

SAFEGUARDING ADULTS AND VULNERABLE CHILDREN POLICY



Introduction

Bright Shadow's mission is to use the power of creativity to enable people living with dementia & those affected by it to live well & thrive. We are therefore extremely committed to safeguarding and promoting the welfare of vulnerable adults, children and young people engaged in all our activities.

The purpose of this policy is to outline the duty and responsibility of staff, contractors, volunteers and trustees working on behalf of **Bright Shadow** in relation to the protection from abuse of vulnerable adults, children and young people.

All adults, children and young people have the right to be safe from harm and should be able to live free from fear of abuse, neglect and exploitation.

The key objectives of this policy are:

- To explain the responsibilities **Bright Shadow** and its staff, volunteers, trustees and contractors have in respect of vulnerable adult and child protection.
- To provide staff, volunteers, trustees and contractors with an overview of vulnerable adult and child protection.
- To provide a clear procedure that will be implemented where vulnerable adult or child protection issues arise.

Context

For the purpose of this document 'adult' means a person aged 18 years or over.

Some adults are less able to protect themselves than others, and some have difficulty making their wishes and feelings known. This may make them vulnerable to abuse. The broad definition of a 'vulnerable adult' referred to in the 1997 Consultation Paper 'Who decides?' issued by the Lord Chancellor's Department, is a person:

"Who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation".

The first priority should always be to ensure the safety and protection of vulnerable adults. To this end it is the responsibility of all staff to act on any suspicion or evidence of abuse

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or neglect (see the Public Interest Disclosure Act 1998) and to pass on their concerns to a responsible person/agency.

For purposes of ensuring consistent and widely understood terminology, these policy and procedures will use the phrase 'Vulnerable Adults' to identify those eligible for interventions within the procedures.

Legal framework

This guidance reflects the principles contained within the Human Rights Act 1998, the Mental Capacity Act 2005 and Public Interest Disclosure Act 1998 and the Care Act 2014.

The Mental Capacity Act 2005, covering England and Wales, provides a statutory framework for people who lack capacity to make decisions for themselves, or who have capacity and want to make preparations for a time when they may lack capacity in the future. It sets out who can take decisions, in which situations, and how they should go about this.

The Human Rights Act 1998 gives legal effect in the UK to the fundamental rights and freedoms contained in the European Convention on Human Rights (ECHR).

The Public Interest Disclosure Act 1998 (PIDA) created a framework for whistle blowing across the private, public and voluntary sectors. The Act provides almost every individual in the workplace with protection from victimisation where they raise genuine concerns about malpractice in accordance with the Act's provisions.

The Care Act 2014, section 42 which defines when a referral should be made in terms of Safeguarding.

The role of staff, volunteers and board members

All staff, contractors, volunteers and trustees working on behalf of **Bright Shadow** have a duty to promote the welfare and safety of vulnerable adults and children.

Staff, contractors, volunteers and trustees may receive disclosures of abuse and observe vulnerable adults who are at risk. This policy will enable staff/contractors/volunteers/trustees to make informed and confident responses to specific vulnerable adult or child protection issues.

What is abuse?

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

Abuse may consist of a single act or repeated acts. It may be physical, 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 into a financial or sexual transaction to which he or she has not consented or cannot consent. Abuse can occur in any relationship and it may result in significant harm to, or exploitation of, the person subjected to it. Section 42 of the Care Act 2014 states that if an adult living in a local authority area

(a) has needs for care and support (whether or not the authority is meeting any of those needs),

(b) is experiencing, or is at risk of, abuse or neglect, and

(c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

the local authority must make (or cause to be made) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case (whether under this Part or otherwise) and, if so, what and by whom.

The Department of Health in its 'No Secrets' report suggests the following as the main types of abuse:-

- **Physical abuse**- including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.
- **Sexual abuse**- including rape and sexual assault or sexual acts to which a vulnerable adult or child? has not consented or could not consent 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 withdrawal from services or supportive networks.
- **Financial or material abuse**- including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- **Neglect and acts of omission**- including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.
- **Discriminatory abuse**- including racist, sexist, that based on a person's disability, age or sexuality and other forms of harassment, slurs or similar treatment.

Procedure in the event of a disclosure

It is important that vulnerable adults and children are protected from abuse. All complaints, allegations or suspicions must be taken seriously.

