

# Sketch Appeal CIC

## Safeguarding Adults Policy



### Introduction

Sketch Appeal is committed to Safeguarding Adults in line with national legislation and relevant national and local guidelines. We will safeguard adults by ensuring that our activities are delivered in a way which keeps all adults safe.

Sketch Appeal is committed to creating a culture of zero-tolerance of harm to adults which necessitates: the recognition of adults who may be at risk and the circumstances which may increase risk; knowing how adult abuse, exploitation or neglect manifests itself; and being willing to report safeguarding concerns. This extends to recognising and reporting harm experienced anywhere, including within our activities, within other organised community or voluntary activities, in the community, in the person's own home and in any care setting.

Sketch Appeal is committed to best safeguarding practice and to uphold the rights of all adults to live a life free from harm from abuse, exploitation and neglect.

**This policy is reviewed by Sketch Appeal Directors on an annual basis and we follow best practice advice from the Ann Craft Trust.**

### Statement

Sketch Appeal believes everyone has the right to live free from abuse or neglect regardless of age, ability or disability, sex, race, religion, ethnic origin, sexual orientation, marital or gender status.

Sketch Appeal is committed to creating and maintaining a safe and positive environment and an open, listening culture where people feel able to share concerns without fear of retribution. Sketch Appeal acknowledges that safeguarding is everybody's responsibility and is committed to prevent abuse and neglect through safeguarding the welfare of all adults involved.

Actions taken by Sketch Appeal will be consistent with the principles of adult safeguarding ensuring that any action taken is prompt, proportionate and that it includes and respects the voice of the adult concerned.

## **Purpose**

The purpose of this policy is to demonstrate our commitment to the safeguarding adults and to ensure that everyone involved in Sketch Appeal is aware of:

- The legislation, policy and procedures for safeguarding adults.
- Their role and responsibility for safeguarding adults.
- What to do or who to speak to if they have a concern relating to the welfare or wellbeing of an adult within the organisation.

## **Scope**

This safeguarding adult policy and associated procedures apply to all individuals involved in Sketch Appeal including Staff, Contractors and Volunteers, and to all concerns about the safety of adults whilst taking part in our organisation, its activities and in the wider community. We expect our partner organisations, including for example charities, host venues and sponsors to adopt and demonstrate their commitment to the principles and practice as set out in this Safeguarding Adults Policy and associated procedures.

## **Commitments**

In order to implement this policy Sketch Appeal will ensure that:

- Everyone involved with Sketch Appeal is aware of the safeguarding adult procedures and knows what to do and who to contact if they have a concern relating to the welfare or wellbeing of an adult.
- Any concern that an adult is not safe is taken seriously, responded to promptly, and followed up in line with Sketch Appeal Safeguarding Adults Policy. Any actions taken will respect the rights and dignity of all those involved and be proportionate to the risk of harm.
- The well-being of those at risk of harm will be put first and the adult actively supported to communicate their views and the outcomes they want to achieve. Those views and wishes will be respected and supported unless there are overriding reasons not to (see the Safeguarding Adults Procedures).
- Confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored in line with our Data Protection Policy.
- We share information about anyone found to be a risk to adults with the appropriate bodies. For example: Disclosure and Barring Service, Services, Police, Local Authority/Social Services.
- We cooperate with the Police and the relevant Local Authorities in taking action to safeguard an adult.
- When planning activities and events Sketch Appeal includes an assessment of, and risk to, the safety of all adults from abuse and neglect and designates a person who will be in attendance as a safeguarding lead for that event.
- All staff, contractors and volunteers understand their role and responsibility for safeguarding adults and have completed and are up to date with safeguarding adult training and learning opportunities appropriate for their role.

## **Prevention**

Sketch Appeal will:

- Ensure all staff have access to, are familiar with, and know their responsibilities within this policy
- Design and undertake all its programmes and activities in a way that protects people from any risk of harm that may arise from their coming into contact with Sketch Appeal CIC. This includes the way in which information about individuals in our programmes is gathered and communicated
- Implement stringent safeguarding procedures when recruiting, managing and deploying staff and associated personnel
- Ensure staff receive training on safeguarding at a level commensurate with their role in the organization
- Follow up on reports of safeguarding concerns promptly and according to due process

## **Implementation**

Sketch Appeal is committed to developing and maintaining its capability to implement this policy. In order to do so the following will be in place:

- A clear line of accountability within the organisation for the safety and welfare of all adults.
- A Safeguarding Lead
- A delegated Safeguarding Lead for events in the community.
- Arrangements to work effectively with other relevant organisations to safeguard and promote the welfare of adults, including arrangements for sharing information.
- A code of conduct for all staff, volunteers and contractors that ensures their actions are grounded in Sketch Appeal values of integrity, inclusivity and empathy, and that they understand and uphold our zero tolerance of bullying or abuse in any form.
- Risk assessments that specifically include safeguarding of adults.
- Policies and procedures that address the following areas and which are consistent with this Safeguarding Adults policy.

