



LUCY'S ART CLUB

Adult Safeguarding Policy and Procedures

Introduction

Lucy's Art Club is committed to Safeguarding Adults in line with national legislation and relevant national and local guidelines.

We will safeguard adults by ensuring that our activities are delivered in a way which keeps all adults safe.

Lucy's Art Club is committed to creating a culture of zero-tolerance of harm to adults which necessitates: the recognition of adults who may be at risk and the circumstances which may increase risk; knowing how adult abuse, how exploitation or neglect manifests itself; and being willing to report safeguarding concerns.

This extends to recognising and reporting harm experienced anywhere, including within our activities, within other organised community or voluntary activities, in the community, in the person's own home and in any care setting.

Lucy's Art Club is committed to best safeguarding practice and to uphold the rights of all adults to live a life free from harm from abuse, exploitation and neglect.

Policy Statement

Lucy's Art Club believes everyone has the right to live free from abuse or neglect regardless of age, ability or disability, sex, race, religion, ethnic origin, sexual orientation, marital or gender status.

Lucy's Art Club is committed to creating and maintaining a safe and positive environment and an open, listening culture where people feel able to share concerns without fear of retribution.

Lucy's Art Club acknowledges that safeguarding is everybody's responsibility and is committed to prevent abuse and neglect through safeguarding the welfare of all adults involved.

Lucy's Art Club recognises that health, well-being, ability, disability and need for care and support can affect a person's resilience. We recognise that some people experience barriers, for example, to communication in raising concerns or seeking help. We recognise that these factors can vary at different points in people's lives.

Lucy's Art Club recognises that there is a legal framework within which creatives need to work to safeguard adults who have needs for care and support and for protecting those who are unable to take action to protect

themselves and will act in accordance with the relevant safeguarding adult legislation and with local statutory safeguarding procedures.

Actions taken by Lucy's Art Club will be consistent with the principles of adult safeguarding ensuring that any action taken is prompt, proportionate and that it includes and respects the voice of the adult concerned.

Purpose

The purpose of this policy is to demonstrate the commitment of Lucy's Art Club to safeguarding adults and to ensure that everyone involved in Lucy's Art Club is aware of:

- The legislation, policy and procedures for safeguarding adults.
- Their role and responsibility for safeguarding adults.
- What to do or who to speak to if they have a concern relating to the welfare or wellbeing of an adult within the organisation.

Commitments

In order to implement this policy Lucy's Art Club will ensure that:

- Everyone involved with Lucy's Art Club is aware of the safeguarding adult procedures and knows what to do and who to contact if they have a concern relating to the welfare or wellbeing of an adult.
- Any concern that an adult is not safe is taken seriously, responded to promptly, and followed up in line with Lucy's Art Club Safeguarding Adults Policy and Procedures.
- The well-being of those at risk of harm will be put first and the adult actively supported to communicate their views and the outcomes they want to achieve. Those views and wishes will be respected and supported unless there are overriding reasons not to (see the Safeguarding Adults Procedures).
- Any actions taken will respect the rights and dignity of all those involved and be proportionate to the risk of harm.
- Confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored in line with our Data Protection Policy and Procedures.
- Lucy's Art Club will cooperate with the Police and the relevant Local Authorities in taking action to safeguard an adult.
- Lucy's Art Club shares information about anyone found to be a risk to adults with the appropriate bodies. For example: Disclosure and Barring Service, Services, Police, Local Authority/Social Services.

Safeguarding Adults Legislation

Safeguarding Adults in all home nations is compliant with United Nations directives on the rights of disabled people and commitments to the rights of older people. It is covered by:

- The Human Rights Act 1998
- The Data Protection Act 2018
- General Data Protection Regulations 2018

The practices and procedures within this policy are based on the relevant legislation and government guidance.

