

ADULT SAFEGUARDING POLICY 2024

STATUS: Approved

Policy Owner: Designated Safeguarding Officer

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Next Review Date: September 2025

Definitions:

An **Ri representative** is anyone who works for or with the Ri, including staff, contractors, volunteers, contributors to public and educational programmes, Trustees and committee members, Ri ambassadors, or organisations or individuals who undertake relevant work on behalf of the Ri

An **adult at risk** is any adult who has care or support needs (whether or not these are being met), is at risk of or is experiencing abuse or neglect, and as a result of their needs is unable to adequately protect themselves against this (risk of) abuse or neglect.

Ri activities are any activities which are organised by or on behalf of the Ri, no matter where they are located or if they are online. Some activities may fall under alternative safeguarding arrangements, as is outlined in Section 2.

A **disclosure** is when a child or adult reports abuse or concerns to you.

1. Policy Statement

1.1. The Ri believes that safeguarding is paramount and should be at the heart of all that we do. Safeguarding adults at risk is:

- Protecting every adult's right to live in safety, free from abuse and neglect
- People and organisations working together to prevent and stop abuse or neglect and reducing the risks of this happening
- Making sure that the adult's wellbeing is promoted; including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding any action
- Recognising that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances¹
- Understanding every adult's right to make their own decisions, in accordance with the Mental Capacity Act 2005.²

1.2. We expect all individuals associated with the Ri to:

- Share our commitment to safeguarding
- Understand that safeguarding is everyone's responsibility
- Safeguard the welfare of adults at risk of harm and promote their wellbeing

¹ <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#safeguarding-1> Paragraph 14.7

² <https://www.legislation.gov.uk/ukpga/2005/9/data.pdf> Mental Capacity Act 2005 Section 1 (4)

2. Scope

- 2.1. This policy applies to all individuals acting on behalf of the Ri who may come into contact with adults at risk through their work for the Ri, referred to as "Ri representatives" in this policy.
- 2.2. This policy applies to both in-person and online activities, regardless of location.
- 2.3. This policy does not cover:
 - Safeguarding people under the age of 18, regardless of any other status (please see to the Ri's Child Safeguarding Policy)
 - Organisations or individuals who use the Ri purely for hire
 - Organisations or individuals where it has been contractually agreed that activities will fall under alternative safeguarding arrangements.
- 2.4. We have a legal duty to safeguard adults at risk of harm. The Care Act 2014 defines an adult at risk of harm, or adult at risk, as anyone over the age of 18 who:
 - Has care and support needs (whether or not these needs are being met); and
 - is at risk of, or is experiencing, abuse or neglect; and
 - as a result of those needs is unable to adequately protect themselves against the risk of or actual abuse or neglect.
- 2.5. We recognise that circumstances affecting an adult's level of risk and/or ability to protect themselves may be different in different contexts and/or at different times and may be temporary or permanent.
- 2.6. While we expect Ri representatives to take any and all concerns seriously, we do not expect them to be able to determine who is an adult at risk of harm.

3. Purpose

- 3.1. This policy outlines the Ri's commitment to safeguarding adults at risk.
- 3.2. The accompanying Safeguarding Procedures include guidance on identifying and responding to concerns, good practice involved in safeguarding adults at risk and how to record and report concerns and disclosures.

4. Principles

The following principles underline the Ri's approach to safeguarding adults:

- 4.1. **Safeguarding is paramount**
 - 4.1.1. Safeguarding takes precedence over other considerations across all Ri activities.
 - 4.1.2. We are committed to nurturing a culture of safeguarding and ensuring that poor practices are challenged. This includes but is not limited to:
 - Ensuring safe recruitment, selection and vetting practices
 - Providing the appropriate training, support and supervision for all Ri representatives, proportionate to their role, to help ensure that they are clear about their safeguarding roles and responsibilities.
- 4.2. **Safeguarding is everyone's responsibility**

4.2.1. Ri representatives are expected to:

- Work together with other Ri representatives, consenting individuals, their families and relevant external organisations to help achieve the best possible outcomes for adults at risk and to protect them from harm
- Know what to do and who to speak to if they have any safeguarding concerns (or are told about anything which may cause concern) about an adult or an Ri representative
- Follow the relevant Safeguarding Procedures to recognise, respond to and report concerns proactively and swiftly, no matter how minor or who is involved.

