

**Burnham Sailing Club**

# Safeguarding Adults Policy and Guidelines

Reviewed by Burnham Sailing Club,

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# 1 – Policy

This policy refers to anyone aged 18 or over who may be defined by the Care Act 2014 as an 'Adult at Risk', who is in need of care or support, and who because of those needs is unable to safeguard themselves at all times. The policy applies to all Burnham Sailing Club employees, contractors, volunteers and participants.

The participant's experience of the sport is Burnham Sailing Club's priority. We aim to create a safe and welcoming environment, both on and off the water, where participants can have fun and develop their skills and confidence. We will treat all participants with dignity and respect, celebrate their achievements and listen to their views and experiences.

Burnham Sailing Club:

- Recognises that safeguarding adults who may be at risk is the responsibility of everyone, not just those who work directly with them.
- Carefully recruits and selects all employees [if applicable], contractors and volunteers in roles involving close contact with adults at risk and provides them with appropriate information or training.
- Responds swiftly and appropriately to all complaints and concerns about poor practice or suspected abuse, referring to external agencies as necessary.
- Regularly reviews safeguarding procedures and practices in the light of experience or to take account of legislative, social or technological changes.

Burnham Sailing Club is committed to safeguarding adults at risk taking part in its activities from physical, sexual, psychological, financial or discriminatory abuse or neglect. We recognise that everyone, irrespective of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, pregnancy and maternity, marriage or civil partnership or social status, has a right to protection from discrimination and abuse.

Burnham Sailing Club takes all reasonable steps to ensure that, through safe recruitment, appropriate operating procedures and training, it offers a safe environment to adults at risk participating in its activities.

Everyone involved in the Burnham Sailing Club should be aware of the policy.

## **Welfare Officer**

**The Welfare Officer's name and contact details are on the front of this policy.**

## **Staff and Volunteers**

All staff and volunteers whose role brings them into regular contact with adults at risk will be asked to provide references and where necessary will also be asked to apply for an Enhanced Criminal Records Disclosure. Those providing personal care will be asked to apply for an Enhanced Disclosure with Barred List check

## **Good Practice**

All participants in Burnham Sailing Club should follow the good practice guidelines in section 2. Those working with adults at risk should be aware of the guidance on recognising abuse (see *Appendix A*).

## **Concerns**

Anyone who is concerned about the welfare of an adult, either outside the sport or within the event, should inform the Welfare Officer immediately, in strict confidence. The Welfare Officer will follow the attached procedures (see *Flowcharts 1 and 2*). Any member of the Burnham Sailing Club failing to comply with the Safeguarding Adults policy and any relevant Codes of Conduct may be subject to disciplinary action

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## **2 – Good Practice**

### **Culture**

It is important to develop a culture within Burnham Sailing Club where adults at risk, their carers and others feel able to raise concerns, knowing that they will be taken seriously, treated with an appropriate level of confidentiality and will not make the situation worse for themselves or others.

### **Minimising risk**

These common sense guidelines should be available to everyone:

- Always communicate clearly, in whatever way best suits the individual, and check their understanding and expectations
- Always try to work in an open environment in view of others
- Avoid spending any significant time working with adults at risk in isolation
- Do not take an adult at risk alone in a car, however short the journey, unless you are certain that the individual has the capacity to decide to accept a lift
- Do not take an adult at risk to your home
- Where any of these is unavoidable, ensure that it only occurs with the full knowledge and consent of someone in charge of the organisation or the person's carers
- Design activities that are within the ability of the individual
- If you need to help someone with a wetsuit or buoyancy aid or provide physical assistance or support, make sure you are in full view of others
- Take great care with communications via mobile phone, e-mail or social media that might be misunderstood or shared inappropriately. In general, only send group communications about organisational matters using these methods. If it's essential to send an individual message to a person who has a learning disability or other impairment that might affect their understanding, copy it to their carer.

### **You should never:**

- engage in rough, physical or sexually provocative games or activities
- allow or engage in inappropriate touching of any form
- use inappropriate language
- make sexually suggestive comments, even in fun

- fail to respond to an allegation made by an adult at risk; always act
- do things of a personal nature that the person can do for themselves.

