



THE BAYTREE CENTRE

SAFEGUARDING ADULTS

POLICY & PROCEDURE

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INTRODUCTION

Safeguarding Named Staff

Position	Name & Title	Contact Details
Designated Safeguarding Lead (DSL)	Caroline Guarnaccia Chief Executive Officer	Caroline@baytreecentre.org.uk 020 733 5283 0774 0438002
Deputy Designated Safeguarding Lead (DDSL)	Anna Iacuzzi Service Director – Women’s Service	aiacuzzi@baytreecentre.org.uk 020 733 5283 0770 3650536
Adult Safeguarding Lead Trustee	Marie-Claire Daaboul - Trustee	daaboul@btinternet.com
Baytree Safeguarding Committee	Caroline Guarnaccia Anna Iacuzzi Marie-Claire Daaboul Tseday Hailu (Chair of Board of Trustees)	Caroline@baytreecentre.org.uk aiacuzzi@baytreecentre.org.uk daaboul@btinternet.com tsed18@hotmail.com

The Designated Safeguarding Lead is the person who holds ultimate responsibility for safeguarding at the time of the disclosure. If the Designated Safeguarding Lead is absent or unavailable, the responsibility defers to the Deputy Designated Safeguarding Lead or the Adult Safeguarding Lead Trustee.

Emergency Contacts

Police/ambulance/fire	Where there is an immediate risk or urgent assistance is required	CALL 999
Lambeth Adult Social Care		T: 020 7926 5555
The Baytree Centre	Caroline Guarnaccia Anna Iacuzzi	caroline@baytreecentre.org.uk 020 733 5283 0774 0438002 aiacuzzi@baytreecentre.org.uk 020 733 5283 0770 3650536

What is Adult Safeguarding?

Adult safeguarding is about protecting adults with care and support needs from abuse and neglect, and about responding appropriately when adults with care and support needs are experiencing or are at risk of abuse or neglect. Adults to whom the protection of this policy and procedure apply are defined below in the section *Who does Adult Safeguarding Apply to?* In this document, the term 'adult' means people coming within that definition.

Context

This policy and procedure document applies to all staff, volunteers and trustees of The Baytree Centre.

The purpose of this document is to:

- Stop abuse and neglect where possible;
- Prevent harm and reduce the risk of abuse and neglect;
- Provide staff, volunteers and trustees with overarching principles and operating procedures that guide our approach to safeguarding.

Adult Safeguarding work in Lambeth takes place in the context of:

- **Care Act 2014** – this sets out legal duties and powers relating to adult safeguarding issues. The Care Act says the Local Authority is the lead agency in responding to adult safeguarding concerns and that Safeguarding Adults Boards (SAB) must take the strategic lead for their area;
- **Care and Support Statutory Guidance** - this gives detail about what must and should be done about adult safeguarding issues. As it is statutory guidance, it must be followed unless there is a good reason not to follow it;
- **London Multi-Agency Adult Safeguarding Policy and Procedures** – these give the framework adopted across London for multi-agency responses to adult safeguarding concerns. Lambeth SAB has adopted them as its main policy and procedure; and
- **Lambeth Safeguarding Adults Board Policy and Procedure** – these supplement the London policy and procedure, giving the local context.

ADULT SAFEGUARDING POLICY

Policy Statements

The Baytree Centre (Baytree) and its staff, volunteers and trustees are committed to:

- **the health, safety and welfare of all those using its services; and**
- **preventing harm and reducing the risk of abuse or neglect to adults with care and support needs.**

Where any such abuse or neglect is discovered or suspected, it will be reported and dealt with in accordance with this policy and procedure.

Safeguarding is the responsibility of everyone at Baytree. Baytree expects that all staff, workers and volunteers act promptly and in accordance with these policies and procedures, on any disclosure or concern regardless of how small or trivial it may seem.

The Baytree Centre is committed to providing a secure environment for clients, where they are kept and feel safe and where equality and inclusion are actively promoted.

Approach

Where an adult has care and support needs, Baytree expects all staff, workers and volunteers to pay special attention to the adult's needs and take into account any special requirements that they may have.

Our approach to safeguarding adults will be based on the following principles:

- **Empowerment** - actions or decisions must be based on the presumption of person-led decisions and informed consent.
- **Prevention** - it is better to take action before harm occurs.
- **Proportionality** – the response taken should be the least intrusive response appropriate to the risk presented.
- **Protection** – we must provide support and representation for those in greatest need.
- **Partnerships** – we favour local solutions through services working with their communities.
- **Accountability** – safeguarding delivery must be accountable and transparent.

We will ensure that:

- Our services are managed in a way which minimises the risk of abuse occurring;
- Concerns or allegations of abuse or neglect are always taken seriously;
- We work with adults with care and support needs and other agencies to end any abuse that is taking place;
- The Mental Capacity Act is used to make decisions on behalf of those adults at risk who are unable to make particular decisions for themselves;
- All trustees, workers and volunteers who work in eligible roles are DBS checked before the commencement of their work with Baytree;
- All staff working with adults receive training in relation to safeguarding adults at a level appropriate to their role;
- People using our services have access to information about how to report concerns or allegations of abuse or neglect;
- There is a named lead person and supporting team to promote adult safeguarding awareness and practice within the organisation.