4.3. **Safeguarding is person-focused**

4.3.1. Safeguarding should be person-led and outcome-focused (referred to as “Making Safeguarding Personal” in the Care Act 2014). We will always work to ensure that our adult safeguarding arrangements are there to protect individuals and promote their wellbeing, centring their views, feelings and desired outcomes in any actions that we take.

The following principles relate to the six principles underpinning adult safeguarding as defined by the Care Act 2014:

4.4. **Empowerment** – People being supported and encouraged to make their own decisions and give informed consent.

4.4.1. We will take into account an adult’s wishes when assessing what actions to take following a safeguarding concern being raised, recognising that:

- People have complex lives and being safe is only one of the things they want for themselves. In addition, everyone has different preferences, histories, circumstances and lifestyles and ‘being safe’ will mean different things to different people.
- All adults have the right to make decisions for themselves, including with respect to their exposure to risk, and to have those decisions help inform what support they are given.
- Adults have the right to make decisions which could be considered to be unwise.
- It is not up to Ri representatives to decide if someone lacks capacity or not; assumptions cannot be made solely on a person’s appearance or behaviour.

4.4.2. Information relating to a safeguarding concern must always be shared with the DSO or appropriate responsible person, but all adults have the right to withhold or withdraw consent for allegations of abuse to be taken further. In some circumstances concerns can still be reported to external organisations without consent having been granted – see Section 4.8.

4.5. **Prevention** – It is better to take action before harm occurs.

4.5.1. We commit to promoting a culture of awareness and understanding, where abuse will not be tolerated, reports are taken seriously and acted on appropriately, and everyone can feel safe.

4.5.2. Adults have a right to information to assist them to stay safe. We will make our safeguarding policies and procedures available on our website, and wherever possible we will support people to safeguard themselves.

4.5.3. Ri representatives will undergo criminal record checks and/or checks against the barred

list for adults where appropriate to their role. Checks will be repeated at regular intervals as required, or if changes to an individual’s role requires a higher level of check.

4.5.4. All Ri representatives will be offered regular safeguarding training suitable to their role and experience.

4.5.5. The Ri is committed to funding all required safeguarding checks and training, and any other reasonable costs required to ensure that the safeguarding of adults at risk is as effective as possible.

4.6. **Proportionality** - The least intrusive response appropriate to the risk presented.

4.6.1. While the first priority is to help to keep an adult at risk safe, any decision taken to assist them must be proportionate. Actions should cause the least possible intrusion and restriction of their rights and freedoms to control their own lives and make their own decisions.

4.7. **Protection** - Support and representation for those in greatest need.

4.7.1. We are committed to providing a safe environment where all adults are included, listened to and treated with respect. We recognise that some adults at risk may face additional barriers to sharing concerns or disclosures and we commit to equitable treatment throughout our safeguarding practices and our work with adults.

4.7.2. All safeguarding concerns or allegations of abuse must be taken seriously and responded to swiftly and appropriately:

Recognise	Respond	Refer	Record
We will recognise all concerns, reports and allegations, taking them seriously and determining the action required in line with safeguarding best practice and our duties as a charity	We will respond appropriately and proportionately This may include (where appropriate): responding to the person raising the concern to discuss next steps and/or liaising with the adult at risk to discuss what they would like to happen	We will refer concerns to external agencies as appropriate	We will record all the relevant information This will include clear records of all decisions taken over referral, including any input from the adult at risk

4.7.3. The DSOs (and/or Ri Directors, as appropriate) will assess whether a concern meets the criteria for referral under safeguarding legislation and what actions need to be taken in order to safeguard the welfare of the adult(s) at risk.

