

The Mare and Foal Sanctuary Safeguarding Adults at Risk Policy 2018

Contents

1. Policy Statement
 2. Aims and introduction
 3. Statutory Framework
 4. Roles of the Mare and Foal Sanctuary
 5. Dealing with a disclosure
 6. Safer recruitment
 7. Guidance on sharing Information
 8. Further information and links
- Appendix 1 – Types of abuse
- Appendix 2 – Devon Safeguarding Adults Referral Form

Policy Statement

The Mare and Foal Sanctuary places the highest priority on safety and enjoyment, and recognises that it has a duty of care towards Adults at Risk. Any organisation, establishment or individual providing riding or horse management opportunities must do so with the highest possible standard of care. To ensure this, the British Equestrian Federation and its Member Bodies are committed to devising and implementing policies and procedures to ensure all those involved accept their responsibilities to safeguard Adults at Risk from harm and abuse in accordance with the Care Act 2014.

The Mare and Foal Sanctuary fully adopts the British Equine Federation (BEF) Safeguarding Policy (Adults at Risk), the full policy can be downloaded from the BEF website www.bef.co.uk

Aims and introduction

This guidance aims to help staff and volunteers understand what they need to do, and what they can expect of one another, to safeguard Adults at Risk. It focuses on core legal requirements and makes clear what individuals and organisations should do to keep those who are vulnerable safe. In doing so, it seeks to emphasise that effective safeguarding systems are those where:

- The welfare and safety of Adults at Risk is of paramount concern. ²
- All adults are treated as individuals and with dignity and respect.

Safeguarding Adults (Care Act, 2014)

“Safeguarding means protecting an adult’s right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult’s wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action. This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances” (Care Act 2014).

The guidance given in this policy is based on the following principles:

- All adults, regardless of age, ability or disability, gender, race, religion, ethnic origin, sexual orientation, marital or gender status have the right to be protected from abuse and poor practice and to participate in an enjoyable and safe environment.
- We will seek to ensure that our sport and work with others is inclusive and will endeavour make all reasonable adjustments for any ability, disability or impairment, we will also commit to continuous development, monitoring and review.
- The rights, dignity and worth of all adults will always be respected.
- We recognise that a disabled adult may or may not identify themselves or be identified as an adult ‘at risk’.
- All allegations will be taken seriously and responded to quickly in line with all safeguarding policies and procedures.

Definition

The Care Act 2014 defines Safeguarding Adults as:

“Safeguarding duties apply to an adult who: 1. Has needs for care and support (whether or not the local authority is meeting any of those needs) and; 2. Is experiencing or at risk of, abuse or neglect and; 3. As a result of those care and support needs is unable to protect themselves from either the risk, or the experience of abuse or neglect.”

Adult at Risk

English and Welsh Guidance - An Adult at Risk is defined as a person aged 18 or older who is in need of care and support regardless of whether they are receiving them, and because of those needs are unable to protect themselves against abuse or neglect.

It is recognised that some adults are vulnerable due to their mental health needs, learning or physical disability however; there are also adults who are at risk due to specific circumstances such as forced marriage, domestic violence or sexual/commercial exploitation.

Statutory Framework

In order to safeguard and promote the welfare of Adults at Risk, the Mare and Foal Sanctuary will act in accordance with the following legislation and guidance in England:

- The Care Act 2014 - implemented March 2015
- Information Sharing Advice - March 2015
- Data Protection Act 2018
- Procedures set out by the local Safeguarding Adult Boards for Devon

Roles of The Mare and Foal Sanctuary

The Mare and Foal Sanctuary fully accepts its legal (Care Act, 2014) and moral obligation to provide a duty of care, to protect all Adults and Risk and safeguard their welfare whilst at our organisation.

