Luna's Fund

Safeguarding Vulnerable Adults Policy

About us
Luna's Fund supports families that have suffered stillbirth or neonatal loss.

Parents and wider family members seeking support will be vulnerable as they grieve and try to reconstruct a world that has been torn apart. Through our services, we aim to help and support in the immediate aftermath, through the journey of recovery and beyond, including through pregnancy after loss.

Background to safeguarding vulnerable adults
The Government's policy objective is to prevent and reduce the risk of significant harm to vulnerable adults from abuse or other types of exploitation, while supporting individuals in maintaining control over their lives and in making informed choices without coercion (statement of government policy on adult safeguarding: 2011).

Definition of a vulnerable adult
An adult at risk of abuse or neglect, and therefore classed as being vulnerable, applies to a person aged 18 or over, who:

- has needs for care and support and;
- is experiencing, or at risk of, abuse (including self-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 (including self-abuse) or neglect.

Our safeguarding ethos
Safeguarding is everyone's business and we understand that **it could happen here**, so we put in place our policy, the underpinning procedures and training so that all of our trustees, staff and our key volunteers remain vigilant and feel confident in fulfilling their responsibilities towards safeguarding vulnerable adults.

Our approach to safeguarding
Safeguarding vulnerable adults is a part of the wider role of safeguarding and promoting welfare. This refers to the activity undertaken to protect specific vulnerable adults who are suffering or are at risk of suffering significant harm.

As adult citizens generally, and in our roles as trustees, staff or volunteers specifically, everyone has a duty to safeguard the vulnerable and to promote their welfare.

Safeguarding and promoting the welfare of vulnerable adults, and, in particular, protecting them from significant harm, depends upon effective joint working between agencies and professionals that have different roles and expertise.

Some of the most vulnerable adults, or those at greatest risk of social exclusion, may need coordinated help from health, social care, education and possibly other voluntary sector groups and/or other agencies.

For those vulnerable adults who are suffering, or at risk of suffering significant harm, joint working is essential, to safeguard and promote their welfare and, where necessary, to help bring to justice the perpetrators of any crimes against them.

All trustees, staff, volunteers, agencies and professionals should:

- be alert to potential indicators of abuse or neglect (see Annex B);

- be alert to the risks which individual abusers, or potential abusers, may pose to vulnerable adults;
- share and help to analyse information so that an assessment can be made of the individual's needs and circumstances;
- contribute to whatever actions are needed to safeguard and promote the individual's welfare;
- take part in regularly reviewing the outcomes for the individual against specific plans; and
- work co-operatively with those that have a legal or legitimate responsibility towards the welfare of the vulnerable adult, unless this is inconsistent with ensuring the individual's safety.

As one of our key activities, we seek to serve the needs of adults at a particularly vulnerable time in their life. In doing so we take seriously the welfare of all vulnerable adults that we engage with. We aim to ensure that they are welcomed into a safe, caring environment with a positive, supportive and friendly atmosphere.

We recognise that it is the responsibility of each one of our trustees, staff and volunteers, to prevent the neglect, physical, financial, sexual, domestic, discrimination, emotional abuse or self-abuse of vulnerable adults, and to report any abuse or cause for concern to the nominated safeguarding lead or their deputy.

We acknowledge our responsibility to implement, maintain and regularly review our policy and the supporting procedures that are designed to prevent, and to promote alertness, to such abuse.

We are committed to supporting, resourcing and training those who work with vulnerable adults and to provide supervision where required.

The charity is committed to establishing and maintaining effective links with the statutory social services authorities where this is required.

Procedures

- *Supporting vulnerable adults*
  In delivering our services and managing our safeguarding responsibilities, we will be mindful of the needs of the vulnerable adults we support and, as far as is reasonably practicable, we will apply the principles of the framework for safeguarding vulnerable adults (Annex C) so that their wishes are taken into account and their interests are considered.

- *Roles and responsibilities*
  The **designated safeguarding lead** is **Lloyd Wright**.

  The deputy designated safeguarding lead is Steve Green.