Who does Adult Safeguarding apply to?

Many organisations refer to 'adults at risk' or 'vulnerable adults'. At Baytree, we adopt the broader definition of adults to whom adult safeguarding processes apply that is set out in section 42 of the Care Act 2014. They are people who:

- are aged **18 years or over**; and
- **have needs for care and support** (whether or not these are currently being met);
- are **experiencing, or are at risk of experiencing, abuse or neglect**; and
- as a result of those needs, are **unable to protect themselves** against the abuse or neglect or the risk of it.

An adult with care and support needs may be:

- an **older** person;
- a person with a **physical disability, a learning difficulty or a sensory impairment**, regardless of how those impairments have arisen;
- a person with **mental health needs**, including dementia, another memory impairment or a personality disorder; or
- a person who **misuses substances or alcohol** to the extent that it affects their ability to manage day-to-day living.

In this policy and procedure, the term 'adult' means people coming within this definition.

What are Abuse and Neglect?

Abuse and neglect 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 abuse or neglect:

Type of abuse	Indicators of abuse
<p>Physical abuse: Includes hitting, kicking, spitting, biting, restraining someone, making someone intentionally uncomfortable or withholding food, water or medication.</p>	<p>Physical injuries such as bruising, cuts or burns and inability to provide a credible and consistent explanation of such injuries.</p>
<p>Domestic violence or abuse: Physical abuse (as above) and/or:</p> <ul style="list-style-type: none"> - psychological; - sexual; - financial; or - emotional abuse. <p>Includes any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. Includes 'honour'-based violence, female genital mutilation & forced marriage.</p>	<p>May include:</p> <ul style="list-style-type: none"> - low self-esteem; - feeling that abuse is their fault; - physical evidence of violence such as bruising, cuts, broken bones; - verbal abuse and humiliation; - fear of outside intervention; - damage to home or property; - isolation from friends, family and others; - limited access to money.
<p>Sexual abuse: Includes rape, any inappropriate touching, indecent exposure, sexual acts to which the adult has not consented, lacks the capacity to consent or was pressured into consenting. Also includes sexual photography or forced use of pornography or the witnessing of sexual acts.</p>	<p>It may be more difficult to pick up on indicators for this type of abuse as they can include physical symptoms such as bruising or bleeding in places covered by clothing. However, the following may be noticeable:</p> <ul style="list-style-type: none"> - bruising to upper arms and marks on neck; - unusual difficulty in walking or sitting; - self-harming.
<p>Psychological and emotional abuse: Includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyberbullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.</p>	<p>May include:</p> <ul style="list-style-type: none"> - air of silence when a particular person present; - withdrawal or change in the psychological state; - insomnia; - low self-esteem; - uncooperative and aggressive behaviour; - change of appetite, weight loss/gain; - signs of distress, tearfulness, anger; - apparent false claims by someone involved with the person to attract unnecessary treatment.

<p>Financial or material abuse: Includes theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.</p>	<p>May include:</p> <ul style="list-style-type: none"> - unexplained lack of money or inability to maintain lifestyle; - unexplained withdrawal of funds from accounts; - power of attorney or lasting power of attorney (LPA) being obtained after the person has ceased to have mental capacity; - person allocated to manage financial affairs is evasive or uncooperative; - family or others show unusual interest in assets of person; - signs of financial hardship in cases where person's financial affairs are being managed by a court-appointed deputy, attorney or LPA; - recent changes in deeds or title to property; - rent arrears and eviction notices; - disparity between the person's living conditions and their financial resources, e.g. insufficient food in house; - unnecessary property repairs.
<p>Modern slavery: Includes slavery, human trafficking, forced labour and domestic servitude.</p>	<p>May include:</p> <ul style="list-style-type: none"> - signs of physical or emotional abuse; - appearing to be malnourished, unkempt or withdrawn; - isolation from community; - seeming under control or influence of others; - living in dirty, cramped or overcrowded accommodation and/or living and working at same address; - lack of personal effects or identification documents; - always wearing same clothes; - avoidance of eye contact; - appearing frightened or hesitant to talk to strangers.
<p>Discriminatory abuse: Includes forms of harassment, slurs or similar treatment because of age, race, religion or belief, sex, sexual orientation, gender reassignment, disability, marriage and civil partnership, pregnancy and maternity.</p>	<p>May include:</p> <ul style="list-style-type: none"> - appearing withdrawn and isolated; - expressions of anger, frustration, fear or anxiety; - support on offer not taking account of person's individual needs in terms of a protected characteristic.
<p>Organisational or institutional abuse: Including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in</p>	<p>May include:</p> <ul style="list-style-type: none"> - inadequate staffing levels; - people being hungry or dehydrated; - poor standards of care;

one's own home. This may range from one-off incidents to ongoing ill-treatment.	<ul style="list-style-type: none"> - lack of personal clothing and possessions and communal use of personal items; - lack of adequate procedures; - poor record-keeping and missing documents; - absence of individual care plans; - lack of management overview and support.
<p>Neglect and acts of omission: Including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, withholding of the necessities of life, such as medication, adequate nutrition and heating.</p>	<p>May include:</p> <ul style="list-style-type: none"> - failure to provide or allow access to food, shelter, clothing, heating, stimulation and activity, personal or medical care; - providing care in a way that the person dislikes; - failure to administer medication as prescribed; - refusal of access to visitors; - not taking account of the person's cultural, religious or ethnic needs.
<p>Self-neglect: This covers a wide range of behaviour that is neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.</p>	<p>May include:</p> <ul style="list-style-type: none"> - very poor personal hygiene; - unkempt appearance; - lack of essential food, clothing or shelter; - malnutrition and/or dehydration; - living in squalid or unsanitary conditions; - neglecting household maintenance.

