Safeguarding Adults Policy

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Safeguarding Adults Policy

Introduction

THE HERTSMERE is committed to creating and maintaining a safe and positive environment for all individuals involved in golf.

Safeguarding duties apply to an adult who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs) and;
- Is experiencing, or is at risk of, abuse or 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 or neglect.

Principles in relation to adults at risk

The Care and Support Statutory Guidance Section 14.13 sets out the following six key principles which underpin all adult safeguarding work:

- 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.

Making safeguarding personal is the concept that adult safeguarding should be person led and outcome focused. It engages the person in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control. As well as improving quality of life, well-being and safety.

Wherever possible discuss safeguarding concerns with the adult to get their view of what they would like to happen and keep them involved in the safeguarding process, seeking their consent to share information outside of the organisation where necessary.

The principles of the Mental Capacity Act 2005 (MCA) state that every individual has the right to make their own decisions and provides the framework for this to happen.

In addition, THE HERTSMERE recognises the following principles which underpin our work with all groups and individuals who may have additional needs for support and protection:

- It is every adult's right to be protected from abuse irrespective of their age, gender identity, faith or religion, culture, ethnicity, sexual orientation, background, economic position, marital status, disability or level of ability.
- All staff and volunteers share the responsibility for the protection of adults at risk and will show respect and understanding for their rights, safety and welfare.
- The additional vulnerability of disabled adults (including those with invisible disabilities, learning and communication differences) is recognised.
- Allegations of abuse or concerns about the welfare of any adult will be treated seriously and will be responded to swiftly and appropriately.
- THE HERTSMERE recognises the role and responsibilities of the statutory agencies in safeguarding adults and is committed to complying with the procedures of the Local Safeguarding Adults Boards.
- Confidentiality will be maintained appropriately at all times and the adult's safety and welfare must be the overriding consideration when making decisions on whether or not to share information about them.
- THE HERTSMERE will support all adults to understand their roles and responsibilities with regards to safeguarding and protecting adults at risk, including the responsibility to report all concerns in line with THE HERTSMERE safeguarding adults policy and procedures.
- All participants involved in golfing activities have the right to be listened to with respect and to be heard.

Guidance and legislation

The practices and procedures within this policy are based on the principles contained within the UK and legislation and Government Guidance and have been developed to complement the Safeguarding Adults Boards policy and procedures, and take the following into consideration:

- The Care Act 2014
- The Protection of Freedoms Act 2012
- Domestic Violence, Crime and Victims (Amendment) Act 2012
- The Equality Act 2010
- The Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005
- Sexual Offences Act 2003
- The Human Rights Act 1998
- The Data Protection Act 2018

Responsibilities and implementation

THE HERTSMERE will seek to promote the principles of safeguarding by:

- Reviewing THE HERTSMERE policy and procedures every three years or whenever there is a major change in legislation.
- Giving guidance on appropriate recruitment procedures to assess the suitability of volunteers and staff working with vulnerable groups.
- Following procedures to report welfare concerns and allegations about the behaviour of adults and ensure that all staff, volunteers, parents and participants, including children, are aware of these procedures.
- Directing club staff, volunteers & coaches to appropriate safeguarding training and learning opportunities, where this is appropriate to their role.

1. Complaints, concerns and allegations

1.1 As a player, parent, carer, member of staff or volunteer you may be concerned about the welfare of an adult, become aware that abuse or poor practice is taking place, suspect abuse or poor practice may be occurring or be told about something that may be abuse or poor practice. These concerns should be brought to the attention of the England Golf Lead Safeguarding Officer without delay.

1.2 The person reporting the concern is not required to decide whether abuse has occurred, but simply has a duty to pass on their concerns and any relevant information tel: 01526 351824. All concerns will be treated in confidence. Details should only be shared on a 'need to know' basis with those who can help with the management of the concern.

1.3 Concerns will be recorded on an Incident Report Form and sent to England Golf Lead Safeguarding Officer and retained confidentially. The Lead Safeguarding Officer will assist with completion of this form if required, tel 01526 351824.

1.4 THE HERTSMERE will work with England Golf, counties and other external agencies to take appropriate action where concerns relate to potential abuse or serious poor practice. THE HERTSMERE disciplinary procedures will be applied and followed where possible.

1.5 Safeguarding adults at risk requires everyone to be committed to the highest possible standards of openness, integrity and accountability. THE HERTSMERE supports an environment where staff, volunteers, parents/carers and the public are encouraged to raise safeguarding concerns. Anyone who reports a legitimate concern to the organisation (even if their concerns subsequently appear to be unfounded) will be supported. All concerns will be taken seriously.