## **Staff: Participant Ratio**

- There will be at least two Sketch Appeal Staff/Practitioners present at all specialist in-person and online workshops and projects involving vulnerable adults.
- The exception to this is when Sketch Appeal is enlisted by third parties or partners to deliver workshops as part of production team responsible for wider events – e.g. Cambridge University Hospital Arts Week.

## **DBS Screening**

- All core members of the Sketch Appeal team must hold an enhanced DBS certificate, which must be renewed every 3 years.
- All freelance Artists and Practitioners involved in the delivery of Sketch Appeal projects must hold an up-to-date enhanced DBS certificate where the project involves children and vulnerable adults.
- Guest Artists and/or Creative Practitioners who we engage with on a one-off or ad-hoc basis for general public events are not required to hold a DBS certificate but will be accompanied by Sketch Appeal staff members at all times.

### **Working Safely Online**

Many Sketch Appeal workshops and events take place on ZOOM. To protect the safety of all participants the following safeguarding measures are in place at all online sessions - including public and private sessions run for other organisations and teams:

- Participants must log on with their camera switched on (at least initially) so that we can verify their identity
- Private chat function between participants is disabled
- Taking photos or screenshots of meetings is not permitted by any participant and only by Sketch Appeal staff where consent has been sought and given

Where online workshops form part of a partnership or collaborative project additional safeguarding measures may be in place – e.g. two members of Sketch Appeal staff must be present and/or sessions may be recorded. At all times, Sketch Appeal commits to communicating its online safeguarding measures to participants and ensuring they know who to contact if they feel unsafe or concerned for someone else's health and safety.

Some people self-disclose more intensely online than they would in person due to distancing factors. Psychologically vulnerable people may be particularly prone to what's known as online "disinhibition". In the event of a disclosure during an online session our Safeguarding Officer will record the incident in our Incident Log and review the best course of action to take. This may be to refer the person to local services for additional support, or in the event of serious concern to contact their emergency contact, and/or the Police.

### **Safeguarding Adults Legislation**

The practices and procedures within this policy are based on The Care Act (2014). The Safeguarding Adults legislation creates specific responsibilities on Local Authorities, Health, and the Police to provide additional protection from abuse and neglect to Adults at Risk. When a Local Authority has reason to believe there is an adult at risk, they have a responsibility to find out more about the situation and decide what actions need to be taken to support the adult.

The Care Act (2014, England) defines an **adult at risk** as an individual aged 18 years and over who:

- (a) has needs for care and support (whether or not the local authority is meeting any of those needs) AND;
- (b) is experiencing, or at risk of, abuse or neglect, AND;
- (c) 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.

### **Abuse and Neglect**

Abuse is a violation of an individual's human and civil rights by another person or persons. It can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it. Any or all of the following types of abuse may be perpetrated as the result of deliberate intent, negligence, omission or ignorance. There are different types and patterns of abuse and neglect and different circumstances in which they may take place.

Safeguarding legislation includes the following types of abuse:

- Physical
- Sexual
- Psychological
- Neglect
- Financial

Abuse can take place in any relationship and there are many contexts in which abuse might take place; e.g. Institutional abuse, Domestic Abuse, Forced Marriage, Human Trafficking, Modern Slavery, Sexual Exploitation, County Lines, Radicalisation, Hate Crime, Mate Crime, Cyber bullying, Scams. Some of these are named specifically within home nation legislations.

The Safeguarding Adults Legislation England (Care Act 2014) defines categories of adult abuse and harm as follows.

- Physical
- Sexual
- Emotional/Psychological/Mental
- Neglect and acts of Omission
- Financial or material abuse
- Discriminatory
- Organisational / Institutional
- Self-neglect
- Domestic Abuse (including coercive control)
- Modern slavery

### **Signs and Indicators of Abuse and Neglect**

An adult may confide to a member of staff, volunteer or another participant that they are experiencing abuse inside or outside of the organisation's setting. Similarly, others may suspect that this is the case.

