

# **Safeguarding Adults at Baobab: Policy and Practice Guidance**

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## **SAFEGUARDING LEAD**

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# Safeguarding Adults at Baobab



**Observe** non-verbal communication



# Baobab Centre Safeguarding Adults Policy and Practice Guidance

## 1. Introduction

**1.1** Safeguarding at the Baobab Centre for Young Survivors in Exile refers to the act of protecting an individual's human and civil right to live in safety and free from abuse. This policy and practice guidance focusses on how to safeguard Baobab Centre service users who are chronologically adults even when they function generally at a much less mature level in terms of their behavior and their psychological and emotional life than their chronological age. Many are, or will become, during their time at Baobab, over 18 years of age, and will be legally adults and no longer legally children.

**1.2** Adults receiving support at the Baobab Centre are defined as 'adults at risk' of harm due to the multiple traumatic experiences and diverse abuses (physical, emotional and sexual abuse and often neglect) most have experienced in their home countries and as unaccompanied minors fleeing persecution and seeking protection in the United Kingdom (UK). Many, because they are survivors of abuse and often a series of abusive events, are potentially more at risk of significant harm in their present and their future lives.

**1.3** Baobab provides support to adults who receive varying statutory support. Some may be regarded as Care Leavers meaning they have initially been supported under the Children Act 1989 as a relevant child under Section 20 due to being under 18 years on arrival to the United Kingdom. These young people continue to receive support under the Leaving Care Act 2000 as former relevant children, up to the age of 25 years old.

**1.4** Baobab adults who are not supported by local authorities, due to them being over 18 years old, are provided with Home Office Asylum Support. This includes a minimum level of subsistence and accommodation, offered in its various forms depending on the stage of one's asylum claim. Provision is contracted out to a range of providers and can vary in quality, often raising potential safeguarding risks for Baobab adults such as anti-social behavior from tenants which impact their safety e.g. drug use, violence, exploitative behavior.

**1.5** Despite being under 18 years old, some Baobab young people have been 'age disputed' by the local authority and therefore are referred to Home Office Asylum Support adult provision which may not be appropriate for their needs. Advice and support are available from legal representatives to review this situation and often Local Authorities can be legally challenged as a consequence of their inadequate or poor age assessment process.

**1.6** This document applies to ALL staff at the Baobab Centre regardless of their role, clinician, caseworker, administrator, teacher, artist etc. The term 'staff' is used throughout the document to refer to both paid staff and volunteers at the Baobab Centre. It also includes ALL members of the Board of Trustees Committee who govern and support Baobab Centre staff.

## 2. Baobab Centre Safeguarding Adults Policy Statement

**2.1** This Safeguarding Adults Policy and Practice Guidance document is designed primarily to assist staff at the Baobab Centre to be able to recognise and respond immediately and appropriately to *any* adult safeguarding incidents or concerns.

**2.2** The fundamental principle that underpins the Baobab Centre's Safeguarding Policy and Practice Guidance is that all adults have the right to live their lives safely and free from abuse.

The Baobab Centre is committed to safeguarding adults by:

- Supporting staff to have knowledge and understanding of the forms of adult abuse.
- Reducing and preventing incidences of adult abuse from occurring.
- Responding quickly and sensitively to any suspicions, observations or incidents of abuse.
- Providing clear practice guidance for staff who have a responsibility to respond to abuse.
- Increase awareness of issues related to the abuse of adults and their vulnerabilities to further risk of harm.

**2.3** Staff have a duty of care and to ensure all Baobab Centre adults are safeguarded. Staff must be capable of recognising the signs of abuse and must know how to act when a safeguarding concern is identified so the risk of harm can be reduced.

## **2.4 The Care Act 2014**

A key priority of the Baobab Centre is to safeguard adults at risk through ensuring their safety and protection. The Care Act 2014 outlines the legal framework and shapes statutory guidance relating to safeguarding adults at risk. The Care Act 2014 states that adult safeguarding is: **‘working with adults with care and support needs to keep them safe from abuse. It is an important part of what many public services do, and a key responsibility of local authorities.’**

**2.5** The Baobab Centre works together in partnership with statutory bodies and other support agencies to uphold the right of adults at risk to be protected from harm and exploitation. The Care Act 2004 makes it clear that abuse of adult's links to circumstances rather than the characteristics of the people experiencing the harm. Labelling groups of people as inherently ‘vulnerable’ is seen to be disempowering. **We might at Baobab describe individuals as vulnerable owing to their history and liable to attract abuse and exploitation.**

**‘The Care and Support Statutory Guidance’** (revised October 2018) is the adult equivalent of **‘Working Together to Safeguard Children’** (Department for Education, 2018) for those seeking to support and protect adults at risk.

**2.6** The Baobab Centre **is bound by** the regulations **described in the** the Mental Capacity Act 2005 where presumption of mental capacity is paramount unless a person's apparent comprehension of a situation gives rise to doubt. All staff must recognise that it is the right of adults, who have capacity to make their own choices, irrespective of how unwise we may consider that decision to be. **(this again merits discussion in relation to individuals at the Baobab Centre.)**

**2.7** Where adults have been assessed as **NOT** having the capacity to safeguard themselves, other people supporting the adult will need to make those decisions on their behalf to ensure they are protected and supported. **How we might do this merits discussion.**

**2.8** Baobab Centre upholds the regulations outlined in the Care Act 2014. The Act sets out a clear legal framework for how local authorities and other parts of the system should protect adults at risk of abuse. Local authorities have legal safeguarding duties whereby they must have a multi-agency local adult safeguarding system that seeks to prevent abuse and respond rapidly to concerns raised. ‘Local Safeguarding Adult Partnerships’ have been established to oversee safeguarding practice and policy specific to local authority areas across the UK.

**2.9** Baobab Centre upholds that information from adults is kept confidential and stored safely to protect this information. All adults are informed that any information they give to the Baobab Centre, will be treated with care and confidentiality, unless there is an indication that they may be at risk of abuse and the relevant statutory authority such as the Police or Adult Social Services needs to be informed.

**2.10** Baobab Centre staff must ensure that any disclosure of information relating to the adult must be on a 'need to know' basis, limited to relevant details and must be considerate of the third parties to whom it is disclosed.

For each individual situation staff need to think about and discuss who the perpetrator of abuse is and in some circumstances, it may be identified that the police or other statutory agents who work in these systems, where racism, xenophobia and other prejudices exist, may be responsible.

**2.11** Any Information about an adult who may be at risk of harm through abuse, must be shared within the Baobab Centre in accordance statutory guidance and legal frameworks relating to safeguarding adults. Staff will need to be able to justify why they are sharing information with another agency. However, the duty to protect an individual or others will in most cases outweigh the need to adhere to data protection and to maintain confidentiality.

**2.12** Baobab is committed to supporting adults to express their wishes and priorities and to be personally involved when plans are made for their care. Staff must make every effort to enable adults at risk to express their wishes in a way that is appropriate to them. It is also recognised that adults at risk may sometimes remain in dangerous situations because the adult refuses any offer of help and concerns must be discussed with the SGL to monitor any ongoing risks and seek advice as required.

**2.13** Baobab recognises that abuse of adults is under-reported in all communities but significantly so in many black and minority ethnic communities where cultural issues may comprise additional barriers to reporting.

**2.14** Baobab Staff must respond to any concern or incidents where inequality or discrimination involving an adult has been identified. The Baobab Centre Equality and Diversity policy can be referred to as this document was designed to address statutory obligations under the UK Equality Act 2010.