It is important when considering your concern that you also consider the needs and wishes of the person at risk.

2. Responding to disclosure of abuse

2.1 If an adult indicates that they are being abused the person receiving the information should:

- Stay Calm
- Listen carefully to what is said, allowing the adult to continue at their own pace, and take it seriously.

- Explain that it is likely the information will have to be shared with others- do not promise to keep secrets.
- Keep questions to a minimum, only ask questions if you need to identify/ clarify what the person is telling you. Take care to distinguish between fact, observation, allegation and opinion. It is important that the information you have is accurate.
- 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 and ask if they are happy for you to share the information in order for you to help them. As long as it does not increase the risk to the individual, you should explain to them that it is your duty to share your concern with your Lead Safeguarding Officer.
- Record in writing what was said using the adult's own words as soon as possible

2.2 DO NOT:

- Dismiss the concern.
- Panic or allow shock or distaste to show.
- Probe for more information than is offered.
- Make promises that cannot be kept.
- Conduct an investigation of the case.
- Make negative comments about the alleged perpetrator.

If the matter is urgent and relates to the immediate safety of an adult at risk then contact the police immediately. Complete and Incident Form and copy it to the England Golf Lead Safeguarding Officer within 24 hours.

3. Signs and indicators of abuse and neglect

3.1 Abuse can take place in any context. Abuse may be inflicted by anyone. Players, members, staff, volunteers or coaches may suspect that an adult is being abused or neglected outside of the club setting. There are many signs and indicators that may suggest someone is being abused or neglected, these 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.
- Someone losing or gaining weight / an unkempt appearance. A change in the behaviour or confidence of a person.
- Self-harm.
- A fear of a particular group or individual.
- They may tell you / another person they are being abused – i.e. a disclosure.

4. Consent

4.1 The Care Act 2014 statutory guidance advises that the first priority in safeguarding should always be to ensure the safety and well-being of the adult.

4.2 Adults have a general right to independence, choice and self-determination including control over information about themselves.

4.3 THE HERTSMERE does not expect staff, coaches or volunteers to support an adult who is felt to be vulnerable or at risk through their decision-making process but expects them to inform England Golf without delay so that they can clearly define the various options to help support the adult at risk to make a decision about their safety. As long as it does not increase the risk to the individual, it should be explained to them that it is their duty to share their concern with the England Golf Lead Safeguarding Officer. Consent is not required to seek guidance or share information with the National Governing Body.

4.4 Adults may not give their consent to the sharing of safeguarding information outside of the organisation for a number of reasons. For example, they may be unduly influenced, coerced or intimidated by another person, they may be frightened of reprisals, they may fear losing control, they may not trust social services or other partners, or they may fear that their relationship with the abuser will be damaged. Reassurance and appropriate support may help to change their view on whether it is best to share information.

4.5 Those seeking to support the adult should consider the following:

- Explore the reasons for the adult's objections – what are they worried about?

- Explain the concern and why you think it is important to share the information
- Tell the adult with whom you may be sharing the information with and why
- Explain the benefits, to them or others, of sharing information – could they access better help and support?
- Discuss the consequences of not sharing the information – could someone come to harm?
- Reassure them that the information will not be shared with anyone who does not need to know
- Reassure them that they are not alone, and that support is available to them.

4.6 If the adult continues to refuse intervention to support them with a safeguarding concern, or requests that information about them is not shared with other safeguarding partners their wishes should be respected.

4.7 However, there are a number of circumstances where those seeking to support the adult can reasonably override such a decision, including but not limited to:

- It appears that the adult lacks the mental capacity to make that decision (this must be properly explored, and further guidance should be sought from the England Golf Lead Safeguarding Officer)
- Emergency or life-threatening situations may warrant the sharing of relevant information with the emergency services without consent
- Other people are, or may be, at risk, including children
- A serious crime has been committed / may be prevented
- Individuals in a Position of Trust are implicated

4.7.1 In such circumstances, it is important to keep a careful record of the decision-making process and guidance should be sought from the England Golf Lead Safeguarding Officer. Legal advice will be sought where appropriate. If the decision is to take action without the adult's consent, then unless it is unsafe to do so, the adult should be informed that this is being done and of the reasons why.