It may sometimes be necessary to do things of a personal nature to help someone with a physical or learning disability. These tasks should only be carried out with the full understanding and consent of both the individual (where possible) and their carers. In an emergency situation which requires this type of help, if the individual lacks the capacity to give consent, carers should be fully informed as soon as possible. In such situations it is important to ensure that anyone present is sensitive to the individual and undertakes personal care tasks with the utmost discretion.

### **Responsibilities of participants and carers**

Burnham Sailing Club has a Code of Conduct that can be signed up to by everyone involved, whether they are participants (where they have the capacity to do so), carers, staff [if applicable] or volunteers, so that everyone is aware of their responsibilities towards each other and appropriate action can be taken if anyone's behaviour fails to meet the expectations set out in the Code.

### **Individual responsibility duty of care and liability**

Burnham Sailing Club has a duty of care and ensures that on-water activities are conducted safely. Adults are normally responsible for their own safety, welfare and behaviour. In the case of a person who lacks the capacity to take responsibility for their own welfare, we may require a carer or designated adult to be on site. It must be made clear at what point responsibility transfers to that person.

### **Changing rooms and showers**

Access to the toilets is possible without walking through the shower/changing areas. There are separate male and female changing rooms but disabled access is limited.

If it is essential, in an emergency situation, for a male to enter a female changing area or vice versa, it is advised that they are accompanied by another adult of the opposite sex.

### **First aid and medical treatment**

A first aid kit is available in the clubhouse for minor injuries. For more serious injuries the emergency services will be called. If the individual lacks the capacity to give consent, and medication or medical treatment may be required in the absence of their carer, prior consent from the carer must be obtained.

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## **3. Procedures**

### **Handling concerns, reports or allegations**

This section is primarily for the designated Welfare Officer, but everyone should be aware of the procedures to follow if there are concerns (see flowcharts below).

A complaint, concern or allegation may come from a number of sources: the adult at risk, their carers or someone else. It may involve the behaviour of one of the volunteers or employees, or something that has happened to the person outside the sport. Vulnerable people may confide in someone they trust, in a place where they feel at ease.

An allegation may range from mild verbal bullying to physical or sexual abuse. It can be difficult to distinguish poor practice, whether intentional or accidental, from abuse. If you are concerned that an adult at risk may be being abused, it is NOT your responsibility to decide whether it is poor practice or abuse, or to investigate further, BUT it is your responsibility to act on your concerns. For guidance on recognising abuse, see Appendix A.

If there is an allegation or concern about an adult at risk who has capacity, **their consent must be obtained** before any referral is made, unless others are also at risk of harm. No information should be given to the adult's family or carers without their consent.

If the adult does not have capacity and is unable to give consent, a referral may be made and their family or carers informed, provided that they are involved in the individual's life and are not implicated in the allegation.

### **Handling an allegation from an adult at risk**

Always:

- stay calm – ensure that the person is safe and feels safe
- show and tell the person that you are taking what he/she says seriously
- reassure the person and stress that he/she is not to blame
- be careful about physical contact, it may not be what the person wants
- be honest, explain that you will have to tell someone else to help stop the alleged abuse
- make a record of what the person has said as soon as possible after the event, using their own words
- follow the safeguarding procedures.

Never:

- rush into actions that may be inappropriate
- make promises you cannot keep (eg. you won't tell anyone)
- ask leading questions (see 'Recording and handling information' below)
- take sole responsibility – consult someone else (ideally the designated Welfare Officer or the person in charge or someone you can trust) so that you can begin to protect the adult at risk and gain support for yourself.

You may be upset about what the person has said or you may worry about the consequences of your actions. However, one thing is certain – you cannot ignore it. Professionals involved in taking decisions about adults at risk must take all of the circumstances into account and act in the individual's best interests. You are not expected to be able to take such decisions.

### **Recording and handling information**

If you suspect that an adult at risk may have been the subject of any form of physical, emotional or sexual abuse or neglect, the allegation must be referred as soon as possible to Adult Social Care who have trained experts to handle such cases. Do not start asking leading questions which may jeopardise any formal investigation.