4.7.4. The Ri will comply with its legal duties to make relevant referrals to the Disclosure and Barring Service (DBS) (or equivalent) where the threshold is met to do so³, and will determine any steps necessary to protect those involved during any pending enquiries.

4.7.5. As a charity the Ri has a duty to report serious incidents to the Charity Commission. This includes (but is not limited to) any incident which is serious enough to warrant referral to the Disclosure and Barring Service.

4.7.6. Poor practice is not in itself abuse, but can create environments where abuse or harm can more easily take place. Concerns of this nature can be discussed with the DSOs but depending on circumstances may fall under alternative reporting arrangements, such as the Ri’s Whistleblowing Policy.

³ <https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs#what-is-the-harm-test>

- 4.8. **Partnership** – Communities have a part to play in preventing, detecting and reporting neglect and abuse.
- 4.8.1. No single person can have a full picture of an adult at risk’s needs and circumstances, but for individuals to receive the right help at the right time, everyone has a role to play in identifying concerns, sharing information appropriately and taking prompt action.
- 4.8.2. We are committed to supporting the timely sharing of information with relevant authorities (with consent) when there are concerns about an adult at risk’s welfare, and contributing to effective partnership working between all those involved.
- 4.8.3. We will expect professionals to act on our concerns and we will consider escalating concerns where we are not satisfied that they have been taken seriously.
- 4.8.4. Confidentiality must be maintained so that information is handled and disseminated on a need-to-know basis only. Adults have a right to refuse to consent to share their information to make a safeguarding referral to external agencies.
- Information held about individuals by the Ri will only be disclosed to others either with their consent or when there is a legal duty to do so, such as if there is a risk of harm to another adult at risk or a child; if the disclosure is in the public interest; or if there is a duty to report the actions of an Ri representative.
 - The DSO or a Director is responsible for assessing whether information can be shared with external organisations if consent has not been granted.
 - If a decision is made to share information without consent this will be undertaken with all possible care and sensitivity.
- 4.9. **Accountability** - Accountability and transparency in delivering safeguarding.
- 4.9.1. All Ri representatives are expected to follow the Ri’s safeguarding policies and procedures throughout their activities for and on behalf of the Ri, and are accountable for their actions and decisions.
- 4.9.2. The DSO or an appropriate representative must be involved in all safeguarding referrals and is accountable to the Ri Safeguarding Working Group, the Audit and Risk Committee and Trustees.

5. Context

- 5.2. This policy and the associated Ri Safeguarding Procedures are underpinned by the following legislation and guidance:
- [The Care Act 2014](#)⁴ and [statutory guidance](#)⁵ (updated in line with the Health and Care Act 2022)
 - [The Equality Act 2010](#)⁶
 - [The Human Rights Act 1998](#)⁷
 - [The Mental Capacity Act 2005](#)⁸

⁴ <https://www.legislation.gov.uk/ukpga/2014/23/contents>

⁵ <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#safeguarding-1> (updated 1 June 2023)

⁶ <https://www.legislation.gov.uk/ukpga/2010/15/contents>

⁷ <https://www.legislation.gov.uk/ukpga/1998/42/contents>; see also <https://www.equalityhumanrights.com/en/human-rights/human-rights-act>

5.3. Where Ri representatives are undertaking activities outside of England, the relevant regional or national legislation will also apply. They should contact the DSO for advice on any inconsistencies between the applicable regional guidance and this policy.

6. Working with partner organisations

6.2. Partner organisations working with adults at risk are expected to:

- Have robust adult safeguarding policies and procedures in place for all partnership activities, to protect adults at risk in line with safeguarding good practice and adhering to all current safeguarding legislation
- Use staff and volunteers for partnership activities who have been appropriately trained and vetted according to their roles.

6.3. Safeguarding expectations of partner organisations that work with adults at risk will be included in contracts or other agreements as appropriate.