**2.15** It is an expectation that Baobab Centre Staff respond promptly to all allegations or suspicions or abuse and discuss these immediately with the **Safeguarding Lead (SGL), Jodie Bourke, Senior Social Worker** at the Baobab Centre. SGL will seek advice from partnering agencies and decide on the most appropriate action to be taken. The clear message given to staff is:

**2.16** In the absence of the SGL, Staff are required to report ALL safeguarding concerns and incidents to the **Baobab Centre Director, Sheila Melzak, Consultant Child and Adolescent Psychotherapist.**

***Don't keep ANY safeguarding concerns to yourself - always talk to the SGL***

### **3. SGL role and responsibilities**

**3.1** The SGL is responsible for all matters related to safeguarding at the Baobab Centre.

The SGL will ensure:

- Safeguarding Policy and Practice Guidance is updated and reviewed annually with the Baobab Director and Board of Trustees Committee.
- All Staff have access to the document, and know how to respond to all concerns
- Staff are aware who the Safeguarding Lead is and how to contact them; in their absence, the Baobab Centre Director or following this, the Board of Trustees Committee Chairperson or the trustee lead on Safeguarding, currently Gill Martin
- Consistent implementation of safeguarding procedures across the organisation

- Staff are provided with annual safeguarding training
- All safeguarding concerns and decisions are recorded, safely filed and actioned accordingly
- Safeguarding is part of Baobab Centre reflective practice and staff supervision
- Positive partnerships with agencies working to safeguard adults are strengthened and maintained
- Advocacy in practice for the prevention of abuse against adults and appropriate support for survivors

#### **4. Related policy documents**

**4.1** This Safeguarding Policy and Practice Guidance document should be read in conjunction with the Baobab Centre's organisational policies:

- Child Protection Policy,
- Policy for Addressing conflict including Disciplinary Policy,
- Confidentiality, Data Protection,
- Recruitment and Selection,
- Whistle Blowing and Gifts Policies.
- Equal Opportunities Policy.

#### **5. Recruitment of staff**

**5.1** Baobab has a rigorous procedure for recruiting its staff members. All potential applicants are required to complete detailed application forms and attend intensive interviews and for senior positions these include the Director, Board of Trustee Committee members and Senior Staff.

**5.2** The Baobab Centre implements a 'Safer Recruitment' process to recruit all staff. Safer Recruitment is designed to protect children's welfare at every point where they are in contact with professionals in a safeguarding role. Safer Recruitment policy assists to identify and deter or refuse individuals who are deemed to be at risk of abusing children.

**5.3** The recruitment legislation enforces pre-employment checks for all prospective staff to seek out anyone who may not be suitable to work with children and vulnerable young people. Baobab Centre recruitment process is in adherence to recruitment legislation and is in line with our Equal Opportunities policy.

**5.4** Applicants are required to complete a detailed application form, where they are asked to state whether they have any criminal convictions. The application states that successful candidates will be required to have an enhanced Disclosure and Barring Service (DBS) check before working adults.

**5.5** Shortlisted candidates participate in a face-to-face interview where they are questioned about safeguarding policy and practice and ask to provide examples of good practice. Where a candidate has been offered the position, they are asked to provide two references prior to any appointment. Referees are asked to state any details of safeguarding matters or disciplinary procedures. All referees are checked for authenticity where possible and all attempts are made to speak with one of the referees in addition to requesting written references.

**5.6** Baobab Centre requires two proof of identification and address history to complete an application for the enhanced DBS check. Staff are supported to register with the online automatic DBS updating service to ensure that DBS certificates are up to date

**5.7** On appointment, Baobab staff are provided with a hard copy of all policies, including the Safeguarding Children Policy and Practice document. Digital copies of all policies are accessible to all staff on the Baobab Centre One Drive database system in the ALL-FILES, staff resources folder.

**5.8** All Baobab staff are inducted and provided with annual safeguarding training and are expected to have a thorough knowledge and understanding of the Baobab Centres Safeguarding Children Policy and Practice Guidance, along with the other key policy documents mentioned above.

**5.9** Baobab Centre provides annual safeguarding adults training at the Baobab Centre to review updated legislation and statutory guidance on safeguarding adults. The training covers specifics about adult abuse, how to recognise abuse of adults and how to report it. Staff practice experience is shared and areas for change implemented.

## **Safeguarding Adults Practice Guidance**

### **6. Definition of abuse**

**6.1** Baobab is committed to safeguarding adults who may be at risk of abuse. Many adults service users at Baobab have been abused as children and continue to be at risk of further harm due to their experiences and current circumstances. As unaccompanied minors, the majority have experienced child and adolescent specific human rights abuses in their home countries. These include observation of violence towards parents and community members, observation of humiliation, abuse and imprisonment of parents and sometimes murder of parents and siblings.

Such abuses also include their own experiences of community violence, imprisonment because of the political activities (or alleged political activities) of their parents and forced recruitment by government or rebel armies or by traffickers, (for labour, crime, sexual exploitation or terrorism). All will have been separated from close attachment figures and their familiar community. Most will leave their home country as young adolescents and will not have made this decision themselves but at the advice of elders. Many will have experienced abusive journeys on route to the UK. Most have witnessed extreme forms of violence and/ or may have been trafficked for some form of modern slavery exploitation. Many have complex needs and suffer chronic and complex mental health and developmental difficulties for which they are often provided with very limited practical resources and support.

**6.2** In accordance with UK legislative frameworks designed to safeguard and protect adults, an 'adult at risk' is a person aged 18 years or over *"who is receiving or may need, community care services as they are unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation"* (*"Who Decides"*, Lord Chancellor's Department 1997.)

**6.3** Abuse may be physical, sexual, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter a financial or sexual transaction to which he or she has not consented or cannot consent. *'Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it'* (Department of Health, March 2000)

**6.4** Abuse may be a single act or one that happens repeatedly. It may be planned or reactive as well as intentional or unintentional. It may be part of the Institutional practice of another organisation. It can also happen due to ignorance or due to the abuser/s needing help themselves. Adult abuse normally occurs when an adult who is in some way vulnerable is faced with a person or a set of circumstances with a potential for harm, exploitation or corruption.

### **7.Types of abuse and how to identify**

**7.1** Baobab staff must be aware of how to identify when an adult is at risk of abuse. Some factors that may place adults at particular risk of being abused are described below. Signs of abuse can often be difficult to detect and there are indicators of abuse. Most forms of abuse are criminal and must be treated that way. However, the presence of one or more of these possible indicators does not automatically imply that abuse has or may occur:

### **a) Physical Abuse**

Any physical pain /suffering or injury which is inflicted by a person who has responsibility, charge, care or custody of, or who has a position of or expectation of trust to an individual, constitutes physical abuse. This includes but is not limited to assault, beating, physical restraint, hitting, slapping, burning, pushing, kicking, misuse of medication, rough handling, deprivation of care and necessities.

Physical abuse includes injuries that are not explained satisfactorily where there is concern that the injury was inflicted intentionally.

Physical abuse can also include situations where people are caused unreasonable physical discomfort through the deliberate withholding of care, or the application of inappropriate techniques or treatments. Deprivation of food and water and involuntary isolation and confinement and captivity i.e., Adult at risk is locked in their room and not allowed visitors or being subject to inappropriate drugs or the deprivation of prescribed drugs. An overlap with neglect can be a feature of physical abuse.

#### **- Possible Indicators of Physical Abuse**

The signs of physical abuse are often evident but can also be hidden by the abuser or the victim. Evidence to look out for include:

- Any injury not fully explained by the history given.
- Self-inflicted injury.
- Unexplained bruises and welts on in various stages of healing or not properly treated.
- Unexplained burns, especially on soles of feet, palms and back.
- Immersion burns, rope burns, electrical appliance burns.
- Unexplained fractures to any part of the body.
- Broken eyeglasses or frames.
- Lack of personal care and hygiene.
- Inadequate or inappropriate clothing.
- Soiled clothing or bed.
- Dehydration and/or malnourished without illness-related cause.
- Inappropriate use of medication, overdosing or under-dosing.

### **b) Emotional or Psychological Abuse**

Psychological abuse or emotional abuse is one of the most common types of abuse. It is any behaviour by another that results in psychological harm to an individual. It invariably involves identifying something - a person or an object - that matters to a vulnerable person. This may include threatening to endanger it unless the vulnerable person complies with demands. The most common examples are threatening other family members children/pets or denying access to family visits. It often includes the awareness on the part of the perpetrator of the vulnerabilities of the young person such as their excessive dependence and need, or their fear of the police and then setting up situations where the young person's fears or emotional needs are exploited.

Psychological abuse does not usually occur in isolation and often it is linked to financial abuse.