5. Useful Contacts

England Golf Useful Contacts

Name	Address	Number and email
Lead Safeguarding Officer	England Golf National Golf Centre The Broadway Woodhall Spa Lincolnshire LN10 6PU	01526 351824 safeguarding@englandgolf.org

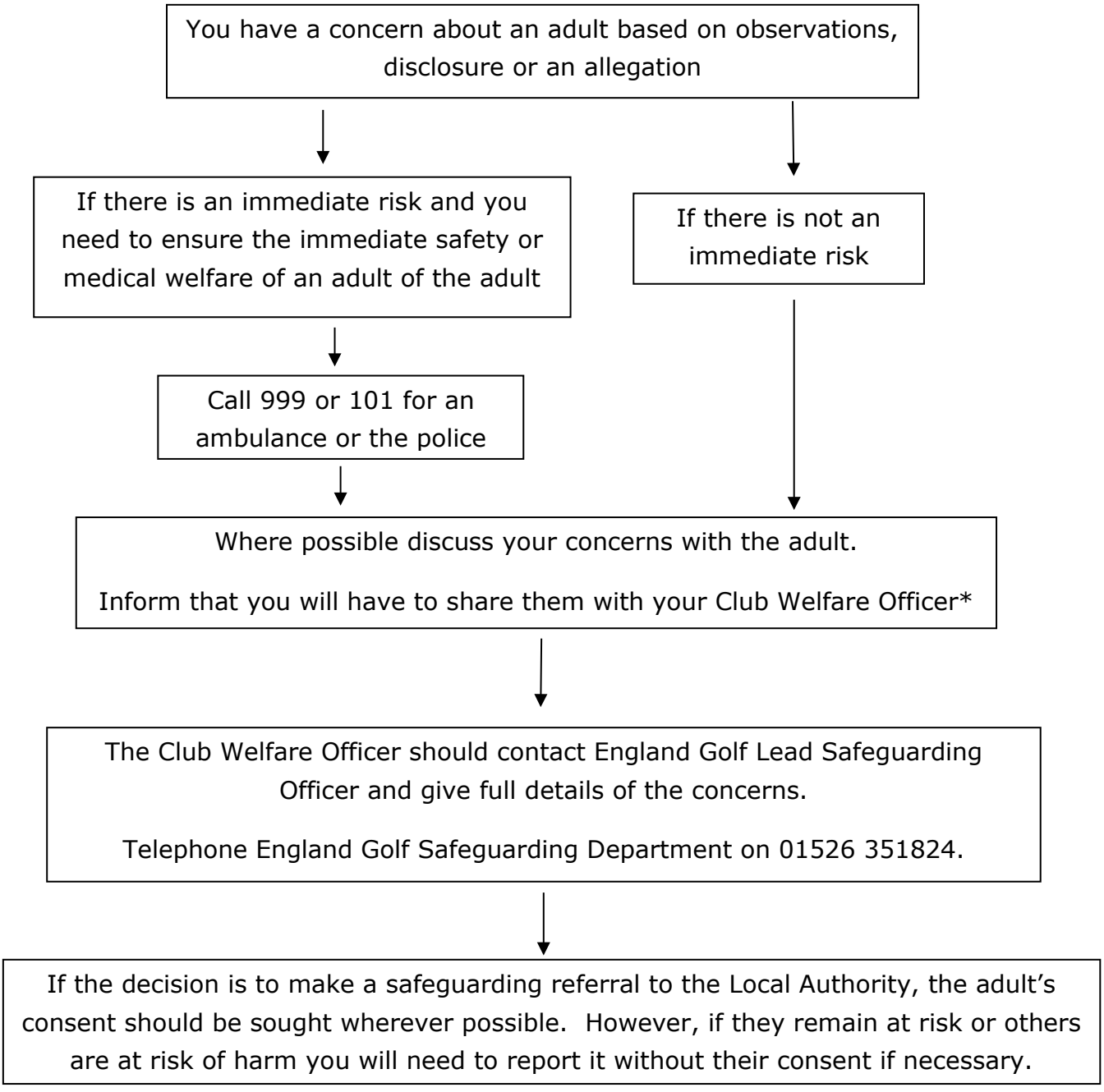
Local Contacts

Name	Address	Number and email
Hertfordshire County Council – Safeguarding Adults	Hertfordshire Safeguarding Adults Board (HSAB) Safeguarding Boards Business Unit Post Point CH0116 Room 152, County Hall, Pegs Lane, Hertford. SG13 8DQ	Call 0300 123 4042 (24 hours a day)
Hertfordshire County Council- Social Care- Emergency Duty Team	www.hertfordshire.gov.uk/adults	0300 123 4043 Monday to Friday – 8am - 8pm Saturday – 9am - 4pm

National Contacts

Name	Website	Number and email
Ann Craft Trust - Safeguarding Adults in Sport and Activity	www.anncrafttrust.org	0115 951 5400 Ann-Craft Trust@nottingham.ac.uk
Samaritans		01522 782333

Safeguarding Adults Flowchart
What to do if you have a concern about an adult?