What are Extremism and the Prevent Programme?

Extremism is defined as 'Vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs; and/or calls for the death of any person, whether in this country or overseas'. There is no place for extremist views at the Baytree Centre.

Prevent is a government-led programme which aims to safeguard people from being radicalised and drawn into extremism or terrorism. It adopts a multi-agency approach, with statutory agencies (including the Police and Local Authorities) working alongside communities to support those at risk from all forms of extremism.

Further details of Baytree's approach to the Prevent programme are included at Appendix 2. If you are concerned about an adult being radicalised you should report it under this safeguarding policy and procedure.

Key Roles and Responsibilities

All staff and volunteers

Anyone who may come into contact with adults with care and support needs, whether in a voluntary or paid role, must understand their role and responsibilities regarding adult safeguarding including:

- To **immediately report and record** any concern or disclosure that an adult is or has been at risk of abuse or neglect. This should include rumours, suspicions or firm evidence. **In the first instance, any concern or disclosure should be reported to the Designated Safeguarding Lead (or in her absence the Deputy Designated Safeguarding Lead) at Baytree;**
- **Not to investigate** the matter themselves;
- To be **aware of the London Multi-Agency Adult Safeguarding Policy and Procedures;**

- To **understand what is expected** of them if they become aware that an adult with care and support needs is experiencing or is at risk of experiencing abuse or neglect;
- To **keep their knowledge and skills up to date** by meeting the training requirements expected of their role;
- To take all **reasonable actions to prevent** adults with care and support needs from experiencing abuse and neglect in accordance with this policy and procedure.

Managers

Managers of staff and volunteers must ensure the people they manage:

- Are made aware of the expectations on them regarding adult safeguarding issues; and
- Have access to the support they need in order to meet those expectations.

Designated Safeguarding Lead

The Designated Safeguarding Lead is responsible for safeguarding at Baytree. They will:

- Decide whether it is appropriate to refer a safeguarding concern to the Local Authority and what other actions might be needed;
- Ensure this policy and procedure are reviewed, updated and implemented; and
- Ensure staff have appropriate training and information to fulfil their roles.

Others

Details of responsibilities of all employees and volunteers in responding to an adult safeguarding concern are set out on page 13.

Adult Safeguarding Enquiries?

What is an Adult Safeguarding Enquiry?

When an adult is experiencing, or is at risk of experiencing, abuse or neglect from which they cannot protect themselves because of their care and support needs, there must be an adult safeguarding enquiry (s42 Care Act 2014).

The **objectives** of an adult safeguarding enquiry are to:

- establish the facts;
- ascertain the adult's views and wishes;
- assess the needs of the adult for protection, support and redress and how they might be met;
- protect the adult from the abuse and neglect, in accordance with their wishes;
- make decisions as to what follow-up action should be taken with regard to the person or organisation responsible for the abuse or neglect; and
- enable the adult to achieve resolution and recovery.

The **benefits** of putting the matter into an adult safeguarding framework are:

- to focus on ensuring the care and support needs of the person are met and any abuse or neglect is stopped;
- to ensure there is proper recognition of the abuse and/or neglect;
- to help the multi-agency response involve the right organisations and people, share information between them to have a shared understanding of the risks and how to respond to them and minimise duplication of effort.

The Local Authority in an Adult Safeguarding Enquiry

The Local Authority will consider if the conditions set out in section 42 of the Care Act are met. These are:

- That the matter relates to an **adult**, aged 18 or over, who has **care and support needs**;
- That person is **experiencing, or is at risk of, abuse or neglect**; and
- They are **unable to protect themselves** from the abuse or neglect, or the risk of it, **because of those care and support needs**.

If those conditions are met, then there must be an adult safeguarding enquiry. Where an adult safeguarding enquiry is required, the Local Authority must:

- Decide what enquiries it thinks are necessary to make up the adult safeguarding enquiry;
- Make those enquiries or cause others to make them; and
- When the enquiry is completed, decide whether any action should be taken, and if so, what and by whom.

In Lambeth, this role is taken on by the social work team in adult social care or, where the adult's care and support needs relate to serious mental health issues, by the integrated health and social care services for people with mental health needs managed by the South London and Maudsley NHS Mental Health Trust (SLaM). For the purposes of clarity, in this policy and procedure the term '**adult social care**' is used to mean the relevant service for that person.

The Local Authority may decide to carry out enquiries itself or require another organisation to do so. Where the Local Authority requires another organisation to carry out enquiries, the Local Authority is required to ensure that the enquiries are carried out satisfactorily.

The **Safeguarding Adults Manager (SAM)** is the person responsible for overseeing the carrying out of an adult safeguarding enquiry. In Lambeth, this will typically be a Team Manager or a senior Social Worker in an adult social care team.