A leading question is where you suggest an answer or provide options that only need a 'yes' or 'no' answer, instead of allowing the person to explain things in their own words. An example would be asking 'did X hit you?' instead of 'how did you get that bruise?'. Use open questions such as 'what happened next?'. Only ask questions to confirm that you need to refer the matter to someone else. If the person has difficulty communicating, ask them if they would like someone there to assist or interpret, but do not assume that they want their regular carer present.

Listen to and keep a record of anything the person tells you or that you have observed and, with their consent where possible, pass the information on to the statutory authorities. Take care to distinguish between fact, observation, allegation and opinion. It is important that the information is accurate.

**All information must be treated as confidential and only shared with those who need to know.** If the allegation or suspicion concerns someone taking part in Burnham Week, only the person's carers, the Welfare Officer, the person in charge of the event (unless any of them are the subject of the allegation) and the relevant authorities. If the alleged abuse took place outside the sport, Adult Social Care will decide who else needs to be informed. It should not be discussed by anyone other than those who received or initiated the allegation and, if different, the person in charge.

### **Procedures**

**It is essential to have clear and agreed procedures to follow. These include:**

- procedures to be followed by anyone concerned about an adult's welfare, either outside the sport or within Burnham Sailing Club (*see flowcharts below*)
- a disciplinary procedure (which may be included in a staff handbook or contract, depending on the nature of the organisation) setting out the process to be followed if an allegation or complaint is made about an employee
- a procedure for handling a complaint about a member or volunteer

### **Statutory Authorities**

If Burnham Sailing Club is contacted by the Local Authority or Police concerning information received or a complaint made by or about a volunteer or employee, you are advised to contact the RYA Safeguarding and Equality Manager as soon as possible for guidance and support. Co-operate fully with official requests for factual information, but do not express any personal opinions on the person's conduct.

### **Handling the media**

If there is an incident which attracts media interest, or if you are contacted by the media with an allegation concerning one of the volunteers or employees, do not give any response until you have had an opportunity to check the facts and seek advice. You may wish to contact the RYA's Communications department on 023 8060 4215 for professional advice on handling the media.

### **Insurance**

If there is a serious allegation involving harm caused to a child or adult at risk, as a result of taking part in your activities, the person in charge should consider notifying the insurers in case there is a subsequent claim against the organisation.

## **Data retention**

Confidential information must be processed, stored and destroyed in accordance with Burnham Sailing Club's Data Privacy Policy and Data Protection legislation. Records containing personal information should be: adequate, relevant and not excessive for the purpose(s) for which they are held; accurate and up to date; and only kept for as long as is necessary. They should be reviewed on a regular basis. If a person is removed from the event for a safeguarding reason, you need to consider whether you should retain essential details of the reasons for the action taken, and who will have access to that file in the future, in case that person tries to re-join at a later date or a further allegation is made about them.

## **Reference to the Disclosure and Barring Service**

The Disclosure and Barring Service (DBS) maintains the lists of people barred from working with children or vulnerable adults in England and Wales and in Northern Ireland. Disclosure Scotland fulfils this function in Scotland. If you permanently dismiss or remove someone from regulated activity/work, or would have dismissed them if they had not resigned, because they have harmed a child or vulnerable adult or placed them at risk of harm, you have a duty to refer them to the DBS or Disclosure Scotland, as appropriate. *It is a criminal offence not to make such a referral.* For guidance on the grounds and process for making a referral, see the relevant website (see Section 7 Useful Contacts) or contact the RYA Safeguarding and Equality Manager.

## **Reporting Procedures**

If you are uncertain what to do at any stage, contact the RYA's Safeguarding Manager on 023 8060 4104 or your local authority Adult Social Care department.

Details of Adult Social Care departments and emergency duty teams are listed on local authority websites and in local phone books. If you are unable to find the appropriate contact number, call the RYA's Safeguarding Manager or, if the person is at immediate risk, the Police.

## **Safe recruitment**

It is imperative that Burnham Sailing Club carries out a level of checking proportionate to the role and the level of risk involved and in line with relevant statutory requirements.

If correct procedures are followed the opportunity for an individual with poor intent towards adults at risk to gain access to the organisation or to abuse a position of trust should be minimised.