There are many signs and indicators that may suggest someone is being abused or neglected. There may be other explanations, but they should not be ignored. The signs and symptoms include but are not limited to:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- Person has belongings or money going missing.
- Person is not attending / no longer enjoying their sessions.
- A change in the behaviour or confidence of a person.
- Self-harm.
- A fear of a particular group of people or individual.
- A parent/carer always speaks for the person and doesn't allow them to make their own choices
- They may tell you / another person they are being abused – i.e. a disclosure

### **Well-being Principle**

The concept of 'well-being' is threaded throughout UK legislation and is part of the Law about how health and social care is provided. Our well-being includes our mental and physical health, our relationships, our connection with our communities and our contribution to society. Being able to live free from abuse and neglect is a key element of well-being. For that reason any actions taken to safeguard an adult must take their whole well-being into account and be proportionate to the risk of harm.

### **Making Safeguarding Personal**

UK legislation also recognises that adults make choices that may mean that one part of our well-being suffers at the expense of another – for example we move away from friends and family to take a better job. Similarly, adults can choose to risk their personal safety; for example, to provide care to a partner with dementia who becomes abusive when they are disorientated and anxious.

None of us can make these choices for another adult. If we are supporting someone to make choices about their own safety we need to understand 'What matters' to them and what outcomes they want to achieve from any actions agencies take to help them to protect themselves.

The concept of 'Making Safeguarding Personal' means engaging the person in a conversation about how best to respond to their situation in a way that enhances their involvement, choice and control, as well as improving their quality of life, well-being and safety. Organisations work to support adults to achieve the outcomes they want for themselves. The adult's views, wishes, feelings and beliefs must be taken into account when decisions are made about how to support them to be safe. There may be many different ways to prevent further harm. Working with the person will mean that actions taken help them to find the solution that is right for them. Treating people with respect, enhancing their dignity and supporting their ability to make decisions also helps promote people's sense of self-worth and supports recovery from abuse.

If someone has difficulty making their views and wishes known, then they can be supported or represented by an advocate. This might be a safe family member or friend of their choice or a professional advocate (usually from a third sector organisation).

<b>England (Care Act 2014)</b>
<b>The Act's principles are:</b> <ul style="list-style-type: none"><li>• <b>Empowerment</b> - People being supported and encouraged to make their own decisions and informed consent.</li><li>• <b>Prevention</b> – It is better to take action before harm occurs.</li><li>• <b>Proportionality</b> – The least intrusive response appropriate to the risk presented.</li><li>• <b>Protection</b> – Support and representation for those in greatest need.</li><li>• <b>Partnership</b> – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse</li><li>• <b>Accountability</b> – Accountability and transparency in delivering safeguarding.</li></ul>



### **Mental Capacity and Decision Making**

UK Law says that to make a decision we need to:

- Understand information
- Remember it for long enough
- Think about the information
- Communicate our decision

A person's ability to do this may be affected by things such as learning disability, dementia, mental health needs, acquired brain injury and physical ill health.

Mental capacity refers to the ability to make a decision at the time that decision is needed. A person's mental capacity can change. If it is safe/possible to wait until they are able to be involved in decision making or to make the decision themselves.

For example:

- A person with epilepsy may not be able to make a decision following a seizure.
- Someone who is anxious may not be able to make a decision at that point.
- A person may not be able to respond as quickly if they have just taken some medication that causes fatigue.

Mental Capacity is important for safeguarding for several reasons.

Not being allowed to make decisions one is capable of making is abuse. For example, a disabled adult may want to take part in an activity but their parent who is their carer won't allow them to and will not provide the support they would need. Conversely the adult may not seem to be benefiting from an activity other people are insisting they do.

Another situation is where an adult is being abused and they are scared of the consequences of going against the views of the person abusing them. It is recognised in the law as coercion and a person can be seen not to have mental capacity because they cannot make 'free and informed decisions'.

Mental Capacity must also be considered when we believe abuse or neglect might be taking place. It is important to make sure an 'adult at risk' has choices in the actions taken to safeguard them, including whether or not they want other people informed about what has happened, however, in some situations the adult may not have the mental capacity to understand the choice or to tell you their views.

Each home nation has legislation that describes when and how we can make decisions for people who are unable to make decisions for themselves. The principles are the same.

- We can only make decisions for other people if they cannot do that for themselves at the time the decision is needed.
- If the decision can wait, wait – e.g. to get help to help the person make their decision or until they can make it themselves.
- If we have to make a decision for someone else then we must make the decision in their best interests (for their benefit) and take into account what we know about their preferences and wishes.
- If the action we are taking to keep people safe will restrict them then we must think of the way to do that which restricts to their freedom and rights as little as possible.



A person needing support to help them make decisions whilst taking part in a Sketch Appeal activity or project will ordinarily be accompanied by someone e.g. a family member or formal carer whose role includes supporting them to make decisions. We will always obtain details of additional needs and access requirements, and allergies as part of the registration process for our workshops and projects. There may be times when we need to obtain more information to ensure we can keep that person safe in our care.

