

BIRMINGHAM & SOLIHULL WOMEN'S AID SAFEGUARDING ADULTS POLICY & PROCEDURES

POLICY STATEMENT

This Safeguarding Adults policy outlines Birmingham & Solihull Women's Aid's (BSWA's) responsibilities in relation to Safeguarding Adults at Risk. The policy should be read alongside BSWA's Values and Principles and has its foundations in the principles of listening to and believing women's experience of abuse. The policy seeks to clarify BSWA's role as part of a wider, multi-agency response to Safeguarding Adults in Birmingham and Solihull in addition to clarifying staff roles and responsibilities in relation to Safeguarding.

This policy should be read in conjunction with BSWA's Code of Conduct; Confidentiality policy; Protection from Abuse policy; Professional Boundaries policy and Whistle Blowing policy

CONTEXT

The development of this policy has been based on:

Principles of Making Safeguarding Personal

The Care Act 2014

Safeguarding Adults: Multi-agency Policy and Procedures for the West Midlands 2019

POLICY PRINCIPLES

ETHOS

- BSWA believes that all women have the right to be protected from all forms of abuse, whether this be physical, financial, sexual or emotional abuse or neglect
- BSWA holds a feminist perspective on abuse which places responsibility for the abuse solely on the abuser
- BSWA practices in an empowering way and believes that all women have the right to self-determination and to make choices about how they live their lives. BSWA recognises that it may work with service users who may need more support to enable them to make independent choices and will protect their safety as far as is possible

ENVIRONMENT

- BSWA will establish and maintain an environment where all women using our services feel secure, are encouraged to talk about their experiences of abuse and are listened to

STAFFING & SERVICE PROVISION

- BSWA will operate the requirements of Safer Recruitment as set out in local safeguarding board procedures
- BSWA will ensure all staff undergo a DBS check that is regularly reviewed (at least every 3 years). This will include a check of the Adults barred list
- BSWA will ensure all staff receive training on the protection of adults at risk and that this issue is on the agenda at supervision and team meetings
- BSWA will ensure all staff are familiar with this policy and are trained in its' implementation
- BSWA will ensure all staff explain to women using our services about this Safeguarding Adults policy, with particular reference to limitations to confidentiality

- BSWA will ensure that women using our services are clear about who they can go to for help and what action will be taken if they report issues of abuse
- Where we are asked to provide a service to a woman who has been convicted of offences against adults at risk BSWA staff will complete a comprehensive risk assessment to ensure suitability for the service
- BSWA will ensure that all staff have access to BSWA policies on: Professional Boundaries; Protection from Abuse; Whistle Blowing in order that they can take the appropriate steps should they be concerned that a member of staff is behaving inappropriately towards adults at risk. BSWA will fully support any staff member who “blows the whistle” on suspected abuse within BSWA in line with the organisation’s Whistle Blowing policy

DEFINITIONS

For the purposes of this policy BSWA considers that adult safeguarding duties arise when an adult over the age of 18:

- has care and support needs and is or may be in need of community care services by reason of mental health, age or illness, and
 - is experiencing or at risk from abuse or neglect, and
 - is or may be unable to take care of themselves, or protect themselves against significant harm or exploitation
- (Safeguarding Adults: Multi-agency Policy and Procedures for the West Midlands 2019)

For the purposes of this policy BSWA defines abuse as any behaviour that causes the recipient significant harm. This would include physical, emotional, psychological, sexual and financial abuse.

Forced Marriage

This may involve vulnerable adults taken out of the UK and forced into marriage overseas. As well as following Safeguarding procedures Birmingham’s Forced Marriage Protocol should be adhered to.

Violent Extremism (the PREVENT agenda)

This may involve vulnerable adults being exploited and coerced into risky and illegal behaviour based around ideology. It is important to be cautious in assessing Violent Extremism to avoid inappropriately labelling or stigmatising individuals because they fit a specific profile.