**It is a criminal offence under the Safeguarding Vulnerable Groups Act 2006** for a Barred individual to work or volunteer in Regulated Activity and for an organisation to knowingly allow someone who has been Barred to work or volunteer in Regulated Activity/ Work,

## **Are they safe?**

**If the role involves regular contact including personal care with adults at risk, you should at least:**

- ask them to provide information about their past career or relevant experience
- explore their experience of and attitude towards working with adults at risk

- take up references, at least one of which should ideally be from someone who has first-hand knowledge of their previous work with adults at risk, and make the nature of the work clear to the referees

### **Criminal Records Disclosures (DBS/AccessNI) and Protection of Vulnerable Groups (PVG) Scheme**

DBS checks, Access NI checks and the PVG Scheme should only be used in conjunction with the other checks listed above and not relied on in isolation. A clear Disclosure is not a guarantee that the applicant has never done anything wrong, it only shows whether or not they have been caught.

Although it is not currently a legal requirement for voluntary sports events, clubs or private employers to ask their staff [if applicable] or volunteers to apply for Disclosures, it is an offence to allow a person to undertake regulated activity with the relevant vulnerable group if they have been barred from working with that group. There is a risk that determined offenders who are no longer able to work or volunteer undetected in the statutory sector, where checks are normally compulsory, may move into the voluntary and sports sectors.

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## **4. Confidentiality**

All personal information, including Disclosure information, should be treated as confidential, stored securely and only shared with those who need to see it in the course of their duties or to protect adults at risk.

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## Useful Contacts

### Royal Yachting Association

Safeguarding and Equality Manager  
 RYA House, Ensign Way  
 Hamble  
 Southampton  
 SO31 4YA  
 Tel: 023 8060 4104  
 E-mail: [safeguarding@RYA.org.uk](mailto:safeguarding@RYA.org.uk)  
 Website: [www.RYA.org.uk/go/safeguarding](http://www.RYA.org.uk/go/safeguarding)

### Social Care Services

Your local phone book or the website for your County Council or unitary local authority will list numbers for Adult Services, generally with separate numbers for Adult Social Care and for the Emergency Duty Team (out of hours service).

