

Beyond Limits provides policies and procedures to promote safe and consistent practice across the Organisation. The framework laid down within our policies and procedures lets everyone know how we work and reflects our values and mission statement. Our policies and procedures are written to help us, employees of Beyond Limits, to make good, safe decisions.

Beyond Limits expects all employees to be familiar with the contents of all policies and procedures relevant to their role and to understand how to apply them within their daily work.

None of these documents stand alone, all fit within the larger framework of the way we work and any associated policies which are particularly relevant will be directly referenced.

Safeguarding Adults

This Safeguarding Adults policy is an essential policy which must be read and signed by all employees. You will be required to do this during your probationary period and annually when this Safeguarding Adults policy is reviewed. There will be a copy of this policy kept at the home of the person you support and this is the copy that you must read, sign and date. The signing sheet is at the rear of this policy.

Safeguarding Adults Policy – what this means to Beyond Limits

The work of Beyond Limits is based upon a culture of trust and openness where people's rights, dignity and choices are upheld. We realise that at times an individual may act in a way that falls below the standards we set for our services and at times below that accepted by society in general. We do not condone this and will take every measure to avoid it occurring. A significant part of our work involves supporting people who have been or continue to be devalued by other people or services they use. People who are devalued have less power and where an imbalance of power exists the risk of abuse is increased. Working in a way that reinforces or promotes this power imbalance in any way, constitutes abuse.

To reduce the risk of somebody being abused we should ensure that the person has the power to say “no”. We may also need to provide information about what is acceptable behaviour and what is not. A person who has observed or experienced abuse in the past may view this behaviour as ‘normal’. We may need to support this person to develop an understanding of what is okay and what is not.

Abuse is most likely to be carried out by somebody already known to the person rather than a stranger.

Consent and the ability to consent.

Central to the subject of abuse is the ability to consent, to say yes or no. This can be a very complicated aspect to working with people. The law in England generally presumes that adults (aged 16 or over) are legally capable of making personal decisions for themselves and managing their own affairs. This presumption can only be overturned where evidence of ‘impaired’ capacity exists.

Decisions made on behalf of people who are not able to consent must; benefit the person, be of minimal intervention, take into account the wishes of the person and be done in consultation with relevant others for example family or friends. Taking actions on behalf of individuals, which do not follow this guidance, may constitute abuse.

The Mental Capacity Act 2005 gives guidance regarding consent with regard to the management of financial affairs. Anybody wishing further guidance regarding consent and financial affairs should seek guidance from the Mental Capacity Act 2005.

The word consent is often used in the context of sexual relationships and sex. Anybody wishing further guidance regarding consent and sexual relationships should see the Employee and Friendship and Sexuality Policies for Beyond Limits.

In Addition:

The Mental Capacity Act 2005 is now in force and is available for further guidance and reading. You will receive training on working within the Mental Capacity Act throughout your time with Beyond Limits. Please read the Capacity Policy for Beyond Limits.

How can we reduce the occurrence of abuse?

We should first acknowledge that we cannot guarantee that abuse will never take place. To do this would be wrong, promote complacency and would allow abusers to act within this perception.

We have robust recruitment processes to ensure the selection of the right candidate. Our selection process involves a two-stage interview; the first a formal interview that tests competence and compatibility with the person supported. The second stage, if the candidate is successful at stage one, is with the person to be supported and/or their representative.

All candidates are subject to pre-employment checks that include a DBS and three references. Candidates must start their employment on our Induction Course; they cannot commence this course until all the pre-employment checks have been satisfactorily met. The induction course includes the organisation's own safeguarding training. Employees will not directly support people until they have completed the full induction, including the internal safeguarding training an agreed number of shadow shifts required and any additional person specific training.

DBS status is checked every 3 years for all employees. In addition, it is a contractual requirement that should an employee's DBS status change in the interim they have to inform their Service Leader. Failure to do so could result in the termination of employment.