This procedure must be followed whenever an allegation of abuse is made or when there

is a suspicion that a vulnerable adult or child has been abused.

Promises of confidentiality should not be given as this may conflict with the need to ensure the safety and welfare of the individual.

A full record shall be made as soon as possible of the nature of the allegation and any other relevant information.

This should include information in relation to the date, the time, the place where the alleged abuse happened, your name and the names of others present, the name of the complainant and, where different, the name of the vulnerable adult or child who has allegedly been abused, the nature of the alleged abuse, a description of any injuries observed, the account which has been given of the allegation.

Responding to an allegation

Any suspicion, allegation or incident of abuse must be reported directly and immediately to The Chief Executive or Chair of Trustees.

The Chief Executive or Chair of Trustees shall telephone and report the matter to the appropriate local adult social services duty social worker. A written record of the date and time of the report shall be made and the report must include the name and position of the person to whom the matter is reported. The telephone report must be confirmed in writing to the relevant local authority adult social services department within 24 hours.

Safeguarding Leads for Bright Shadow – Report any allegations to one of these people:

Clare Thomas
Chief Executive
Bright Shadow
Beach House
Beach Street
Herne Bay
Kent
CT6 5PT

01227 467272
clare@brightshadow.org.uk

Alison Culverwell
Chair of Trustees
Bright Shadow
Beach House
Beach Street
Herne Bay
Kent
CT6 5PT

01227 467272
aculverwell99@gmail.com

Safeguarding Reporting Contact Information

Kent County Council Social Services Switchboard:
03000 41 61 61 (Out of Hours 03000 41 91 91)

Report the concern directly to the Switchboard who will pass it to the appropriate team. They may provide you with a second, direct phone number and email address of someone dealing with the report of concern. These details should be recorded on the Report of Concern form at Bright Shadow.

Responding appropriately to an allegation of abuse

In the event of an incident or disclosure:

DO

- Make sure the individual is safe and will continue to be safe
- Assess whether emergency services are required and if needed call them
- Listen
- Offer support and reassurance
- Ascertain and establish the basic facts
- Make careful notes and obtain agreement on them
- Ensure notation of dates, time and persons present are correct and agreed
- Take all necessary precautions to preserve forensic evidence
- Follow correct procedure
- Explain areas of confidentiality; immediately speak to your manager for support and guidance
- Explain the procedure to the individual making the allegation. If the decision is to make a referral then the person should be aware of that decision and in agreement with the decision, however if mental capacity is an issue then the referral can be made without consent but the reason recorded. It may be worth considering the mental Capacity Act guidance in this scenario.
- Remember the need for ongoing support.

DON'T

- Confront the alleged abuser
- Be judgmental or voice your own opinion
- Be dismissive of the concern
- Investigate or interview beyond that which is necessary to establish the basic facts
- Disturb or destroy possible forensic evidence
- Consult with persons not directly involved with the situation
- Ask leading questions
- Assume Information
- Make promises
- Ignore the allegation
- Elaborate in your notes
- Panic

It is important to remember that the person who first encounters a case of alleged abuse

is not responsible for deciding whether abuse has occurred. This is a task for the professional adult protection agencies, following a referral from the designated Vulnerable Adult or Child Protection Officer.

Confidentiality

Vulnerable adult and Child Protection raises issues of confidentiality which should be clearly understood by all.

Staff, volunteers, board members and contractors have a professional responsibility to share relevant information about the protection of vulnerable adults and children with other professionals, particularly investigative agencies and adult social services.

Clear boundaries of confidentiality will be communicated to all.

All personal information regarding a vulnerable adult or child will be kept confidential. All written records will be kept in a secure area for a specific time as identified in data protection guidelines. Records will only record details required in the initial contact form.

If a vulnerable adult or child confides in a member of staff and requests that the information is kept secret, it is important that the member of staff tells the vulnerable adult or child sensitively that he or she has a responsibility to refer cases of alleged abuse to the appropriate agencies.

Within that context, the vulnerable adult or child should, however, be assured that the matter will be disclosed only to people who need to know about it.

Where possible, consent should be obtained from the vulnerable adult or child before sharing personal information with third parties. In some circumstances obtaining consent may be neither possible nor desirable as the safety and welfare of the vulnerable adult or child is the priority.

Where a disclosure has been made, staff should let the vulnerable adult or child know the position regarding their role and what action they will have to take as a result.