- *What to do if you encounter abuse or have any cause for concern*
  The end to end procedure is illustrated in the flowchart at Annex A, including those actions by Adult Social Care after a concern has been shared with them. Our procedure is to:

  - if it is a medical or police **emergency**, always **dial 999** and report immediately

  - inform our designated safeguarding lead or a deputy immediately, but if these people are not available, take action yourself by phoning:

    - Cornwall Adult Social Care on 0300 1234 131; or
    - Plymouth Adult Social Care on 01752 668000; or
    - Torbay Adult Social Care on 01803 219700 (Mon-Fri 9 to 5) or 0300 4564 876 (out of hours); or

- Devon (including Exeter) Adult Social Care on 0345 1551 007 (Mon-Thu 8 to 5, Fri 9 to 4.30 and Sat 9 to 5) or 0345 6000 388 (out of hours).

- for police non-emergencies use the 101 service, either by phone or via online reporting

- *What to do next*
  Everything that is reported will be considered with a view to improving the vulnerable person's situation. If you believe that the person remains at risk, always raise your concern again. It is not always possible to share with you what action has, or will be taken, but every concern raised should lead to an improved outcome for the vulnerable person.

- *Confidentiality*
  All matters relating to safeguarding are confidential and are only to be discussed between those in our charity that need to know. We have a legal and moral requirement to share concerns with the relevant statutory authorities and this includes the sharing of their personal data - the need for effective safeguarding and protecting people from harm overrules the requirement for privacy and the provisions in Data Protection legislation support this (in the case of our charity's work, the lawful basis will be to pursue our *legitimate interests* or to protect the vulnerable person's *vital interests*).

Record of changes

Version	Date of Change	Changed by	Comments
1	24 Jan 21	SPG	First draft
2	19 Jan 22	SPG	Review with minor changes
3	21 Dec 22	SPG	Review with minor changes
4	23 Nov 23	SPG	Review with minor changes
5	5 Nov 24	SPG	Review with no changes
6	2 Oct 25	SPG	Review – change of deputy safeguarding lead
7	5 Apr 26	SPG	Review – change of designated safeguarding lead, update hyperlinks

Annexes:

A. Raising a concern flow chart.
B. Abuse and neglect.
C. Framework for safeguarding vulnerable adults.

Annex A

Raising an adult safeguarding concern flowchart

Timescale: as soon as possible – within 1 working day

You are informed or become aware of possible abuse or neglect

Inform our designated safeguarding lead or a deputy immediately

If these people are not available, then **you** will need to follow this procedure

Take action to ensure the immediate safety and welfare of the adult at risk (and any other person at risk)
consider:
is urgent medical attention/ambulance required? (dial 999)
is an urgent police presence required? (dial 999)

Inform the regional Adult Social Care team on the number listed on Page 2 above
where possible discuss with the adult and gain consent as needed to share information for the purpose of protecting them from further harm

Does a crime need to be reported?
(dial 101 unless there is an immediate risk, in which case dial 999)
be aware of the possible need to preserve forensic evidence

Adult Social Care will raise an Adult Safeguarding concern (Alert)

CFT/ RCHT staff raise concerns to their internal safeguarding team

Adult Social Care will document the incident and any actions or decisions taken

Adult Social Care will ensure key people are informed
for example, CQC, contract teams, the adult's representatives

Adult Social Care will provide support for the person identifying the safeguarding concern (if required) and

will continue to support the adult at risk

Annex B

Abuse and neglect
Defining abuse or neglect is complex and rests on many factors.

A key consideration is:

- *has an adult been harmed or are they at risk of harm because of the actions or inactions of others?*

In self-neglect, an adult may be harmed as a result of their own lack of action to resolve factors which may seriously damage their wellbeing.

Abuse and neglect may consist of:

- a single act;
- repeated acts;
- an act of commission or omission;
- multiple acts, for example, an adult at risk may be neglected and also be financially and sexually abused

Abuse and neglect may be intentional or unintentional and abusive acts may be crimes, where informing the police will be a key consideration.