Remember

It is not your duty to investigate concerns about an adult but do not ignore them – talk to the adult if possible and get in touch with someone within your organisation or the local authority for advice.

* If for any reason a Club Welfare Officer is not in post or is unavailable a principle of least delay is important. Please contact the England Golf Lead Safeguarding Officer

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Capacity – Guidance on Making Decisions

The issue of capacity or decision making is a key one in safeguarding adults. It is useful for organisations to have an overview of the concept of capacity.

We make many decisions every day, often without realising. We make so many decisions that it's easy to take this ability for granted.

But some people are only able to make some decisions, and a small number of people cannot make any decisions. Being unable to make a decision is called "lacking capacity".

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 like learning disability, dementia, mental health needs, acquired brain injury, and physical ill health.

The Mental Capacity Act 2005 (MCA) states that every individual has the right to make their own decisions and provides the framework for this to happen.

The MCA is about making sure that people over the age of 16 have the support they need to make as many decisions as possible.

The MCA also protects people who need family, friends, or paid support staff to make decisions for them because they lack capacity to make specific decisions.

Our ability to make decisions can change over the course of a day**.**

Here are some examples that demonstrate how the timing of a question can affect the response:

- 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.

In each of these examples, it may appear as though the person cannot make a decision. But later in the day, presented with the same decision, they may be able to at least be involved.

The MCA recognises that capacity is decision-specific, so no one will be labelled as entirely lacking capacity. The MCA also recognises that decisions can be about big life-changing events, such as where to live, but equally about small events, such as what to wear on a cold day.

To help you to understand the MCA, consider the following five points:

1. Assume that people are able to make decisions, unless it is shown that they are not. If you have concerns about a person's level of understanding, you should check this with them, and if applicable, with the people supporting them.
2. Give people as much support as they need to make decisions. You may be involved in this – you might need to think about the way you communicate or provide information, and you may be asked your opinion.
3. People have the right to make unwise decisions. The important thing is that they understand the implications. If they understand the implications, consider how risks might be minimised.
4. If someone is not able to make a decision, then the person helping them must only make decisions in their "best interests". This means that the decision must be what is best for the person, not for anyone else. If someone was making a decision on your behalf, you would want it to reflect the decision you would make if you were able to.
5. Find the least restrictive way of doing what needs to be done.

Remember

- You should not discriminate or make assumptions about someone's ability to make decisions, and you should not pre-empt a "best-interests" decision merely on the basis of a person's age, appearance, condition, or behaviour.
- When it comes to decision-making, you could be involved in a minor way or asked to provide more detail. The way you provide information might influence a person's ultimate decision. A person may be receiving support that is not in line with the MCA, so you must be prepared to address this.

Incident Report Form

Recorder's Name:	
Address:	
Post Code:	Telephone No:

Name of Identified Adult:	
Address:	
Post Code:	Telephone No:

Complainant's Name:	
Address:	
Post Code:	Telephone No:

Details of the allegations: [include: date; time; location; and nature of the incident.]
Additional information: [include: witnesses; corroborative statements; etc.]
Have you discussed your concerns with the adult? What are their views?

England Golf Safeguarding department notified (01526 351824) Case Number (if allocated): Name of person spoken to: Date: Time:
Action taken: Date: Time:
Signature of Recorder: Signature of Complainant:
Data protection: England Golf Safeguarding Department may use the information in this form (together with other information they obtain as a result of any investigation) to investigate the alleged incident and to take whatever action is deemed appropriate, in accordance with their Safeguarding Adults Policy and Procedures. Strict confidentiality will be maintained, and information will only be shared on a "need to know" basis in the interests of safeguarding. This may involve disclosing certain information to a number of organisations and individuals including relevant clubs and County bodies, individuals that are the subject of an investigation and/or Statutory agencies such as the Police and Adult Social Care.

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Guidance on types of harm

The Care Act 2014 recognises 10 categories of abuse that may be experienced by adults.

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.

Modern Slavery
This encompasses slavery, human trafficking, forced labour and domestic servitude.

Domestic Abuse
This includes psychological, physical, sexual, financial and emotional abuse perpetrated by anyone within a person's family. It also includes so called 'honour' based violence.

Discriminatory
Discrimination is abuse which centres on a difference or perceived difference particularly with respect to race, gender or disability or any of the protected characteristics of the Equality Act.

Organisational
This includes 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.

Physical
This includes hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.

Sexual
This includes 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.

Financial or material
This includes 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.