- England - The Care Act 2014
Care and Support Statutory Guidance (especially chapter 14) 2014

Many other pieces of UK and home nation legislation also affect adult safeguarding. These include legislation about different forms of abuse and those that govern information sharing. For example, legislation dealing with:

- Murder/attempted murder
- Physical Assault
- Sexual Offences
- Domestic Abuse/Coercive control
- Forced Marriage
- Female Genital Mutilation
- Theft and Fraud
- Modern slavery and Human exploitation
- Hate crime
- Harassment
- Listing and Barring of those unsuitable to work with adults with care and support needs

Each home nation also has legislation about the circumstances in which decisions can be made on behalf of an adult who is unable to make decisions for themselves:

- England and Wales – Mental Capacity Act 2005
- There are specific offences applying to the mistreatment of and sexual offences against adults who do not have Mental Capacity and specific offences where mistreatment is carried out by a person who is employed as a carer: e.g. willful neglect and willful mistreatment.

Definition of an Adult at Risk

The Safeguarding Adults legislation creates specific responsibilities on Local Authorities, Health, and the Police to provide additional protection from abuse and neglect to Adults at Risk.

When a Local Authority has reason to believe there is an adult at risk, they have a responsibility to find out more about the situation and decide what actions need to be taken to support the adult.

The actions that need to be taken might be by the Local Authority (usually social services) and/or by other agencies, for example the Police and Health. An arts organisation may need to take action as part of safeguarding an adult, for example, to use the disciplinary procedures in relation to a member of staff or member who has been reported to be harming a participant. The Local Authority role includes having multi-agency procedures which coordinate the actions taken by different organisations.

An Adult at risk is an individual aged 18 years and over who:

- (a) has needs for care and support (whether or not the local authority is meeting any of those needs) AND;**
- (b) is experiencing, or at risk of, abuse or neglect, AND;**

(c) as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.(Care Act 2014)

Abuse and Neglect

Abuse is a violation of an individual's human and civil rights by another person or persons. It can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it. Any or all of the following types of abuse may be perpetrated as the result of deliberate intent, negligence, omission or ignorance.

There are different types and patterns of abuse and neglect and different circumstances in which they may take place.

Safeguarding legislation in each home nation lists categories of abuse differently however, they all include the following types of abuse:

- Physical
- Sexual
- Psychological
- Neglect
- Financial

Abuse can take place in any relationship and there are many contexts in which abuse might take place; e.g. Institutional abuse, Domestic Abuse, Forced Marriage, Human Trafficking, Modern Slavery, Sexual Exploitation, County Lines, Radicalisation, Hate Crime, Mate Crime, Cyber bullying, Scams. Some of these are named specifically within home nation legislations.

Abuse could take place within an arts organisation and the person causing harm might be any other person. For example: a member of staff, a volunteer, a participant or a member of the public coming to view an exhibition.

Some examples of abuse within creative activities include:

- Harassment of a participant because of their (perceived) disability or other protected characteristics.

- A staff member who sends unwanted sexually explicit text messages to a participant with learning disabilities.
- A participant threatens another participant with physical harm and persistently blames them for poor performance.

Abuse or neglect outside creative activities could be carried out by:

- A spouse, partner or family member
- Neighbours or residents
- Friends, acquaintances or strangers
- People who deliberately exploit adults they perceive as vulnerable
- Paid staff, professionals or volunteers providing care and support
- Often the perpetrator is known to the adult and may be in a position of trust and/or power.

The Safeguarding Adults Legislation (**Care Act 2014**) defines categories of adult abuse and harm as follows:

Physical

Sexual

Emotional/Psychological/Mental

Neglect and acts of Omission

Financial or material abuse

Discriminatory

Organisational / Institutional

Self-neglect

Domestic Abuse (including coercive control)

Modern slavery

Signs and Indicators of Abuse and Neglect

An adult may confide to a member of staff, volunteer or another participant that they are experiencing abuse inside or outside of the organisation's setting. Similarly, others may suspect that this is the case.