If a person who has a lot of difficulty making their own decisions is thought to be being abused or neglected Sketch Appeal will need to refer the situation to the Local Authority, and this should result in health or social care professionals making an assessment of mental capacity and/or getting the person the support they need to make decisions.

There may be times when Sketch Appeal needs to make decisions on behalf of an individual in an emergency. Decisions taken in order to safeguard an adult who cannot make the decision for themselves could include:

- Sharing information about safeguarding concerns with people that can help protect them.
- Stopping them being in contact with the person causing harm.

### **Recording and Information Sharing**

Sketch Appeal adheres to the Data Protection Act (DPA) and the General Data Protection Regulations (GDPR). Information about concerns of abuse includes personal data. It is therefore important to be clear as to the grounds for processing and sharing information about concerns of abuse.

Processing information includes record keeping. Records relating to safeguarding concerns must be accurate and relevant. They must be stored confidentially with access only to those with a need to know.

Sharing information, with the right people, is central to good practice in safeguarding adults. However, information sharing must only ever be with those with a 'need to know'. This does **NOT** automatically include the persons spouse, partner, adult, child, unpaid or paid carer. Information should only be shared with family and friends and/or carers with the consent of the adult or if the adult does not have capacity to make that decision and family/ friends/ carers need to know in order to help keep the person safe.

The purpose of Data Protection legislation is not to prevent information sharing but to ensure personal information is only shared appropriately. Data protection legislation allows information sharing within an organisation. For example:

- Anyone who has a concern about harm can make a report to an appropriate person within the same organisation
- Case management meetings can take place to agree to co-ordinate actions by the organisation

There are also many situations in which it is legal to share information about adult safeguarding concerns outside the organisation. Importantly personal information can be shared with the consent of the adult concerned. However, the adult may not always want information to be shared. This may be because they fear repercussions from the person causing harm or are scared that they will lose control of their situation to statutory bodies or because they feel stupid or embarrassed. Their wishes should be respected unless there are over-riding reasons for sharing information.

The circumstances when we need to share information without the adult's consent include those where:

- it is not safe to contact the adult to gain their consent – i.e. it might put them or the person making contact at further risk.
- you believe they or someone else is at risk, including children.
- you believe the adult is being coerced or is under duress.
- it is necessary to contact the police to prevent a crime, or to report that a serious crime has been committed.
- the adult does not have mental capacity to consent to information being shared about them.
- the person causing harm has care and support needs.
- the concerns are about an adult at risk living in Wales or Northern Ireland (where there is a duty to report to the Local Authority).

When information is shared without the consent of the adult this must be explained to them, when it is safe to do so, and any further actions should still fully include them.

If there is doubt as to whether to share information we will seek advice e.g. legal advice and/or contact the Local Authority and explain the situation without giving personal details about the person at risk or the person causing harm. Any decision to share or not to share information with an external person or organisation will be recorded, along with the reasons to share or not share information.

### **Enabling reports**

Sketch Appeal ensures that safe, appropriate, accessible means of reporting safeguarding concerns are made available to staff and the communities we work with.

### **How to report a safeguarding concern**

**Any safeguarding concern should be reported to our Director and Safeguarding Officer Dulcie Ball – [dulcie@sketchappeal.co.uk](mailto:dulcie@sketchappeal.co.uk)**

Participants, volunteers and/or facilitators who have a complaint or concern relating to safeguarding should report it immediately to the Director. Sketch Appeal CIC will follow up safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations.

The role of our Safeguarding Officer is to:

- Nurture a safe and inclusive environment and culture within the organisation and all spaces Sketch Appeal occupies.
- Play a lead role in developing and establishing Sketch Appeal's approach to safeguarding adults and in maintaining and reviewing the organisation's implementation plan for safeguarding adults in line with current legislation and best practice.
- Ensure all staff, volunteers and contractors have read and have access to this policy, and have agreed to act in line with the Sketch Appeal Code of Conduct.
- Ensure other policies and procedures are consistent with the organisation's commitment to safeguarding adults.
- Ensure all staff, contractors and volunteers receive appropriate safeguarding training and maintain the training log.
- Ensure all training is kept up-to-date and DBS certificates are renewed when needed.
- Ensure this policy is reviewed annually, along with the Sketch Appeal Directors.
- Manage liaison with, and referrals to, external agencies for example adult social-care services and the police.
- Represent the organisation at external meetings related to safeguarding.
- Apply appropriate disciplinary measures to staff found in breach of policy.

### **Confidentiality**

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the concern and subsequent case management will be shared on a need-to-know basis only and should be kept secure at all times.