The **Safeguarding Enquiry Officer** will lead on carrying out of the enquiry, under the instruction of the SAM. In Lambeth, this will typically be a Social Worker in an adult social care team. Where the adult safeguarding enquiry is being led by a team in SLaM, it might be a Social Worker, Nurse or Occupational Therapist in that team

Safe Employment

Baytree is committed to achieving best practice in respect of the safe recruitment of employees and volunteers. We work in accordance with the Disclosure and Barring Scheme (DBS).

All staff and volunteers who work in roles which are legally eligible for a DBS check are screened. Individuals who have lived or worked outside the UK must undergo the same checks as all other staff and volunteers.

If a DBS check reveals a conviction for a sexual offence against a child or adult with care and support needs, whenever it was committed, that individual is not suitable to work at Baytree and will not be taken on. Any other convictions will be considered by the Safeguarding Team on an individual basis.

If a staff member or volunteer is moved or dismissed from their role because of safeguarding concerns, Baytree will follow the guidance relating to such situations as set out by the DBS service.

Information Sharing

Confidentiality is core to Baytree's relationships with its clients. It is important that our clients can trust us and know that the information they disclose to us in confidence is generally treated as such. However, **if a worker or volunteer has concerns or has information disclosed to them about a person being abused, they have a responsibility to take action. The duty to protect a person from abuse or neglect overrides the principle of confidentiality.**

In accordance with the principle of empowerment, the decision on whether to make a safeguarding report (i.e. breaching confidentiality) should normally be discussed with the client and where possible their consent should be gained to make the report. However, there will be situations when the confidentiality between Baytree and the client needs to be breached without their permission. This includes if we believe that they are in serious and immediate danger.

Our Confidentiality Policy details the process for breaching confidentiality in the event of a safeguarding concern and should be read in conjunction with this policy.

Training and Raising Awareness

In order to raise awareness of the importance of preventing, identifying and responding to abuse and neglect, this policy and procedure document will be:

- provided to all new trustees and workers, who will be required to confirm that they have read and understood their responsibilities within it;
- provided to all volunteers who will be working with adult service users;
- referenced in trustee, staff and volunteer inductions;
- available and accessible to all service users;
- referenced in service user inductions;
- shared with partners to support them in their development of equivalent policies;
- available on our website.

To ensure the proper understanding of safeguarding and implementation of this policy and procedure:

- safeguarding and Prevent training appropriate to the role and level of contact with service users will be included in the inductions of all new staff and volunteers;
- all user-facing staff and volunteers will be required to update their safeguarding and Prevent training every two years;
- safeguarding will be on the agenda at all team meetings, one-to-one meetings and Board meetings;
- supervision and support of all volunteers and staff will include monitoring of safeguarding practice and assessment of training needs;
- the organisation will access further training and learning about safeguarding issues when these are relevant and required;
- the Designated Safeguarding Lead will carry out an audit of records twice a year to ensure this procedure is being followed.

Prevention

In conjunction with this Safeguarding policy and procedure, the following policies and procedures minimize the risk of abuse occurring and support staff in understanding whether abuse has occurred and how to respond:

- User agreements and handbooks
- Code of conduct
- Complaints policy
- Whistleblowing policy
- Equality, Diversity and Inclusion policy
- Risk assessments and risk management procedures

ADULT SAFEGUARDING PROCEDURE

Making Safeguarding Personal

*'Making safeguarding personal' means adult safeguarding work should be **person-led and outcome-focused**. It engages the person in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control as well as improving quality of life, wellbeing and safety (Paragraph 14.15 of the Care and Support statutory guidance).*

At Baytree, we will do this by:

- keeping the person at the heart of our safeguarding processes; and
- trying to understand the outcomes they want to achieve and support them to achieve those.

If we are supporting someone to make choices about their own safety we need to understand what matters to them and what outcomes they want to achieve. The legislation recognises that adults may make choices that mean that one part of their well-being suffers at the expense of another. Similarly, adults can choose to risk their personal safety, for example, to provide care to a partner with dementia who sometimes becomes abusive.

The adult's views, wishes, feelings and beliefs must be taken into account when decisions are made about how to support them to be safe and whether to make an adult safeguarding referral. There may be many different ways to prevent further harm. Treating people with respect, enhancing their dignity and supporting their ability to make decisions helps promote people's sense of self-worth and supports recovery from abuse.

Where the Adult Lacks Mental Capacity

Baytree assumes that adults have mental capacity to make informed decisions about their own safety and how they live their lives.

The Mental Capacity Act 2005 is central to decisions and actions in safeguarding adults. Where a person is able to make an informed choice in relation to a particular decision, they have a right to self-determination.

If an adult does not have capacity to make informed decisions and there is reason to believe that they are being or have been abused or neglected, a 'best interests' decision will need to be made in line with the Mental Capacity Act. The Designated Safeguarding Lead proper will consider whether it is appropriate to make the report without the adult's consent. Factors which will be relevant include whether the person can:

- understand information about the decision as to whether or not to report the concern;
- retain that information in their minds;
- use or weigh up that information as part of the decision-making process;
- communicate their decision (by talking, using sign language or other means).

