

## Adult at Risk Safeguarding and Protection Policy

### 1. Introduction

#### 1.1 Purpose of the policy

The purpose of this policy is to provide a framework for all staff and volunteers within Ambitious about Autism. It should be used in conjunction with the Adult at Risk Safeguarding and Protection Procedure to prevent and reduce the risk of abuse to all adults who may be at risk and who use Ambitious about Autism's services or come into contact with staff or volunteers.

#### 1.2 Background and need

This policy and its associated procedure are mandatory for all staff and volunteers, as they must be aware of their individual and collective roles and responsibilities in safeguarding and protecting adults at risk from abuse and neglect.

At Ambitious about Autism we recognise our responsibilities as set out in the London Multi Agency Adult Safeguarding policy and procedures updated (August 2016).

The legislative and regulatory requirements that Ambitious about Autism has to comply with in their safeguarding policies and procedures regarding adults at risk of abuse or neglect are set out in the Care Act 2014, the Care Act factsheets and specifically factsheet 7: (Safeguarding) and in Chapter 14 of the Care and Support Statutory Guidance issued under the Care Act 2014.

#### 1.3 Link to Mission and Beliefs

Ambitious about Autism exists to help children, young people and adults with autism to learn, thrive and achieve. This can only be attained if young people and adults are safeguarded and protected from abuse and neglect and, where appropriate prevented from becoming at risk of abuse.

#### 1.4 Outcomes

As a result of the policy and associated procedure being followed, adults at risk will be better protected from the impact of abuse and neglect. The staff, volunteers, governors and trustees will take the necessary steps to safeguard and protect adults at risk, where outlined in procedures, contacting statutory agencies and/ or if appropriate, discussing concerns with the adult at risk (and on occasions when appropriate their parents/carers or advocates).

### 2. Key Principle

- This policy and corresponding procedures aim to achieve a culture within Ambitious about Autism, in which a proactive approach is taken to safeguarding, promoting and protecting the rights of adults with autism.
- All adults that use Ambitious about Autism services have the right to live a life free from abuse, harm and neglect regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity.
- All allegations, concerns or suspicions of abuse or neglect are taken seriously and responded to within the steps laid out in the corresponding procedure.
- To work in partnership with adults who receive a service as much as is possible and appropriate.
- To work in partnership with the local Safeguarding Adults Boards and comply with the local multi-agency Safeguarding Adults Procedures.
- All staff have a responsibility to ensure they are informed, trained and understand their duty to operate within this policy and procedure.
- All staff and volunteers have a shared responsibility to take appropriate steps to protect adults at risk.

### 3. The Policy Statement

- This policy and associated procedure applies to all staff, volunteers, governors, trustees and representatives of Ambitious about Autism, including agency, temporary and volunteer staff.

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- Ambitious about Autism is committed to the prevention of, and protection from, abuse and neglect of all adults at risk of abuse or neglect who come into contact with the organisation through its staff, volunteers or representatives, in whatever capacity that contact occurs.
- Ambitious about Autism is committed to taking all necessary steps to stop abuse happening, whether that abuse is perpetrated by staff, volunteers, family members, members of the public or other service users.
- Ambitious about Autism is committed to its duty of care to all adults it has contact with. If there are concerns about staff or volunteers perpetrating abuse, it will facilitate any action required to address this without delay. This will include actions required to address abusive behaviours and attitudes. On occasions, when staff have been dismissed because of concerns about abuse or neglect, they will be referred by Ambitious about Autism to the Disclosure & Barring Service (DBS) and professional bodies.
- Ambitious about Autism is committed to ensuring that adults at risk of abuse or neglect are given information, advice and support in a form that they can understand and also have their views included in all forums where decisions are made about their lives.
- Ambitious about Autism is committed to working in partnership with parents and carers of service users. In respect of adults who use the services of the charity, that partnership will be with their consent, when this is required and appropriate.
- Ambitious about Autism will publish online the Adult at Risk Safeguarding Policy and Procedure. In addition it will inform, in an appropriate format, all adults who use their services, that Ambitious about Autism has a duty to contact the local authority Adult Social Care department if there are concerns that an adult at risk may be being abused.
- All parents/carers will be reminded annually that the school/college has a duty to contact the local authority Adult Social Care department if there are concerns that an adult at risk may be being abused.
- Ambitious about Autism is committed to providing a curriculum that enables adults and other users of its services to learn to keep themselves safe and how to raise concerns if they do not feel safe in all aspects of their lives.
- Ambitious about Autism is committed to ensuring that senior members of the organisation will be without delay, fully briefed and consulted with by staff on any concerns about abuse or neglect: the process for this is detailed in the procedure. The Headteacher is the **Alerting Manager (Safeguarding Adults Lead)** for TreeHouse School and as such has lead responsibility for responding to concerns about the abuse of adults at risk within TreeHouse School. The Principal is the **Alerting Manager (Safeguarding Adults Lead)** for Ambitious College and as such has lead responsibility for responding to concerns about the abuse of adults at risk within Ambitious College. The Chief Executive (Charity Lead) has overall responsibility for all safeguarding matters within the charity as a whole.
- Ambitious about Autism is committed to working within the London Multi Agency Adult Safeguarding policy and procedures (August 2016) and the procedures of any other local authorities where any adult at risk may reside.
- TreeHouse School and Ambitious College (CONEL Campus) are committed to working with the London Borough of Haringey LADO and/or Adult Social Care department and the police if there are any concerns about, or perceived risks, in respect of staff or volunteers at the school/college.
- Ambitious College and West Thames College are committed to working with the London Borough of Hounslow. Adult Social Care Department and the police if there are concerns about, or perceived risks, in respect of staff or volunteers at the College.
- Ambitious about Autism is committed to ensuring all staff and volunteers, including those with designated responsibilities, have received appropriate levels of up-to-date safeguarding training.