There are many signs and indicators that may suggest someone is being abused or neglected. There may be other explanations, but they should not be ignored. The signs and symptoms include but are not limited to:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- Person has belongings or money going missing.
- Person is not attending / no longer enjoying their sessions. You may notice that a participant has been missing from sessions and is not responding to reminders or other communication.
- Someone losing or gaining weight / an unkempt appearance. This could be a participant whose appearance becomes unkempt, does not wear suitable clothing and there is a deterioration in hygiene.
- A change in the behaviour or confidence of a person. For example, a participant may be looking quiet and withdrawn when their brother comes to collect them from sessions in contrast to their personal assistant whom they greet with a smile.
- Self-harm.
- A fear of a particular group of people or individual.
- A parent/carer always speaks for the person and doesn't allow them to make their own choices
- They may tell you / another person they are being abused – i.e. a disclosure

The Principles of Adult Safeguarding (Care Act 2014)

The Act's principles are:

- **Empowerment** – People being supported and encouraged to make their own decisions and informed consent.
- **Prevention** – It is better to take action 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.

Mental Capacity and Decision Making

We make many decisions every day, often without realising. UK Law assumes that all people over the age of 16 have the ability to make their own decisions, unless it has been proved that they can't. It also gives us the right to make any decision that we need to make and gives us the right to make our own decisions even if others consider them to be unwise.

We make so many decisions that it is easy to take this ability for granted. The Law says that to make a decision we need to:

- Understand information
- Remember it for long enough
- Think about the information
- Communicate our decision

A person's ability to do this may be affected by things such as learning disability, dementia, mental health needs, acquired brain injury and physical ill health.

Most adults have the ability to make their own decisions given the right support however, some adults with care and support needs have the experience of other people making decisions about them and for them.

Some people can only make simple decisions like which colour T-shirt to wear or can only make decisions if a lot of time is spent supporting them to understand the options. If someone has a disability that means they need support to understand or make a decision this must be provided. A small number of people cannot make any decisions. Being unable to make a decision is called "lacking mental capacity".

Mental capacity refers to the ability to make a decision at the time that decision is needed. A person's mental capacity can change. If it is safe/possible to wait until they are able to be involved in decision making or to make the decision themselves.

For example:

- A person with epilepsy may not be able to make a decision following a seizure.
- Someone who is anxious may not be able to make a decision at that point.
- A person may not be able to respond as quickly if they have just taken some medication that causes fatigue.

Mental Capacity is important for safeguarding for several reasons.

Not being allowed to make decisions one is capable of making is abuse. For example, a disabled adult may want to take part in an activity but their parent who is their carer won't allow them to and will not provide the support they would need. Conversely the adult may not seem to be benefiting from an activity other people are insisting they do.

Another situation is where an adult is being abused and they are scared of the consequences of going against the views of the person abusing them. It is recognised in the law as coercion and a person can be seen not to have mental capacity because they cannot make 'free and informed decisions'.

Mental Capacity must also be considered when we believe abuse or neglect might be taking place. It is important to make sure an 'adult at risk' has choices in the actions taken to safeguard them, including whether or not they want other people informed about what has happened, however, in some situations the adult may not have the mental capacity to understand the choice or to tell you their views.

Each home nation has legislation that describes when and how we can make decisions for people who are unable to make decisions for themselves. The principles are the same.

- We can only make decisions for other people if they cannot do that for themselves at the time the decision is needed.
- If the decision can wait, wait – e.g. to get help to help the person make their decision or until they can make it themselves.
- If we have to make a decision for someone else then we must make the decision in their best interests (for their benefit) and take into account what we know about their preferences and wishes.
- If the action we are taking to keep people safe will restrict them then we must think of the way to do that which restricts to their freedom and rights as little as possible.

Many potential difficulties with making decisions can be overcome with preparation. A person needing support to help them make decisions whilst taking part in a sports organisation will ordinarily be accompanied by someone e.g. a family member or formal carer whose role includes supporting them to make decisions.

It is good practice to get as much information about the person as possible.

If a person who has a lot of difficulty making their own decisions is thought to be being abused or neglected you will need to refer the situation to the Local Authority, and this should result in health or social care professionals making an assessment of mental capacity and/or getting the person the support they need to make decisions.

There may be times when an arts organisation needs to make decisions on behalf of an individual in an emergency. Decisions taken in order to safeguard an adult who cannot make the decision for themselves could include:

- Sharing information about safeguarding concerns with people that can help protect them.
- Stopping them being in contact with the person causing harm.