Female Genital Mutilation (FGM)

FGM involves procedures that intentionally alter or injure female genital organs for non-medical reasons. The procedure has no health benefits for girls and women. The Female Genital Mutilation Act (FGMA) was introduced in 2003 and came into effect in March 2004. The Act makes it illegal to practise FGM in the UK or to take girls who are British nationals or permanent residents of the UK abroad for FGM whether or not it is lawful in another country. It also makes it illegal to aid, abet, counsel or procure the carrying out of FGM abroad.

Modern slavery.

Modern Slavery encompasses slavery, human trafficking, forced and compulsory labour and domestic servitude. Someone is in slavery if they are:

- forced to work - through mental or physical threat;
- owned or controlled by an 'employer', usually through mental or physical abuse or the threat of abuse;
- dehumanised, treated as a commodity or bought and sold as 'property'; • physically constrained or has restrictions placed on his/her freedom of movement.

DEALING WITH ADULT SAFEGUARDING ISSUES WITHIN BSWA

Everyone within BSWA has a responsibility to safeguard the physical and emotional health of adults at risk however BSWA acknowledges the importance of having named personnel that staff members can refer to where possible safeguarding adult at risk concerns arise. This section should be read alongside BSWA's Safeguarding: Responsibilities and Governance Framework.

Within BSWA project managers have the ultimate responsibility within their projects around safeguarding adults at risk and as such are BSWA's Designated Safeguarding Adults at Risk Leads.

BSWA has appointed a Board member with overall responsibility for Safeguarding and a Designated Professional from the Senior leadership team who is responsible for championing adult safeguarding across BSWA.

Jessica Cain is the nominated Board member who has overall responsibility for Safeguarding.

Sally Dennis, Head of Service, is the Designated Professional for Safeguarding for BSWA, responsible for championing adult safeguarding across BSWA.

PROCEDURES

RESPONDING TO SUSPICIONS OF ABUSE

- Where appropriate, any concerns of this nature should be discussed immediately with relevant colleagues
- BSWA's designated Safeguarding Adults at Risk lead should be informed as soon as possible. Where the designated lead cannot be contacted another manager within the organisation should be approached
- In consultation with the staff member, the designated Safeguarding Adults at Risk lead will decide what action will be taken, including a decision on whether to report the matter to the police and/or make a safeguarding referral
- If the decision is made to make a Safeguarding referral this should be communicated with the service user, unless to do so would further increase risk
- *It is not the responsibility of anyone within BSWA to conduct **formal** investigations into the abuse of adults at risk. This is the responsibility of Adult Services and the police*

RESPONDING TO ALLEGATIONS OF ABUSE AGAINST PERSONS IN A POSITION OF TRUST

- Where an allegation of abuse is made against someone in a position of trust (ie someone whose job role involves regular contact and/or caring/supervisory responsibility for children / young people) the designated Safeguarding Adult lead, in conjunction with a senior manager, should make a decision whether to make a "position of trust referral".
- In the case of an alleged perpetrator working with adults at risk, the designated Safeguarding Adult lead, in conjunction with a senior manager, should make a decision whether to inform the alleged perpetrator's employer or the commissioner of services if relevant. This is in line with West Midlands Adult Position of Trust Framework 2018.
- *It is not the responsibility of anyone within BSWA to formally investigate whether or not an adult at risk is being abused. This is the responsibility of the Adults and Communities Directorate and the police.*