In its most basic form, abuse and neglect can be described as forms of maltreatment of an adult. Somebody may abuse or neglect by inflicting harm, or by failing to act to prevent harm. Adults may be abused in a family or in an institutional or community setting, by those known to them or by a stranger. They may be abused by an adult or adults or a child or children.

Please read Cornwall Council's "**Say no to neglect and abuse**" leaflet.

Physical abuse
Examples of physical abuse include: hitting, slapping, pushing, kicking, misuse of medication, illegal restraint or inappropriate physical sanctions. These are also usually crimes and will fall under offences against the person legislation. Restraint is the unlawful or inappropriate use of restraint or physical interventions and/or unlawful deprivation of liberty is physical abuse.

Psychological or emotional abuse
Examples of psychological/emotional abuse include: teasing or taunting for the pleasure of a person in a position of trust; threats of harm or abandonment; deprivation of contact; humiliation; blaming; controlling; intimidation; coercion; harassment; verbal abuse; cyber bullying; isolation or unreasonable and unjustified withdrawal from services or supportive networks.

This is behaviour that has a harmful effect on the person's emotional health and development or any actions that result in:

- mental distress;
- the denial of basic human and civil rights such as self-expression, privacy and dignity;
- negating the right of the adult at risk to make choices and undermining their self-esteem; and/or
- isolation and over-dependence that has a harmful effect on the person's emotional health, development or well-being.

Psychological/emotional abuse can result from other abusive acts and therefore may occur as a result of or alongside other types of abusive behaviour. Psychological abuse may be a criminal offence under the 1997 Harassment Act; may be a Hate Crime if it relates to a protected characteristic, or may be an offence under S44 of the Mental Capacity Act or Criminal Courts and Justice Act. Humiliation and intimidation or other

abuse by an intimate that is used to harm, punish, or frighten the adult may be an offence under the Serious Crime Act 2015.

Sexual abuse
Examples include: rape and sexual assault or sexual acts to which the adult at risk has not consented, or could not consent or was pressured into consenting. Sexual acts would include being made to watch sexual activity. Sexual abuse largely falls under the Sexual Offences Act 2003.

Sexual abuse is not confined to issues of consent, the following factors should also be considered:

- Any sexual relationships or inappropriate sexualised behaviour between a Trustee, staff member or volunteer and a service user will fall under the adult safeguarding processes and must be reported to the police for consideration under the Sexual Offences Act 2003. The Trustee, staff member or volunteer will be subject to disciplinary proceedings.

Neglect and acts of omission
Examples include: 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.

Neglect and acts of omission concern the failure of any person who has responsibility for the care of an adult at risk to provide the amount and type of care that a reasonable person would be expected to provide.

Neglect and acts of omission can be intentional or unintentional.

Intentional acts involve:

- wilfully failing to provide care
- wilfully preventing the adult at risk from getting the care they need
- being reckless about the consequences of the person not getting the care they need

If the individual committing the neglect or acts of omission is aware of the consequences and the potential for harm to result from the lack of action(s), then it is intentional in nature. Wilful neglect can be a criminal offence under s44 of the Mental Capacity Act 2005 or Criminal Courts and Justice Act 2015.

Unintentional neglect or acts of omission could result from an unpaid carer failing to meet the needs of the adult at risk because they do not understand their needs, or may not know about services that are available or because their own needs prevent them from being able to give the care the person needs. It may also occur if the individual is unaware of or does not understand the possible effect of their lack of action on the adult at risk.

Financial or material abuse
This abuse is a crime. It is the use of a person's property, assets, income, funds or any resources without their informed consent or authorisation. It includes:

- theft;
- fraud;
- internet scamming;
- coercion in relation to an adults' financial affairs or arrangements, such as wills, property, inheritance or financial transactions;
- exploitation or the misuse or misappropriation of property, possessions or benefits
- the misuse of an enduring power of attorney or a lasting power of attorney, or appointee ship

Potential criminal offences may have been committed under the Fraud Act 2006 or Theft Act 1968.