Staff should assure the vulnerable adult or child that they will keep them informed of any action to be taken and why. The complainant's involvement in the process of sharing information should be fully considered and their wishes and feelings taken into account.

The role of key individual agencies

Social Services

The Department of Health's recent 'No secrets' guidance document requires that authorities develop a local framework within which all responsible agencies work together to ensure a coherent policy for the protection of vulnerable adults and children at risk of

abuse.

All local authorities have a Safeguarding Board, which oversees multi-agency work aimed at protecting and safeguarding vulnerable adults. It is normal practice for the board to comprise people from partner organisations who have the ability to influence decision-making and resource allocation within their organisation.

The Police

The Police play a vital role in Safeguarding Adults with cases involving alleged criminal acts. It becomes the responsibility of the police to investigate allegations of crime by preserving and gathering evidence. Where a crime is identified, the police will be the lead agency and they will direct investigations in line with legal and other procedural protocols.

For more information about the roles of different agencies and how these will work together in Kent in regard to vulnerable adults please visit <https://www.kent.gov.uk/about-the-council/partnerships/kent-and-medway-safeguarding-adults-board> and in relation to child protection please visit www.kscb.org.uk

Child and Vulnerable Adult protection guidelines

Code of Conduct

Definition of terms: For the purposes of this Code of Conduct, the term 'staff' or 'member of staff' will include those who work at the premises in which Bright Shadow are visiting. The term 'team members' will include all contractors, volunteers, board members and paid employees who work on behalf of Bright Shadow.

The term 'child', where used on its own, will include all children and young people under the age of 18. The same rules as apply for children and schools will also apply to Bright Shadow's work with vulnerable adults in the community and in care settings.

Bright Shadow team members will be encouraged to demonstrate exemplary behaviour in order to protect themselves from situations which could be misinterpreted and lead to allegations being made against them. The following Code of Conduct illustrates how to create a positive culture and climate.

It is based on the Independent Theatre Council's report, 'Working in Schools: A Practical Guide to Partnership', Sport England's model Child Protection policy, Arts Council England's 'Keeping Arts safe', guidance from DCSF.

Bright Shadow staff, contractors, volunteers and trustees may be required to work in a range of settings, including one-off events at institutions or public venues, long- running creative sessions in community settings or institutions or sessions delivered in people's homes. The following protocols can be read as a whole and applied appropriately to the

given setting. Where unique circumstances apply a separate set of guidelines follows below.

Conduct with Vulnerable Adults:

- All artists should have an Enhanced Disclosure certificate which is less than 2 years old.
- Treat all vulnerable adults with respect. Don't automatically laugh at something someone says to you; they may not have intended it to be funny.
- Never reprimand or shout at someone.
- Always encourage, never criticize.
- Avoid being left alone with a single vulnerable adult and stay within the sight and hearing of others.
- Do not initiate any physical contact with vulnerable adults beyond holding or touching of hands unless previously discussed with staff and that individual.
- Avoid getting involved in issues that arise amongst two or more vulnerable adults. For instance, don't try to break up a fight.
- If a vulnerable adult informs you of a problem, tell a staff member. Don't hang around while the staff member deals with the situation.
- If a vulnerable adult has an accident the nominated first aider on the venue staff is responsible for administering first aid in the first instance. Trained Bright Shadow first aiders may step in if no one else is available.
- Always follow the disclosure procedure as set out in this policy.
- Maintain professional behaviour at all times.

Conduct with Children:

- All artists should have an Enhanced Disclosure certificate which is less than 2 years old.
- Treat all children and young people with respect. Don't automatically laugh at something a child says to you; they may not have intended it to be funny.
- Never reprimand or shout at a child.
- Give enthusiastic and constructive feedback rather than negative criticism.
- Avoid being left alone with a single child and stay within the sight and hearing of others.
- Do not initiate any physical contact with children. It should not be necessary. If the nature of the workshop requires any physical contact this should be discussed with the teachers and children in advance.
- If a child initiates physical contact such as approaching you for a hug, deflect them if possible and offer a handshake instead.
- Do not encourage children to sit on your knee. Sit beside them.
- You are not in the school in a disciplinary capacity. Leave that to the teachers.
- Avoid getting involved in issues that arise amongst the children. For instance, don't try to break up a fight.
- If a child informs you of a problem, tell a staff member. Don't hang around while the staff member deals with the situation.
- If a child has an accident the staff are responsible for administering first aid.
- If you are exploring sensitive issues, such as bullying or drugs, children could approach

you with their problems. Without being dismissive, try to avoid becoming involved. Do not agree to keep the issue secret and encourage them to tell a teacher or parent.

