

Chesterfield u3a

Safeguarding Policy and Procedure

Approved by the Committee on 26th August 2022.

Review date August 2025 and subsequently at five-year intervals

1. Introduction

*“Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect. Safeguarding adults is everybody's business. Everybody is different and diversity will be celebrated and respected. Everybody will be treated fairly, with accessible information, advice and support to help stay safe and maintain control of their lives.” **

This policy and procedure sets out how Chesterfield u3a will safeguard its members. It is based on policies and procedures of other u3as, plus elements from the model policy of the Third Age Trust (subsequently referred to as the Trust) and other local organisations.

2. Safeguarding Policy statement

- a) Chesterfield u3a (subsequently sometimes referred to as ‘the u3a’) believes its members should be able to participate in its activities in an environment which is safe and free from abuse. Likewise, members of the public with whom u3a members come into contact during, or in connection with, u3a activities should be free from abuse by members. When abuse or neglect is disclosed or alleged, the u3a will aim to respond in a prompt and efficient manner.
- b) Within the scope of (a), safeguarding concerns include instances of:
 - i) health-related behaviour that could put the instigator or others at risk
 - ii) inappropriate behaviour which makes the recipient feel uncomfortable

* Quotation from Derby and Derbyshire Safeguarding Adults Board’s publication *Safeguarding Adults Policy and Procedures*

- iii) more extreme behaviour including sexual advances, bullying, aggression, violence, harassment; through electronic communications or via social media platforms as well as face-to-face. (*Appendix 1 lists the types of abuse and neglect identified by the Care Act 2014*).
- c) The u3a has a duty of care to its members but does not hold any statutory authority to take action. Nor is it appropriate for us to take the lead role in any Safeguarding Enquiry under Section 42 of the Care Act 2014. Where there are serious concerns regarding abuse or neglect, we will seek advice and support from the Trust, and will contact the relevant local agency. (*See Appendix 2 for details*).
- d) When implementing this Safeguarding Policy, Chesterfield u3a will:
- (i) recognise that those involved in incidents are entitled to privacy, to be treated with dignity and respect, and to the protection of the law; regardless of ethnic origin, gender, sexuality, impairment or disability, age, religious or cultural background.
- (ii) follow the principles enshrined within the Care Act 2014:
- **Empowerment:** People being supported and encouraged to make their own decisions and have informed consent
 - **Prevention:** It is better to act before harm occurs
 - **Proportionality:** The least intrusive response appropriate to the risk presented
 - **Protection:** Support and representation for those in greatest need
 - **Partnership:** Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse
 - **Accountability:** Accountability and transparency in delivering safeguarding
- e) The u3a committee will ensure that:
- i) members are informed of this Policy and Procedure, of the importance of raising promptly any concerns about the safeguarding of themselves or other members, who to contact if a safeguarding issue arises and how to do so;
- ii) this Policy and Procedure, and any associated guidance, are accessible to members.
- iii) Committee members (trustees), group co-ordinators and other relevant volunteers are given guidance and support to enable them to

fulfil their potential role in meeting the u3a's safeguarding responsibilities.

(Some advice on how to respond should someone disclose abuse to you is given in Appendix 3: Dealing with Disclosure)

3. Safeguarding Procedure

- a) Chesterfield u3a Committee will appoint annually a Safeguarding Lead at the first meeting after the AGM (this will normally be the Chair), who will be the preferred first point of contact for referrals concerning safeguarding.
- b) If any member has concerns about unacceptable behaviour as set out in section 2(b) of the Policy Statement, they should contact the Safeguarding Lead at the earliest opportunity by email or by telephone (a dedicated email address and mobile phone number will be set up to facilitate this). If for some reason they do not wish to contact the Safeguarding Lead, then they should contact the Vice-Chair, who will then fulfil the role of Safeguarding Lead.
- c) All referrals to the Safeguarding Lead will be copied to the Chair (unless the Chair is the Safeguarding Lead, in which case the referral will be copied to the Vice-chair or another trustee) both for information and to enable a timely response when the Safeguarding Lead is not available.
- d) On being informed of a safeguarding concern, the Safeguarding Lead should gather as much information as possible, as quickly as possible, (*see Appendix 4 for the pro-forma for recording information*) and then should undertake a risk assessment so that the concern can be dealt with in the most appropriate way. Assessment of risks will include the nature and level of risk to the individual member and the nature and level of risk to other members within the u3a.
- e) Once the risk assessment is completed, and after seeking advice, if necessary, the Safeguarding Lead may decide that, for less serious safeguarding concerns:
 - i) no further action needs to be taken
 - ii) an informal conversation with the parties should take place
 - iii) one or more members should be excluded from a group or groups or from the Committee (all of which would require a decision by the Committee).
 - iv) the matter should be pursued through other procedures (e.g., the Complaints Procedure). When it is decided that this is the best course of action, it will not be investigated by anyone who was privy to the initial reporting or the subsequent handling of the incident.
 - v) membership of the u3a should be terminated (in accordance with the constitution). Advice should always be sought before moving to

exclude any member from the u3a based on a safeguarding risk assessment.

- f) For serious safeguarding concerns, it may be necessary to take appropriate steps to ensure that the safety of the adult(s) at risk is secured as a first priority. These will be discussed and agreed between the Safeguarding Lead, the member making the referral and the Chair or Vice-Chair. Where it is deemed that the risk is high and immediate action needs to be taken, the Safeguarding Lead will contact the relevant local agency (*see Appendix 2*). As far as possible, the wishes of the adult at risk will be respected as to whether or not to refer any concerns as a Safeguarding Enquiry under Section 42 of the Care Act 2014. However, it may be necessary to override the individual's wishes in the best interests of their safety and any other at risk.