Sources of Information and Support

Action on Elder Abuse

A national organisation based in London. It aims to prevent the abuse of older people by raising awareness, encouraging education, promoting research and collecting and disseminating information.

Tel: [020 8765 7000](tel:02087657000)

Email: enquiries@elderabuse.org.uk

www.elderabuse.org.uk

Men's Advice Line

For male domestic abuse survivors

Tel: [0808 801 0327](tel:08088010327)

National LGBT+ Domestic Abuse Helpline

Tel: [0800 999 5428](tel:08009995428)

National 24Hour Freephone Domestic Abuse Helplines

Tel: [0808 2000 247](tel:08082000247)

www.nationaldahelpline.org.uk/Contact-us

Rape Crisis Federation of England and Wales

Rape Crisis was launched in 1996 and exists to provide a range of facilities and resources to enable the continuance and development of Rape Crisis Groups throughout Wales and England.

Email: info@rapecrisis.co.uk

www.rapecrisis.co.uk

Respond

Respond provides a range of services to victims and perpetrators of sexual abuse who have learning disabilities, and training and support to those working with them.

Tel: [020 7383 0700](tel:02073830700) or
[0808 808 0700](tel:08088080700) (Helpline)
Email: services@respond.org.uk
www.respond.org.uk

Stop Hate Crime

Works to challenge all forms of Hate Crime and discrimination, based on any aspect of an individual's identity. Stop Hate UK provides independent, confidential and accessible reporting and support for victims, witnesses and third parties.

24 hours service:

Telephone: [0800 138 1625](tel:08001381625)

Web Chat: www.stophateuk.org/talk-to-us/

E mail: talk@stophateuk.org

Text: [07717 989 025](tel:07717989025)

Text relay: [18001 0800 138 1625](tel:1800108001381625)

By post: [PO Box 851, Leeds LS1 9QS](mailto:POBox851@leeds.gov.uk)

Susy Lamplugh Trust

The Trust is a leading authority on personal safety. Its role is to minimise the damage caused to individuals and to society by aggression in all its forms – physical, verbal and psychological.

Tel: [020 83921839](tel:02083921839)

Fax:Email: info@suzylamplugh.org

www.suzylamplugh.org

Victim Support

Provides practical advice and help, emotional support and reassurance to those who have suffered the effects of a crime.

Tel: [0808 168 9111](tel:08081689111) www.victimsupport.com

Women's Aid Federation of England and Wales

Women's Aid is a national domestic violence charity. It also runs a domestic violence online help service.

www.womensaid.org.uk/information-support

Safeguarding Adults Procedure

Reporting Concerns About Yourself

If you are experiencing harm within Lucy's Art Club contact Safeguarding Lead: **Lucy Mager (Lucy@lucysartclub.co.uk)**

If you are in immediate danger or need immediate medical assistance contact the emergency services 999.

Please contact the Safeguarding Lead **Lucy Mager**. If you would prefer, please contact another member of staff who will help you raise the issue to the Safeguarding Lead.

You can also contact the Police, Social Services, your doctor or other organisations that can provide information and give help and support (see: Other sources of support).

At all stages you are welcome to have someone who you trust support you and help you to explain what happened and what you want to happen. It is of utmost importance to Lucy's Art Club that you can take part in our activities safely and we will take every step to support you to do that.

Reporting Concerns About Others

You may be concerned about harm to another person because of something you have seen or heard, information you have been told by others or because someone has confided in you about things that are happening or have happened to them.

You should not keep safeguarding concerns to yourself. If you have concerns and/ or you are told about possible or alleged abuse, poor practice or wider welfare issues you must contact the Lucy's Art Club Safeguarding Lead or Welfare Officer as soon as you can.

If you are concerned about harm being caused to someone else, please follow the guidance below.

