

## Safeguarding Policy

### Purpose

This policy and procedure is written to enable the committee to address issues where there are safeguarding concerns. Safeguarding includes incidents between members, concerns regarding abuse or neglect that a u3a member may be experiencing outside of the u3a, health related issues or previous or pending criminal convictions.

The purpose of this policy is to demonstrate the commitment of Moseley Kings Heath & District u3a (MKHDU3A) to safeguarding their members and to ensure that everyone involved in MKHDU3A 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 MKHDU3A.

### Scope

This safeguarding policy and procedure apply to all individuals involved in MKHDU3A, including the committee, group leaders and members, and to all concerns about the safety and wellbeing of members taking part in u3a activities and in the wider community.

### Safeguarding Commitments

In order to implement this policy, MKHDU3A will use our best endeavours to raise awareness of this policy and ensure that all means available have been used to communicate its contents (e.g. hard copy, emailed copy, publication on our website and direction to the policy from our newsletter) so that all members can be aware of the safeguarding procedures and know who to contact if they have a concern relating to the welfare or wellbeing of an adult.

MKHDU3A committee has a duty of care to its members, is committed to upholding this safeguarding policy in order to protect its members.

MKHDU3A recognises that some people are potentially at risk of abuse and neglect. Where abuse or neglect is suspected MKHDU3A will aim to respond in a prompt and efficient manner to any situation where there is a risk of or perceived risk of harm. MKHDU3A does not hold any statutory authority. Matters of concern will be reported to the relevant safeguarding authorities and charity regulatory authorities, as appropriate. This may include the local authority, the local multi-agency safeguarding hub (MASH), or the police in an emergency.

Where there are concerns for a member's wellbeing or safety, MKHDU3A committee will complete a safeguarding risk assessment, seek advice and support from the Trust where necessary, and will contact the relevant statutory authorities as needed. It is not

appropriate for MKHDU3A to take the lead role in any Safeguarding Enquiry (under Section 42 of the Care Act 2014 (England and Wales)).

MKHDU3A recognises that there are various forms of abuse which can be perpetrated by volunteers, members, relatives, friends, and neighbours. MKHDU3A will not condone nor tolerate any form of abuse or neglect and believes that all people should be able and, where necessary, enabled to live in an environment which is safe and free from harm.

MKHDU3A will put the well-being of those at risk of harm first, and they will be 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. Any actions taken will respect the rights and dignity of all those involved and be proportionate to the risk of harm.

A list of the types of safeguarding risks and harm can be found on the [England and Wales Charity Commission website, which is applicable generally.](#)

MKHDU3A will monitor the implementation of this policy and procedure annually through its committee.

When following the safeguarding procedure MKHDU3A will strive to uphold the principles that those involved in incidents are entitled to:

- privacy
- be treated with dignity and respect
- lead an independent life and to be enabled to do so
- choose how they live their lives
- the protection of the law
- have their human and civil rights upheld regardless of ethnic origin, gender, sexuality, impairment or disability, age, religious or cultural background.

MKHDU3A will also follow the principles enshrined within the England and Wales Care Act 2014.

- **Principle 1 – Empowerment** – whereby the approach is focused on the individual making their own decision and gaining informed consent, where possible.
- **Principle 2 – Prevention** – seeking to take steps to prevent issues from arising or escalating.
- **Principle 3 – Proportionality** – responding in a proportionate way to the issue/s being presented.
- **Principle 4 – Protection** – seeking to keep the membership safe and protection for those deemed to be at risk.
- **Principle 5 – Partnership** – reporting incidents to the relevant statutory bodies and liaising with the Trust.
- **Principle 6 – Accountability** – accurate recording of incidents. Reporting incidents, as required, to the Trust and to relevant regulatory authorities.

## Procedure

### Introduction

MKHDU3A has a responsibility to ensure that its committee members understand their safeguarding responsibilities. MKHDU3A has a responsibility to ensure that it uses best endeavours to raise awareness of this policy through Group Leaders' meetings and ensure that all means available have been used to communicate its contents (e.g. hard copy, emailed copy, publication on our website and direction to the policy from our newsletter) to help them understand their safeguarding responsibilities.

Depending on the nature of the allegation and the identified risk, MKHDU3A will support the alleged victims and the alleged perpetrators of any abuse as well as any volunteer who becomes aware of an allegation in so far as this does not compromise any safeguarding enquiry or investigation into the allegation or place other adults at risk.