- g) All actions taken will be recorded (*see Appendix 5 for pro-forma*). We will make every effort to respect the confidentiality of any information that is disclosed to us under this policy and procedure; this may mean, for example, that incidents are discussed without the names of any members being revealed. However, because of the potential serious nature of the issues, confidentiality cannot be guaranteed. Information will be recorded and stored securely in accordance with the Data Protection Act 2018 and relevant Chesterfield u3a policies and procedures but information may have to be shared (on a 'need-to-know' basis only) to prevent danger to health or life, or danger to other members or to the community, or to facilitate the investigation of a serious crime.

- h) Once the safeguarding concern is believed to have been resolved, all electronic records will be deleted. All paper records will be placed in a folder marked 'confidential', retained by the Safeguarding Lead for three years and then destroyed, unless a further safeguarding concern involving the same adult has occurred, in which case they become part of the records of the subsequent concern.

Appendix 1: Key Definitions of Abuse from the Care Act 2014

Abuse is a violation of an individual's human or civil rights, by any other person or persons. The following types of abuse and neglect are identified within the Care Act 2014, but should not be considered exhaustive:

- **Physical abuse** – including assault, hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate physical sanctions.
- **Domestic abuse** – 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. Includes psychological, physical, sexual, financial, emotional abuse, so called 'honour' based violence, Female Genital Mutilation and Forced Marriage.
- **Sexual abuse** – including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.
- **Sexual exploitation**- involves exploitative situations and relationships where people receive 'something' (e.g. accommodation, alcohol, affection, money) as a result of performing, or others performing on them, sexual activities.
- **Psychological abuse** – including 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 of services or supportive networks.
- **Financial or material abuse** – including 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.
- **Modern slavery** – encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.
- **Discriminatory abuse** – including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.
- **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** – including ignoring medical, 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
- **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.

Criminal Offences

Some instances of abuse will constitute a criminal offence. In these cases, reference to the police should be made as a matter of urgency. The responsibility for initiating action rests with the police and the Crown Prosecution Service. Criminal investigation by the police takes priority over all other lines of enquiry.

Appendix 2: Local agency relevant to safeguarding of adults

Derbyshire Safeguarding Adults Board can be contacted on 01629 533190 or Minicom on 01629 533240 during the hours of 08.00 and 20.00 Monday to Friday. Outside of these hours calls should be made to the Out of Hours Team on 01629 532600 Minicom 01629 533240. Guidance from the Board can be found at:

<https://www.derbyshiresab.org.uk/site-elements/documents/pdf/derbyshire-and-derby-safeguarding-adults-policy-and-procedures.pdf>

(Plus, the following national charity may be of help):

Hourglass (formally Action on Elder Abuse) is a confidential support and advice for older people who have been abused or people who know an older person who may be suffering abuse.

Freephone 0808 808 8141 (Available weekdays 9am – 5pm); Text helpline: 07860 052906.

Email: helpline@wearehourglass.org; Website: wearehourglass.org

Appendix 3: Dealing with Disclosure

Do's

- Do Listen carefully, treat any disclosure or allegations extremely seriously and act at all times as if you believe what they are saying.
- Do stay calm and try not to show shock or disbelief.
- Do say they are right to tell you.
- Do reassure them that they are not to blame.
- Do be honest about your own position, who you have to tell and why
- Do tell the adult what you are doing and when and keep them up to date with what is happening.
- Do take further action – you may be the only person able to prevent future abuse – tell the Safeguarding Lead immediately.
- Do write down everything said and what was done (see notes on recording).

and Don'ts

- Don't make promises you can't keep (e.g., about keeping something secret).
- Don't interrogate – it is not your job to carry out an investigation, this will be up to others to carry out, if necessary; but,
- Don't stop someone who is freely recalling significant events (i.e. don't say 'hold on, we'll come back to that later'; they may not tell you or anybody else again).
- Don't cast doubt on what the person has told you.
- Don't interrupt or change the subject.
- Don't say anything that makes the person feel responsible for the abuse.
- Don't do nothing – tell the Safeguarding Lead immediately – they will know how to follow this up and where to go for further advice.

Appendix 4: Pro-forma to aid the recording of information when a safeguarding referral has been made

**SAFEGUARDING PROCEDURES
RECORD OF CONCERNS**

Name:
Address:
Telephone No:
Family/Carers details (if relevant): Name(s):
Telephone No(s):
What is said to have happened or what was seen?
When and where did it occur?
Who else, if anyone, was involved and how?

What was said by those involved?
Were there any obvious signs e.g., bruising, bleeding changed behaviour?
Was the adult able to say what happened, if so, how did they describe it?
Who has been told about it and when?
Do the family/carer know?
Name and Signature
Date
Role in Chesterfield u3a

Document adapted from the pro-forma in the model Safeguarding Policy and Procedure produced by Links (Chesterfield and N E Derbyshire CVS)

Appendix 5: Pro-forma for the recording the action(s) taken following a safeguarding referral.

SAFEGUARDING PROCEDURES RECORD OF ACTIONS TAKEN
Name of adult who was the subject of the safeguarding concern:
Date incident reported to Safeguarding Lead or Chair
Action Taken by Safeguarding Lead/Chair
Response from agency receiving referral (if appropriate)
Any further action taken
Name and Signature
Date
Role in Chesterfield u3a

Document adapted from the pro-forma in the Safeguarding Policy and Procedure produced by Dronfield & District u3a