

## Safeguarding Adults Policy Contents

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## **Safeguarding Adults Policy**

### **Introduction**

Crowhurst Christian Healing Centre (CCHC) is committed to Safeguarding Adults in line with national legislation, the Church of England Safeguarding Policy and relevant national and local guidelines.

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

CCHC 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, exploitation or neglect manifests itself;
- 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.

CCHC 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**

CCHC 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.

CCHC 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.

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

CCHC 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.

CCHC recognises that there is a legal framework within which Christian Ministry needs 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 CCHC 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 CCHC to safeguarding adults and to ensure that everyone involved in CCHC 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.

## **Scope**

This safeguarding adult policy and associated procedures apply to all individuals involved in CCHC including Trustee Board members, Staff and Volunteers and to all concerns about the safety of adults whilst taking part in our organisation, its activities and in the wider community.

## **Commitments**

In order to implement this policy CCHC will ensure that:

- Everyone involved with CCHC is aware of the Safeguarding Adults policy and 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 CCHC 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.
- CCHC will cooperate with the Police and the relevant Local Authorities in taking action to safeguard an adult.
- All Trustee Board members, staff and volunteers understand their role and responsibility for safeguarding adults and have completed and are up to date with safeguarding adult training and learning opportunities appropriate for their role.
- CCHC uses safe recruitment practices and continually assesses the suitability of volunteers and staff to prevent the employment/deployment of unsuitable individuals in this organisation and within its various areas of activity and ministry.
- CCHC shares information about anyone found to be a risk to adults with the appropriate bodies, (for example: Disclosure and Barring Service, Emergency Services, Police, Local Authority/Social Services).

- When planning activities and events CCHC includes an assessment of, and risk to, the safety of all adults from abuse and neglect and designates a person who will be in attendance as a safeguarding lead for that event.
- Actions taken under this policy are reviewed by the Leadership team, and reported to the Trustee Board, on an annual basis.

This policy, related policies (see below) and the Safeguarding Adults Procedures are reviewed no less than on a two-yearly basis and whenever there are changes in relevant legislation and/or government guidance as required by the Local Safeguarding Board or Church of England Safeguarding Policy, or as a result of any other significant change or event.

## Implementation

CCHC is committed to developing and maintaining its capability to implement this policy and procedures. In order to do so the following will be in place:

- A clear line of accountability within the organisation for the safety and welfare of all adults.
- Access to relevant legal and professional advice when required.
- Annual Leadership reports to the Board detailing how risks to adult safeguarding are being addressed and how any reports have been addressed, (but more regularly if required).
- Safeguarding adult procedures that deal effectively with any concerns of abuse or neglect, including those caused through poor practice.
- A Designated Safeguarding Lead (DSL) is in place, (Centre Chaplain: Suzanne Owen).
- A delegated Safeguarding Lead for times when the DSL is unavailable (Senior Chaplain: Steve Gendall; who is also the link person for the Diocese regarding Safeguarding).
- Codes of conduct for Trustee Board members, Staff, and Volunteers that specify zero tolerance of abuse in any form. [To be written]
- Risk assessments that specifically include safeguarding of adults.
- Policies and procedures that address the following areas and which are consistent with this Safeguarding Adults policy.
  - ✓ Safeguarding Children
  - ✓ Bullying and harassment [to be done]
  - ✓ Social Media [to be done]
  - ✓ Equality, diversity and inclusion [to be done]
  - ✓ Safe activities risk assessments [to be done]
  - ✓ Code of Conducts and a process for breach of these - Staff, Volunteers, guests. [to be done]
  - ✓ Discipline and grievance
  - ✓ Concerns, Complaints and Compliments
  - ✓ Whistleblowing
  - ✓ Safe recruitment and selection (staff and volunteers) [to be done]
  - ✓ Contract compliance [to be done]
  - ✓ Information policy, data protection and information sharing.