Before Adult Safeguarding Concerns Arise

New users of Baytree services will be told about our safeguarding policy and procedures and that these are available on our website, from Reception or from staff. Users will be told that if they or someone they know is at risk of abuse or neglect, they should report this to a member of Baytree staff.

We will make clear to the users that, although generally we will treat the information they share with us in confidence, if we become aware of a safeguarding concern, we may need to breach confidentiality and report this to statutory services.

Responding to an Adult Safeguarding Concern

Responsibilities of all Employees and Volunteers

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

If an adult tells you about abuse or neglect they are experiencing or are at risk of, use the following principles to respond to them:

- Assure them that you are taking the concerns seriously;
- Never trivialize or exaggerate the issue;
- Do not be judgmental or jump to conclusions;
- Do not show your emotions – if you show anger, disgust or disbelief, they may stop talking;
- 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 or probing questions;
- Do not coach or lead in any way;
- Be honest - explain that you have a duty to tell your manager or the designated officer and that the matter will then be handled in accordance with our safeguarding policy;
- Reassure the person, let them know you are glad that they have spoken to you and that they were right to do so. Let them know that they will be involved in decisions about them.

Your responsibilities are:

- To take action to keep the person safe if possible;
- If an urgent police presence is required to keep someone safe, to call 999;
- If the person needs urgent medical assistance, to call 999;
- Always to inform the Baytree Centre Designated Safeguarding Lead, even if the user or someone else asks you not to;
- To clearly record what you have witnessed or been told, your responses and any actions taken;
- If a crime has occurred, to be mindful of the need to preserve evidence.

If consulting with your Designated Safeguarding Lead will lead to an undue delay and thereby leave a person in a position of risk, you should refer the safeguarding concern to the emergency services or the Local Authority, as appropriate.

Deciding whether a Referral to the Local Authority is required

Please see the flowchart at Appendix 1 below.

Taking into account all the information available, the Designated Safeguarding Person (i.e. the Designated Safeguarding Lead or, in her absence, the Deputy Safeguarding Lead or Adult Safeguarding Lead Trustee) will decide on the next steps, which may include taking no further action. Where the Designated Safeguarding Person decides that further action is necessary, this may be to:

- seek further advice from Social Services;
- make a referral to Social Services;
- report the incident to a designated Social Worker;
- report the matter to the police if a crime is suspected.

If the member of staff involved in the disclosure does not agree with a decision of the Designated Safeguarding Person (i.e. the Designated Safeguarding Lead or, in her absence, the Deputy Safeguarding Lead or Adult Safeguarding Lead Trustee), the member of staff should refer these concerns in the first instance to

a member of the Baytree Senior Management Team (SMT) or the Trustee responsible for Safeguarding. If the SMT and Trustee do not recommend further action and the member of staff still has concerns, then they should refer the case directly to Lambeth Adult Social Services and should alert the Lambeth Vulnerable Safeguarding of Adults senior manager under Lambeth's Whistleblowing procedure.

The Designated Safeguarding Person may consider that those involved may require counselling. Where it is felt there is a need for counselling (which could be for the vulnerable adults, other learners, staff, parents or carers involved) the Designated Safeguarding Person will make the necessary arrangements.

No professional should assume that someone else will pass on information which they think may be critical to the safety and wellbeing of the adult. If a professional has concerns about the adult's welfare and believes they are suffering or likely to suffer abuse or neglect, then they should share the information with the Local Authority and/or the police if they believe or suspect that a crime has been committed. (Care and Support Statutory Guidance, March 2016, paragraph 14.43)

It is not for front line staff to second-guess the outcome of an enquiry in deciding whether or not to share their concerns. (Care and Support Statutory Guidance, March 2016, paragraph 14.199)

Referring an Adult Safeguarding Concern to the Local Authority

Raising a safeguarding concern means reporting abuse or neglect to the Local Authority, in line with the London Multi-Agency Adult Safeguarding Policy and Procedures. Anyone can raise a safeguarding concern, however at Baytree this will generally be undertaken by the Designated Safeguarding Lead, or their deputy.

The Local Authority the matter should be reported to is the one where the abuse or neglect took place, or where the risk of it arises.

Information about how to refer an adult safeguarding concern in Lambeth can be found on Lambeth Council's website.

Confidentiality in the Context of an Adult Safeguarding Concern

Confidentiality and trust should be maintained as far as possible, but staff must act on the basis that the safety of the adult in question is the overriding concern. The degree of confidentiality will be governed by the need to protect the adult. The adult should be informed at the earliest possible stage of the disclosure that the information will be passed on. All conversations regarding an adult at risk should always be held in private.

The Baytree Centre complies with the requirements of the Data Protection Act 2018, which allows for disclosure of personal data where this is necessary to protect the vital interests of a vulnerable adult.

Staff, volunteers and trustees must not discuss the case with anyone other than those involved in the case. If there are any concerns about the process or progress of the case these must be discussed with the Designated Safeguarding Person (i.e. the Designated Safeguarding Lead or, in her absence, the Deputy Safeguarding Lead or Adult Safeguarding Lead Trustee).

Whatever happens, staff, volunteers and trustees should always be open and honest with the adult if the case is to be taken further.

