



## **RADCLIFFE-ON-TRENT COMMUNITY YOUTH PROJECT ADULT SAFEGUARDING PROCEDURES**

Radcliffe-on-Trent Community Youth Project  
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A Company Registered in England & Wales: 7108896  
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## Introduction

All people who provide services (paid or unpaid) in the community have a key role to play in Adult Safeguarding. It is a fundamental in any civilised society that the most vulnerable people are protected from abuse and neglect when they cannot safeguard themselves. However, safeguarding is much wider than protecting adults, it is about allowing, enabling and empowering adults to live their lives as they wish, make decisions and choices, take risks, be in control, promote independence and maintain wellbeing.

The Care Act 2014 came into force on 1<sup>st</sup> April 2015, and its underlining principle is that of promoting the wellbeing of individuals, and of making sure professionals recognise that each person's needs are different, and respond accordingly.

The framework of the Care Act and its statutory guidance also sets out the general responsibilities and key duties for organisations for example:

- A duty to co-operate, including integration. Local authorities must co-operate with a number of statutory organisations. Cooperation with health must be delivered in the context of improving care and support, in line with the duty to promote wellbeing, prevent or delay the development of needs and improve the quality of care. There is a reciprocal duty placed on the NHS body within the authority's area including Clinical Commissioning Groups, hospital trusts and NHS England.
- New duties – advocacy, safeguarding and transitions. For example, a duty to arrange independent advocacy if a person is unable to participate in or understand the care and support system.
- Duty to assess young people and their carers in advance of transition from children's to adult services, where likely to need care and support as an adult.
- New statutory framework for protecting adults from neglect and abuse. This includes a new requirement for partner agencies to conduct internal safeguarding enquiries when requested to do so by the local authority (section 42, Care Act 2014). The issue for gaining consent to referral is now more evident due to the Making Safeguarding Personal agenda however; **Section 11 under the Care Act allows the local authority to carry out needs assessments without consent in certain circumstances.**
- Duty on local authorities to investigate suspected abuse or neglect, past or present, experienced by adults still living and deceased.

**Safeguarding adults** is a fundamental part of patient safety and wellbeing and the outcomes expected of all those organisations who come into contact with people who are vulnerable. All paid or unpaid workers have a responsibility to follow the 6 safeguarding principles that underpin safeguarding adults work. These are:

- Principle 1- Empowerment- Presumption of person led decisions and consent
- Principle 2- Protection – Support and representation for those in the greatest of need
- Principle 3- Prevention

- Principle 4- Proportionality and least intrusive response appropriate to the risk presented
- Principle 5- Partnership – Local solutions through services working with their communities
- Principle 6- Accountability and transparency in delivering safeguarding

**Safeguarding adults** is about stopping or preventing abuse or neglect of people with care and support needs (see **Nottingham and Nottinghamshire Safeguarding Adults Boards websites**).

## **Who are people with care and support needs?**

People with care and support needs can be:

- Someone who is elderly and frail due to ill health, disability or cognitive impairment
- Someone with a learning disability
- Someone with mental health needs including dementia or personality disorder
- Someone with a long term illness/condition
- Someone who misuses substances or alcohol

## **Scope**

This procedure applies to all staff employed (paid or unpaid), and/ or providing or ROTCYP services. It should be read in conjunction with the ROTCYPs Safeguarding children's policy and procedures and other policies guiding people around conduct, complaints and/or whistleblowing.

## **Responsibilities**

ROTCYP has a Board Trustee's who undertake the corporate requirements for safeguarding however, all people who use and or are working on our behalf (paid or unpaid) have a responsibility to ensure we operate a safe place.