## Supporting Information

### Key Points

- There is a legal duty on Local Authorities to provide support to 'adults at risk'.
- **Adults at risk** (previously referred to as 'vulnerable adults' are defined in legislation and the criteria used in this document is the criteria for England:  
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;
    - 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.
- The safeguarding legislation applies **to all forms of abuse** that harm a person's well-being.
- The law provides a framework for good practice in safeguarding that makes the overall well-being of the adult at risk a priority of any intervention.
- The law emphasises the importance of **person-centred safeguarding**, referred to as '**Making Safeguarding Personal**' in England.
- The law provides a framework for making decisions on behalf of adults who can't make decisions for themselves (**Mental Capacity**).
- The law provides a framework for all organisations to share information and cooperate to protect adults at risk.

### Safeguarding Adults Legislation

Safeguarding Adults legislation 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. wilful neglect and wilful 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. CCHC may need to take action as part of safeguarding an adult, for example, by using the disciplinary procedures in relation to a member of staff or volunteer who has been reported to be harming a guest or visitor. The Local Authority role includes having multi-agency procedures which coordinate the actions taken by different organisations.

### **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 England includes the following categories of abuse:

- 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

Four additional types of harm have been included, which are not yet listed in the 'The Care Act', but everyone needs to be aware of:

- Cyber bullying
- Forced Marriage
- Mate Crime
- Radicalisation

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 can also take place within a 'ministry context', and although not included in the lists above it is essential that staff and volunteers are aware of the risks of:

- Spiritual abuse
  - Spiritual abuse is characterised by a systematic pattern of coercive and controlling behaviour in a religious context, it shares commonalities with psychological and emotional abuse.Other forms include:
  - scripture misused to control behaviour;
  - suggesting God as complicit;
  - threats of negative spiritual consequences;
  - the idea that a spiritual leader is "called" by God to a position, and therefore cannot be questioned
  - the misuse of the authority of leadership or penitential discipline,
  - oppressive teaching,
  - intrusive healing and deliverance ministries.

Abuse or neglect external to CCHC 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.

### **Signs and Indicators of Abuse and Neglect**

An adult may confide to a member of CCHC staff, or a volunteer, that they are experiencing abuse inside or outside of CCHC.

There are many signs and indicators that may suggest someone is being abused or neglected. There may

also 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 visits.
- Someone losing or gaining weight / an unkempt appearance, and/or deterioration in hygiene.
- A change in the behaviour or confidence of a person. For example, a guest may be looking quiet and withdrawn when their family/carer comes to collect them which is in contrast to CCHC staff whom they greet with a smile.
- Self-harm.
- A fear of a particular group of people or individual.
- A family member/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.

### **Wellbeing Principle**

The concept of 'well-being' is threaded throughout UK legislation and is part of the Law about how health and social care is provided. Our well-being includes our mental, spiritual and physical health, our relationships, our connection with our communities and our contribution to society.

Being able to live free from abuse and neglect is a key element of well-being.

The legislation recognises that statutory agencies have sometimes acted disproportionately in the past. For example, removing an adult at risk from their own home when there were other ways of preventing harm. In the words of Justice Mumby '*What good is it making someone safe when we merely make them miserable?*' (What Price Dignity? (2010)).

For that reason, any actions taken to safeguard an adult must take their whole well-being into account and be proportionate to the risk of harm.

### **Person Centred Safeguarding/ Making Safeguarding Personal**

The legislation also recognises that adults make choices that may mean that one part of our well-being suffers at the expense of another – for example we move away from friends and family to take a better job. Similarly, adults can choose to risk their personal safety; for example, to provide care to a partner with dementia who becomes abusive when they are disorientated and anxious.

None of us can make these choices for another adult. If we are supporting someone to make choices about their own safety we need to understand 'What matters' to them and what outcomes they want to achieve from any actions agencies take to help them to protect themselves.

The concept of 'Person Centred Safeguarding'/'Making Safeguarding Personal' means engaging the person in a conversation about how best to respond to their situation in a way that enhances their involvement, choice and control, as well as improving their quality of life, well-being and safety. Organisations work to support adults to achieve the outcomes they want for themselves. The adult's views, wishes, feelings and beliefs must be taken into account when decisions are made about how to support them to be safe. There may be many different ways to prevent further harm. Working with the person will mean that actions taken help them to find the solution that is right for them. Treating people with respect, enhancing their dignity and supporting their ability to make decisions also helps promote people's sense of self-worth and supports recovery from abuse.