MKHDU3A will make every effort to respect the confidentiality of any information that is disclosed under this policy and procedure, however due to the seriousness of allegations confidentiality is not absolute. Information will be recorded and stored securely in accordance with Data Protection Act 2018 but information may have to be shared with relevant authorities on a 'need-to-know' basis only, to prevent:

- Danger to a person's life
- Danger to a person's health
- Danger to others
- Danger to the community
- To facilitate the investigation of a serious crime

### Courses of action

- MKHDU3A'S approach to safeguarding will include members who exhibit health concerns that could put themselves or others at risk, convictions (previous or pending) that include offences of a sexual or violent nature, inappropriate behaviour exhibited by a member including sexual advances, bullying, aggression or violent behaviour, harassment and/or discrimination. This can include behaviour exhibited face to face as well as electronic communications or via social media platforms.
- Where the committee becomes aware of a safeguarding concern, steps will be taken, as needed, to ensure the safety of adult/s at risk is secured as a priority. The steps to take to address this will be discussed and agreed between by the committee. No committee member will act in isolation when dealing with a safeguarding concern. The steps taken should be documented and stored securely in accordance with the Data Protection Act 2018.
- Where a member of MKHDU3A becomes aware of a safeguarding concern, the first step will be to notify the Safeguarding Coordinator of MKHDU3A who will gather as much information as possible to assist with the decision as to the next steps. The Safeguarding Coordinator will notify the committee. A risk assessment will be

developed and recorded as soon as possible after the concern comes to the attention of the committee.

- Where it is deemed that the risk is high and immediate action needs to be taken, the Safeguarding Coordinator, on behalf of the committee, will contact the relevant authorities and the Trust for advice and support.
- As far as possible, the adult at risk's wishes will be respected as to whether or not to refer any concerns to the local authority as a Safeguarding Enquiry under Section 42 of the Care Act 2014. However, it may be necessary to override their wishes in the best interests of other adults at risk.
- In developing the risk assessment, the committee will consider the level of risk and the action that needs to be taken accordingly. Assessment of risk will include:
  - Risk to the individual member
  - Risk to other members within the u3a
  - Reputational risk for the individual u3a and the u3a movement as a whole
- Where the risk is not deemed to be high but support is needed, MKHdu3A will contact the Trust to discuss the concerns and seek additional assistance in developing the risk assessment. Assistance will always be sought before moving to exclude any member from the u3a on the basis of a safeguarding risk assessment.
- Once the risk assessment is completed, the committee will decide as to the most appropriate course of action. This could include excluding members from certain groups i.e., groups held in people's homes, requesting that a member attends the u3a with a carer or excluding a member from a group run by a particular group leader.
- Depending on the nature of the allegation it may be necessary to pursue the incident following MKHdu3A'S complaints or disciplinary procedure. Where it is decided that this is the best course of action the matter will not be investigated by any party that was privy to the initial reporting of the incident.
- All actions taken will be recorded. Any records will remain confidential to the committee unless a prior decision has been taken to share the record with the relevant statutory bodies.

## Appendix 1

If someone discloses abuse to you:

### Do:

- Stay calm and try not to show shock or disbelief.
- Listen carefully to what they are saying.
- Be sympathetic ('I'm sorry this has happened to you').
- Be aware of the possibility that medical evidence might be needed.
- Tell the person that:
  - They did the right thing to tell you.
  - You are treating the information seriously. It was not their fault.
  - You are going to inform the appropriate person.
  - You will take steps to protect and support them.
- Record and report the disclosure in line with the Procedure.

### Do not:

- Press the person for more details; this will be done at a later date.
- Stop someone who is freely recalling events (Don't say 'hold on, we'll come back to that later'; they may not tell you or anybody else again).]
- Promise to keep secrets; you cannot keep this kind of information to yourself
- Make promises you cannot keep (such as 'this will never happen to you again').
- Contact the alleged abuser.
- Be judgemental.
- Pass on the information other than to those with a legitimate 'need to know' under this Policy and Procedure.

### In your Record of the disclosure:

You should aim to:

- Note what people actually said, using their own words and phrases.
- Describe the circumstances in which the disclosure came about.
- Note the setting and anyone else who was there at the time of the abuse or the disclosure.
- Separate factual information from your own and others opinions.
- Use black ink so the report can be photocopied if needed.

Be aware that your report may be required later as part of a legal action or disciplinary procedure.

## **Appendix 2 Key Definitions:**

### **Adult at risk:**

Any person, who is over 18 years of age and who has need for care and support, is experiencing or is at risk of abuse or neglect and as a result of those needs is unable to protect him or herself against the abuse or neglect or risk of it.