Psychological abuse includes but is not limited to harassing, ignoring, blaming, humiliating, exploitation and treating the victim as an object to meet the needs of the perpetrator rather than as a human being, threatening harm or abandonment, contact deprivation, controlling, intimidation, harassment; coercion, verbal abuse/insults, racial slurs, lack of privacy, lack of respect of cultural diversity, denial of dignity.

Behaviour that can be deliberately linked to causing serious psychological and emotional harm may constitute a criminal offence.

#### - **Possible indicators of Psychological Abuse**

Psychological abuse can have a profound impact on someone's mental health; they can feel trapped, threatened, humiliated, used or a combination of all these. Most signs therefore relate to someone's mental state, and changes in behaviour:

- Helplessness
- Hesitation to talk openly
- Implausible stories
- Confusion or disorientation
- Anger without apparent cause
- Sudden change in behaviour
- Emotionally upset or agitated
- Unusual behaviour (sucking fingers and thumbs, biting nails, or rocking)
- Unexplained fear
- Denial of a situation
- Regressed behaviour i.e. becoming significantly more infantile and needy, anxious and depressed.

Extremely withdrawn and non-communicative or non-responsive

#### **c) Financial / Material Abuse**

This involves the individual's resources being inappropriately used or manipulated to the advantage of another person. It is often justified by the abuser by thinking that they deserve the money because they have earned it, that it is their rightful inheritance or by thinking that the vulnerable person just 'doesn't need it' or whatever the rationalisations, treating the young person as an object to meet the needs of the perpetrator. This may include labour ie perpetrator putting pressure on victim to work for them without pay or reward.

It includes the withholding of money or inappropriate or unauthorised use of a person's money or property to the disadvantage of the adult to whom it belongs. It can include but is not limited to, theft, fraud, forgery, embezzlement, exploitation, misuse of funds / property / possessions.

- **Possible Indicators of Financial Abuse**

- Signatures on cheques etc., that do not resemble the vulnerable person's signature, or signed when the vulnerable person cannot write.
- Sudden changes in bank accounts, including unexplained withdrawals of large sums of money by a person accompanying the vulnerable person.
- The inclusion of additional names on a vulnerable person's bank account.
- Numerous unpaid bills, or overdue rent, when someone else is supposed to be paying the bills.
- Abrupt changes to, or the sudden establishment of, wills.
- The sudden appearance of previously uninvolved relatives claiming their rights to a vulnerable person's affairs or possessions
- The unexplained sudden transfer of assets to a family member or someone outside the family.
- Deliberate isolation of a vulnerable person from friends and family, resulting in the caregiver alone having total control.

**d) Sexual Abuse**

Any sexual act that a person takes part or is forced to take part in without their informed consent constitutes sexual abuse. This is defined as the involvement of adults in sexual activities which:

- they do not want and have not consented to
- they cannot understand
- take place where the other party is in a position of trust, power or authority
- adults who are isolated, lonely and needy, are especially vulnerable to initial grooming/seduction activities and later to abuse.

It includes but is not limited to rape, sexual harassment, fondling, inappropriate touching, use of sexual or offensive language.

- **Possible Indicators of Sexual Abuse**

As with other forms of abuse, the behaviour of the adult at risk, even if they have confusion will indicate that something is wrong.

- Full or partial disclosure or hints of sexual abuse
- Wetting/soiling
- Torn, stained or bloody clothing
- Love bite
- Marked changes in behaviour
- Person reporting that they have bruises around the breasts or genital area

- **If you suspect sexual abuse**

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- Ask the adult at risk not to wash themselves or their clothing

- call the police immediately as they have the skills, expertise, and equipment to respond appropriately and sensitively needs more.

### **e) Neglect**

Neglect is the deprivation of help to perform activities of daily living. It can also be the failure to intervene in behaviour which is dangerous to the individual or to others. Not all neglect is intentional. It can occur when the caregiver cannot cope or does not have the necessary resources or support.

It may include but is not limited to failing to provide basic necessities such as food, heat, comfort, clothing, hygiene, medical treatment, mental stimulation. Also failing to provide access to health or social care and failing to recognise or be aware of a person's cultural needs and norms.

#### **- Possible Indicators of Neglect**

Neglect will often manifest in the physical, social or health circumstances of the vulnerable person and can include:

- Dirt, faecal or urine smell, or other health and safety hazards and unsanitary and unclean conditions in vulnerable person's living environment
- Rashes, sores, or lice on the body
- An untreated medical condition
- Inadequate heating
- Clothing is inadequate or in bad condition, smelling of staleness and urine
- Evidence of malnutrition or dehydration
- Poor personal hygiene
- Failure to ensure appropriate privacy and dignity
- There is evidence of the withholding of medication or over-medication
- There is evidence of a lack of eating and drinking.
- Inadequate attention to mental health needs and psychological symptoms.

In considering neglect it is also important to recognise that there are occasions when someone will choose a particular lifestyle that is considered by others to be poor. There is a difference between a chosen pattern of behaviour and neglect by others that causes deterioration in an adult's circumstances and condition. If there is doubt, staff should discuss with SGL and refer to the Mental Capacity Act 2005, where it recognises the right to make unwise decisions at times.

The following descriptions of abuse often involve a combination of abuse types and are often more difficult to identify impact and risk. It is critical for staff to discuss any indications a child may be at risk due to these specific examples of abusive situations.

### **f) Domestic violence**

Domestic abuse can be characterised by *any of the types of abuse* outlined above. It is important for staff to consider all indicators where there is a suspicion or reported incident.

- physical

- psychological
- sexual
- financial
- emotional.

### **g) Self-Neglect**

Can be identified where an adult is seen to be not looking after themselves appropriately such as where there is an obvious

- Lack of self-care to an extent that it threatens personal health and safety
- Neglecting to care for one's personal hygiene, health or surroundings
- Inability to avoid self-harm
- Failure to seek help or access services to meet health and social care needs
- Inability or unwillingness to manage one's personal affairs

At Baobab we work with a population of young people who are both needy (their developmental needs have not been met since they were separated from their families and maybe before) and isolated. Such young people and especially those who come from families where their early needs were not met are vulnerable to being exploited, groomed and seduced by adults who promise a speedy solution to their longing for care and involvement and to have their needs met.

### **h) Discriminatory abuse**

This is where an adult is suffering harassment, bullying or ill-treatment because of their age, religious beliefs, disability, ethnic origin, sexuality or gender. Unequal treatment based on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation (known as 'protected characteristics' under the Equality Act 2010) Some examples of discriminatory abuse may include:

- Verbal abuse, derogatory remarks or inappropriate use of language related to a protected characteristic use
- Denying access to communication aids, not allowing access to an interpreter, signer or lip-reader
- Harassment or deliberate exclusion on the grounds of a protected characteristic
- Denying basic rights to healthcare, education, employment and criminal justice relating to a protected characteristic
- Substandard service provision relating to a protected characteristic

At the Baobab Centre where the population of our non- residential community is all from minority communities with a high proportion of young people from Islamic countries young people are regularly exposed to ignorant stereotyped comments and beliefs, to racism and xenophobia.

### **i) Organisational or institutional abuse –**

This refers to repeated poor care of an adult at risk through neglect or poor professional practice in a paid or regulated adult care and support setting. Some types of abuse which may occur for Baobab adults include:

- Authoritarian management or rigid regimes
- Lack of leadership and supervision
- Insufficient staff or high turnover resulting in poor quality support
- Abusive and disrespectful attitudes towards people using the service
- Lack of respect for dignity and privacy
- Not providing adequate food and drink, such as in asylum support accommodation
- Not offering choice or promoting independence
- Not taking account of individuals' cultural, religious or ethnic needs
- Failure to respond to abuse appropriately
- Failure to respond to complaints

## **8. Modern Slavery**

**8.1** Adults receiving support from Baobab may have experienced modern slavery and some may still be at risk. Modern slavery has many forms, but some examples include human trafficking, forced labour and domestic servitude where people are forced into a life of abuse and inhumane treatment.