All new employees are issued with the Skills for Health, Code of Conduct for Healthcare Support Workers on the first day of their induction. It is mandatory that all new employees who do not have a health and social care diploma must complete the Care Certificate within the first 12 weeks of employment.

In addition to the Organisation's internal safeguarding training, all new employees have to attend safeguarding training run by Plymouth City Council, during their induction period. This training is refreshed every 3 years. Each employee must have a current, in date safeguarding certificate in order to provide support.

A copy of the Safeguarding policy and Whistle blowing policy is given to all new employees at their induction and is available to all staff on the Organisation's website. These details are also included in a person's working policy and service design and made accessible where required.

At Beyond Limits we have a robust set of policies and procedures designed in accordance with the following legislation:

- The Mental Capacity Act 2005

- The Mental Health Act 2007
- The Human Rights Act 1998
- The Data Protection Act 1998
- The Vulnerable Groups Act 2006
- Care Act 2014

As well as the statutory context, we ensure that employees have an understanding of the relevant criminal law and court of protection responsibilities.

We have robust safety assessment procedures and lone working arrangements that ensure people are not left vulnerable by poor planning or lack of support. Our policies set out the standards that are expected from employees and include:

- Recruitment
- Restricted Physical Intervention
- Deprivation of Liberty
- Financial Management
- Sex and Sexuality
- Lone Working
- Equal Opportunities
- Whistle Blowing
- Professional Boundaries

Everyone that we support has a working policy that details how best to support them. This policy sets clear expectations of how to support the person in line with their needs and also includes the specific training requirements for team members.

Alongside this foundation we can reduce the risk of abuse occurring by:

- Promoting an awareness of the reality of abuse
- Promoting the ability of people we support to say 'no'
- Ensure people listen to one another. It is important that we listen to what people we support are telling us. This may not necessarily be through verbal communication. It may

be through a change of behaviour or mood. People who tell us about abuse may not use the same words as we would to describe what has happened. Some people who use our services may have a history of reputations, “she always tells lies”, “he is prone to exaggeration”, we should be aware that these are seldom true.

- Ensuring consistency in the way in which staff members and teams stick to the working policy for the person they support. Often a person tells us through their behaviour that someone on their team is not sticking to the rules, which may indicate abuse.
- Ensure workers are fully aware of any bespoke safeguarding procedures relating to the person they support (this will be recorded in the working policy)
- Supporting people who use our services to build a wide range of community connections. Safety from abuse does not come from increased isolation from others or from being supported by only a small number of people. In general, supporting people and encouraging people to have a wide range of friendships or contacts minimise the risk of isolation and of possible abuse.

At Beyond Limits we are clear that people who get support will let us know if anything bad is happening to them. Sometimes people tell us verbally but mostly people tell us with their behaviour. The value of having a dedicated and matched team is that support staff get to know a person very well and can usually spot, at an early stage, if anything untoward is happening to them. If a person is receiving support and their behaviour changes significantly there is a chance that they may be being abused in one form or another or they may be unhappy with how they are being treated or supported. In each event, when someone’s behaviour changes considerably, there will be scrutiny of this service and work will be carried out to establish what the cause of this change of behaviour is. If in the event, abuse was discovered the organisation would deal with this in the severest of terms including reporting the matter to the police.

Any employee suspected of any misconduct likely to lead to abuse, exploitation or neglect will be subject to the Organisation’s disciplinary procedures.

We recognise that we are required by law, in certain circumstances to report employees to regulatory bodies if they are suspected of having harmed, or put at risk a vulnerable adult or if they have conducted themselves in a manner considered grossly inappropriate or in the case of gross misconduct. In these cases, the Director, or someone with delegated authority, will make a referral to DBS. Due to the sensitive nature of such referrals, information would be kept to a minimum and on a strictly need to know basis.

The Care Act 2014 (in particular chapter 14, Sections 42 – 47) exists to provide protection to people who may find it more difficult to stop harm happening to them, this includes people who may be more vulnerable because of disability or mental disorder (mental health difficulty) The act stipulates the safeguarding duties apply to an adult who:

- Has needs of care and support (whether or not the Local Authority is meeting any of those needs)
AND
- Is experiencing, or is at risk of abuse and neglect
AND
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse and neglect.