Considering whether to Report an Adult Safeguarding Concern to the Police

If a crime has been or may have been committed, the Baytree team (including the member of staff to whom the disclosure has been made and the Designated Safeguarding Lead) should consider whether to seek the adult's consent to report the matter immediately to the police. This will be in addition to determining whether to raise a safeguarding concern with the Local Authority.

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

- the adult is subject to coercion or undue influence to the extent that they are unable to give consent;
- there is an overriding public interest, such as where there is a risk to other people;
- it is in the adult's vital interests (to prevent serious harm or distress or in life-threatening situations);
- there is a statutory reporting requirement.

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

If the adult 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 staff, volunteers and trustees must:

- 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 nothing is actually visible;
- if in doubt, contact the police and ask for advice.

Adult Safeguarding Concerns relating to Baytree Staff or Services

As an employer, the Baytree Centre not only has a duty to the adults we serve but also a responsibility to take action in relation to our employees when allegations of abuse are made against them. Any action will be taken in accordance with our Disciplinary procedure.

Where a concern is raised regarding our staff or services:

- The safety of the adult is of paramount importance;
- Immediate action may be required to safeguard investigations and any other people at risk;
- Any concern that adults may be at risk of harm or abuse must immediately be reported;
- Reputational issues must be managed appropriately in discussion with the SMT;
- The concern must also be reported to the staff member's line manager, who should take advice from the Designated Safeguarding Lead;
- Any action taken to manage an allegation must not jeopardise any external investigations;
- Every effort must be made to maintain confidentiality and manage communications while an allegation is being investigated;
- The Designated Safeguarding Lead will discuss the case and allegations with the SAM and, if relevant, the police and identify which agency will be leading on the investigation;
- The SMT will consult with Baytree's HR advisors regarding the action to be taken in relation to the employee. In conjunction with the HR advisors and the staff member's line manager, the SMT will decide whether suspension is appropriate during the period of investigation;
- Planning should be carried out with the SAM. The planning should consider:
 - Whether the adult at risk of abuse or neglect is safe and a review of the action that has been undertaken so far to ensure that;
 - What other strands there may be to the adult safeguarding enquiry and the strategy for any internal investigation so that it contributes in the best way to the adult safeguarding enquiry;
 - What further contact is required with adult social care services in other areas, police or other third parties;

- Who will form Baytree’s investigation team and which member of the Investigation Team should be nominated as the link person with other organisations;
- How to present the allegations to the relevant staff member concerned and how to manage the investigatory process.
- The Line Manager should be asked to provide appropriate support to the individual while the case is ongoing and keep them regularly informed. Further support may be considered necessary from Occupational Health;
- How the adult at risk of harm or abuse, or their representative, and the person making the allegation are to be kept informed of what is happening to their allegation, whilst adhering to the requirements of maintaining confidentiality and observing the requirements of the Human Rights Act and the Data Protection Act. The sharing of information must not ‘contaminate’ any enquiries that are ongoing;
- The information to be shared with the SMT and the Board of Trustees;
- What needs to be done if the allegation is about a person not directly employed;
- The frequency and format of review meetings which need to be set up to manage the ongoing investigation and the various actions required.

Recording Adult Safeguarding Work

Any safeguarding concern or disclosure should be recorded by the person who holds the concern or to whom the disclosure is made on MyConcern, Baytree’s dedicated safeguarding platform. All staff are issued with a profile enabling them to create records on MyConcern on joining Baytree. All volunteers are informed of the system and are instructed to request a profile from the Volunteer Manager, their role supervisor or the Designated Safeguarding Lead should they need to record a concern or disclosure.

The written report should be made as soon as the initial oral report has been made to the Designated Safeguarding Lead and any immediate action has been taken.

The report should be factual and should not contain opinions or personal interpretations. The report should contain as much detail as possible, including any apparent physical signs of abuse or other circumstances which led to the suspicion, or the account given to the member of staff by the person concerned.

Once the concern or disclosure is recorded in MyConcern, the initial record will be notified to the Designated Safeguarding Lead and their deputy. The case on MyConcern will only be accessible to those individuals, the Safeguarding Lead Trustees and any team members allocated to the concern on a need-to-know basis.

The Designated Safeguarding Lead will be responsible for checking for past incidents, concerns, risks and patterns relevant to the case.

All subsequent discussions, actions, referrals and other activity in relation to the recorded concern should be added to MyConcern and such updates will be notified to the team.

Adult Safeguarding Enquiries

What happens once an Adult Safeguarding Concern has been reported to the Local Authority?

The Local Authority will consider if the conditions set out in section 42 of the Care Act are met. These are:

- That the matter relates to an adult, aged 18 or over, who has care and support needs;
- That person is experiencing, or is at risk of, abuse or neglect; and
- They are unable to protect themselves from the abuse or neglect, or the risk of it, because of those care and support needs

If those conditions are met, then there must be an adult safeguarding enquiry. The Local Authority will determine what actions are required, by whom and when.

The Relationship of an Adult Safeguarding Enquiry to other Processes

Situations that meet the test in section 42 of the Care Act may also require other types of responses such as:

- Internal management review;
- Complaint handling;
- Disciplinary process;
- Contract management action;
- Criminal investigation.