In pursuit of this, we are committed to ensuring that:

- The welfare all vulnerable groups is paramount and Adults at Risk have the right to protection from abuse.
- We take all reasonable, practical steps to protect Adults at Risk from harm, discrimination and degrading treatment and to respect their rights, wishes and feelings.
- All concerns and allegations of poor practice or abuse are taken seriously and responded to swiftly and appropriately.
- All approved registered instructors/coaches sign up to Safeguarding Adults at Risk Protection procedures that clearly state what is required of them.
- All employees and volunteers are carefully selected, informed about their responsibilities and provided with guidance and/or training in good practice and Adults at Risk protection procedures.
- High standards of behaviour and practice are maintained through compliance with our codes of conduct produced for staff and volunteers.
- Through effective communication and training in relation to key safeguarding messages, everyone knows and accepts their responsibilities and works together: participants, personal assistants or relevant family members, instructors, proprietors, volunteers, and professional staff.

The role of the Centre Safeguarding Officer is:

- To promote education and training to support staff, members and volunteers.
- To manage and monitor the implementation of the policy and procedures.
- To be the first point of contact for staff and volunteers, young people and parents for any issue concerning Adults at Risk welfare, poor practice or potential/alleged abuse.
- To record and report monitoring information as required.
- To respond to any allegations or complaints by reporting directly to Care Direct for Devon.
- To maintain local contact details for Adults Social Services and the police.
- To ensure confidentiality is maintained and information is only shared on a "need to know" basis.
- To respond to any allegations or complaints.
- Operationally, to deal with the complaint/allegation to conclusion in line with agreed protocols.

Dealing with a Safeguarding Adults Disclosure or Concern

The statutory guidance for Adults at Risk highlights 6 important safeguarding principles:

1. Empowerment - People being supported and encouraged to make their own decisions and informed consent.
2. Prevention- It is better to take action before harm occurs.
3. Proportionality-The least intrusive response appropriate to the risk presented.
4. Protection-Support and representation for those in greatest need.
5. Partnership- Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
6. Accountability-Accountability and transparency in safeguarding practice.

The Care Act defines that there are 10 main categories of abuse and these are:

1. Discriminatory Abuse
2. Psychological Abuse
3. Financial/Material Abuse
4. Organisational Abuse
5. Neglect and Acts of omission
6. Physical Abuse
7. Sexual Abuse
8. Domestic Violence
9. Modern Slavery
10. Self-neglect

These categories are described in more detail in (Appendix One). There are several ways that you may become aware of abuse for example, you see it happening, you recognise the

signs or you are informed by a third party. If you become aware of abuse or poor practice it is important that you report the information to the Centre Safeguarding Officer. Or if you think that a person is at risk of immediate danger then contact the Police/ social care immediately.

If someone discloses abuse to you:

Do

- Stay calm and try not to show shock or disbelief
- Listen carefully to what they are saying.
- Be sympathetic ('I am sorry that this has happened to you').
- Be aware of the possibility that medical evidence might be needed.
- Tell the person that: - They did the right thing to tell you. - You are treating the information seriously. - It was not their fault. - Ask permission to pass their information on to the appropriate person. - You / the service will take steps to protect and support them.
- Report to the Safeguarding Officer.
- Write down what was said by the person disclosing as soon as possible.

Do Not

- Press the person for more details;
- Stop someone who is freely recalling significant events; (for example, don't say 'Hold on we'll come back to that later,' as they may not tell you again.
- Jump to conclusions.
- Do not promise to keep secrets; you cannot keep this kind of information confidential.
- Make promises you cannot keep (such as, 'this will never happen to you again').
- Contact the alleged abuser.
- Be judgmental.
- Pass on the information to anyone other than those with a legitimate 'need to know'.

When recording a disclosure:

- At the first opportunity make a note of the disclosure and date and sign your record.
- You should aim to:
 - Note what the people actually said, using their own words and phrases.
 - Describe the circumstances in which the disclosure came about.
 - Note the setting and anyone else who was there at the time.
 - Separate out factual information from your own opinions.
 - Be clear to distinguish between fact, observations, allegation and opinion.



- Be aware that your report may be required later as part of a legal action or disciplinary procedure.

- Under no circumstances should any individual attempt to deal with the problem alone.
- The primary responsibility of the person who first suspects or is told of abuse is to **report it** and to ensure that their concern is taken seriously.

Consent

Adults at risk (with capacity to consent) - if concerns arise, consent must be obtained from the individual concerned before a referral is made to Adult services or the police. However, if there is genuine concern that there is risk of harm, the information should be passed to Adult Services or the police even if consent is not obtained. Information about an individual should not be given to family or carers without consent of the individual.