The Care Act 2014 lays out the following Safeguarding Principles:

- **Empowerment:** A presumption of person led decisions and informed consent.
- **Prevention:** It is better to take action before harm occurs.
- **Proportionality:** Proportionate and least intrusive response appropriate to the risk presented.
- **Protection:** Support and representation for those in greatest need.
- **Partnerships:** 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.

The Act recognises harm may take many different forms and that each may be carried out as a result of deliberate intent, negligence or ignorance. Plymouth City Council defines abuse as ‘*a violation of individual harm and civil rights by another person or persons*’. It states that anyone can be an abuser and that abuse of a person often includes behaviour that is abusive in one or more of the following categories. The majority of people experiencing abuse of any kind will also likely be experiencing emotional/psychological abuse.

The following information is only intended to act as a basic guide to help us understand what harm may mean.

Physical Abuse

Physical abuse may include hitting, slapping, pushing, kicking, and/or biting. In addition, misuse of medication and inappropriate physical intervention may constitute physical abuse.

Inappropriate physical intervention may be defined as any method of responding to behaviors of concern often described as ‘challenging’ that involves some degree of direct physical force to limit or restrict movement or mobility. This can include the use of barriers or materials or equipment which is used to restrict or prevent movement.

Indicators of physical abuse may be:

- Injuries that are consistent with physical abuse
- Injuries that are the shape of objects
- Presentation of several injuries at different stages of healing e.g. different coloration of bruises
- Injuries that have not received medical attention
- A person being taken to many different places for medical attention
- Skin infections
- Dehydration
- Unexplained weight changes or medication being lost
- Behaviour that indicates the person is afraid of the perpetrator
- Change of behaviour or avoidance of perpetrator

Sexual Abuse

Sexual abuse may include rape and sexual assault or any act of a sexual nature to which the person has not consented, could not consent to, or was pressured into consenting to. This includes all sexual acts involving a child. Non-contact sexual abuse could include being forced or coerced to take or be photographed or videoed to allow others to look at their body. Any activity involving staff is contrary to professional standards and therefore abusive.

Indicators of sexual abuse might be:

- Sexually transmitted disease or pregnancy

- Tearing or bruising in genital/anal areas
- Soreness when sitting
- Signs that someone is trying to take control of their body image e.g. anorexia or bulimia, self-harm
- Inappropriate sexualised behaviour

Emotional/Psychological Abuse

Emotional/Psychological abuse may include threats of harm or abandonment, leaving the person alone, not providing the correct support, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation and bullying.

Indicators of emotional/psychological abuse might be:

- Difficulties gaining access to the adult on their own, or them gaining opportunities to contact you
- The adult not getting access to medical care or attending appointments with other agencies
- Low self-esteem
- Lack of confidence and anxiety
- Increased levels of confusion
- Sleep disturbance
- Person feeling/acting as if they are being watch all the time
- Decreased ability to communicate or have their own say
- Communication that sounds like (replicates) things that the perpetrator would say or language that is not usual to them.
- Deference/submission to the perpetrator

Financial or Material Abuse

Financial or material abuse may include theft, fraud, exploitation and pressure in connection with inheritance, property or financial transactions. This includes pressure for the vulnerable person to allow people into their home, either explicit or implied.

Indicators of financial or material abuse might be:

- Sudden loss of assets
- Inappropriate or unusual financial transactions
- Visitors whose visits always coincide with the day the person's benefits are cashed
- Insufficient food available
- Bills not being paid
- Person managing finances overly concerned with money

Neglect and Acts of Omission

Neglect and Acts of omission may include ignoring medical or physical care needs, failure to provide access to health, social care or educational services, the withholding of the necessities of life such as medication, adequate food and heating, inadequate/inappropriate clothing and neglecting of personal care.