If someone has difficulty making their views and wishes known, then they can be supported or represented by an advocate. This might be a safe family member or friend of their choice or a professional advocate (usually from a third sector organisation).

### **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.

England has legislation that describes when and how we can make decisions for people who are unable to make decisions for themselves.

- 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. Some people with care and support needs will have a 'One page profile' or a 'This is me' document that describes important things about them. Some of those things will be about how to support the person, their routines, food and drink choices etc. but will also include things they like and don't like doing. It's also important to have an agreement with the person who has enrolled the adult in the sports activity about how different types of decisions will be made on a day to day basis.

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 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.

## **Recording and Information Sharing**

All organisations must comply with the Data Protection Act (DPA) and the General Data Protection Regulations (GDPR).

Information about concerns of abuse includes personal data. It is therefore important to be clear as to the grounds for processing and sharing information about concerns of abuse.

Processing information includes record keeping. Records relating to safeguarding concerns must be accurate and relevant. They must be stored confidentially with access only to those with a need to know.

Sharing information, with the right people, is central to good practice in safeguarding adults. However, information sharing must only ever be with those with a 'need to know'.

This does **NOT** automatically include the persons spouse, partner, adult, child, unpaid or paid carer. Information should only be shared with family and friends and/or carers with the consent of the adult or if the adult does not have capacity to make that decision and family/ friends/ carers need to know in order to help keep the person safe.

The purpose of Data Protection legislation is not to prevent information sharing but to ensure personal information is only shared appropriately. Data protection legislation allows information sharing within an organisation. For example:

- Anyone who has a concern about harm can make a report to an appropriate person within the same organisation
- Case management meetings can take place to agree to co-ordinate actions by the organisation

There are also many situations in which it is perfectly legal to share information about adult safeguarding concerns outside the organisation. Importantly, personal information can be shared with the consent of the adult concerned. However, the adult may not always want information to be shared. This may be because they fear repercussions from the person causing harm or are scared that they will lose control of their situation to statutory bodies or because they feel stupid or embarrassed. Their wishes should be respected unless there are over-riding reasons for sharing information.

The circumstances when we need to share information without the adult's consent include those where:

- it is not safe to contact the adult to gain their consent – i.e. it might put them or the person making contact at further risk.
- you believe they or someone else is at risk, including children.
- you believe the adult is being coerced or is under duress.
- it is necessary to contact the police to prevent a crime, or to report that a serious crime has been committed.
- the adult does not have mental capacity to consent to information being shared about them.
- the person causing harm has care and support needs.
- the concerns are about an adult at risk living in Wales or Northern Ireland (where there is a duty to report to the Local Authority).

When information is shared without the consent of the adult this must be explained to them, when it is safe to do so, and any further actions should still fully include them.

If you are in doubt as to whether to share information seek advice e.g. seek legal advice and/or contact the Local Authority and explain the situation without giving personal details about the person at risk or the person causing harm.

Any decision to share or not to share information with an external person or organisation must be recorded together with the reasons to share or not share information.

## **Multi-Agency Working**

Safeguarding adults' legislation gives the lead role for adult safeguarding to the Local Authority. However, it is recognised that safeguarding can involve a wide range of organisations.

CCHC may need to cooperate with the Local Authority and the Police including to:

- Provide more information about the concern raised.
- Provide a safe venue for the adult to meet with other professionals e.g. Police/Social Workers/Advocates.
- Attend safeguarding meetings.
- Coordinate internal investigations (e.g. complaints, disciplinary) with investigations by the police or other agencies.
- Share information about the outcomes of internal investigations.

Provide a safe environment for the adult to continue their sporting activity/ their role in the organisation.

## **Reporting Serious Incidents to the Charity Commission**

The Charity Commission requires charities to report serious incidents. If a serious incident takes place within the charity, it is important that there is prompt, full and frank disclosure to the Commission. The report must state what happened and, importantly, how the incident is being dealt with, even if the incident has also been reported to the police, donors or another regulator.

### **What is a serious incident?**

A serious incident is an adverse event, whether actual or alleged, which results in or risks:

- significant harm to CCHC's beneficiaries, staff, volunteers or others who come into contact with CCHC through its work
- significant loss of CCHC's money or assets
- significant damage to CCHC's property
- significant harm to CCHC's work or reputation

For the purposes of this guidance, "significant" means significant in the context of CCHC, taking account of its staff, operations, finances and/or reputation.