Adults at risk (without capacity to consent) – if concerns arise, and the individual is unable to give consent to information being shared, a referral should be made to Adult Services and/or the police.

Involving carers or other family members

Wherever possible, personnel concerned about the welfare of an Adult at Risk should work in partnership with carers or other family members. Therefore, in most situations, it would be important to talk to carers or other family members to help clarify any initial concerns (e.g. if behaviour has changed, it is important to check whether there is a reasonable explanation such as family upset or bereavement). However, this must be considered in light of the Adult at Risk's right to confidentiality and the Mental Capacity Act 2005 and ideally should be undertaken with the full consent of the Adult at Risk.

However, there are circumstances in which an Adult at Risk might be placed at even greater risk if concerns are shared (e.g. where a carer or other family member may be responsible for the abuse or not able to respond to the situation appropriately). In these situations, or where concerns still exist, any suspicion, allegation or incident of abuse must be reported to the designated Centre Safeguarding Officer as soon as possible.

Safer Recruitment

Anyone undertaking a role that involves contact with or responsibility for Adults at Risk should be taken through a Safer Recruitment process.

It is essential we have effective recruitment and selection procedures for both paid staff and volunteers.

Safer Recruitment checklist

Key parts of our Safer Recruitment procedure include:

- writing a clear job or role description (what tasks will be involved)
- writing a person specification (what experience or attributes the successful candidate needs in order to carry out the role)
- creating an advertisement for the post
- using an application form to gather relevant information about each applicant
- requiring specific written and / or verbal references
- interviewing the applicant
- for eligible posts, undertaking a criminal records check for adults (Disclosure and Barring Service (DBS) England and Wales)
- risk assessment of any concerning information
- verifying qualifications and experience
- recording recruitment decision
- induction to the role (including safeguarding policies and procedures, safeguarding training, sign up to Code of Conduct)
- probationary period

Regulated Activity with Adults

There are six categories of regulated activity:

1. Provision of health care
2. Psychotherapy and counselling
3. First Aid e.g. St John's Ambulance or First Responders
4. Members of peer support groups
5. Community pharmacies and opticians
6. Staff in GP services and dental practices who provide health care

They are considered to be 'regular' if carried out frequently by the same person or the period condition is satisfied (once a week or more than 4 times in a 30-day period).

Guidance on Sharing information

The Seven Golden Rules to Sharing Information Taken from Information Sharing Advice March 2015 www.gov.uk/government/publications

1. Remember that the Data Protection Act 2018 and human rights law are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared appropriately.

2. Be open and honest with the individual, and/or their family where appropriate, from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. Seek advice from other practitioners if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. Share with informed consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, there is good reason to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be certain of the basis upon which you are doing so. Where you have consent, be mindful that an individual might not expect information to be shared.
5. Consider safety and wellbeing: Base your information sharing decisions on considerations of the safety and wellbeing of the individual and others who may be affected by their actions.
6. Necessary; proportionate; relevant; adequate; accurate; timely and secure: Ensure that the information is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up to date, is shared in a timely fashion, and is shared securely.
7. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

The Adult Safeguarding: Sharing information document states that:

Organisations need to share safeguarding information with the right people at the right time to:

- Prevent death or serious harm
- Coordinate effective and efficient responses
- Enable early interventions to prevent the escalation of risk
- Prevent abuse and harm that may increase the need for care and support
- Maintain and improve good practice in safeguarding adults
- Reveal patterns of abuse that were previously undetected and that could identify others at risk of abuse
- Identify low-level concerns that may reveal people at risk of abuse
- Help people to access the right kind of support to reduce risk and promote wellbeing
- Help identify people who may pose a risk to others and, where possible, work to reduce offending behaviour
- Reduce organisational risk and protect reputation



Further information and links

The Mare and Foal Sanctuary Safeguarding Officer details:

Dawn Neil Education Manager and Centre Safeguarding Officer at Coombe Park Visitor Centre

Tel: 01626 355969 or 01803 866615 Mobile: 07842 061996

BHS Lead Safeguarding Officer 02476 840746 safeguarding@bhs.org.uk

Confidential email: cpleadofficer@bhs.org.uk



Advice from Devon Safeguarding Adults Board:

If you see, hear or suspect that an adult may be at risk of abuse or neglect, you must tell someone about it. If they are in immediate danger contact the police on 999.

