures)
- c. The organisation will ensure that any allegations against members or member of staff, volunteer or Trustee will be dealt with swiftly.
- d. Where a member of staff, volunteer or Trustee is thought to have committed a criminal offence the police will be informed. If a crime has been witnessed the police should be contacted immediately.
- e. Where the allegation involves alleged abuse of an adult at risk, a concern should be raised following the process in the Additional Guidance section.
- f. The safety of the adult at risk is paramount and it should be ensured that they are safe and away from the person(s) against whom the allegation(s) has been raised.
- g. The named person will liaise with the Safeguarding Concerns

Manager to discuss the best course of action and to ensure that the Ryedale & District Mencap Disciplinary Procedures are co-ordinated with any other enquiries taking place as part of the on-going management of the allegation.

## **8. Training and Supervision**

Ryedale & District Mencap is committed to ensuring that all staff, volunteers and Trustees undertake training to gain a basic awareness of signs and symptoms of abuse and will ensure that the named person and other members of staff, volunteers and Trustees have access to training around Safeguarding Adults.

- Awareness of the Safeguarding Policy and Procedure will be covered within induction of all new employees, volunteers and Trustees and will be checked in supervision meetings.
- All staff, volunteers and Trustees will receive training on safeguarding adults at a level commensurate with their roles.
- All staff, volunteers and Trustees will receive training on the requirements and provisions of the Mental Capacity Act.

## **9. Prevention**

**This is a list of related policies that will help to minimise the risk of abuse occurring:**

- a) Whistleblowing Policy**
- b) Complaints Policy**
- c) Managing Images of Service Users Policy**
- d) Recruitment Policy**
- e) Disciplinary Policy**

## **10. Safeguarding Adult Procedures**

### **10.1 Responding to an allegation/concern:**

Ryedale & District Mencap recognises that it has a duty to act on reports, or suspicions of abuse or neglect. Anyone who has contact with adults at risk and hears disclosures or allegations or has concerns about potential abuse or neglect has a duty to pass them on appropriately and without undue delay.

### **10.2 Responsibilities of all employees, volunteers and Trustees**

**If any member of staff, volunteer or Trustee has a reason to believe that abuse is or may be taking place they have a responsibility to act on this information. It does not matter what your role is, doing nothing is not an option.**

If a person discloses abuse to you directly, use the following principles to respond to them:

- Assure them that you are taking the concerns seriously
- Do not be judgemental or jump to conclusions
- Listen carefully to what they are telling you, stay calm, get as clear a picture as you can. Use open ended questions
- Do not start to investigate or ask detailed probing questions
- Explain that you have a duty to tell your Manager or the designated officer
- Reassure the person that they will be involved in decisions about them

Your responsibilities are:

1. To take action to keep the person safe if possible.
  - Is an urgent police presence required to keep someone safe – call 999
  - Does the person need urgent medical assistance, do they need an ambulance – call 999
2. If a crime has occurred, be aware of the need to preserve evidence
3. Always inform the Safeguarding Concerns Manager. You cannot keep this information secret, even if the person asks you to.
4. Clearly record what you have witnessed or been told, record your responses and any actions taken.

If consulting with the Safeguarding Concerns Manager will lead to an undue delay and thereby leave a person in apposition of risk, you should 'Raise a Safeguarding Concern' yourself.

### **Additional Guidance:**

#### **A. Considering whether to Raise a Safeguarding Concern**

When deciding whether a safeguarding concern should be raised, consider the following key questions:

1. Is the person an 'adult at risk' as defined within this policy/procedure?
2. Is the person experiencing, or at risk of, abuse and neglect?
3. What is the nature and seriousness of the risks?

Consider:

- The person's individual circumstances
- The nature and extent of the concerns
- The length of time it has been occurring
- The impact of any incident
- The risk of repeated incidents for the person
- The risk of repeated incidents for others

4. What does the adult at risk want to happen now?

Wherever possible, consider what the adult at risk wants to happen next, what do they want to change about their situation, and what support do they want to achieve that.

On some occasions, it may be necessary to raise a safeguarding concern even if this is contrary to the wishes of the adult at risk. Any such decision should be proportional to the risk, for example:

- It is in the public interest e.g. there is also a risk to others, a member of staff or volunteer is involved, or the abuse has occurred on property owned or managed by an organisation with a responsibility to provide care
- The person lacks mental capacity to consent and it is in the person's best interests
- The person is subject to coercion or undue influence, to extent that they are unable to give consent
- It is in the person's vital interests (to prevent serious harm or distress or life threatening situations)

If you remain unsure whether to raise a safeguarding concern, you can:

- Contact the Safeguarding Concerns Manager for advice
- Seek advice from a **Safeguarding Officer** by contacting **North Yorkshire County Council Customer Service Centre** and asking to talk to a Safeguarding Officer by phone on 01609 780780
- Refer to the West Yorkshire and North Yorkshire Safeguarding Adult Policy and Procedures at [www.nypartnerships.org.uk/sab](http://www.nypartnerships.org.uk/sab) for further information and guidance

## **B. Considering whether to report a concern to the police**

If a crime has been or may have been committed, seek the person's consent to report the matter immediately to the police. This will be in addition to raising a safeguarding concern with the local authority.