### **Who should report?**

The responsibility for reporting serious incidents rests with the trustees. In practice, this may be delegated to someone else within the charity, such as the CEO or Safeguarding Lead or CCHC's professional advisers.

However, all trustees bear ultimate responsibility for ensuring CCHC makes a report, and does so in a timely manner.

If the decision is made not to make a report about something serious that has happened in/at CCHC and the Commission later becomes involved, an explanation will be required as to why the decision was made not to report it at the time.

Reporting serious incidents to the Commission has three main purposes, which enable it to meet its statutory objectives and functions:

1. The Commission needs to ensure trustees comply with their duties: By reporting a serious incident, CCHC show that we have identified a risk to the charity that has materialised, and that the trustees are taking appropriate action to deal with it. This is very important because protecting the charity's assets, reputation and people who come into contact with it through its work are essential trustee responsibilities. An incident is less likely to damage a charity's reputation if trustees can show that they handled it well. If the media contact the Commission about an incident and it has been properly reported, the Commission will be able to say that the trustees handled the situation responsibly and this will help protect the CCHC's reputation.
2. The Commission may need to provide regulatory advice or guidance or use its statutory powers: Timely reporting allows the Commission to identify problems in charities at an early stage and, where appropriate, to provide regulatory advice and guidance to trustees. Any regulatory advice and guidance provided will normally be limited to ensuring the trustees meet their legal duties. In the most serious cases the Commission may need to use its statutory powers in order to protect the charity and put it back on track.
3. The Commission can assess the risk to other charities: Serious incident reporting helps the Commission to measure the volume and impact of incidents within charities, to identify trends and to understand the risks facing the sector as a whole. This insight helps the Commission to warn charities about risks and give trustees the information and tools they need to succeed.

### **When to report**

CCHC should report an actual or alleged incident promptly. This means as soon as is reasonably possible after it happens, or immediately after CCHC becomes aware of it.

The main categories of reportable incident are:

- protecting people and safeguarding incidents – incidents that have resulted in or risk significant harm to beneficiaries and other people who come into contact with the charity through its work
- financial crimes – fraud, theft, cyber-crime and money laundering
- large donations from an unknown or unverifiable source, or suspicious financial activity using the charity's funds
- other significant financial loss
- links to terrorism or extremism, including 'proscribed' (or banned) organisations, individuals subject to an asset freeze, or kidnapping of staff
- other significant incidents, such as – insolvency, forced withdrawal of banking services without an alternative, significant data breaches/losses or incidents involving partners that materially affect the charity

It is the responsibility of the charity trustees to decide whether an incident is significant and should be reported. Appendix 2 details types of incidents relating to Safeguarding and Protecting People that should/should not be reported.

### **What to report**

Types of safeguarding incident to report

CCHC needs to make a report to the Commission if a serious safeguarding risk materialises. This will usually be if any of the following occur:

- incidents of abuse or mistreatment (alleged or actual) of beneficiaries of CCHC (adults or children) which have resulted in or risk significant harm to them and:

- this happened while they were under the care of CCHC
- someone connected with CCHC, for example a trustee, staff member or volunteer, was responsible for the abuse or mistreatment (alleged or actual)
- other incidents of abuse or mistreatment (alleged or actual) of people who come into contact with CCHC through its work, which have resulted in or risk significant harm to them and are connected to the CCHC's activities
- breaches of procedures or policies at CCHC which have put people who come into contact with it through its work at significant risk of harm, including failure to carry out relevant vetting checks which would have identified that a person is disqualified in law from holding their position within the charity. This might be, for example, because they are disqualified under safeguarding legislation from working with children and/or adults at risk

The above may include incidents in the workplace that have resulted in or risk significant harm to trustees, staff or volunteers. This does not mean that the Commission expects charities to report every internal staffing incident - charities need to make a judgement call about which incidents either individually, or as a collection, are serious in the context of the charity.

However, a report should always be made where the level of harm to the victims and/or the likely damage to the reputation of or public trust in CCHC is particularly high (for example, sexual misconduct by a person in a senior position. The Commission would also expect to receive a report if the number and nature of staffing incidents indicate there are widespread or systematic issues connected to sexual harassment, abuse and/or other misconduct in CCHC. Appendix 2 contains some examples of the types of workplace incidents that should be reported.