**8.2** From the 1<sup>st</sup> November 2015, specified public authorities have a duty to notify the Home Office of any individual encountered in England and Wales who they believe is a suspected victim of slavery or human trafficking. The '**duty to notify**' provision is set out in the Modern Slavery Act 2015 and applies to all police forces and local authorities in England and Wales, the Gangmasters Licensing Authority, and the National Crime Agency. Home Office staff within UK Visas and Immigration, Border Force and Immigration Enforcement are also required, as a matter of Home Office policy, to comply with the duty to notify.

Baobab Staff are encouraged to support adults at risk or survivors of modern slavery to talk to their legal representatives and allocated Social Workers or Personal Advisers at social services where it has been identified they are a potential victim or survivor of modern slavery. This will enable further advice to be shared and decisions to be made to safeguard and protect. 'First Responders' are organisations who have been identified by the government as authoritative bodies who can place reports via the Home Office National Referral Mechanism (NRM) which aims to provide some protection whilst at risk is determined. Police may be involved, and the disclosure may lead to prosecution and help to protect other adults at risk of harm.

## **9. Female Genital Mutilation (FGM)**

**9.1** FGM is a form of abuse and is a criminal offence under the UK Serious Crime Act 2015 for girls under 18. FGM is a dangerous practice often performed by someone with no medical training. It is used to control female sexuality and can cause long-lasting damage to physical and emotional health. FGM can happen at different times in a girl or woman's life including when a baby is new-born, during childhood or as a teenager, just before marriage or during a pregnancy.

**9.2** FGM is a procedure where the female genital organs are injured or changed and there is no medical reason for this. It is a very traumatic and violent act for the victim and can cause harm in many ways. The practice can cause severe pain and there maybe immediate and/or long-term health consequences, including mental health problems, difficulties in childbirth, causing danger to the child and mother; and/or death.

**9.3** All staff must be aware of which young women are at risk of experiencing FGM, have survived FGM and experience long term impacts or are potential perpetrators of FGM. Staff must be prepared to ask questions of those women and their network of family and friends and refer any concerns to the Police and Adult Social Services for further investigation.

## **10. Prevent Strategy Duty**

**10.1** Under Section 26 of the Counterterrorism and Security Act 2015, in the exercise of their functions, 'specified authorities' (schedule 6 of the Act) must have "*due regard to the need to prevent people from being drawn into terrorism*". This duty is known as the Prevent duty. It applies to a wide range of public-facing bodies referred to as 'specified authorities':

- Local Authorities.
- Education and early years providers.
- Health services.
- Prisons and probation.
- Police.

**10.2** The Prevent strategy has been re-focused following a review in 2018 however it remains an integral part of the government's counter-terrorism strategy, CONTEST, as updated 2018.

The Prevent strategy now contains three objectives:

1. to respond to the ideological challenge of terrorism and the threat from those who promote it
2. to prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support.
3. to work with sectors and institutions where there are risks of radicalisation that we need to address.

Channel is a Prevent strategy programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism.

Channel uses existing collaboration between local authorities, the police, statutory partners (such as the education sector, social services, children's and youth services and offender management services) and the local community to:

- Identify individuals at risk of being drawn into extremism.
- Assess the nature and extent of that risk.
- Develop the most appropriate support for the individuals concerned.

**10.3** The Prevent Strategy states that it is the responsibility of professionals and volunteers working with adults and children to intervene effectively to prevent involvement in extremist activity. It encourages staff to safeguard adults at risk by:

- being alert to the ways in which adults can become vulnerable to radicalisation,
- being aware of indicators that they are being radicalised
- being willing to question attitudes and beliefs.

**10.4** Baobab Centre Staff have a mandatory reporting duty under the Counterterrorism and Security Act 2015 to notify and concerns regarding adults who may be at risk of harm as a result of their involvement or potential involvement in extremism and / or terrorist activity.

**10.5** Baobab Centre Staff must follow the safeguarding policy and practice guidance by gathering factual information, recording details, and discussing any concerns with the Baobab Centres SGL who will contact the London Borough of Islington Prevent Strategy Coordinator to discuss the information gathered and assess the level of risk for the adult. If

there is immediate cause for concern, a referral to Adult Social Services will be made by the SGL or, in case of an emergency, the Police will be contacted immediately by calling 999.

**London Borough of Islington**  
**Prevent Strategy Coordinator:**  
**Tel: 0207 527 4277**  
[email\\_prevent@islington.gov.uk](mailto:email_prevent@islington.gov.uk)

## **Safeguarding Adult Practice at the Baobab Centre**

### **11. Responding to Abuse**

**11.1** Baobab staff have a responsibility to respond immediately to any allegation or suspicion of abuse involving adult service users and or staff members. It is critical that all information is immediately recorded and discussed with the Baobab Centre SGL, Jodie Bourke, Senior Social Worker or, in the absence of the SGL, with the Director of the Baobab Centre, Sheila Melzak.

**11.2** Baobab staff have a duty of care to report to the SGL *any* incident or allegation and suspected abuse of an adult at risk; or an adult who could be deemed at risk because of the abuse, *regardless* of whether consent has been given, so that appropriate action can be decided.

**11.3** The following situations require a staff member to report concerns to the SGL:

- Where there is an immediate risk of significant harm to the adult
- Where there is evidence that there is a risk of serious harm to other people
- Where there is evidence that there is a serious health risk to an individual
- When a crime is suspected
- For the prevention or detection of a crime
- Where allegations involve a member of staff, paid carer or another Baobab service user

**11.4** It is important for Staff explain to the adult who is at risk that:

- What is happening to them is not acceptable
- All Baobab Staff have a duty of care to discuss all concerns with the SGL who may need to report allegations/ suspicions to the relevant Adult Social Services Team
- Further help and support is available for them (e.g., Victim Support, Advocacy Partners).

**11.5** Where possible, Staff must ensure that this duty to report will always be discussed with the adult at risk prior to the information being shared.

**11.6** In all other circumstances, where there is no immediate risk of significant harm, consent should be sought from the adult before reporting suspected abuse.

**11.7** In reference to the Mental Capacity Act 2005, Staff, in consultation with the SGL, need to assess the adult's capacity to make decisions to safeguard themselves. Staff must use their best judgement in making this decision. If it is thought that the adult at risk lacks capacity, then consent is not an influencing decision and staff, together with the SGL should decide on reporting to Adult Social Services without reference to consent.

**11.8** If the SGL does not assess the adult as having capacity, they need to record in detail *why* they think that the adult *does not* have capacity. These reasons need to be detailed on the adult's case file and discussed with Adult Social Services where a referral is made.

**11.9** Where the adult of concern is seen to be able to make an informed decision about their personal circumstances, their wishes should be respected (irrespective of how unwise we consider that decision to be), except in the circumstances outlined above.

**11.10** In ALL cases, where a member of staff has been notified of, or suspects that an adult has been abused, they must gather as much information as possible of the incident and notify their concerns to the SGL immediately.

**11.11** The staff member who received the initial allegation or suspicion of abuse should make detailed notes of the facts only as follows:

- records of what the adult said, using their own words and phrases
- record any questions which are asked, however questions should be limited
- description of circumstances that brought about the disclosure
- make notes of the setting and any others present
- observations of behaviour and physical condition
- dates and times, including signature

**11.12** All records of actual or suspected abuse should be recorded on the Baobab Safeguarding Incident report form (Appendix 1.) which must be signed and dated by the member of staff and SGL the completed reporting form must be saved on the adult's case file in the Baobab Centre One Drive database under ALL FILES.

**11.13** If the decision is taken not to alert the Adult Social Services team, then that is still considered as taking a decision and the reasons for this course of action should be recorded on the Baobab Incident Reporting Form, signed and dated by staff member and SGL as a matter of good practice and for the purpose of ongoing monitoring of the situation.

**11.14** Baobab staff who are made aware of an abuse allegation, suspect abuse or witness an incident must follow the summarised safeguarding guidance below:

**a) Listen** to what is being said, allowing the adult to proceed at his or her own pace and explain that this information will probably need to be shared with others. Ask questions for clarification only, being careful not to probe.

**Call 999 in emergency** where there is a serious injury and medical attention required.

**b) Observe** Young people may be unable to articulate their experiences or be aware of the level of their grooming, neglect or abuse. It is essential that Baobab staff observe and record their observations of young people that are a cause of concern over time.