#### 4. Risk Assessment

Should this policy and associated procedure be ignored or disregarded, the possible outcomes are:

- **For adults at risk of abuse or neglect** – placed at further risk of harm and neglect.
- **For staff and volunteers** – may be subject to inquiry, investigation internally or externally for failing to take appropriate steps, internally may then be subject to a disciplinary process.

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- **For the Alerting Managers, the Chief Executive and Board of Trustees and the Governing Bodies** – possible inquiry and report from the Charities Commission and regulators or recommendation from local authorities to regulators.
- **For Ambitious about Autism** – possible risk of public scrutiny and ultimately risk of prosecution and/or additional inspections from regulators and ultimately deregistration. All of the above can lead to negative media attention and damage to the reputation of the charity/school.

## 5. Definitions

**Safeguarding Adults at risk of abuse or neglect:** means protecting an adult’s right to live in safety, free from abuse or neglect, while at the same time making sure that the adult’s wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action.

**The Safeguarding duties apply to an adult who:**

- Has needs for care and support (whether or not a local authority is meeting any of those needs) and
- Is experiencing, or at risk of, abuse or neglect; and
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

Most adults that use Ambitious about Autism services are likely to fall within these definitions should they be at risk of abuse or neglect, generally, though not always, as a result of a lack of capacity within the meaning of the Mental Capacity Act 2005.

**Abuse and Neglect:** Refers to: ‘ill-treatment (including sexual abuse and forms of ill treatment that are not physical); the impairment of, or an avoidable deterioration in, physical or mental health; and the impairment of physical, emotional, social or behavioural development’. (*Who Decides?*” Law Commission, 1997).

**Abuse** was defined by ‘No Secrets’ (2000, DH and Home Office) as: ‘...a violation of an individual’s human and civil rights by any other person or persons’.

**Alerting Manager (Safeguarding Adults Lead)** - In TreeHouse School this is the Headteacher who in this role holds responsibility for all concerns relating to Adults at Risk and all alerts raised in the school. The Principal of Ambitious College is the **Alerting Manager (Safeguarding Adults Lead)** for Ambitious College and as such has lead responsibility for responding to concerns about the abuse of adults at risk with Ambitious College. The Chief Executive (Charity Lead) has overall responsibility for all safeguarding matters within the charity as a whole.

## 6. Legislation, Regulatory Requirements and Guidance.

For Ambitious about Autism to meet their regulatory and statutory responsibilities, the following legislation and associated guidance are of significance (N.B. This is not an exhaustive list).

-The principle source (since 2015) is the Care Act 2014 (section 42). This defines abuse and sets out the statutory duties and the institutional responsibilities for those duties.

-The (Care Act) Care and Support Statutory Guidance provides the detail in relation to both the meaning of wellbeing and safeguarding. Chapter 14 sets out in detail the duties found in sections 42 to 46 of the Care Act, including definitions of the aims and objectives of Adult safeguarding activity and a representative range of types of adult abuse and neglect.

-Following publication of the Statement of Government Policy on Adult Safeguarding in 2011, the pan-London Adult Safeguarding Editorial Board issued *Protecting adults at risk: London multi-agency policy and procedures to safeguard adults from abuse* in conjunction with SCIE. This document was updated and reissued in August 2016. Both Haringey and Hounslow (and most other London Boroughs) continue to use these procedures.

- SCIE (the social care institute for excellence) has published a range of advice on Safeguarding, specifically guides on the Care Act 2014, and e learning resources on adult safeguarding.

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Ambitious about Autism services that are regulated have to comply with service-specific regulations, which include ensuring there are measures in place for the prevention of abuse.

- Use of Reasonable Force: Advice for Head Teachers, Principal, Staff and Governing Bodies (DfE 2013).
- Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties (DOH/DfES 2002)
- Disclosure and Barring Service 2012 (updated guidance 2.6.15 and 4.3.2016).

**Also relevant:**

The Education and Inspections Act 2006.

The Health and Social Care Act 2008

The Regulated Activities Regulations 2014

The Care Quality Commission (Registration) Regulations 2009 (as amended, March 2015)

Mental Capacity Act 2005 and the Mental Capacity Act code of Practice 2007.

Health and Safety at Work Act 1974

Moving and Handling Operations Regulations 1992 (2002)

Human Rights Act 1998

Sexual Offences Act 2004

Safeguarding Vulnerable Groups Act 2006.

Protection of Freedoms Act 2012

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