### **Abuse:**

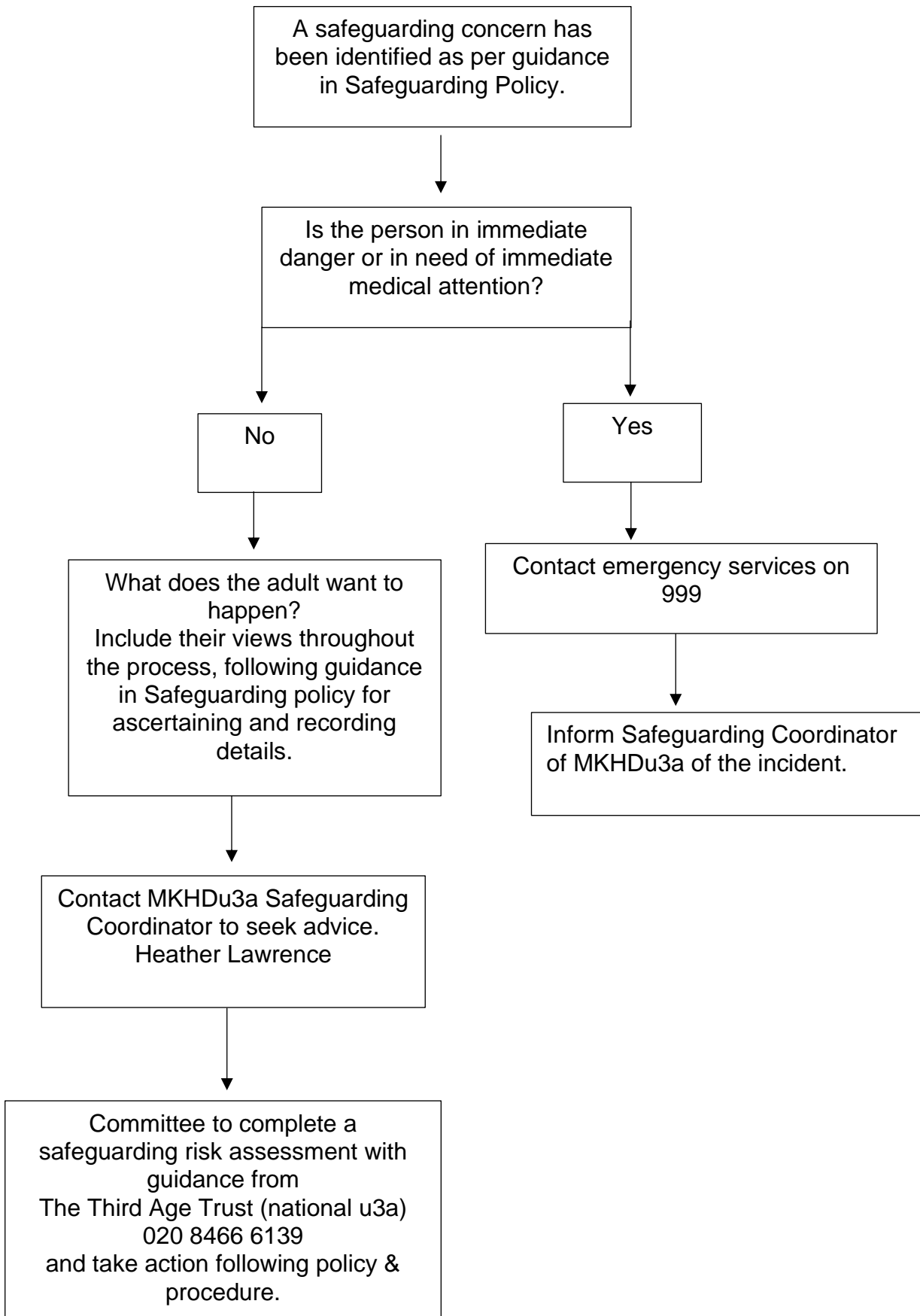
The violation of a person's human and civil rights by any other person(s). It may be a single or repeated act(s), physical, verbal, psychological, sexual, institutional, discriminatory or financial, an act of neglect or failure to act.

### **Types of abuse:**

1. Physical abuse – including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.
2. Domestic violence – including psychological, physical, sexual, financial, emotional abuse; so called 'honour based' violence.
3. Sexual abuse – including 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.
4. Psychological abuse – including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.
5. Financial or material abuse – including theft, fraud, internet scamming, coercion, in relation to an adult's financial affairs or arrangements, including in connection with wills, property, possessions or benefits.
6. Modern slavery – encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of servitude and inhumane treatment.
7. Discriminatory abuse – including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.
8. Organisational abuse – including 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.
9. Neglect and acts of omission – including ignoring medical, emotional, or physical care needs, failure to provide access to appropriate healthcare and support or

educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

10. 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.





**Recommended agencies:**

1. Their Local Authority, Social Services, GP Surgery, Police, etc.
2. Action on Elder Abuse (AEA) is a confidential support and advice service for older people who have been abused or people who know an older person who may be suffering abuse. Available weekdays 9am – 5pm 0808 808 8141.
3. Voice UK is a national charity supporting people with learning disabilities and other vulnerable people who have experienced crime or abuse. They also support their families, carers and professional workers. 0808 802 8686

This policy was adopted on: \_\_\_\_\_

Signed: \_\_\_\_\_ Committee role: \_\_\_\_\_

Print name: \_\_\_\_\_

Policy review date: \_\_\_\_\_

[Policy ends]