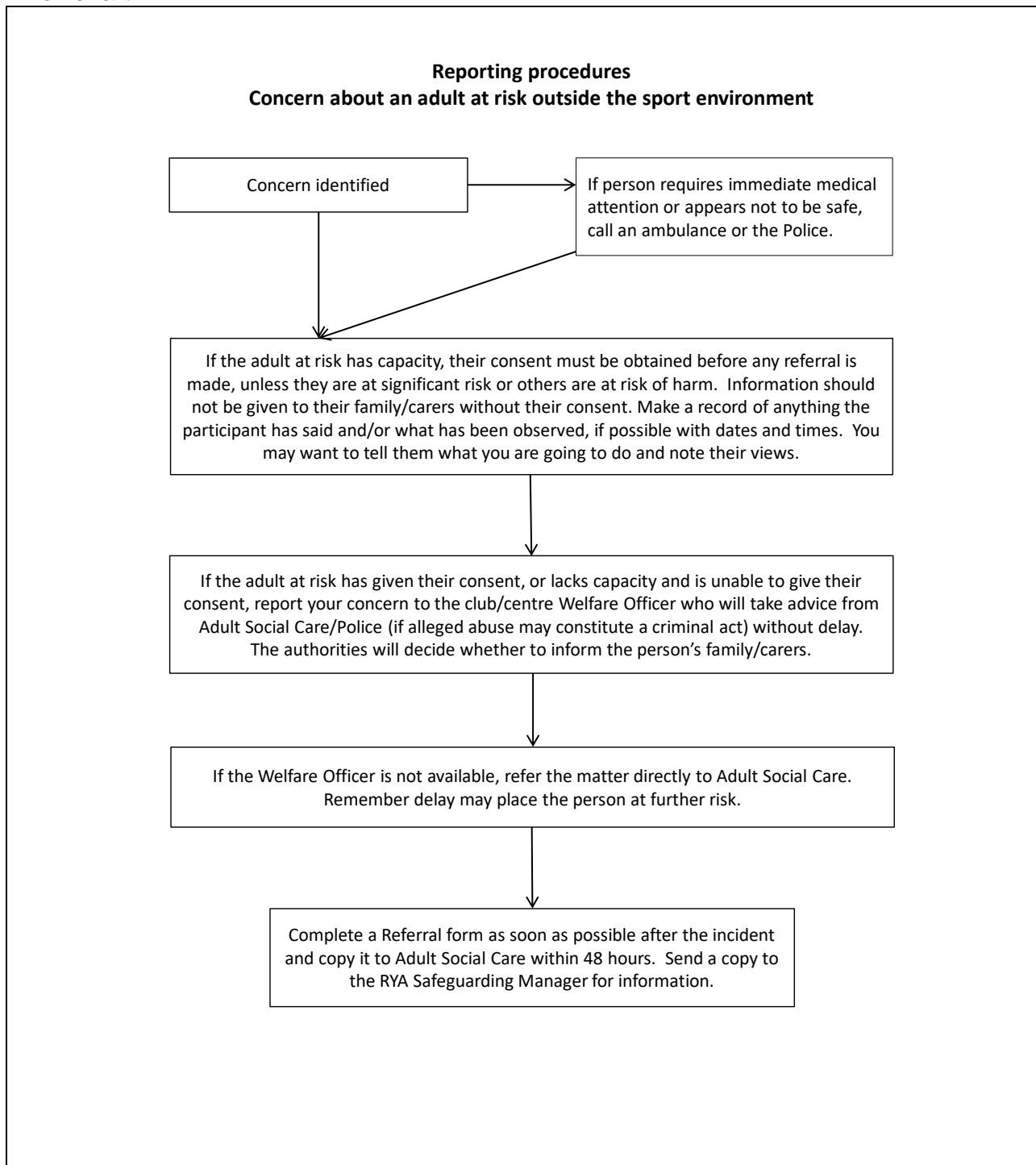
### Ann Craft Trust

The Ann Craft Trust (ACT) supports organisations in the statutory, independent and voluntary sectors across the UK to protect disabled children and adults at risk. 'Safeguarding Adults in Sport and Physical Activity' is a programme supported by Sport England to help sports organisations to develop best practice in safeguarding adults at risk. They provide a range of resources and training.  
 Tel: 0115 951 5400  
 Website: <http://www.anncrafttrust.org/safeguarding-adults-sport-activity/>

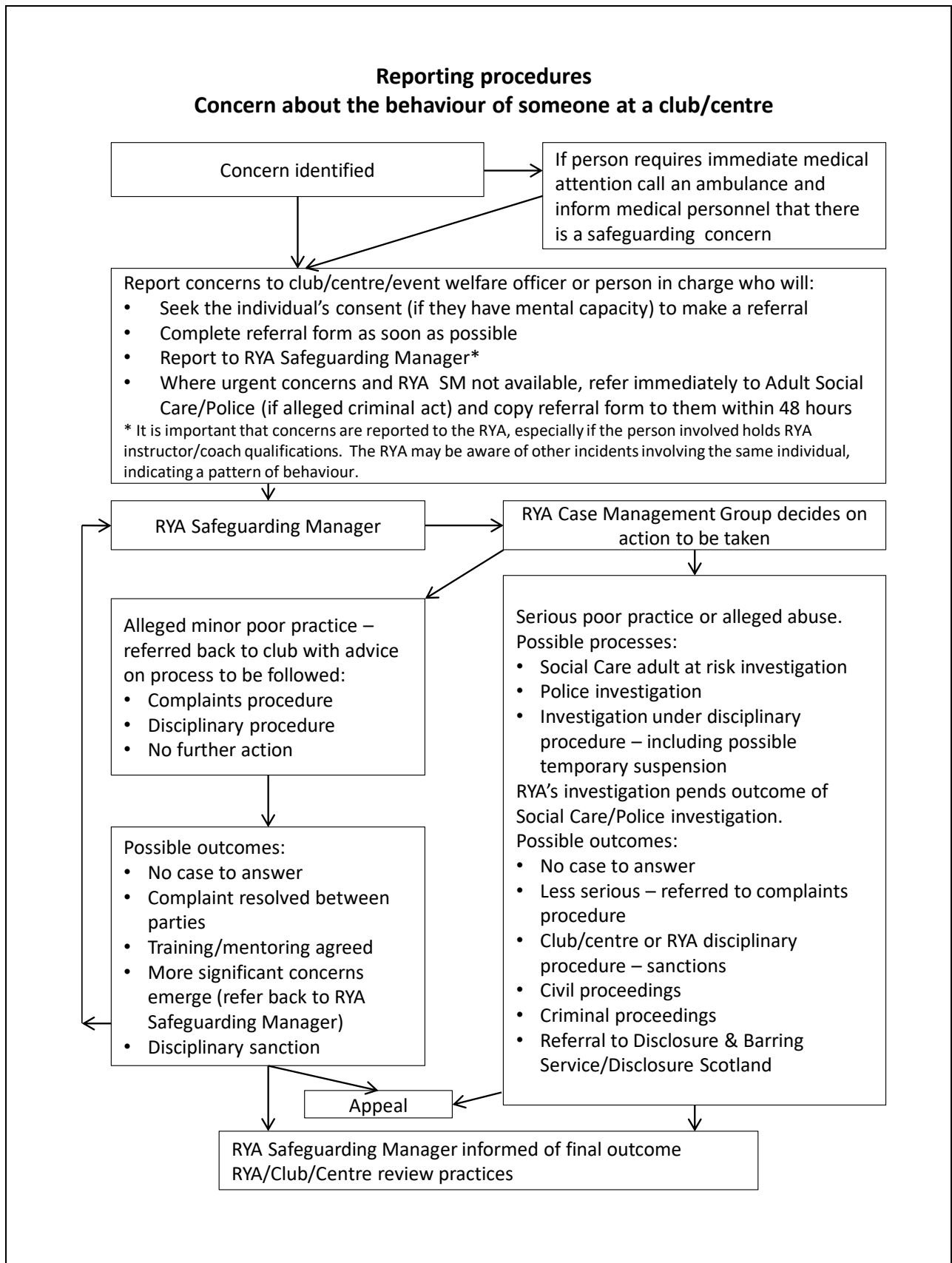
The following is a small selection of charities that support people with different needs and disabilities. A more comprehensive list can be found in the Resource Pack on the Ann Craft Trust website.