These processes should not be seen as separate from, or an alternative to, an adult safeguarding enquiry, but as strands of that enquiry. Such processes will often have their own usual arrangements and timescales, but where they are contributing to an adult safeguarding enquiry there may have to be some flexibility about these arrangements so that the various strands of the enquiry work well together.

Contributing to an Adult Safeguarding Enquiry

The Designated Safeguarding Lead shall determine who will do what to contribute to an adult safeguarding enquiry and delegate accordingly.

Staff should continue to log all matters relevant to the case on the MyConcern dedicated safeguarding software.

Resolving Disputes

If disputes arise between organisations and professionals involved in adult safeguarding work, attempts should be made to resolve them locally in the first instance. If this is not successful, the SAM should be consulted. If the matter is still not resolved, reference should be made to Lambeth Safeguarding Adults Board's dispute resolution arrangements. When resolving disputes, the interests of the adult at risk of abuse or neglect are paramount.

Taking actions and learning lessons from an adult safeguarding enquiry

On completion of an adult safeguarding enquiry, it will be the responsibility of the Designated Safeguarding Lead to delegate any actions required by the Local Authority from the Baytree Centre.

The Designated Safeguarding Lead will also consider the most appropriate means of filtering any lessons learned through the organisation, which may involve:

- Briefing staff and volunteers re lessons learned;
- Updating staff and volunteer inductions and training.

Local Authority Safeguarding Boards may carry out reviews or investigations and may require Baytree to supply information. The Boards are made up of representatives from local authorities, other statutory bodies and partner agencies. When a Board commissions a Safeguarding Adults Review (SAR) which Baytree Centre is required to contribute to, the Designated Safeguarding Lead will coordinate Baytree's contributions to this.

Governance, Monitoring and Quality Assurance

The Designated Safeguarding Lead and the Deputy Designated Safeguarding Lead will meet once every 4 to 6 weeks for a Periodic Safeguarding Review meeting in which they will review all open safeguarding matters, as recorded on MyConcern (the designated Safeguarding recording software). They will also discuss:

- All safeguarding concerns that have been referred to the Local Authority;
- Any safeguarding concerns that others have been raised about Baytree or its services;
- Any actions taken by Baytree to contribute to adult safeguarding enquiries;
- Learnings from any adult safeguarding enquires and what Baytree is now doing differently as a result;

- Any action taken or to be taken to reflect the above.

Safeguarding is the first item on the agenda at fortnightly SMT meetings and bi-monthly Trustee Board meetings.

The Safeguarding Lead Trustees will have access to MyConcern and will typically review the cases marked as high priority after each Periodic Safeguarding Review meeting.

The Safeguarding Committee will meet once per term to review safeguarding statistics from the previous period and sample cases in order to identify trends and quality / process improvements.

References

The Care Act 2014

The Care and Support Statutory Guidance

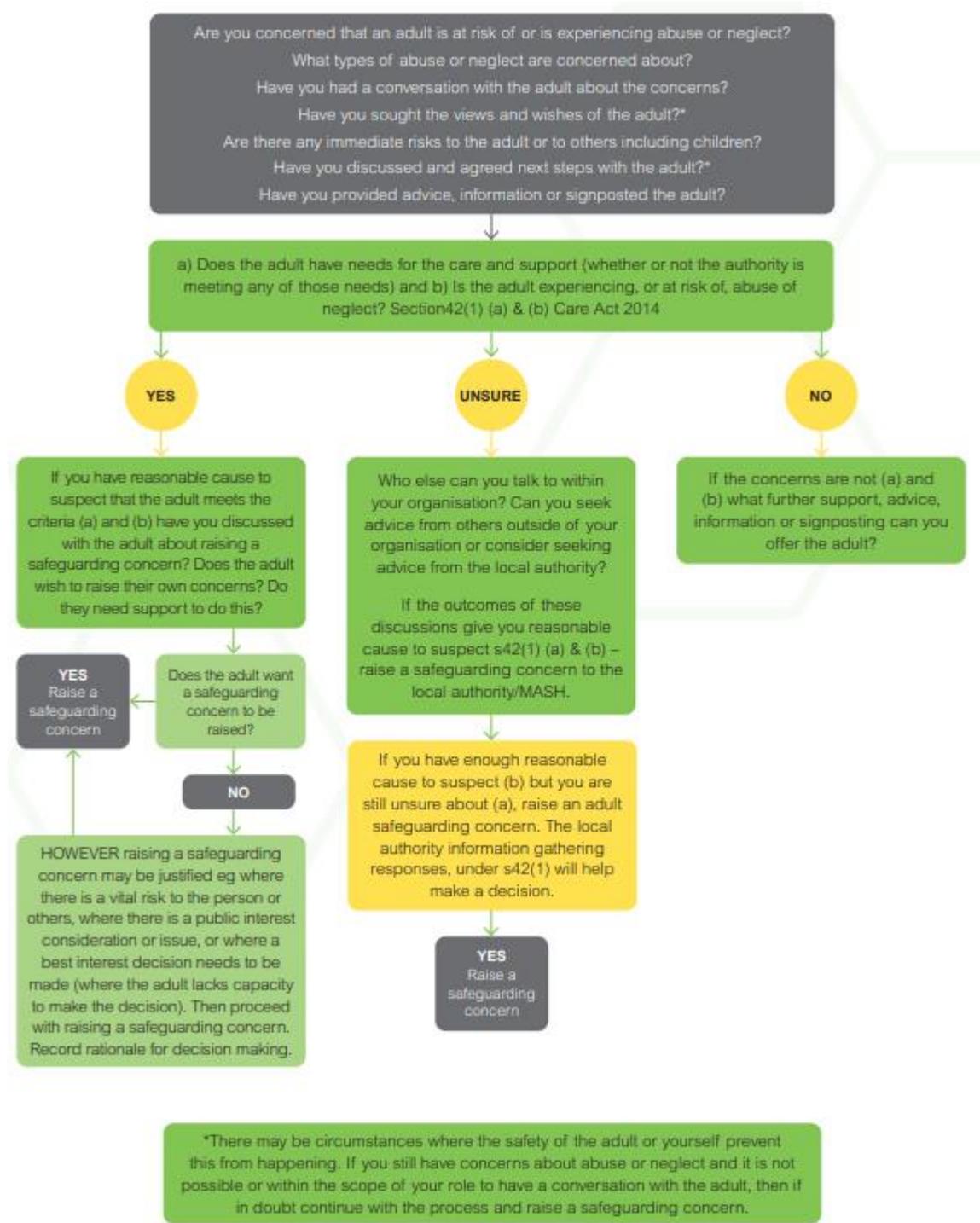
The London Multi-Agency Adult Safeguarding Policy and Procedure