The **Care and Support Statutory Guidance** issued under the **Care Act 2014** states at paragraph 14.37:

*Regardless of how a safeguarding concern is identified, **everyone** should understand what to do, and where to go locally to get help and advice. It is vital that professionals, other staff and members of the public are vigilant on behalf of those unable to protect themselves. This will include:*

- *Knowing about the different types of abuse and neglect and their signs;*
- *Supporting adults to keep safe;*
- *Knowing who to tell about suspected abuse or neglect; and*
- *Supporting adults to think and weigh up the risks and benefits of different options when exercising choice and control.*

Safeguarding a person from abuse or neglect has to be done with their involvement to the greatest extent possible. Everyone has a right to be involved in the decisions that affect their lives. People with care and support needs have said that when staff act to protect them without involving them,

this often makes things worse, not better.

Remember **“No decision about me without me”**

## **Reporting safeguarding concerns without the consent of the person at risk of abuse or neglect?**

There may be occasions when you should report a safeguarding concern without consent for example if:

- there is reason to believe a person is being coerced or bullied into refusing support,
- gaining consent would put the adult at further risk,
- there is a risk or harm to the wellbeing and safety of the adult or others,
- other adults or children could be at risk from the person causing harm,
- it is necessary to prevent crime or if a crime may have been committed,
- the person lacks capacity to understand the risks they face the concern *must* be reported.

The person should normally be informed of the decision to report and the reasons for this, unless telling them would jeopardise their safety or the safety of others.

The key issues in deciding whether to report a concern without consent will be the risk of harm to the adult or to any other adults who may have contact with the person causing harm or with the same organisation, service or care setting. ***Please note, Section 11 under the Care Act allows the local authority to carry out needs assessments without consent in certain circumstances,*** if you are not sure what to do, refer your concern to the local authority via the respective Local Safeguarding Adults Board procedures.

### **How to report your adult safeguarding concern – internally.**

ROTCYP – If a volunteer has a concern, please discuss and record your concern with the manager on site.

The manager will discuss with the Trustee who holds responsibility for safeguarding and/or the Chair, if they are not available.

### **How to report your adult safeguarding concern – externally.**

**Adult Safeguarding for Radcliffe-on-Trent / Rushcliffe Residents**

Telephone: **0300 500 80 80**

In an emergency contact the police on **999**.

If you think there has been a crime but it is not an emergency call **101**. See multi-agency procedures via

<http://www.nottinghamshire.gov.uk/care/adult-social-care/safeguarding-adults>

# MENTAL CAPACITY ACT GUIDANCE

## Introduction

The Mental Capacity Act (MCA) provides a framework to empower and protect people who may lack capacity to make some decisions for themselves.

The Mental Capacity Act makes clear who can take decisions in which situations, and how they should go about this. The MCA starting point is that it should be assumed that an adult (aged 16 or over) has full legal capacity to make decisions for themselves (the right to autonomy) at the time the decision needs to be made. This is known as a presumption of capacity. The Act also states that people must be given the appropriate help and support to enable them to make their own decisions or to maximize their participation in any decision-making process.

The Act's underlying philosophy is to ensure that any decision made, or action taken, on behalf of someone who lacks the capacity to make the decision or act for themselves is made in their best interests.

Anyone who works with or cares for an adult who lacks capacity must comply with the MCA when making decisions or acting for that person.

This applies whether decisions are life changing events or more every day matters and is relevant to adults of any age, regardless of when they lost capacity.

The five key principles in the Act are:

1. Every adult has the right to make his or her own decisions and must be assumed to have capacity to make them unless it is proved otherwise.
2. A person must be given all practicable help before anyone treats them as not being able to make their own decisions.
3. Just because an individual makes what might be seen as an unwise decision, they should not be treated as lacking capacity to make that decision.
4. Anything done or any decision made on behalf of a person who lacks capacity must be done in their best interests.
5. Anything done for or on behalf of a person who lacks capacity should be the least restrictive of their basic rights and freedoms.

For the public and/or carers if you have any questions about caring and the Mental Capacity Act:

- call the [Carers Direct helpline](#) on freephone **0808 802 0202**
- or [send an enquiry to Carers Direct by email](#).

This policy was approved by: Radcliffe-on-Trent Community Youth Project at a meeting on: 8<sup>th</sup> September 2016

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