Indicators of neglect might be:

- Malnutrition
- Rapid or continuous weight loss
- Not having access to necessary physical aides
- Inadequate or inappropriate clothing
- Untreated medical problems
- Dirty clothing/bedding
- Lack of personal hygiene

Discriminatory Abuse

Discriminatory abuse may include actions and/or remarks of a prejudicial nature focusing on a person's age, gender, disability and ethnic origin and skin colour, sexual or religious orientation.

Indicators of discriminatory abuse might be:

- Person overly concerned about race, sexual preference etc

- Tries to be more like other people
- Reacts angrily if any attention is paid to race, sex, etc
- Support staff overly critical/anxious about these areas
- Disparaging remarks made
- Person made to dress differently

The Act places a responsibility on those working with people who may be at risk from any type of harm to take action to prevent it continuing should they observe or be aware of it happening.

Organisational Abuse

Organisational abuse may include neglect, poor practice, treating people as a group and not individuals, resistance to external input, high turnover of staff, lack of openness, lack of staff training, tight and cliquy teams who do not like new membership.

Self-Neglect

Self-neglect is any failure of an adult to take care of himself or herself that causes or is reasonably likely to cause within a short period of time, serious physical, mental or emotional harm or substantial damage to or loss of assets.

Self-neglect can happen as a result of an individual's choice of lifestyle, or the person may be:

- Depressed
- Have poor health
- Have cognitive (memory or decision making) problems, or
- Be physically unable to care for self.

Self-Neglect includes:

- Living in grossly unsanitary conditions
- Suffering from an untreated illness, disease or injury

- Suffering from malnutrition to such an extent that, without an intervention, the adult's physical or mental health is likely to be severely impaired.
- Creating a hazardous situation that will likely cause serious physical harm to the adult or others or cause substantial damage to or loss of assets.
- Suffering from an illness, disease of injury that results in the adult dealing with his or her assets in a manner that is likely to cause substantial damage to or loss of assets.

Modern Slavery

Modern Slavery can take many forms including the trafficking of people, forced labour, servitude and slavery.

Any consent, victims have given to their treatment, will be irrelevant where they have been coerced, deceived or provided with payment or benefit to achieve that consent. Children (those aged under 18) are considered victims of trafficking, whether or not they have been coerced, deceived or paid to secure their compliance. They need only have been recruited, transported, received or harboured for the purpose of exploitation. The term Modern Slavery captures a whole range of types of exploitation, many of which occur together. These include but are not limited to:

- **Sexual Exploitation:** This includes but is not limited to sexual exploitation and sexual abuse, forced prostitution and the abuse of children for the production of child abuse images/videos
- **Domestic Servitude:** This involves a victim being forced to work in usually private households, usually performing domestic chores and childcare duties. Their freedom may be restricted and they may work long hours often for little or no pay, often sleeping where they work.
- **Forced Labour:** Victims may be forced to long work hours for little or no pay in poor conditions under verbal or physical threats of violence to them or their families. It can happen in various industries, including construction, manufacturing, laying driveways, hospitality, food packaging, agriculture, maritime and beauty (nail bars). Often victims are housed together in one dwelling.
- **Criminal Exploitation:** This can be understood as the exploitation of a person to commit a crime, such as pick-pocketing, shoplifting, cannabis cultivation, drug trafficking and

other similar activities that are subject to penalties and imply financial gain for the trafficker.

- **Other Forms of Exploitation:** Organ removal, forced begging, forced benefit fraud, forced marriage and illegal adoption.

Under the Care 2014 Act the organisation has a duty to inform certain external agencies in the event that an allegation of harm towards one of the people we support is raised. The appropriate funding Local Authority would be informed and if appropriate, the Police.

Extremism and Radicalisation

Radicalisation of adults with care and support needs is a form of emotional/psychological exploitation used to encourage extremism.