<b>Action on Elder Abuse helpline</b> Tel: 0808 808 8141 Website: <a href="http://www.elderabuse.org.uk">www.elderabuse.org.uk</a>	<b>Dementia UK</b> Tel: 0800 888 6678 Website: <a href="http://www.dementiauk.org">www.dementiauk.org</a>
<b>Mencap Direct</b> Tel: 0808 808 1111 E-mail: <a href="mailto:help@mencap.org.uk">help@mencap.org.uk</a> Website: <a href="http://www.mencap.org.uk">www.mencap.org.uk</a>	<b>MIND – mental health charity</b> Tel: 0300 123 3393 Text: 86463 E-mail: <a href="mailto:info@mind.org.uk">info@mind.org.uk</a> Website: <a href="http://www.mind.org.uk">www.mind.org.uk</a>
<b>National Autistic Society</b> Tel: 0808 800 4104 Website: <a href="http://www.autism.org.uk">www.autism.org.uk</a>	<b>SCOPE – disability equality charity (England and Wales)</b> Tel: 0808 800 3333 E-mail: <a href="mailto:helpline@scope.org.uk">helpline@scope.org.uk</a> Website: <a href="http://www.scope.org.uk">www.scope.org.uk</a>
<b>Victim Support</b> Tel: 0808 168 9111 <a href="http://www.victimsupport.org.uk">www.victimsupport.org.uk</a>	<b>Disclosure and Barring Service (DBS)</b> Website: <a href="https://www.gov.uk/government/organisations/disclosure-and-barring-service">https://www.gov.uk/government/organisations/disclosure-and-barring-service</a>
<b>AccessNI</b> Website: <a href="http://www.nidirect.gov.uk/accessni">www.nidirect.gov.uk/accessni</a>	<b>UK Coaching</b> Provide training on coaching people with disabilities Website: <a href="http://www.ukcoaching.org">www.ukcoaching.org</a>

Flowchart 1



Flowchart 2



## **Appendix A – What is abuse?**

(Based on the statutory guidance supporting the implementation of the Care Act 2014)

Abuse is a violation of an individual's human and civil rights by another person or persons.