Lambeth Safeguarding Adults Board Adult Safeguarding Policy

Development and Review Process

	Name	Date
Policy drafted by:	Anna Iacuzzi	July 2022
Reviewed and accepted by:	Baytree Safeguarding Committee Baytree Board of Trustees	October 2022
Review schedule:	To be reviewed by Safeguarding Committee annually – next review due: To be reviewed by Board of Trustees every two years – next review due:	October 2023 October 2024

Appendix 1 – Deciding whether to raise a safeguarding concern to the Local Authority / Multi-Agency Safeguarding Hub (MASH)



Appendix 2 – Extremism and the Prevent Programme

Policy Statements

The Baytree Centre is committed to providing a secure environment for clients, where they feel safe and are kept safe and where equality and inclusion are actively promoted.

When operating this policy The Baytree Centre uses the following definition of extremism:

‘Vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs; and/or calls for the death of any person, whether in this country or overseas’.

There is no place for extremist views of any kind in The Baytree Centre, whether from internal sources – learners, staff or governors/trustees; or external sources - community, external agencies or individuals. Our clients see Baytree as a safe place where they can, at appropriate times, explore controversial issues safely and where our teachers encourage and facilitate this – we must protect this freedom.

Radicalisation, extremism and exposure to extremist materials and influences can lead to poor outcomes for users and so should be addressed as a safeguarding concern. We also recognise that if we fail to challenge extremist views we are failing to protect our users.

Extremists of all persuasions aim to develop destructive relationships between different communities by promoting division, fear and mistrust of others based on ignorance or prejudice and thereby limiting the development of learners. Education is a powerful weapon against this; equipping people with the knowledge, skills and critical thinking, to challenge and debate in an informed way and to ensure that they thrive, feel valued and not marginalised.

Approach

At Baytree we promote the values of democracy, the rule of law, individual liberty, mutual respect and tolerance for those with different faiths and beliefs. We teach and encourage our users to respect one another and to respect and tolerate difference.

We will all strive to eradicate the myths and assumptions that can lead to some people becoming alienated and disempowered, especially where the narrow approaches they may experience elsewhere may make it harder for them to challenge or question these radical influences.

As part of wider safeguarding responsibilities, staff will be alert to:

- Disclosures by users of their exposure to the extremist actions, views or materials of others within or outside of the provider, such as in their homes or community groups, especially where learners have not actively sought these out;
- Graffiti symbols, writing or artwork promoting extremist messages or images;
- Learners accessing extremist material online, including through social networking sites;
- Partner providers, local authority services and police reports of issues affecting learners in other providers or settings;
- Learners voicing opinions drawn from extremist ideologies and narratives;
- Use of extremist or ‘hate’ terms to exclude others or incite violence;
- Intolerance of difference, whether secular or religious, or, in line with our equalities policy, views based on, but not exclusive to, sex, gender reassignment, disability, sexual orientation, age, race or marital status;
- Attempts to impose extremist views or practices on others;
- Extreme Anti-Western or Anti-British views.

We will ensure that our programmes help our users build resilience to extremism and give them a positive sense of identity through the development of critical thinking skills. We will:

- make a connection with users through good programme design and a person-centred approach;
- facilitate a 'safe space' for dialogue, and
- equip our users with the appropriate skills, knowledge, understanding and awareness for resilience.

Our goal is to build mutual respect and understanding and to promote the use of dialogue not violence as a form of conflict resolution.

Reporting Concerns

If any member of staff, volunteer or trustee has a concern relating to extremism, they should treat this as a safeguarding concern and act in accordance with the above safeguarding policy and procedure. The Designated Safeguarding Lead will then liaise with the Lambeth Prevent programme manager in accordance with the Lambeth Channel referral process.