- It is not your responsibility to prove or decide whether an adult has been harmed or abused. It is however, everyone's responsibility to respond to and report concerns they have.
- If someone has a need for immediate medical attention call an ambulance on 999.
- If you are concerned someone is in immediate danger or a serious crime is being committed, contact the police on 999 straight away. Where you suspect that a crime is being committed, you must involve the police.
- Remember to be person centred/make safeguarding personal. If it will not put them or you at further risk, discuss your safeguarding concerns with the adult and ask them what they would like to happen next. Inform them that you have to pass on your concerns to your Safeguarding Lead or Welfare

Officer. Do not contact the adult before talking to your Safeguarding Lead or Welfare Officer if the person allegedly causing the harm is likely to find out.

- Remember not to confront the person thought to be causing the harm.

Responding to a Direct Disclosure (Staff and Volunteers)

If an adult indicates that they are being harmed or abused, or information is received which gives rise to concern, the person receiving the information should:

- Take it seriously.
- Stay calm.
- Listen carefully to what is said, allowing the adult to continue at their own pace
- Be sensitive.
- Keep questions to a minimum, only ask questions if you need to identify/clarify what the person is telling you.
- Reassure the person that they have done the right thing in revealing the information.

- Ask them what they would like to happen next.
- Explain what you would like to do next.
- Explain that you will have to share the information with Lucy's Art Club Safeguarding Lead or Welfare Officer.
- Ask for their consent for the information to be shared outside the organisation.
- Make an arrangement as to how you/the Safeguarding Lead can contact them safely.
- Help them to contact other organisations for advice and support (e.g. Police, Domestic Abuse helpline, Victim Support).
- Act swiftly to report and carry out any relevant actions.
- Record in writing what was said using the adult's own words as soon as possible.

It is important not to:

- Dismiss or ignore the concern.
- Panic or allow shock or distaste to show.
- Make negative comments about the alleged perpetrator.
- Make assumptions or speculate.
- Come to your own conclusions.
- Probe for more information than is offered.

- Promise to keep the information secret.
- Make promises that cannot be kept.
- Conduct an investigation of the case.
- Confront the person thought to be causing harm.
- Take sole responsibility.
- Tell everyone.

Record Keeping

- Complete a Safeguarding Adults Report Form (see Appendix 1) and submit to Lucy's Art Club Safeguarding Lead without delay.
- Describe the circumstances in which the concern came about and what action you took/ advice you gave.
- It is important to distinguish between things that are facts, things that have been observed or over-heard and opinions, in order to ensure that information is as accurate as possible.
- If someone has told you about the harm or abuse, use the words the person themselves used. If someone has written to you (including by email, message) include a copy with the form.

Be mindful of the need to be confidential at all times. This information must only be shared with your Safeguarding Lead

and others that have a need to know –e.g. to keep the person safe whilst waiting for action to be taken.

Procedure for Safeguarding Lead

Steps 1-5 Initial response (as soon as you receive the Safeguarding referral)

Step 1: Is someone at immediate risk of harm/ danger or in need of immediate medical attention?

YES: Call emergency services 999/112

If harm is occurring within the organisation use relevant procedures e.g. breach of code of conduct to prevent further harm.

NO: **Step 2 – Safeguarding Report Details**

If you have been sent a Safeguarding Adults Report Form check that you can understand what is written and that all the necessary parts have been completed. If you are being contacted directly request a completed Safeguarding Adults Report Form (staff and volunteers) or fill in the form with the person making the report (public/adult themselves)

Step 3- Person Making the Report

Inform, reassure and advise the person making the report e.g. what to do/what not to do. Explain what will happen next. Reinforce the need for confidentiality.

Step 4- Person at Risk

What are the risks? What are the views of the adult? Are they an adult at risk? Do they need support to make decisions about their safety? Do you need to contact the adult directly? Is it safe for you to do so?

Step 5 – Person at Risk

If it is safe to do so – ensure the person at risk has information about what will happen next. Make sure they have been given information about other organisations that can support them (see Sources of Information and Support p11).

Steps 6- 14 Taking Action

Step 6 – Consult and Decide

As needed consult **Focus Health and Social Care**, Local Authority/the Police and decide which one or more of the following actions need to be taken:

Step 7: If a serious crime is suspected contact the police

Possible outcomes: e.g.