Domestic abuse
Examples of domestic violence include psychological, physical, sexual, financial, emotional abuse; as well as so called 'honour' based violence, forced marriage and female genital mutilation. Controlling and coercive behaviour will be present in most forms of domestic abuse.

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

Many people think that domestic abuse is about intimate partners, or abuse of women by men, but it may also be caused by wider family members, and committed by women towards men and in same-sex relationships.

Discrimination abuse
Examples of discriminatory abuse include: abuse based on a person's race, gender, gender identity, age, disability, sexual orientation or religion; or other forms of harassment, slurs or similar treatment or hate crime/hate incident.

Discriminatory abuse exists when values, beliefs or culture result in a misuse of power that denies opportunity to some groups or individuals. It can result from situations that exploit a person's vulnerability by treating the person in a way that excludes them from opportunities they should have as equal citizens, for example, education, health, justice and access to services and protection.

This could include acts of anti-social behaviour, which is any aggressive, intimidating or destructive activity that damages or destroys another person's quality of life. This might, for example, include:

- persistent verbal abuse or threats
- assault or physical harassment
- racial or homophobic harassment
- graffiti, vandalism or damage to property

Organisational abuse
Whenever any form of abuse is caused by an organisation, it may be organisational abuse.

Organisational abuse includes neglect and poor 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.

Self-neglect
This covers a wide range of behaviours, such as neglecting to care for one's personal hygiene, health or surroundings and includes behaviours such as hoarding.

Where a person lacks capacity to make specific decisions in relation their care and support needs, decisions should be made in the person's best interests as required under the Mental Capacity Act 2005. However, if a person has capacity in relation to their care and support needs, or where issues of capacity are or have been difficult to assess, a response within the adult safeguarding procedure may sometimes be appropriate. This should be considered where:

- a person is declining assistance in relation to their care and support needs, and;
- the impact of their decision, has or is likely to have a substantial impact on their overall individual wellbeing or the safety of others.

This will be those situations where usual attempts to engage the person with necessary support have been unsuccessful, and a significant risk of harm remains. It will also often, but not always, be those cases where a multi-agency response is required to respond to the concerns. There may also be occasions where a person lacks capacity to make specific decisions, but there are complex circumstances that prevent actions being taken in the person's 'best interests', and a response within the adult safeguarding procedure is appropriate and proportionate to the concerns.

Modern Slavery

Modern Slavery can take many forms including the trafficking of people, forced labour, servitude and slavery. Any consent victims have given to their treatment will be irrelevant where they have been coerced, deceived or provided with payment or benefit to achieve that consent.

The term 'modern slavery' captures a whole range of types of exploitation, many of which occur together. These include but are not limited to:

- sexual exploitation;
- domestic servitude;
- forced labour;
- criminal exploitation;
- other forms of exploitation may include organ removal, forced begging, forced benefit fraud, forced marriage and illegal adoption.

Annex C

Framework for safeguarding vulnerable adults

Category	Key Principle	Service User
Empowerment	Adults are encouraged to make their own decisions and are provided with support and information.	"I am consulted about the outcomes I want from the safeguarding process and my wishes directly inform what happens"
Prevention	Strategies are developed to prevent abuse and neglect that promotes resilience and self-determination.	"I am provided with easily understood information about what abuse is, how to recognise the signs and what I can do to seek help"
Proportionate	A proportionate and least intrusive response is made balanced with the level of risk.	"I am confident that the professionals will work in my interest and only get involved as much as needed"
Protection	Adults are offered ways to protect themselves, and there is a coordinated response to adult safeguarding.	"I am provided with help and support to report abuse. I am supported to take part in the safeguarding process to the extent to which I want and to which I am able"
Partnerships	Local solutions through services working together within their communities.	"I am confident that information will be appropriately shared in a way that takes into account its personal and sensitive nature. I am confident that agencies will work together to find the most effective responses for my own situation"
Accountable	Accountability and transparency in delivering a safeguarding response.	"I am clear about the roles and responsibilities of all those involved in the solution to the problem"