**b) Record** details of exactly what was said, not an interpretation or opinions. Staff must complete the Baobab Centre Incident report Form (Appendix 1 ) The report must include:

- **Date and time** of the observation or the disclosure.
- **Exact words** spoken by the adult as far as possible (e.g., "Then X said, "P hit me"" NOT "Then X told me his friend had hit him inappropriately")

- **Names** of all involved including the person to whom the concern was reported, with the date and time and names of any other person present at the time.
- **Signed, dated, and file the Incident report** in the adults file on the Baobab database system.

c) **Talk** to the SGL about the concerns and any allegations that the adult has made. Present the Baobab incident reporting form and discuss all details of incidents, allegation and / or suspicions and clearly state risks identified.

d) **Refer, Monitor and Support**. The SGL will decide on the most appropriate action, in consultation with the key worker and will seek advice from Adult Social Services as required.

**11.15** In gathering information about the suspected abuse, staff should pay particular attention to:

- what the adult says about the impact of the alleged abuse on their physical, emotional and psychological wellbeing.
- duration and frequency of the alleged abuse.
- level of personal support needed by the adult, and whether that support is normally provided by the alleged perpetrator.
- consider the adults capacity with reference to the Mental Health Act 2005

**N.B.** Under no circumstances should staff undertake any *investigation* as this needs to be carried out by the relevant authorities as required. Appendix suggests how best to support the adult making the disclosure and how to minimise further risk of harm

**11.16** Where a client does not speak English, one of Baobab's regular interpreters must be used. Staff can refer to the Baobab database for the active interpreter list.

## **12. Making a referral to Adult Social Services**

**12.1** On being notified of actual or suspected abuse, the staff member must respond quickly and sensitively, following the above guidance. Staff must record details on the Baobab incident/ concern report form which must be provided immediately to the SGL who will decide on the next steps.

**12.2** Where safeguarding concerns have been identified, the relevant Adult Social Services Team must be contacted to report concerns and make a referral. The adults address will determine which local authority to report concerns to.

**12.3** If the adult at risk is already under the care of a local authority, then this is the authority responsible to assess the risk. The adult may be supported by the Leaving Care Team or Children Social Services may be involved where an adult has a family of their own.

**12.4** The contact details for the relevant Adult Social Services Team can be in the adult's case file in the Baobab Centre One Drive database under ALL FILES, young people. Where there is an emergency 999 must be called.

**12.5** If a decision has been made to contact the relevant Adult Social Services Team, it will be the SGL who will make the referral. The referral to Adult Safeguarding Team will be made immediately after being notified about the abuse.

### **13. Working together with other agencies**

**13.1** The Baobab Centre will work in partnership with the Islington Local Safeguarding Adult Partnership Board promoting and contributing to adult protection guidelines and statutory frameworks. Where there are adult safeguarding concerns which have not adequately been followed up and responded to appropriately in accordance with legislation and statutory guidance, the Baobab Centre will ensure this is addressed by reporting concerns and consulting on matters.

**13.2** The Baobab Centre SGL is to maintain regular contact with the responsible Adult Social Services teams to follow up on policy and procedures for the protection of adults at risk. SGL and staff will maintain contact with allocated Social Workers, Personal Advisers and support network agencies, to embrace working together practice.

**13.3** Baobab Centre SGL, with the adult at risks consent, discuss any safeguarding concerns with the relevant agencies providing support to them. This includes social services teams but also networks such as other refugee support agencies working with the adult, housing providers safeguarding teams and where relevant, Home Office case workers via legal representatives as appropriate. See Appendix 3 for further information of agencies who may be involved in safeguarding adults at risk.

### **14. Allegations of abuse against a staff member**

**14.1** If an allegation relating to abuse of an adult at risk is made against a staff member, regardless of if on the premises or elsewhere, the matter must be immediately shared with the SGL, who will discuss the allegations with the Baobab Director.

**14.2** Any allegations against staff must be discussed on the same day with the SGL. The SGL in consultation with the Director, after discussions with the staff member (s) and any others involved, will decide if the situation warrants a referral to the Adult Social Service and/ or Police if an emergency.

**14.3** Baobab Centre SGL and Director will ensure the appropriate procedures are implemented regarding an allegation against a staff member, in consultation with the Baobab Centre Chairperson of the Board of Trustees Committee.

### **15. Managing allegations made against staff**

**15.1** If an allegation is made against a member of staff, the SGL will meet with the staff member and adult involved to gather information and decide on the action to be taken. Where an allegation is made against the SGL, the staff member who has been made aware of the allegation, must immediately inform the Baobab Centre Director. The Chairperson of Baobab Board of Trustees will be notified.

**15.2** Baobab staff must follow the Baobab Centre Safeguarding Policy and Practice Guidance with to respond appropriately to the allegation.

Staff must **Listen**, **Observe**, **Record**, **Talk**, **Refer**, **Monitor** and **Support** the adult. The following information must be recorded:

- **Date and time** of the observation or disclosure.
- **The exact words** spoken by the child/staff member/ parent/volunteer, as far as possible.
- **The name of the person** to whom the concern was reported (with date and time).
- **The names of any other person** present at the time.
- Wider, relevant knowledge or background information.

**Note:** It is **not appropriate** at this stage to conduct formal or informal interviews or take written statements from staff, as this could compromise a later Children's Social Services or Police investigation.

**15.3** If the Baobab Centre decision is to refer the matter to Adult Social Services the adult involved will be contacted and the member(s) of staff will be suspended on full pay. Baobab Centre will await information from Adult Social Services and the Police regarding a further course of action.

**15.4** If the Baobab Centre decision is to *not* refer, there will be a further decision as to whether to follow its own complaints or disciplinary procedures. The member(s) of staff may be suspended on full pay. Suspension is a natural act and allows a full investigation to take place. The incident should be documented, and a clear and honest explanation given to the person who made the original disclosure (if appropriate).

**15.5** Baobab Centre is to ensure that the adults involved know how to complain about the behaviour or actions of the named Baobab staff member (s) within the setting or working on the premises occupied by the Baobab.

**15.6** If a criminal allegation is made, e.g., of sexual abuse and impropriety, or physical assault, or inappropriate behaviour, the Baobab Board of Trustees Chairperson will activate the Disciplinary procedure and suspend the person from any activity. The suspension will remain in force unless and until the Police and/or Adult Social Services confirm there was no substance to the report.

**15.7** If there is no criminal allegation, the Board of Trustees Chairperson will gather as much detail as possible from available sources of information and seek further advice from authorities. The Chairperson must consider whether suspension of the worker is advisable and recommend accordingly to the Board of Trustees committee. This may include a situation which, though non-criminal, could lead on to a decision of gross misconduct.

**15.8** The staff member (s) who such non-criminal allegations are made will have the opportunity to give an explanation or answer to any allegation at an interview conducted by the Chairperson and the course of such an interview should be recorded in minutes by a member of the committee who should be present.

**15.9** The Chairperson will report to the committee on the outcome of such an investigation and will recommend whether the circumstances constitute grounds either:

- a) to treat the matter as a disciplinary issue, either as misconduct or gross misconduct, with associated rights of appeal

- b) to dismiss the allegations as unfounded or to make such other disciplinary recommendations as is appropriate. The Chairperson shall consider such recommendations and report to the next meeting of the Trustees of action taken.

**15.10** The staff member (s) suspended must be advised by the Chairperson of a named person in the committee with whom s/he can communicate during the period of suspension on matters relating to their employment. Contact details and the hours/times of contact must be provided.

**15.11** In the case of point **a)** above, the suspension will remain in force on completion of the Chairperson's enquiries if the Chairperson is of the view that the misconduct is as serious as to constitute grounds for immediate termination of employment or voluntary service until the dismissal procedure has been implemented. If legal proceedings result in the conviction of the person for a serious offence involving an adult at risk, the Chairperson shall consider any report or information from the Police and/or Adult Social Services and shall recommend to the committee a course of action up to and including instant dismissal. If the proceedings do not result in a conviction but there is evidence to suggest misconduct, the disciplinary procedure may be invoked.