If the person has mental capacity in relation to the decision and does not want a report made, this should be respected unless there are justifiable reasons to act contrary to their wishes, such as:

- the person is subject to coercion or undue influence, to the extent that they are unable to give consent, or

- there is an overriding public interest, such as where there is a risk to other people
- it is in the person's vital interests (to prevent serious harm or distress or in life threatening situations)

There should be clear reasons for overriding the wishes of a person with the mental capacity to decide for themselves. A judgement will be needed that takes into account the particular circumstances.

If the person does not have mental capacity in relation to this decision, a 'best interests' decision will need to be made in line with the Mental Capacity Act.

### **Preserving evidence**

If a crime has occurred, try to preserve evidence in case there is a criminal investigation.

- try not to disturb the scene, clothing or victim if at all possible
- secure the scene, for example, lock the door, if possible,
- preserve all containers, documents, locations, etc.
- evidence may be present even if you cannot actually see anything
- if in doubt, contact the police and ask for advice

The police should be contacted for advice wherever required.

### **C. Who else to inform**

- relatives of the adult at risk according to their wishes, or in their 'best interests' where they lack the mental capacity to make this decision for themselves
- child protection services, if children are also at risk from harm
- the Charities Commission, if your service is a registered charity
- your line manager (and safeguarding adults lead if different) of your decisions and actions in line with this procedure
- your Human Resources Manager if allegations/concerns relate to an employee, volunteer or Trustee
- staff delivering a service on a need-to-know basis so that they do not take actions that may prejudice an enquiry

### **D. Document the concern and any actions or decisions taken**

Ensure all actions and decisions are fully recorded. It is possible that your records may be required as part of an enquiry, be as clear and accurate as you can. Record the reasons for your decisions and any advice given to you in making these decisions.

Ensure that appropriate records are maintained, including details of:

- the nature of the safeguarding concern/allegation
- the wishes and desired outcomes of the adult at risk
- the support and information provided to enable the adult at risk to make an informed decision

- assessments of Mental Capacity where indicated
- the decision of the organisation to raise a concern or not

**E. How to make a Raise a Safeguarding Concern:**

To raise a safeguarding concern under the safeguarding adults procedures:

Contact:

➤ North Yorkshire County Council Customer Services: **01609 780780** (8am – 5:30pm Mon-Fri). This number will be answered by the Emergency Duty Team outside these hours.

The person you speak to will ask you for details about the allegation/concern. If you have reported the incident to the police, tell the person this as well.

Then complete the Safeguarding Adults: Inter-agency safeguarding adults concerns form; sometimes called the SA\_A Form. This can be found on

[www.nypartnerships.org.uk/sab](http://www.nypartnerships.org.uk/sab).

**You should send the completed form as a confidential document to: North Yorkshire County Council, Customer Services Centre, County Hall, Racecourse Lane, Northallerton, North Yorkshire DL7 8AD. Fax number: 01609 532009**

The form can also be e-mailed to [social.care@northyorks.gov.uk](mailto:social.care@northyorks.gov.uk) or using the secure

e-mail address [social.care@northyorks.gcsx.gov.uk](mailto:social.care@northyorks.gcsx.gov.uk)

**REMEMBER:** If you suspect that someone is being abused and they are in **immediate** danger you should ring the Police on **999**.

The safeguarding concern will be allocated to an appropriate team, who will then contact you to discuss the concerns further.

Information should be provided to the individual. This could be about other sources of help or information that could enable them to decide what to do about their experience, enable them to recover from their experience and enable them to seek justice.

**Appendix A: Useful Contacts**

<b>To raise a safeguarding concern</b>	
Adult Social Care Customer Services: (8am –5:30pm Mon-Fri) This number will be answered by the Emergency Duty Team outside these hours.	Tel: 01609 780780
<b>Contacting the police</b>	

If the person is in imminent danger	Tel: 999 (Emergency Service)
If you need to report a crime, but the person is not in imminent danger	Tel: 101 (non emergency Service)
<b>To notifying regulators</b>	
Care Quality Commission Charities Commission	Tel: 03000 616161 Tel: 0300 065 2199
<b>Employment related advice lines</b>	
Disclosure and Barring Service (DBS)	Tel: 01325 953795
<b>Chairman – Ryedale &amp; District Mencap</b>	
Mark Harrison	Tel: 07984978156
<b>Ryedale &amp; District Mencap</b>	
Josephine Hall Manager,	Tel:
<b>Whistleblowing advice services</b>	
Mencap <a href="http://www.mencap.org.uk/organisations/whistleblowinghelpline">www.mencap.org.uk/organisations/whistleblowinghelpline</a>	Helpline: 08000 724 725
Care Quality Commission: <a href="http://www.cqc.org.uk/contact-us">www.cqc.org.uk/contact-us</a>	Tel: 03000 616161
Public Concern at Work <a href="http://www.pcaw.org.uk">www.pcaw.org.uk</a>	Tel: 020 7404 6609.
<b>Advocacy services</b>	
North Yorkshire Advocacy <a href="http://www.nyadvocacy.org">www.nyadvocacy.org</a>	Tel: 01609 778652
Total Advocacy <a href="http://www.cloverleaf-advocacy.co.uk">www.cloverleaf-advocacy.co.uk</a>	Tel: 01609 765355