- If something a child tells you leads you to suspect that they are being abused you are obliged to report it to the designated child protection teacher at the school.
- Maintain professional behaviour at all times.

Practices never to be allowed

The following should never be allowed. You should never:

- Engage in rough, physical or sexually provocative activities, including horseplay.
- Never work or perform or conduct a workshop without the presence of a teacher, relative or member of care staff present at all times.
- Share a bedroom with a child or vulnerable adult. If alone with a child or vulnerable adult in a room, for any reason, the door should be left open.
- Arrange to meet/have contact with a pupil/vulnerable adult outside the school or workshop setting
- Invite a child or vulnerable adult to your home.
- Offering lifts to a vulnerable person should only be allowed in exceptional circumstances and should be risk assessed
- Allow or engage in any form of inappropriate touching.
- Allow children to use inappropriate language unchallenged.
- Make sexually suggestive comments to a child or vulnerable adult, even in fun.
- Reduce a child or vulnerable adult to tears as a form of control.
- Allow allegations made by a child or vulnerable adult to go unchallenged/unrecorded.
- Do things of a personal nature for children or vulnerable adult that they can do for themselves.
- Take responsibility for a child or vulnerable adult under any circumstances.

Working in Schools, Care Homes and other Institutions

Your vehicle:

- Drive slowly on the premises. Take particular care when reversing.
- If you do not know where the entrance is, it is better to stop and go on foot rather than drive around the grounds.
- It is a good idea to switch off any music when arriving on premises.
- Never obstruct fire exits when parking, even if only temporarily, to find out where to go or unload.
- Check with Reception where you can park. You may be allowed nearer to unload.
- Keep the vehicle locked at all times.

Reception:

- Go to Reception to get signed in. You may be given a Visitor badge to wear.
- Make sure you know and follow internal procedures and times.
- Ask where the staff toilets are - never use children's toilets. Do not use resident's toilets

unless instructed to by a member of staff.

- Avoid wandering around alone on the premises.

Conduct around the premises:

- You should never be alone with a child, or a vulnerable adult – a staff member should always be with you.
- You are an ambassador for the arts and a role model for the children (if present). Everything you do should reflect this.
- Do not smoke anywhere on the school, community or care setting premises, including in your vehicle.
- Alcohol and recreational drugs should never be taken onto school or care setting premises under any circumstances.
- No-one should consume alcohol before arriving at a school or care setting.
- Prescribed drugs should be kept hidden and out of reach of the children and vulnerable adults e.g. in the locked vehicle.
- Move around the school or care setting quietly. Avoid shouting, loud laughter, slamming doors, or any unnecessary noise.
- Make sure language and conversation is appropriate.
- If in a school ensure your actions do not conflict with school rules. Some schools do not allow sweets or chewing gum.
- Take responsibility for clearing up after a workshop or performance. Take any rubbish with you.
- Report any accidents or breakages immediately.
- Wear your named visitor badge (except if in costume).

Conduct at Zest Sessions or Events Involving Regular Zest Participants

In addition to the above, it may on occasion be necessary to observe the following:

It may be necessary or practical on occasion to give a lift to a participant e.g. to a special event such as an awards ceremony or meeting or in the instance that their arranged transport has not arrived and they would otherwise be stranded. In this instance, where possible:

- a risk assessment should be carried out in advance and consent of the vulnerable adult or carer sought in advance
- a colleague or other non-vulnerable adult involved in the activity should travel together with the vulnerable adult in the car to act as a chaperone wherever possible
- A record of the lift be made in the session report for that week detailing why the lift was needed, steps taken in advance, brief details of the journey itself.