**15.12** In the situation of **a)** above the Chairperson shall write to the person concerned to inform them of the outcome of the investigation and, if the worker was suspended, the Chairperson will inform the person of the date and conditions, if any, of a return to duties, where a disciplinary offence has been committed but is not of a nature as to warrant immediate dismissal.

**15.13** Under no circumstances is any person suspended to re-enter premises or property or attend a session on site or communicate in any way with any colleagues or service users whilst under suspension.

**15.14** In appropriate circumstances, in consultation with the committee, the Chairperson may affect an instant dismissal if the evidence warrants it.

**15.15** Lesser forms of misconduct involving a worker in a adult at risk related incident, where the staff member (s) actions or behaviour are inconsistent with the adult at risk welfare, should be reported and dealt with under the ordinary disciplinary procedure. If judged appropriate, a record will be made in their personnel file. Each case will be individual, judged on its own merits. The committee and the Chairperson will liaise on such issues with the Director and the SGL, and a report with recommendations will be made if necessary, to the Trustees Committee's next meeting.

**15.16** Baobab Centre is to cooperate entirely with any investigation carried out by Adult Social Services in conjunction with the Police.

## **16. Proven misconduct**

**16.1** In a situation where it has been decided by the Board of Trustees Committee that there has been misconduct proven however the appropriate actions have not been followed and the member of staff feels that no or insufficient action has been taken, then it is their responsibility to report the matter directly to Islington Adult Social Services

## **17. False Allegations**

**17.1** If an allegation against a staff member (s) is determined to be false, the SGL will consult with Adult Social Services to see if the adult at risk concerned will be referred to any support services or if further investigations will follow to identify if the child may have been abused by someone else. If the allegation was made by an adult the SGL may consider asking the Police to take action against the person who made it

## **18. Whistle Blowing**

**18.1** It is the responsibility of all staff at Baobab Centre to report any allegations of abuse if they believe a member of staff is harming or using unacceptable behaviour towards an adult at risk. Some staff may feel uneasy about reporting situations that constitute or may lead to an investigation particularly when this involves a work colleague. In such circumstances they should follow the Baobab Centre's policy and procedures on Whistle Blowing. The SGL and Director will attempt to work with the staff member to avoid any adverse repercussions and look at all options available so that they feel supported.

**18.2** Whistle blowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion, relating to the Public Interest Disclosure Act 1998. Staff should acknowledge their individual responsibilities to bring matters to the attention of the Director and Trustees Committee and/or relevant external agencies. This is particularly important where the welfare of the adult/s may be at risk. In investigating allegations, all actions will be conducted in a way that recognises the vulnerability of staff and seeks to protect them as far as possible from mistaken or false allegations.

**18.3** In the unlikely event that a member of staff feels that their concern has not been taken seriously by the SGL and / or the necessary procedure has not been implemented, placing the child in potential risk of harm, it then becomes the individual staff members' responsibility to immediately contact any of the following:

- Baobab Centre Director, Sheila Melzak
- The Chair of Baobab Board of Trustees
- Local Authority Children Social Services

## **19. Vetting and Barring**

**19.1** Where a member of staff is dismissed because of misconduct relating to an adult at risk, Baobab will notify the Disclosure and Barring Service (DBS). Depending on the profession there may be other professional registration bodies who will be informed such as the National Register of Psychotherapists and Counsellors or Social Work England.

**19.2** Baobab will keep its safeguarding policy under review in view of changes to the Vetting and Barring Scheme

## **20. Confidentiality**

**20.1** All suspicions of abuse and investigations are kept confidential and shared only with those who need to know. Any information is shared under the guidance of the relevant local authority Local Safeguarding Adult Partnership. Confidential information is stored on the Baobab Centre database, with all adult file sensitive information related to safeguarding and protection being password protected.

**20.2** Baobab Staff must ensure that any taking of and/ or displaying photographs of any adults at risk attending centre events and activities must be affirming and validating.

**20.3** Staff will ensure written permission from all adults to ensure all are made fully aware of intended use of images and to confirm they are in agreement. Adults at Baobab are considered at risk of further harm due to their previous experiences of abuse.

**20.4** Where Baobab is approached to provide anonymised case studies or anonymised broadcasts of adults at risk and these are live cases, the adults Social Services and any legal representatives should be consulted beforehand so that they can give advice to their clients before any public/media appearances occur.

## **21. Care Act and Mental Health Capacity Act Assessments**

**21.1** Where services with statutory powers decide to carry out assessments of need and capacity as safeguarding concerns have been raised, Baobab staff and Trustee Committee Members must cooperate fully and share all relevant information. This may involve witness statements, or participation in Safeguarding Adult Reviews or Care Act Reviews.

## **22. Other safeguarding considerations**

**22.1** When it is alleged that an adult at risk has been abused by another adult at risk, this must be discussed with the SGL who must refer to Adult Social Services for further assessment and investigation as required. This may result in investigation of each adults needs separately or it may be agreed that their needs can be addressed via an alternative route.

**22.2** Where a Baobab staff member suspects or witnesses self-harm in an adult at risk they should regard this as a possible indicator of abuse. It is in any case cause for concern and SGL can discuss with Adult Social Services where appropriate for advice and support. There may be a need for other statutory health services to become involved to safeguard the adult at risk.

## **23. Responsibilities**

**23.1** Incidents/ concerns should be reported to the Baobab Centre SGL, Jodie Bourke, who is the Senior Social Worker at the Baobab Centre. In her absence incidents/ concerns must be reported to Sheila Melzak the Baobab Centre Director and Consultant Clinical Child and Adolescent Psychotherapist.

**23.2** It is not the role of the SGL to decide whether an adult at risk has been abused or not. This is the task of Adult Social Services, who have the legal responsibility to protect adults at risk. But it is the responsibility of the SGL to ensure that concerns are shared, and appropriate action taken.

## **24. Safeguarding requirements for Board of Trustees Committee Members**

### **24.1**

- Trustees Committee Members must undergo regular training in safeguarding adults at risk
- Committee Members must ensure their knowledge is up to date so that they can recognise indicators of abuse and respond appropriately and effectively to allegations.

- Where a Committee Member (s) become concerned that any adult might be at risk of abuse, it is their duty to discuss this with the SGL to ensure the appropriate action will be taken.
- Committee Members must ensure that all members of staff have a recent Enhanced DBS.  
which are required for any professional who works with adults at risk . It is the responsibility of the Trustees Committee to ensure that this occurs and review that DBS records are up to date.
- Baobab will maintain appropriate boundaries regarding confidential information regarding adults at risk accept where a decision has been made that an adult may be at significant risk of harm.
- Baobab will promote a culture of value and respect for the individual, having positive regard for an adult's heritage arising from their race, ethnicity, languages spoken at home, cultural and social background.

Appendix 1.

**BAOBAB CENTRE SAFEGUARDING ADULTS REPORTING INCIDENT FORM**

<b>Adult's Name</b>		<b>Adult's Date of Birth:</b>	
<b>Adult's Address:</b>			
<b>Borough/ County of Residence</b>		<b>Adult's Gender:</b>	
<b>Please state if an interpreter is required:</b>		<b>Language Spoken:</b>	
<b>Local Authority Adult Social Services Team:</b>			
<b>Details of Network around Adult:</b> Please give details of parents, family members, guardians, professionals supporting child, religious leaders, etc.			
<b>Staff member reporting incident: (Name and Position)</b>			
<b>Date of incident (dd/mm/yyyy):</b>		<b>Time of incident:</b>	
<b>Responding to:</b> Please tick as appropriate	Own concerns:  Concerns raised by someone else:	If responding to concerns raised by someone else, please give their name and contact details:	

**DETAILS OF THE INCIDENT/ CONCERNS**

**Reporting Staff member** to note the reasons for recording the incident. Ensure the following factual information is provided – who, what, when and where. Include names of witnesses, if relevant, and immediate actions taken.

Please use continuation sheet ....