Otherwise contact **Care Direct** on 0345 155 10007 or email customerservicecentrecaredirectteam-mailbox@devon.gov.uk

Care Direct is open to take calls between 8.00am and 8.00pm Monday to Friday and from 9.00am to 1.00pm on Saturdays. Outside these hours and on Sundays and Bank Holidays, in emergency only, please contact the Emergency Duty Service on 0845 6000 388 (low-call rate).

Who is an adult at risk of abuse or neglect?

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 himself or herself 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.



Safeguarding Adults referral form

Where an adult is, or may be, at risk of harm from abuse or neglect, then a Safeguarding Adult Referral can be made to **Care direct** using the form found by following the link in Appendix 2.

Useful Documents

Please see British Equine Federation (BEF) website for useful templates and documents

BEF Safeguarding and Toolkit links:

<http://www.bef.co.uk/Detail.aspx?page=tool-kit>

Appendix 1

Types of Abuse

The Care Act, 2014 defines that there are **10 specific types of abuse**.

These are:

Discriminatory Abuse: This is take form in harassment, slurs or similar treatment because of:

- Race
- gender and gender identity
- age
- disability
- sexual orientation
- religion

Discriminatory abuse can also include being denied access to services or treatment.

Psychological Abuse:

This can include:

- emotional abuse
- threats of harm or abandonment
- deprivation of contact
- humiliation
- blaming
- controlling
- intimidation

- coercion
- harassment
- verbal abuse
- cyber bullying
- isolation
- unreasonable and unjustified withdrawal of services or supportive networks

Financial/material Abuse:

This can include:

- 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
- the misuse or misappropriation of property, possessions or benefits

Organisational 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 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.

Neglect and acts of omission:

- ignoring medical advice
- emotional or physical care needs
- failure to provide access to appropriate health, care and support or educational services
- the withholding of the necessities of life, such as medication, adequate nutrition and heating

Physical Abuse

This can include:

- assault
- hitting

- slapping
- pushing
- misuse of medication
- restraint
- inappropriate physical sanctions

Sexual Abuse

This can include:

- rape
- indecent exposure
- sexual harassment
- inappropriate looking or touching
- sexual teasing or innuendo
- sexual photography
- subjection to pornography or witnessing sexual acts
- sexual assault
- sexual acts to which the adult has not consented or was pressured into consenting

Domestic violence

This can include:

- psychological
- physical
- sexual
- financial
- emotional abuse
- so called 'honour' based violence

Modern slavery

This can encompass:

- slavery
- human trafficking
- forced labour and domestic servitude.
- traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment

Self-Neglect

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

The following types of abuse are not included in The Care Act 2014, but are also relevant:

Cyber Bullying

This can encompass:

- Repeatedly 'making fun' of another person online or via email or text message.
- Using online forums with the intention of harming, damaging, humiliating or isolating another person.
- It can be used to carry out other types of bullying through the use of technology.

Forced Marriage

This is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will.

Mate Crime

This is defined as "when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual" Safety Net Project.

Radicalisation

This can encompass:

- Attracting people to certain organisations/religions with extremist views

Possible indicators of abuse could include:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- Person has money or belongings go missing
- Person no longer attending sessions
- Losing or gaining weight
- Unkempt appearance



- A change in behaviour or confidence
- Self-harm
- Fear of particular individual or group
- Direct disclosure

It is important to note that abuse can take place in many contexts. Abuse may be inflicted by anyone including someone from within the equine community, a member of the general public or in the victim's personal life. The above is not an exhaustive list and if abuse is suspected, it is important that the correct reporting mechanisms are adopted.

Appendix 2 – Devon Safeguarding Adults Referral form.

Please use follow this link to download the referral form:

<https://new.devon.gov.uk/devonsafeguardingadultsboard/reporting-concerns>