Adults at risk may be abused by a wide range of people including family members, professional staff, care workers, volunteers, other service users, neighbours, friends, and individuals who deliberately exploit vulnerable people. Abuse may occur when an adult at risk lives alone or with a relative, within nursing, residential or day care settings, hospitals and other places assumed to be safe, or in public places.

The following is not intended to be an exhaustive list of types of abuse or exploitation but an illustrative guide as to the sort of behaviour which could give rise to a safeguarding concern:

**Physical abuse** - including assault, hitting, slapping, pushing, misuse of medication, restraint, or inappropriate physical sanctions.

**Domestic violence** – including psychological, physical, sexual, financial, emotional abuse; so called 'honour' based violence. This won't happen at a club/centre, but there could be concerns about a participant's home situation.

**Sexual abuse** - including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjections to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

**Psychological abuse** - including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or unreasonable and unjustified withdrawal from services or supportive networks. In a club context this might include excluding a member from social activities.

**Financial or material abuse** - including theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits. People with learning disabilities or dementia are particularly vulnerable to this type of abuse. An example might be encouraging someone to book and pay for training courses that are inappropriate for their level of ability, or to purchase sailing clothing or equipment they don't need.

**Discriminatory abuse** - including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.

**Neglect and acts of omission** - including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate

nutrition and heating; or in a watersports context, failing to ensure that the person is adequately protected from the cold or sun or properly hydrated while on the water.

**Self-neglect** – this covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. Self-neglect might indicate that the person is not receiving adequate support or care, or could be an indication of a mental health issue such as depression.

**Organisational abuse** – including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one-off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

**Modern slavery** – encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Not included in the Care Act 2014 but also relevant:

**Bullying** (including 'cyber bullying' by text, e-mail, social media etc) - may be seen as deliberately hurtful behaviour, usually repeated or sustained over a period of time, where it is difficult for those being bullied to defend themselves. The bully may be another vulnerable person. Although anyone can be the target of bullying, victims are typically shy, sensitive and perhaps anxious or insecure. Sometimes they are singled out for physical reasons – being overweight, physically small, having a disability - or for belonging to a different race, faith or culture.

**Mate Crime** – a 'mate crime' as defined by the Safety Net Project is 'when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual'. Mate Crime is carried out by someone the adult knows. There have been a number of serious cases relating to people with a learning disability who were seriously harmed by people who purported to be their friends.

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

## **Recognising abuse**

Patterns of abuse vary and include:

- Serial abusing in which the perpetrator seeks out and 'grooms' individuals. Sexual abuse sometimes falls into this pattern as do some forms of financial abuse
- Long-term abuse in the context of an ongoing family relationship such as domestic violence between spouses or generations or persistent psychological abuse; or
- Opportunistic abuse such as theft occurring because money or valuable items have been left lying around.

Signs and indicators that may suggest someone is being abused or neglected include:

- Unexplained bruises or injuries – or lack of medical attention when an injury has occurred
- Someone losing or gaining weight, or an unkempt appearance
- A change in behaviour or confidence
- Self-harming
- A person's belongings or money go missing
- The person is not attending, or no longer enjoying, their sessions
- A person has a fear of a particular group or individual
- A disclosure – someone tells you or another person that they are being abused.

### **If you are concerned**

If there are concerns about abuse taking place in the person's home, talking to their carers might put them at greater risk. If you cannot talk to the carers, consult your organisation's designated Welfare Officer or the person in charge. It is this person's responsibility to make the decision to contact Adult Social Care Services. It is NOT their responsibility to decide if abuse is taking place, BUT it is their responsibility to act on your concerns.

Social care professionals involved in taking decisions about adults at risk must take all of the circumstances into account and act in the individual's best interests. You are not expected to be able to take such decisions.

The following six principles inform the way in which professionals and other staff in care and support services and other public services in England and Wales work with adults:

- **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.

Local authorities in England act in accordance with the principles set out in the guide 'Making Safeguarding Personal' 2014. Adult safeguarding should be person led and outcome focussed. The person should be engaged in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control, as well as improving quality of life, well-being and safety.

Some instances of abuse will constitute a criminal offence, for example assault, sexual assault and rape, fraud or other forms of financial exploitation and certain forms of discrimination. This type of abuse should be reported to the Police.