Conduct during activities delivered in people's homes

It may be deemed most appropriate for reasons of access to provide certain activities for people at their own home. In this instance and where the artist/Bright Shadow representative is acting alone the following additional measures are to be observed:

- Where possible and if it is not necessary do not enter the home i.e. parcels can be delivered without entering the property and sessions can take place in gardens in fine weather.
- If it is planned to run a session outdoors be aware of the following protocols (and still do a risk assessment for indoor work) in case the weather/circumstances change.
- A risk assessment should be carried out ahead of the event to check whether the vulnerable adult is suitable for a home visit; considerations may include whether that individual is likely to misconstrue actions and whether a supporter can be present
- Home visits should usually be offered to vulnerable adults who have a supporter at home with them at that time (they may be in another room, unless they are confined to bed in which case the supporter must act as chaperone)
- Home visits may never be offered to someone who does not have a supporter at home at that time if the vulnerable adult requires any form of personal care
- In no circumstances should a Bright Shadow artist/representative get involved in personal care
- Home visits should be agreed to in advance in writing by the vulnerable adult and/or supporter
- The agreement should outline the dates/times/length of visit/type of activities planned and specify a space where it has been agreed the activity will take place e.g. the conservatory, living room etc.
- The Bright Shadow artist/representative should try to limit themselves to the agreed room, and not visit other rooms of the property
- The Bright Shadow artist/representative should try to avoid the need to use the vulnerable adult's bathroom
- The Bright Shadow artist/representative should maintain the boundaries they would maintain in a community or public setting and not get involved in other domestic matters. If a vulnerable adult clearly needs help e.g. with odd jobs please report this to your manager who can arrange for signposting support to be provided
- The Bright Shadow artist/representative should act in an exemplary manner as a representative of Bright Shadow and guest in someone's home and ensure any unnecessary actions that could lead to misunderstandings are avoided
- The Bright Shadow artist/representative should not provide first aid in the event of an emergency unless trained to do so, the supporter should be deferred to, and if alone an ambulance should be called, and advice followed.
- The Bright Shadow artist/representative should not offer money or personal gifts of any kind and should not accept any money from a participant or supporter. If they

wish to donate to the charity, it should be done in an official way. It is acceptable to accept a small (e.g. value of less than £10) gift from a participant as a token of appreciation, as it is deemed that it may cause upset and offense not to accept.

Health and Safety

- Bright Shadow team members are expected to promote Health and Safety considerations to all those whom they work with.
- All team members must agree to work in accordance with Bright Shadow's policy on Health and Safety and to work without causing danger to themselves, to other team members or to the general public.
- Risk assessment should be a part of planning any project and should take into account all aspects of the project, but particularly any risks relating to protection of vulnerable adults, children and young people. Risk management should be an ongoing part of every project.

Recruitment and Training of Staff and Volunteers

Bright Shadow recognises that anyone may have the potential to abuse children or vulnerable adults in some way. All reasonable steps are taken to ensure suitable people are recruited.

Interview and induction:

- Consent should be obtained from an applicant on their application form to seek an Enhanced Disclosure.
- Two confidential references will be required, of which one should be regarding previous work with children or vulnerable adults (for posts in which there will be direct contact with children or vulnerable adults).
- Evidence of identity (passport or driving license with photo) will be required.
- All staff and volunteers will be required to undergo an interview carried out to acceptable protocol and recommendations.

All staff and volunteers should receive formal or informal induction, during which:

- A check will be made that qualifications can be substantiated.
- The job requirements and responsibilities will be clarified.
- New staff/volunteers/contractors should receive a copy of and agree to Bright Shadow's Code of Conduct.
- Child and vulnerable adult protection procedures are explained, and training needs are identified.

Training: Staff and volunteers will receive instruction on how to:

- Analyse their own practice against established good practice and to ensure their practice is likely to protect them against situations which could be misinterpreted and lead to allegations being made against them.
- Recognise their responsibilities and report any concerns about suspected poor practice

or possible abuse.

- Respond to concerns expressed by a child, young person or vulnerable adult.
- Work safely and effectively with children, young people or a vulnerable adult.

This policy was reviewed and ratified by Trustees **on 05/02/2024**
Next review will take place before **February 2025**
(Earlier if there are changes in legislation or guidance issued)



REPORT OF CONCERN

Name of person reporting the concern			
Role			
Participant's Name		Participant's Sex	
Date of birth		Session Attended	
Details of concern			
Any action taken at the time?			
Name of person reported to			
Role			
Date reported			
Time			
Signed			

Social Services Number: 03000 41 61 61 (out of hours 03000 41 91 91)	
Date reported to Social Services	DD/MM/YYYY
Time	
Who informed Social Services?	
If not informed, state why	
Any further action, comments etc.	
Signed	Date