I understand the information given above is correct to the best of my knowledge, and that any information disclosed in good faith will be treated in the strictest confidence:

**Reporting staff member's signature**

**Date**

**Report to Baobab Centre's:****SAFEGUARDING LEAD**

Jodie Bourke – Senior Social Worker  
6-9 Manor Gardens, London N7 6LA  
Tel: 02072631303  
Mobile: 07860945028

**DIRECTOR**

Sheila Melzak – Consultant Clinical Child and Adolescent Psychotherapist  
6-9 Manor Gardens, London N7 6LA  
Tel: 0207 263 1303  
Mobile: 07788 425087

<b>ACTIONS:</b> Safeguarding Lead to record conversations, and actions, including names of anyone to whom your information was passed.			
<b>OUTCOMES:</b> Safeguarding Lead to record outcomes of the actions taken.			
<b>Safeguarding Lead's Name:</b>			
<b>Safeguarding Lead's signature:</b>		<b>Date:</b>	

**Data protection**

The Baobab Centre for Young Survivors in Exile will use the information in this form in line with Baobab's Safeguarding Policy and Procedures. *All suspicions of abuse and investigations are kept confidential and shared only with those who need to know. Information is shared under the guidance of the Local Safeguarding Children Board. Records are kept securely and accessible only to professionals who have an authorised requirement to access them.*

<b>CONTINUATION SHEET</b>			
<b>Name of Adult:</b>			
<b>Details of the incident</b>			
<b>Reporting staff member's signature:</b>		<b>Date</b>	
<b>Safeguarding Lead signature</b>		<b>Date</b>	



## Appendix 2

### **Legislation and statutory Guidance for Safeguarding Adults**

#### **Care Act 2014**

[Care Act 2014 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

[Care Act factsheets - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

#### **Mental Health Capacity Act 2005**

[Mental Capacity Act 2005 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

The Mental Capacity Act (MCA) 2005 - 5 Principles which underpin the Mental Capacity Act:  
In order to protect those who lack capacity and to enable them to take part, as much as possible in decisions that affect them, the following statutory principles apply:

- You must always assume a person has capacity unless it is proved otherwise
- You must take all practicable steps to enable people to make their own decisions
- You must not assume incapacity simply because someone makes an unwise decision
- Always act, or decide, for a person without capacity in their best interests
- Carefully consider actions to ensure the least restrictive option is taken

[Layout 1 \(england.nhs.uk\)](https://www.england.nhs.uk)

#### **Modern Slavery Act 2015**

[Modern Slavery Act 2015 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

#### **FGM**

[Female Genital Mutilation Act 2003 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

#### **Pan London Safeguarding Partnership**

##### **Multiagency safeguarding policy and procedures**

[20190610panlondonsafeguardingadultsproceduresmay2019.pdf \(islington.gov.uk\)](https://www.islington.gov.uk)

#### **Prevent Strategy Duty**

[Prevent duty guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

#### **Care and support statutory guidance**

**Updated 24 June 2020**

[Care and support statutory guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

#### **Care Act 2014 - assessment guidance**

##### **Definition of wellbeing**

'Wellbeing' is a broad concept, and it is described as relating to the following areas in particular:

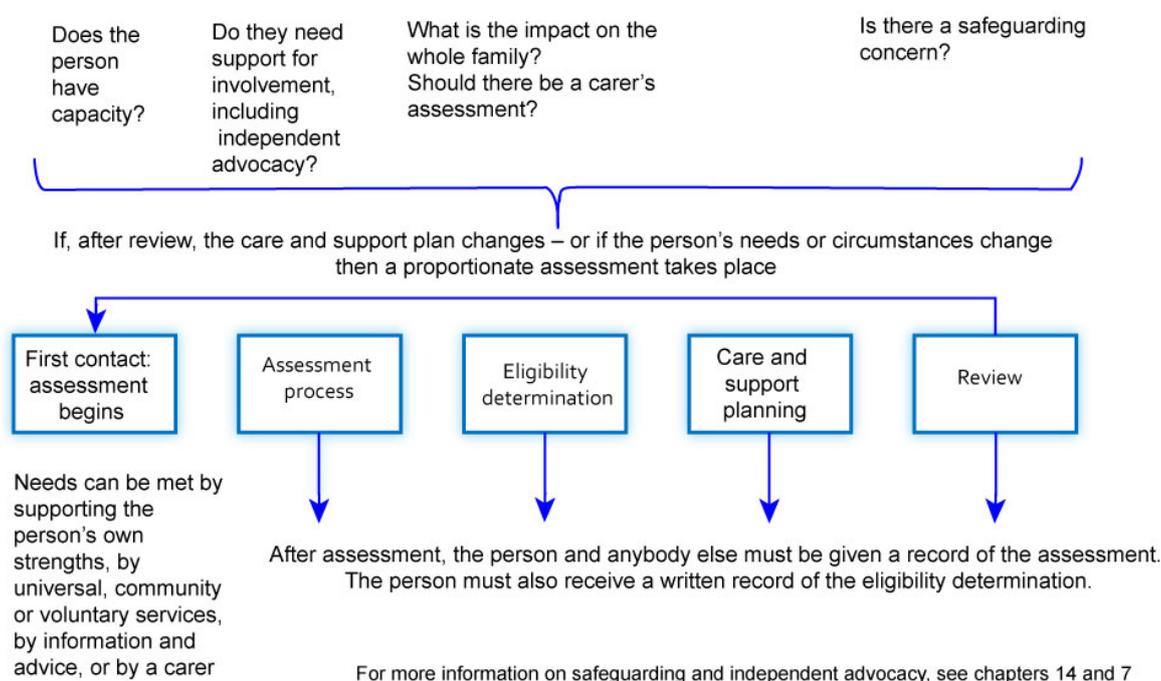
- personal dignity (including treatment of the individual with respect)
- physical and mental health and emotional wellbeing
- protection from abuse and neglect
- control by the individual over day-to-day life (including over care and support provided and the way it is provided)
- participation in work, education, training or recreation
- social and economic wellbeing
- domestic, family and personal
- suitability of living accommodation
- the individual's contribution to society

g) **The need to protect people from abuse and neglect.** In any activity which a local authority undertakes, it should consider how to ensure that the person is and remains protected from abuse or neglect. This is not confined only to safeguarding issues, but should be a general principle applied in every case including with those who self-neglect.

- a) **The importance of beginning with the assumption that the individual is best-placed to judge the individual’s wellbeing.** Building on the principles of the Mental Capacity Act, the local authority should assume that the person themselves knows best their own outcomes, goals and wellbeing. Local authorities should not make assumptions as to what matters most to the person.
- b) **The individual’s views, wishes, feelings and beliefs.** Considering the person’s views and wishes is critical to a person-centred system. Local authorities should not ignore or downplay the importance of a person’s own opinions in relation to their life and their care.

## Care Act Assessment process.

### Throughout the process



## Equalities Act 2010

[Equality Act 2010: guidance - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

## Discrimination – Know your rights guidance

[Discrimination: your rights - GOV.UK \(www.gov.uk\)](http://www.gov.uk)



## Appendix 3

### Useful contacts for Adult Social Services Teams and Local Safeguarding Partnerships

#### **ISLINGTON:**

ACCESS Service – Adult Social Services

**Tel:** 020 7527 2299, 9-5pm, Monday to Friday  
020 7226 0992, out of hours

**E-mail:** [access.service@islington.gov.uk](mailto:access.service@islington.gov.uk)

**Web:** [Access Service - Islington Adult Social Services | Islington Directory](#)

#### **Islington Local Safeguarding Partnership Links**

[Islington Safeguarding Adults Partnership](#)

#### **HARINGEY:**

First Response Team – Adult Social Services:

**Tel:** 020 8489 1400 9-5pm

020 8489 0000 out of hours

**Email:** [firstresponseteam@haringey.gov.uk](mailto:firstresponseteam@haringey.gov.uk)

**Web:** [Adult Social Care and Health | Haringey Council](#)

#### **Haringey Safeguarding Adults Board**

[Haringey Safeguarding Adults Board \(SAB\) | Haringey Council](#)

Safeguarding Adults Board (SAB) has overall responsibility for co-coordinating safeguarding adult matters and ensuring that partner agencies carry out safeguarding adults work. Health agencies, the Police, the Fire Service, service user groups and the probation service are all represented on the SAB.