- Criminal Caution or Conviction
- Police referral back to organisation
- Referral to Independent Barring Board
- Unsubstantiated– no further action

Step 8: If you believe there is an ‘adult at risk’ make a safeguarding adults report to the Local Authority

Possible outcomes e.g.

- LA enquiries triggered
- Adult supported to ‘make safeguarding personal’
- Other adults at risk identified
- Multi-agency meetings to coordinate actions

- New/changed care and support and protection plan for any adult at risk
- NOT an adult at risk – information and advice provided

Step 9: If harm is suspected of being caused within Lucy's Art Club, we will take short term steps within the relevant policy to prevent harm e.g. suspend employee, volunteer or member

Possible outcomes: e.g.

- Informal resolution
- Education and training
- Formal warning
- Dismissal
- Role conditions applied
- Contract ended
- Referred to Independent Barring Board
- Unsubstantiated – no further actions

Step 10 - Consult with and inform the adult

Organisation decides who will maintain regular contact with the adult/s who have been at risk of harm

Possible Outcomes: e.g.

- Adult receives information about the process
- Adult supported to have their views and experience heard
- Adult supported to gain support from other agencies
- Adult continues to participate in organisation

Step 11: Take advice from and coordinate actions taken by Lucy's Art Club with those of other agencies. Attend and contribute to Safeguarding Adults strategy meetings

Step 12: Hold Case Management meeting to coordinate actions by Lucy's Art Club

Steps 13 and 14: Recording and reporting

Ensure decisions made, actions taken, and outcomes logged and reported

Safeguarding Adults Report Form

Section 1 – Details of adult (you have concerns about)

Name of adult:	
Address:	
Date of Birth/ Age:	
Contact number:	
Emergency contact if known:	
Consent to share information with Emergency contact?	

Section 2 – Details of the person completing this form/ Your details

Name:	
Contact phone number:	
Email address:	
Organisation contact:	
Name of organisation:	
Your Role in organisation:	

Section 3 – Details of concern

Please explain why you are concerned. Please give details about what you have seen/been told/other that makes you believe the adult is at risk of harm or is being abused or neglected (include dates/times/evidence from records/photos etc.)

Date/ Time :	
What happened:	

Section 5 – Details of the person thought to be causing harm (if known)

Name:	
Address:	
Date of Birth/Age:	
Relationship/connection to adult:	
Role in organisation:	
Do they have contact with other adults at risk in another capacity? E.g. in their work/family/as a volunteer	

Section 6 – Have you discussed your concerns with the adult? What are their views, what have they stated about what they want to happen and what outcomes they want?

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Section 6A – Reasons for not discussing with the adult

Discussion would put the adult or others at risk. Please explain:

Adult appears to lack mental capacity. Please explain:
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Adult unable to communicate their views. Please explain:
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Section 7 – Risk to others

Are any other adults at risk: Yes/No/Not known – delete as appropriate
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If yes please fill in another form answering questions 1-6

Are any children at risk Yes/No/Not known - delete as appropriate

If yes please fill in a safeguarding children referral form and attach to this.

Section 8 – What action have you taken if any /agreed with the adult to reduce the risks?

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Section 9: Other agencies contacted

Who contacted/reference number/contact details/advice gained/action being taken

Police:	
Ambulance:	
Other – please state who and why:	

Section 10: Contact with Safeguarding Lead/others within the club

Who else has been informed of this issue? – and what was the reason for information sharing?

Consultation with Safeguarding Lead:	Dates and times:

Completed Form copied to Safeguarding Lead: Date and time

Signed:

Date:

OFFICE USE ONLY

Section 11 – Sharing the concerns (To be completed by Safeguarding Lead)

Details of your contact with the adult at risk of harm. Have they consented to information being shared outside of Lucy’s Art Club?

Details of contact with the Local Authority Safeguarding Team/MASH where the adult at risk of harm lives – advice can be still sought without giving personal details if you do not have consent for a referral.

Details of any other agencies contacted:

Details of the outcome of this concern: