

**Purpose:** To inform volunteers/members of Milford on Sea u3a who organise activities which include any adults at risk, of their responsibilities.

**Approved by:** Trustees of Milford on Sea u3a

**Responsibility for update:** John Whitley, Trustee

**Applies to:** Members organising activities which include any adults at risk.

**Date of approval:** February 2022

**Proposed date of review:** February 2023

### 1. Definition of an adult at risk

A person aged 18 years or over; and who is, or maybe, in need of community care services by reason of mental or other disability, age or illness; and who is or might be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation

An adult at risk may be a person who:

- has a physical, intellectual or sensory impairment
- is frail due to ill health
- has mental health needs including dementia or a personality disorder
- misuses alcohol or other substances
- is unable to demonstrate the capacity to make a relevant decision and is in need of care and support

***It is very important to bear in mind that a disabled person may not be an adult at risk, and an adult at risk is not always a disabled person. The u3a encourages diversity and inclusion and we welcome people with disabilities.***

Capacity relates to the ability of an individual to make a decision at a particular time. Under the Mental Capacity Act 2005 an individual may be considered to 'lack capacity' if they cannot:

- Understand information given to them to make a particular decision
- Retain that information long enough to make the decision
- Use or weigh up the information to make the decision
- Communicate their decisions

This might be as a consequence of illness or impairment (such as mental health problem, dementia or learning disability). The law says that everyone has capacity to make a decision if given sufficient support, time, and information, even if their decision appears to be unwise or ill-judged. It is not our role to make a decision about whether an adult 'lacks capacity' or not.

## **2. This policy and procedures are based on the following principles:**

- The welfare of adults at risk is of primary concern
- All adults at risk whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/or sexual identity have the right to safeguarding from abuse
- It is our responsibility to report any concerns about suspected abuse to the Trustees with specific responsibility for safeguarding, (in this policy), and the responsibility of Social Services and the Police to conduct, where appropriate, a joint investigation.
- All incidents of alleged abuse will be taken seriously and responded to swiftly and appropriately
- All personal data will be processed in accordance with the requirements of the Data Protection Act 2018

## **3. Definition of Abuse**

- Abuse is any behaviour towards a person that deliberately or unknowingly causes them harm, endangers life or violates their rights. Abuse unique to adults at risk may be:
  - Physical
  - Sexual
  - Emotional/Psychological - repeatedly being made to feel unhappy, humiliated, afraid or devalued by others
  - Financial or material - stealing or denying access to money or possessions
  - Neglect
  - Discriminatory - abuse motivated by discriminatory attitudes towards race, religion, gender, disability or cultural background

## **4. Responsibility**

All u3a members are encouraged to take shared responsibility for the safeguarding and safety of adults at risk they come into contact with. This policy will be placed on the Milford on Sea u3a website. This policy will be shared annually with organisers of activities, who should be made aware of and abide by the Code of Good Practice (Appendix 1). The responsibility for any programme or activity rests with the individual who is directing or organising the activity. However, the designated Trustees with responsible for safeguarding will always offer support.

Where the activity includes an adult at risk, the organiser is expected to:

- Inform the Trustees with specific responsibility for safeguarding if they have an adult at risk in their group
- Ensure that everyone involved knows who is responsible for safeguarding and how to report any concerns
- Ensure an appropriate health and safety risk assessment is in place (the Trustees with specific responsibility for Safeguarding will assist with this)

## 5. Process

- Where Milford on Sea u3a becomes aware of a safeguarding concern, steps will be taken as needed, (refer to the flow chart for how activity organisers should take action if required), to ensure the safety of adult/s at risk is secured as a first priority. The situation will be discussed and agreed between designated Trustees with specific responsibility for safeguarding. No one committee member will act in isolation when dealing with a safeguarding concern.
- The first step will be to gather as much information as possible to assist with the decision as to the next steps. A risk assessment will be developed and recorded as soon possible by the designated Trustees with specific responsibility for safeguarding. Where it is deemed that the risk is high and immediate action needs to be taken, they will contact the relevant local authorities in their role as Trustees with specific responsibility for safeguarding of Milford on Sea u3a, and - where possible - the Trust for advice and support. Other Trustees will be informed but not provided with any personal information.
- As far as possible, the adult at risk's wishes will be respected as to whether or not to refer any concerns to the local authority as a Safeguarding Enquiry under Section 42 of the Care Act 2014. However, it may be necessary to override their wishes in the best interests of other adults at risk.
- In developing the risk assessment, the Trustees with specific responsibility will consider the level of risk and the action that needs to be taken accordingly.  
Assessment of risk will include:
  - Risk to the individual member
  - Risk to other members within the u3a
  - Reputational risk for the individual u3a and the u3a movement as a whole
- Where the risk is not deemed to be high but support is needed, Milford on Sea u3a will consider contacting the Third Age Trust to discuss the concerns and seek additional assistance in developing the risk assessment. Assistance will always be sought before moving to exclude any member from the u3a on the basis of a safeguarding risk assessment.
- Once the risk assessment is completed, the Trustees with specific responsibility for safeguarding will recommend to the Milford on Sea u3a Trustees the most appropriate course of action. This could include excluding members from certain groups i.e. groups held in people's homes, requesting that a member attends the u3a activities with a carer or excluding a member from a group run by a particular organiser.
- Depending on the nature of the allegation it may be necessary to pursue the incident following Milford on Sea U3a's complaints, disciplinary or grievance procedure. Where

it is decided that this is the best course of action, the matter will not be investigated by any party that was privy to the initial reporting of the incident.

- All actions taken will be recorded. Any records will remain confidential unless a prior decision has been taken to share the record with the relevant statutory bodies.
- The Trustees have responsibility for the oversight of this Safeguarding Vulnerable Adults Policy with delegated responsibility to the Trustees with specific responsibility for safeguarding. From February 2022 these are: Jenny Whitley, Margaret Buchi and Liz Miller.
  
- This policy and procedures will be regularly monitored and reviewed:
- In accordance with changes in legislation and guidance on the safeguarding of adults at risk
- Following any issues or concerns raised about the safeguarding of adults at risk
- In all other circumstances, at least annually

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## **Appendix 1**

### **Code of good practice for volunteers/organisers**

The following guidelines are intended to be a common sense approach that both reduces opportunities for the abuse of adults at risk and helps to protect members, from any false allegation.

You should:

- Treat all vulnerable adults with respect, and respect their right to personal privacy
- Ensure that, whenever possible, there is more than one person present during activities or that you are within sight or hearing of others
- Exercise caution when discussing sensitive issues with vulnerable adults
- Exercise caution in initiating any physical contact with a vulnerable adult
- Operate within the guidance offered by this Code
- Challenge all unacceptable behaviour and report all allegations or suspicions of abuse

You should not:

- Spend excessive time alone with vulnerable adults away from others
- Take vulnerable adults alone in a car journey, however short
- Take vulnerable adults to your home on your own
- Engage in physical or sexually provocative activities
- Allow or engage in inappropriate touching of any form

- Make over-familiar or sexually suggestive comments or approaches to a vulnerable adult even as a joke
- Let allegations, over-familiar or sexually suggestive comments or approaches made by vulnerable adult go unchallenged or unrecorded
- Do things of a personal nature that vulnerable adults can do for themselves
- Take photographs, videos or other images of vulnerable adult without the express permission of a carer or next of kin

### Milford on Sea u3a Flow Chart for safeguarding adults at risk.