7. Safeguarding data storage and retention

7.1. All personal and special category data relating to safeguarding will be processed, stored and shared in line with relevant Data Protection legislation and guidance⁹ and the Ri Data Protection Policy¹⁰; in particular:

Type of data	Storage
Records of safeguarding incidents or concerns relating solely to adults at risk	For six years; If the concern also relates to an Ri representative as a perpetrator, records will be stored according to the timeframe outlined below
Records of accusations or concerns relating to the behaviour of an Ri representative	Until the Ri representative reaches normal retirement age or for 10 years (whichever is longer) ¹¹
Information revealed by vetting checks	Until a decision over recruitment for a role is made and recorded; if there is a dispute over the results, a check certificate may be retained until the dispute is resolved, up to the maximum of six months
Records of vetting checks being performed: date check was completed and verified; check reference number (and/or vetting scheme membership number if applicable); level and type of check; employer requesting the check; name and date of birth; decision regarding recruitment	In line with the Ri Data Protection and HR policies

7.2. In some cases information relating to safeguarding concerns may be required to be retained for longer than the above periods, for example if legal proceedings are ongoing.

⁸ <https://www.legislation.gov.uk/ukpga/2005/9/contents>

⁹ <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/data-sharing/a-10-step-guide-to-sharing-information-to-safeguard-children/>

¹⁰ <https://www.rigb.org/sites/default/files/attachments/7.%20Data%20Protection%20Policy%202024.pdf>

¹¹ <https://learning.nspcc.org.uk/research-resources/briefings/child-protection-records-retention-storage-guidance>

8. Governance and Responsibilities

- 8.1. The Ri Trustees have ultimate responsibility for safeguarding and delegating responsibilities to staff.
- 8.2. The Audit and Risk Committee monitors safeguarding arrangements, risk controls and reports. It reports quarterly to the Board of Trustees.
- 8.3. In line with safeguarding best practice, the Ri has appointed a Lead Trustee for Safeguarding, a Designated Safeguarding Officer (DSO) and at least one Deputy DSO.
- 8.4. The DSO is responsible for overseeing the day-to-day safeguarding needs of the Ri, supported by the deputy DSO(s) and a Safeguarding Working Group. The Safeguarding Working Group is chaired by the DSO with executive oversight provided by an Ri Director; terms of Reference are approved by the Ri Directorate. DSO duties include:
 - Receiving reports of safeguarding concerns and disclosures; making and overseeing safeguarding referrals to external agencies, as required
 - Providing safeguarding advice and support, including being the first point of contact for enquiries
 - Promoting a culture of safeguarding and accountability
 - Overseeing safeguarding vetting and training
 - Maintaining a good working knowledge of relevant safeguarding legislation and good practice and working to develop and maintain the Ri's practices in-line with these
 - Writing, reviewing and disseminating the Ri's Safeguarding Policies and Procedures.
- 8.5. Appointment as DSO does not signify sole responsibility for providing a full service for safeguarding adults at risk. This is accomplished through the totality of the Ri's safeguarding arrangements.
- 8.6. This policy and the associated Ri Safeguarding Procedures should be reviewed annually or when legislation changes, whichever is more frequent.
 - The Audit and Risk Committee are responsible for reviewing the policy and procedure.
 - The Board of Trustees are responsible for setting and approving the policy.

9. Monitoring

- 9.1. All safeguarding incidents are reported anonymously to the Audit and Risk Committee on a quarterly basis.

10. Relevant policies, procedures and forms

- 10.1. This policy should be read in conjunction with the following Ri policies, procedures, and forms:
 - Safeguarding Procedures
 - Adult Safeguarding Report Form
 - Data Protection Policy
 - EDIA Policy

- Modern Slavery Policy
- Social Media Policy

10.2. Those also working with children, as well as staff members, Trustees, Committee members and contractors, should also read:

- Child Safeguarding Policy

10.3. For Staff, Trustees, Committee members and contractors, the following policies also apply:

- Trustee Code of Conduct (Trustees and Committee members only)
- Anti-Fraud and Bribery Policy including money laundering
- Computer Acceptable Use and Bring Your Own Device Policies
- Disclosure in the Public Interest (Whistleblowing) Policy
- Equal opportunities and Dignity at Work Policy
- Gifts and Hospitality Policy
- Health and Safety Policy