If you have grounds to suspect that one of the types of incident listed in Appendix 2 has occurred, it is important to act responsibly and take action promptly: As well as reporting to the Commission, depending on the nature of the incident, CCHC should also notify the police, the local authority and/or the relevant regulator or statutory agency.

The Commission's role is to ensure the charity's trustees are handling the incident appropriately and, where necessary, putting in place improved governance and internal controls, in order to prevent further harm.

The Commission is not responsible for dealing with incidents of actual abuse or mistreatment and it does not administer safeguarding legislation. It cannot prosecute or bring criminal proceedings, although it may refer concerns on to 'lead agencies', such as the police, local authorities and the Disclosure and Barring Service (DBS), as well as to specialist bodies responsible for designated areas, such as education or health and social care.

### **Safeguarding incidents that occur outside of the charity**

Sometimes charities will become aware of safeguarding incidents that have occurred outside of the charity. This might be, for example, where:

- the charity undertakes specialist work (in line with its charitable purposes) in providing safeguarding services and, as a result, deals routinely with safeguarding incidents that occur outside of the charity
- the charity is alerted to alleged abuse of a guest, staff member, volunteer or someone else who it comes into contact with through its work, which has occurred outside of the charity and:

- the abuse was not connected to its activities in any way
- the person responsible for the abuse was not a trustee, staff member or volunteer

If CCHC becomes aware of such incidents, it would not normally be expected that they would be reported to the Commission. However, CCHC would be expected to do so if it's found (or alleged) that the incident wasn't handled appropriately by CCHC and this resulted in harm to the person or persons concerned. In such circumstances, a report should also be made to the police and local authority.

## Appendices

### Appendix 1 - Role Description: Safeguarding Lead

The designated person within an organisation has primary responsibility for putting into place procedures to safeguard adults at risk, and for managing concerns about adults at risk.

Duties and responsibilities at CCHC include:

- Working with others within CCHC to create a positive inclusive environment within the organisation.
- Play a lead role in developing and establishing CCHC's approach to safeguarding adults and in maintaining and reviewing the organisation's implementation plan for safeguarding adults in line with current legislation and best practice.
- Coordinate the dissemination of the safeguarding adult policy, procedures and resources throughout CCHC.
- Contribute to ensuring other policies and procedures are consistent with CCHC's commitment to safeguarding adults.
- Advise on CCHC's training needs and the development of its training strategy.
- Receive reports of and manage cases of poor practice and abuse reported to CCHC – including an appropriate recording system.
- Manage liaison with, and referrals to, external agencies for example adult social-care services and the police.
- Create a central point of contact for internal and external individuals and agencies concerned about the safety of adults within CCHC.

Represent CCHC at external meetings related to safeguarding if required.