RESPONDING TO ALLEGATIONS OF ABUSE AGAINST A STAFF MEMBER

- Information and allegations of this nature should be reported to the designated lead for Safeguarding Adults and to a member of the Senior Management team as soon as possible in order for a full investigation to be carried out and to enable BSWA to follow the relevant local authority procedures
- Due to the nature of our work BSWA will take very seriously any allegations of abuse made against a staff member. It is important that the organisation send out very clear messages about behaviour that will not be tolerated. For this reason it may be necessary to suspend a staff member against whom an allegation is made whilst an investigation is carried out
- Full records of any allegation made and any subsequent investigation should be kept using the appropriate paperwork
- All allegations of a serious nature and /or where a criminal offence appears to have been committed or if it is felt other people are at risk, will be referred to the police and the Charity Commission informed
- If a staff member is found to have behaved inappropriately or abusively in any way, in addition to the matter being reported to the police, this will be dealt with in accordance with BSWA disciplinary procedures and consideration given as to whether a referral to the Disclosure and Barring Service (DBS) and other regulatory bodies is required
- Where a staff member is under suspicion of behaving abusively to an adult at risk they are encouraged to use BSWA's Employment Assistance Programme to access support
- Where a staff member is concerned about reporting a possible incident of abuse they are encouraged to refer to BSWA's Whistle Blowing policy which outlines the protection they are afforded

RESPONDING TO A WOMAN ABUSING ANOTHER WOMAN

- If BSWA is engaged in work that brings women together in a group setting and it is discovered that within that group one woman is abusing another BSWA staff will investigate and, in extreme cases, may need to terminate the service. Where this abuse involves an adult at risk, this should result in referral to the police and/or the Adults and Communities Directorate. At all times BSWA staff will provide support to the abused party
- Where an allegation is made of a woman abusing another woman in refuge BSWA staff will investigate immediately and this may result in referral to the police or the Adults and Communities Directorate and the woman against whom the allegation is made being moved to other suitable accommodation

RECORDING INFORMATION

- The written recording of allegations of abuse, suspected abuse and actual abuse of adults at risk is vital
- BSWA have a set of recording systems to be used in conjunction with this policy. These systems should be used throughout the whole organisation, thus ensuring consistency of approach
- When documenting anything in relation to Safeguarding Adults at Risk, staff should only record factual information, not opinion

INFORMATION SHARING

- Where BSWA is concerned about the abuse of an adult at risk, staff will consider whether it is in the interest of that person to share information with other agencies. In order to inform this decision BSWA will work within Birmingham and Solihull's Information Sharing Protocols

- Sharing of information must be set within a risk assessment framework where the specific safety issues connected with Domestic Violence are fully explored including whether inappropriate disclosure may lead to increased risk
- Before information is shared BSWA expect staff to consider the following questions:
 - Is an adult at risk in immediate danger?
 - What is the purpose of sharing a piece of information?
 - Does the vulnerable adult give consent to the sharing of information?
 - If not, why not?
 - What will you do if the service user withholds consent?
 - Will sharing or not sharing information put the adult at risk at increased risk?
- BSWA needs to balance its duty to protect adults at risk from harm with organisational ethos regarding an adult's right to self-determination and choice. In deciding whether to share information on a safeguarding adults at risk issue BSWA will consider the following variables:
 - Wishes of service user
 - Extent of vulnerability
 - Nature and extent of abuse concerned
 - Length of time abuse has been occurring
 - Impact on the individual concerned
 - Risk of abuse being repeated
 - Risk to other adults at risk

BSWA will normally only disclose information with consent from the service user. Where the service user withholds consent staff will work with the designated Safeguarding Adults lead to assess the appropriateness and necessity of sharing information without consent

MONITORING

The effectiveness of this policy will be reviewed regularly, after each major incident and at least annually, which will include analysis to ensure there is no detrimental impact on any particular group of women during its' implementation.

For further information, including contact details for making a safeguarding referral see:

www.safeguardingsolihull.org.uk/ssab
www.bsab.org

| Date | Author | Section | Reason for change |
|-------------|---------------|---------------------------------|--|
| August 2024 | Sally Dennis | Definitions | Reworded paragraph so in line with West Midlands policies and procedures, |
| August 2024 | Sally Dennis | Definitions | Added in sections on FGM and Modern Slavery, in line with WM policies and procedures |
| August 2024 | Sally Dennis | Dealing with issues within BSWA | Removed manager contact details as readily available elsewhere and quickly out of date |
| August 2024 | Sally Dennis | End of document | Updated Safeguarding Board website links |