Neglect/Acts of omission
This includes ignoring medical or physical care needs, failing to provide access to appropriate health social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Emotional or psychological
This includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

Not included in the Care Act 2014 but also relevant to safeguarding adults in sport and physical activity:

Cyber Bullying
Cyberbullying occurs when someone repeatedly makes fun of another person online or repeatedly picks on another person through emails or text messages, or uses online forums with the intention of harming, damaging, humiliating or isolating another person. It can be used to carry out many different types of bullying (such as racist bullying, homophobic bullying, or bullying related to special educational needs and disabilities) but instead of the perpetrator carrying out the bullying face-to-face, they use technology as a means to do it.

Forced marriage
This is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-social Behaviour, Crime and Policing Act 2014 make it a criminal offence to force someone to marry.

Mate Crime
A 'mate crime' is when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual. Mate Crime is carried out by someone the adult knows and often happens in private. In recent years there have been a number of Serious Case Reviews relating to people with a learning disability who were murdered or seriously harmed by people who purported to be their friend.

Radicalisation
The aim of radicalisation is to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. This may be direct through a relationship, or through social media.

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Consent and Information Sharing

Workers and volunteers within sports and physical activity organisations should always share safeguarding concerns in line with their organisation's policy, usually with their safeguarding lead or welfare officer in the first instance, except in emergency situations. As long as it does not increase the risk to the individual, the worker or volunteer should explain to them that it is their duty to share their concern with their safeguarding lead or welfare officer.

The safeguarding lead or welfare officer will then consider the situation and plan the actions that need to be taken, in conjunction with the adult at risk and in line with the organisation's policy and procedures and local safeguarding adults board policy and procedures.

To make an adult safeguarding referral you need to call the local safeguarding adults' team. This may be part of a MASH (Multi-Agency Safeguarding Hub). A conversation can be had with the safeguarding adults' team without disclosing the identity of the person in the first instance. If it is thought that a referral needs to be made to the safeguarding adults' team, consent should be sought where possible from the adult at risk.

Individuals may not give their consent to the sharing of safeguarding information with the safeguarding adults team for a number of reasons. Reassurance, appropriate support and revisiting the issues at another time may help to change their view on whether it is best to share information.

If they still do not consent, then their wishes should usually be respected. However, there are circumstances where information can be shared without consent such as when the adult does not have the capacity to consent, it is in the public interest because it may affect other people, or a serious crime has been committed. This should always be discussed with your safeguarding lead and the local authority safeguarding adults' team.

If someone does not want you to share information outside of the organisation or you do not have consent to share the information, ask yourself the following questions:

- Is the adult placing themselves at further risk of harm?
- Is someone else likely to get hurt?
- Has a criminal offence occurred? This includes: theft or burglary of items, physical abuse, sexual abuse, forced to give extra money for lessons (financial abuse) or harassment.
- Is there suspicion that a crime has occurred?

If the answer to any of the questions above is 'yes' - then you can share without consent and need to share the information.

When sharing information there are seven Golden Rules that should always be followed.

1. Seek advice if in any doubt
2. Be transparent - The Data Protection Act (DPA) is not a barrier to sharing information but to ensure that personal information is shared appropriately; except in circumstances whereby doing so places the person at significant risk of harm.
3. Consider the public interest - Base all decisions to share information on the safety and well-being of that person or others that may be affected by their actions.
4. Share with consent where appropriate - Where possible, respond to the wishes of those who do not consent to share confidential information. You may still share information without consent, if this is in the public interest.
5. Keep a record – Record your decision and reasons to share or not share information.
6. Accurate, necessary, proportionate, relevant and secure - Ensure all information shared is accurate, up to date; necessary and share with only those who need to have it.
7. Remember the purpose of the Data Protection Act (DPA) is to ensure personal information is shared appropriately, except in circumstances whereby doing so may place the person or others at significant harm.

Please contact THE HERTSMERE Welfare Officers below.

Welfare Officers

The Welfare Officer(s) for THE HERTSMERE are:

Donna Byrnes

Tel: 0204 558 5544

Email: donna.brynes@thehertsmere.co.uk

- The role of the Welfare Officer is to take the lead in the Club on welfare and protection issues and ensure the appropriate action is taken when there is a potential /alleged abuse, bullying or poor practice. It is not their role to investigate fully any allegations made. The Welfare Officer will undertake Child Protection training provided by national golfing bodies and others. Child protection concerns will be reported to the police/Social Services Department as appropriate.

You may wish to contact England Golf Lead Safeguarding officer, on 01526 351824 or safeguarding@englandgolf.org.

If the England Golf Lead Safeguarding Officer is not available and a delay cannot be justified, then seek advice from the local County Council Safeguarding Adults Team or County Council Social Care-Emergency Duty Team.