The aim of Radicalisation is to attract people to a particular extremist ideology. In many cases it is with a view to inspiring them eventually to become involved with extremist, harmful or terrorist activities. As with other forms of grooming, Radicalisation is carried out over a period of time. It can take place in person through direct contact, or indirectly online.

If you are concerned that someone we support is at risk of being groomed by extremists or radicalised and drawn into terrorism, you **must** treat it as any other safeguarding concern.

- 1. Report** your concerns to your line manager. If you have concern about immediate threats, phone the Police 999. For advice call 101.

The Devon and Cornwall Police Prevent Team can be contacted via email:

prevent@devonandcornwall.pnn.police.uk

<https://www.devon-cornwall.police.uk/advice/your-community/prevent-extreme-views/prevent/>

Somerset Police Prevent Team can be contacted via email:

channelsw@avonandsomerset.pnn.police.uk

<http://www.somerset.gov.uk/health-and-wellbeing/prevent-in-somerset/>

2. **Record** it as a safeguarding concern about emotional/psychological abuse. If there are concerns that the person has had physical threats or harm then record as both emotional/psychological abuse and physical abuse.
3. Continue with the **safeguarding process** as usual, speak to your line manager.
4. **Consider** if the person we support needs to be referred to Channel. Channel is a multi-agency partnership process offering support and intervention at the earliest opportunity to stop people being drawn into extremism and/or terrorism. Channel is not a criminal process – it is designed to support people at the earliest opportunity before they become involved in harmful or illegal activity.

The Statutory Prevent Duty directs professionals to comply with this statutory duty, this includes sharing concerns and information to safeguard someone to keep them from being harmed or exploited by extremists.

Some adults at risk may be more vulnerable to being exploited emotionally by extremists.

Social isolation can be common not only amongst people with disabilities but also within the general population. Extremists can manipulate people into feeling a 'sense of belonging' and getting involved in extremist activities can seem appealing because it can give a sense of life purpose. It is important that we are aware, not only of the possibility of radicalisation with the people we support but also our colleagues.

If you suspect any of your colleagues could be at risk of becoming involved in extremist activities you **must** report this immediately to your line manager.

Beyond Limits Management Responsibilities

The culture at Beyond Limits is one of openness and transparency and the management team want staff to feel they can come to any manager and voice concerns however unsure, or undecided they are that an abusive incident has or is likely to happen. If you do not tell us, we cannot do anything about it, so please come forward and discuss any situations you feel uneasy about.

- Phone the office on 01752 546449
- Emergency on call: 01752 546449
- Email or phone the Director: Doreen@beyondlimits-uk.org, Doreen Kelly, 07714 456403

- Email or phone the Registered Manager: kathleen.griffiths@beyondlimits-uk.org Kathleen Griffiths, 07779 241386

Responding to Disclosure

Each local council has its own Safeguarding process which you must follow. As we are funded by the Primary Care Trust, we must also alert them and CQC as we are registered with them too. As an organisation, we work in partnership with the local Safeguarding teams ensuring we support them with their enquiries and respond effectively to any actions identified.

If you see something happen or hear about something that could be abusive or if someone tells you something has happened or is happening to them, which could be abuse, contact:

- Your Service Leader, the Registered Manager or the Director, **immediately** who will report your concerns to the relevant authorities (Social Services, The Care Quality Commission and the Clinical Commissioning Group).
- In an emergency, dial 999 if a serious incident (threat to life) or a crime has occurred.

Plymouth Contacts:

- Safeguarding Team: 01752 668000
- <https://web.plymouth.gov.uk/adultsafeguardingboard.htm>
- <https://plysab.proceduresonline.com/>

Torbay & South Devon Contacts:

- Safeguarding Adults: 01803 219700
- <https://www.torbayandsouthdevon.nhs.uk/services/safeguarding-adults>

Somerset Contacts:

- Safeguarding Adults: 0300 1232224
- <https://ssab.safeguardingsomerset.org.uk/>

- **Cornwall Contacts:**
- Safeguarding Adults Board: 01872 326433
- www.cornwall.gov.uk/health-and-social-care/adult-social-care/safeguarding-adults/

If someone discloses to you, remember you are NOT investigating.

Do:

- Stay calm and try not to react in such a way as to cause anxiety to the individual i.e. shocked, appalled, hesitant etc.
- Tell the person that they did the right thing in telling you and that you are treating the information seriously and it is not their fault.
- Listen very carefully.
- Be empathic.
- Be aware of the possibilities that medical evidence might be needed so be careful of clothing etc.
- Explain that you must tell your manager and with their consent, the manager will contact social services, health and police. The manager will, in specific circumstances be required to contact social services without their consent but their wishes will be made clear throughout.
- If a referral is made but the person is reluctant to continue with the investigation, the manager will record this and notify the adult protection co-ordinator so a discussion can take place about the best way to support the person.

Do not:

- Press the person for more details.
- Promise to keep secrets (you can never keep this kind of information confidential).
- Pass on the information to anyone other than a legitimate 'need to know' – your line manager.
- Contact the alleged abuser.
- Be judgemental (e.g. 'why did you let it happen').
- Gossip about the abuse.
- Stop the person as they are telling you what happened, they may never tell you again.

What you must do next:

Tell your line manager immediately (if out of office hours, contact the on-call service leader) regardless of what the person says. If you are not able to tell your manager (if they are the potential perpetrator) contact the Registered Manager or the Director.

If you or the person disclosing are in a situation of immediate danger of violence or a threatening situation, or you suspect a recent sexual assault has taken place then phone the police on 999 or if the person is injured phone 999 and ask for an ambulance.

Note what the person actually said using their own words and phrases as soon as you can after they have finished telling you.

Describe the situation in which the disclosure took place.

Note the setting and anyone else who was there at the time.

Where appropriate use a body map to indicate the location of cuts, bruises and abrasions, noting in particular the colour of any bruising.

Make sure the information you write is factual. You may wish to indicate your own opinion or a third party's information (if so, make sure you are clear about the separation).

Use black pen so that the report can be clearly read.

Sign and date the report, noting time and location.

What others will do next:

Your manager will contact the local safeguarding team and/or the police. This should be done the same day.

The safeguarding procedure will be followed which may lead to an investigation where your information is used as evidence.

You can expect to receive feedback regarding the progress of the investigation, however in order to protect confidentiality you may not be entitled to full details. As a minimum you can expect to receive weekly updates regarding the progress of the investigation.

Support for Alerters

People have in the past often been deterred from ‘whistle-blowing’ about abuse or neglect by duties of confidentiality and/or fear of the consequences of speaking out. Beyond Limits complies with the Public Interest Disclosure Act 1998 and will therefore support anyone who alerts the organisation either openly or confidentially to any form of abuse to the people we support.

The Public Interest Disclosure Act 1998 seeks to protect disclosure of the following:

- Criminal offence (past, ongoing or prospective)
- Failure to meet an obligation
- A miscarriage of justice
- Health and Safety being endangered
- Risk of environmental damage
- Or deliberate concealment of the use of the above

The Act envisages that the disclosure about such malpractice will generally be made in the first instance to the person’s employer, or whoever may appear responsible for the malpractice.

Confidential Alerters are protected by the Act if they are acting in good faith and reasonably believe their allegation to be true.

Staff who make disclosures to people other than their employers are likely to be protected if:

- They reasonably believe that they will be treated detrimentally for disclosing to the employer
- They reasonably believe that the evidence will be destroyed or hidden if the employer is ‘tipped off’
- The employer has been told, but has not taken appropriate action

A disclosure made in accordance with the Act means:

- No confidentiality clause in an employment contract can be used by employers who are responsible for breaking the law, abuse of neglect or other malpractice.

Dismissal on grounds of disclosure within the terms of the Act is automatically unfair and can be challenged through an employment tribunal.

Confidential Alerter's will always be:

- Treated seriously
- Treated confidentially where relevant
- Treated in a fair and equitable manner
- Kept informed of action taken and its outcomes