**Appendix 2 Serious incidents (Safeguarding) that require reporting to the Charity Commission**

<b>Protecting people and safeguarding incidents Reporting Serious Incidents to the Charity Commission</b>	
<b>Serious Incidents to Report</b>	<b>Incidents not to report</b>
<p>A beneficiary or other individual connected with the charity's activities has/alleges to have suffered serious harm</p> <p>Allegation that a staff member has physically or sexually assaulted or neglected a beneficiary whilst under the charity's care</p> <p>The Chief Executive of the charity has been suspended pending the outcome of an investigation into their alleged sexual harassment of a fellow member of staff</p> <p>Allegation that a trustee, staff member or volunteer has been sexually assaulted by another trustee, staff member or volunteer</p> <p>A staff computer is found to contain images of child pornography</p> <p>An internal investigation has established that there is a widespread culture of bullying within the charity</p> <p>A beneficiary or individual connected with the charity's activities has died or been seriously harmed; a significant contributory factor is the charity's failure to implement a relevant policy</p> <p>Charity failed to carry out DBS checks which would have identified that a member of staff or trustee was disqualified in law (under safeguarding legislation) from holding that position</p> <p>Repeated medication errors to beneficiaries in a care home indicating a systemic problem</p> <p>Charity discovers that an employee or volunteer coming into contact with children or at risk adults is on the sex offenders register</p>	<p>Minor unusual/aggressive behaviour by a beneficiary towards a member of staff</p> <p>Police called to charity premises because a beneficiary is drunk and disorderly</p> <p>Charity becomes aware of allegations of abuse or neglect of a beneficiary that occurred outside the charity; the charity has reported the allegations to the appropriate agencies, and there is no harm to the charity's reputation</p> <p>Beneficiary in a care home received the wrong medication as a 'one-off' error and there was no significant harm</p> <p>Logged accident book reports where there was no significant harm to individuals</p> <p>Details of reports under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) where there has been no significant harm to individuals</p> <p>Minor accidental injury to a charity service user e.g. slipping on a wet floor</p> <p>A staff member who is not in a senior position or position of specific responsibility (e.g. head of safeguarding) has bullied or harassed a fellow staff member. There is no indication of a widespread culture of bullying or harassment within the charity and the incident is dealt with by minor disciplinary action (for example, the staff member responsible has not been suspended or dismissed).</p> <p>A staff member who is not in a senior position or position of specific responsibility is dismissed for marrying a member of the community in which the charity is working, in breach of the charity's code of conduct but not in breach of local laws</p>

<https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>

### **Appendix 3 – 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

Email: [enquiries@elderabuse.org.uk](mailto:enquiries@elderabuse.org.uk)

[www.elderabuse.org.uk](http://www.elderabuse.org.uk)

#### **Ann Craft Trust (ACT)**

A national organisation providing information and advice about adult safeguarding. ACT have a specialist Safeguarding Adults in Sport and Activity team to support the sector

Tel: 0115 951 5400

Email: [Ann-Craft-Trust@nottingham.ac.uk](mailto:Ann-Craft-Trust@nottingham.ac.uk)

[www.anncrafttrust.org](http://www.anncrafttrust.org)

#### **Men's Advice Line**

For male domestic abuse survivors

Tel: 0808 801 0327

#### **National LGBT+ Domestic Abuse Helpline**

Tel: 0800 999 5428

#### **National 24Hour Freephone Domestic Abuse Helplines**

Tel: 0808 2000 247

[www.nationaldahelpline.org.uk/Contact-us](http://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](mailto:info@rapecrisis.co.uk)

[www.rapecrisis.co.uk](http://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 or

0808 808 0700 (Helpline)

Email: [services@respond.org.uk](mailto:services@respond.org.uk)

[www.respond.org.uk](http://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

Web Chat: [www.stophateuk.org/talk-to-us/](http://www.stophateuk.org/talk-to-us/)

E mail: [talk@stophateuk.org](mailto:talk@stophateuk.org)

Text: 07717 989 025

Text relay: 18001 0800 138 1625

By post: PO Box 851, Leeds LS1 9QS

**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

Fax: 020 8392 1830

Email: [info@suzylamplugh.org](mailto:info@suzylamplugh.org)

[www.suzylamplugh.org](http://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

[www.victimsupport.com](http://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](http://www.womensaid.org.uk/information-support)

## Appendix 4

### Covid-19 updated guidance

The policy as written in this document remains relevant during the pandemic, but additional vigilance is required because of the increased risk of abuse:

- Updated guidance suggests that extra vigilance is required to detect indications of potential abuse because of the increased incidence of scammers, fraudulent schemes and cold callers. Those who are isolated or shielded may be more prone to abuse of this nature.
- Increased vigilance is also required to pick up indications of increased mental health disturbance, and in particular depression, and indications of self-neglect or self-harm.
- Incidence of domestic abuse has increased during the pandemic, and staff/ministry team must be attuned to the nuances in conversation and behaviour that may suggest an individual has experienced this, either for the first time or in a new or an increased form.
- Be alert to indications that individuals may have given personal details such as PIN numbers and bank details, and may not understand the significance of what they have done or be unclear about what they should do.

All staff and ministry team need to adhere to Covid-19 requirements of social distancing and non-contact during any encounter at CCHC; which may be particularly difficult if guests/visitors are displaying signs of deep distress. However, Covid requirements aside, physical contact is not advised when there is risk of a safeguarding issue because physical touch may precipitate flashbacks or attempts to flee from perceived threat.