#### **ENFIELD:**

Adults MASH (Multi-Agency Safeguarding Hub) o

**Tel:** 020 8379 3196 (Mon -Fri 9am to 5pm)

020 8379 5212 24hours Adult Abuse line

**Email:** [themashteam@enfield.gov.uk](mailto:themashteam@enfield.gov.uk)

**Web:**

**Enfield Safeguarding Adults Board**

[Safeguarding Adults Board – Safeguarding Enfield](#)

#### **CAMDEN:**

Camden Adult Social Care CA

**Tel:** 020 7974 4000 and select option 1,

**Email:** [adultsocialcare@camden.gov.uk](mailto:adultsocialcare@camden.gov.uk).

**Web:** [Adult Social Care in Camden - Camden Council](#)

#### **Camden Safeguarding Adults Partnership Board**

[Safeguarding Adults Partnership Board - Camden Council](#)

#### **BRENT:**

Brent Adult Social Care - Safeguarding Adult Team on

**Tel:** 0208 937 4098 or 0208 937 4099 from 9am-5pm, Monday to Friday

0208 863 5250 out of hours

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**Email:** [safeguardingadults@brent.gov.uk](mailto:safeguardingadults@brent.gov.uk).

**Web:** [Brent Council - Adult Social Care](#)

### **Brent Safeguarding Adults Board**

[Brent Council - Brent Safeguarding Adults Board](#)

[brent.isab@brent.gov.uk](mailto:brent.isab@brent.gov.uk)

### **HACKNEY:**

#### **Hackney Safeguarding Adults Team**

**Tel:** 020 8356 5782 (9am to 5pm, Monday to Friday) Out of hours 020 8356 2300.

**Email:** [adultprotection@hackney.gov.uk](mailto:adultprotection@hackney.gov.uk)

**Web:** [Report a concern about an adult | Hackney Council](#)

#### **City and Hackney Safeguarding Adults Board**

Hackney – call 020 8356 5782 o

**Email** [adultprotection@hackney.gov.uk](mailto:adultprotection@hackney.gov.uk)

City – call 020 7332 1224 or

**Email** [adultsduty@cityoflondon.gov.uk](mailto:adultsduty@cityoflondon.gov.uk)

### **NEWHAM:**

#### **Newham Adult Social Care Team**

Safeguarding helpline

**Tel:** 0203 373 0440.

**Email:** [AdultsSocialCareTeam@newham.gov.uk](mailto:AdultsSocialCareTeam@newham.gov.uk)

Web:

#### **Newham Safeguarding Adults Board**

[Safeguarding Adults Board \(SAB\) – Safeguarding Adults Board – Newham Council](#)

[Email: nsab@newham.gov.uk](mailto:nsab@newham.gov.uk)

### **CROYDON:**

#### **Croydon Adult Health and Social Care – Adult Support Team**

**Tel:** 020 8726 6500

**Web:** [Report abuse of an adult | Croydon council](#)

#### **Croydon Safeguarding Adults Board**

[Home - Croydon SAB](#)

Email: [csab@croydon.gov.uk](mailto:csab@croydon.gov.uk)

## Appendix 4

### **Support and Advice from other organisations safeguarding adults**

#### **Rethink Mental Illness**

Support and advice for people living with mental illness.

Phone: 0300 5000 927 (Monday to Friday, 9.30am to 4pm)

Website: [www.rethink.org](http://www.rethink.org)

#### **Samaritans**

Confidential support for people experiencing feelings of distress or despair.

Phone: 116 123 (free 24-hour helpline)

Website: [www.samaritans.org.uk](http://www.samaritans.org.uk)

#### **SANE**

Emotional support, information and guidance for people affected by mental illness, their families and carers.

Textcare: comfort and care via text message, sent when the person needs it most: [www.sane.org.uk/textcare](http://www.sane.org.uk/textcare)

Peer support forum: [www.sane.org.uk/supportforum](http://www.sane.org.uk/supportforum)

Website: [www.sane.org.uk/support](http://www.sane.org.uk/support)

#### **Mind**

[Mental Capacity Act 2005 - legal information | Mind](#)

#### **Trafficking Advice and Support**

If you want confidential advice about trafficking before calling the police, there are a number of specialist organisations you can talk to. You can contact:

- [Salvation Army's 24 hour confidential helpline](#) for reporting modern slavery on 0800 818 3733
- [Modern Day Slavery Foundation's helpline](#) on 0800 0121 700, open 24 hours a day



## Appendix 5

### Further practice guidance identifying and responding to abuse

#### Who can abuse?

Both vulnerable men and women can be at risk of being abused. The abuser is usually well known to the person being abused. They may be:

- a partner, child or relative
- a friend/ neighbour/member of kinship network
- a religious advisor/cultural healer/priest/nun
- a paid or volunteer care/support worker
- a health or social worker, or other professional
- Adult at risks may also be abused by a person they care for
- A individual in a position of power

Often, the people who abuse an Adult at risk are exploiting a special relationship. They are in a position of trust, whether through family bonds, friendship or through a paid caring role, and they exploit that trust.

Sometimes however abuse is not intentional. It can be because someone lacks the skills or external support necessary to adequately care for another person. We call this passive abuse because it is unintentional. That does not mean that the impact on the vulnerable person is any less, but it can help us to understand how best to address the abuse.

#### Where does abuse occur?

Abuse can occur anywhere and at any time.

#### What to do if abuse is suspected

##### **Do**

- Do stay calm
- Do ensure the safety of the individual and yourself
- Do assess the need for emergency services
- Do listen attentively to what the person says and pay attention to body language
- Do take it seriously – even if it is not making much sense to you at present
- Do reassure the person they are right to tell you
- Do explain to the person what action you will be taking
- Do inform Baobab's designated persons, the Executive and Clinical Director or the Senior Social Worker, as soon as possible
- Do follow closely the Safeguarding Procedures in place
- Do write down exact details of the conversation you have had with the individual
- Do take all precautions to preserve evidence

##### **Don't**

- Do not panic
- Do not show that you are shocked or that you do not believe them
- Do not be judgemental or make assumptions
- Do not stop someone who is freely recalling significant events

- Do not launch into an investigation of your own
- Do not press for more details or question
- think here , best not to probe?
- Do not make a promise to keep it secret or other promises you cannot keep
- Do not try and sort this out - stick to the procedure
- Do not contact or confront alleged abuser
- Do not tell people who do not need to know - confidentiality is important
- Do not disturb or destroy possible evidence e.g., clean person up, wash clothes

## **Report human trafficking**

- This advice applies to England. See advice for [Northern Ireland](#), [Scotland](#), [Wales](#)
- Human trafficking is the trade of people for exploitation and commercial gain.
- If you think someone has been trafficked, you can help make them safe.

### **How to report human trafficking**

- If you suspect human trafficking, call the police. Call 999 if it's an emergency, or 101 if it's not urgent.
- If you'd prefer to stay anonymous, call Crimestoppers on 0800 555 111.
- If you don't want to call the police, you can talk to a charity anonymously.

### **Identify human trafficking**

- Human trafficking doesn't just happen in the sex industry. People are exploited in construction, farming and even working in other people's homes.
- Usually people who've been trafficked are:
  - lied to about what a job involves
  - brought from another country (but people can also be trafficked within the UK)
  - forced to work
  - monitored very closely by whoever they work for
- Because people are trafficked to work for very little pay or none at all, it's sometimes called modern-day slavery or labour exploitation.

### **Signs of human trafficking**

- All trafficking cases are different, but there are common signs. A victim of trafficking might:
  - have a lack of freedom
  - work for very little or no pay
  - seem to be in debt to someone
  - live in fear of someone or even the authorities
  - have signs of physical abuse, like cuts and bruises
  - move location regularly
- Children can be trafficked too. They will share many common signs with adult victims but might stand out from other children because:
  - they have money or possessions they can't account for
  - they don't seem to live with parents or guardians
  - they're emotionally unstable, for example, aggressive, withdrawn or anxious
- You can find out more about spotting the potential signs of human trafficking on the [Modern Slavery Helpline's website](#).