

Safeguarding Policy Statement

Our commitment:

The Gas Rooms 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. We will create and maintain a safe and positive environment and an open, listening culture where people feel able to share concerns without fear of retribution.

The Gas Rooms 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.

The Gas Rooms 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 and 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.

The Gas Rooms 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 The Gas Rooms 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 and scope:

The purpose of this policy is to demonstrate the commitment of The Gas Rooms to safeguarding adults and to ensure that everyone involved in The Gas Rooms 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.

This safeguarding policy and associated procedures apply to all individuals involved in The Gas Rooms activities and to all concerns about the safety of adults whilst taking part in our organisation, its activities and in the wider community and we expect our staff and learners to adopt and demonstrate their commitment to the principles and practice as set out in this safeguarding policy and associated procedures.

John Ladell (Director and Designated Safeguarding Lead) has overall responsibility for the implementation of this Safeguarding policy statement and is the person to whom all safeguarding concerns should be raised.

The organisation commits to:

The Gas Rooms is committed to developing and maintaining its capability to implement this policy and procedures. 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.
- Access to relevant training and legal and professional advice.
- Regular reporting detailing how risks to adult safeguarding are being addressed and how any reports have been addressed.
- Safeguarding adult procedures that deal effectively with any concerns of abuse or neglect, including those caused through poor practice.
- A Designated Safeguarding Lead

- Arrangements to work effectively with other relevant organisations to safeguard and promote the welfare of adults, including arrangements for sharing information.

Safeguarding Adults Legislation:

Safeguarding Adults in England is compliant with United Nations directives on the rights of disabled people and commitments to the rights of older people. It is covered by:

- The Human Rights Act 1998
- The Data Protection Act 2018
- General Data Protection Regulations 2018

The practices and procedures within this policy are based on the relevant legislation in England (The Care Act 2014) and government guidance (Care and Support Statutory Guidance 2014).

Many other pieces of legislation also affect adult safeguarding. These include legislation about different forms of abuse and those that govern information sharing. For example, legislation dealing with:

- Murder/attempted murder
- Physical Assault
- Sexual Offences
- Domestic Abuse/Coercive control
- Forced Marriage
- Female Genital Mutilation
- Theft and Fraud
- Modern slavery and Human exploitation
- Hate crime
- Harassment
- Listing and Barring of those unsuitable to work with adults with care and support needs

Legislation is also in place concerning the circumstances in which decisions can be made on behalf of an adult who is unable to make decisions for themselves:

- England and Wales - Mental Capacity Act 2005
- There are specific offences applying to the mistreatment of and sexual offences against adults who do not have Mental Capacity and specific offences where mistreatment is carried out by a person who is employed as a carer: e.g. wilful neglect and wilful mistreatment.

Definition of an Adult at Risk:

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 actions that need to be taken might be by the Local Authority (usually social services) and/or by other agencies, for example the Police and Health. An organisation may need to take action as part of safeguarding an adult, for example, to use the disciplinary procedures in relation to a member of staff or learner who has been reported to be harming a participant. The Local Authority role includes having multi-agency procedures which coordinate the actions taken by different organisations.

The Care Act 2014 defines an **Adult at risk** is 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 examples of abuse within an organisation include:

- Harassment of a colleague or learner because of their (perceived) disability or other protected characteristics.
- Not meeting the needs of the learner e.g. training without a necessary break.
- A trainer who sends unwanted sexually explicit text messages to a learner with learning disabilities.
- A learner threatens another learner with physical harm and persistently blames them for poor performance.

Abuse or neglect outside an organisation could be carried out by:

- A spouse, partner or family member
- Neighbours or residents
- Friends, acquaintances or strangers
- People who deliberately exploit adults they perceive as vulnerable
- Paid staff, professionals or volunteers providing care and support

Often the perpetrator is known to the adult and may be in a position of trust and/or power.

The Safeguarding Adults Legislation in 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 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 fully engaged.
- Someone losing or gaining weight / an unkempt appearance.
- 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.

Wellbeing 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.

The legislation recognises that statutory agencies have sometimes acted disproportionately in the past. For example, removing an adult at risk from their own home when there were other ways of preventing harm. In the words of Justice Mummery '*What good is it making someone safe when we merely make them miserable?*' What Price Dignity? (2010). 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.

Person Centred Safeguarding/ Making Safeguarding Personal:

The 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.

The concept of 'Person Centred Safeguarding'/'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).

The Principles of Adult Safeguarding in England (Care Act 2014)

The Act's principles are:

- **Empowerment** - People being supported and encouraged to make their own decisions and informed consent.
- **Prevention** – It is better to take action before harm occurs.
- **Proportionality** – The least intrusive response appropriate to the risk presented.
- **Protection** – Support and representation for those in greatest need.
- **Partnership** – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse
- **Accountability** – Accountability and transparency in delivering safeguarding.

Mental Capacity and Decision Making:

We make many decisions every day, often without realising. UK Law assumes that all people over the age of 16 have the ability to make their own decisions, unless it has been proven that they can't. It also gives us the right to make any decision that we need to make and gives us the right to make our own decisions even if others consider them to be unwise.

We make so many decisions that it is easy to take this ability for granted. The 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.

Most adults have the ability to make their own decisions given the right support however, some adults with care and support needs have the experience of other people making decisions about them and for them.

Some people can only make simple decisions like which colour T-shirt to wear or can only make decisions if a lot of time is spent supporting them to understand the options. If someone has a disability that means they need support to understand or make a decision this must be provided. A small number of people cannot make any decisions. Being unable to make a decision is called "lacking mental capacity".

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.

The legislation 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.

Many potential difficulties with making decisions can be overcome with preparation. A person needing support to help them make decisions regarding their learning will ordinarily be accompanied by someone e.g. a family member or formal carer whose role includes supporting them to make decisions.

There may be times when an organisation 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.

Prevent

Prevent is one part of the government's overall counter-terrorism strategy. The aim of Prevent is to:

- tackle the causes of radicalisation and respond to the ideological challenge of terrorism
- safeguard and support those most at risk of radicalisation through early intervention
- enable those who have already engaged in terrorism to disengage and rehabilitate

Extremism is the vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.

Terrorism is an action that endangers or causes serious violence to a person/people, causes serious damage to property or seriously interferes or disrupts systems. The use of threat must be designed to influence the Government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

Radicalisation is when someone is being encouraged to develop extreme views or beliefs in support of terrorist groups and activities. People can be drawn into violence or they can be exposed to the messages of extremist groups.

Prevent aims to safeguard vulnerable individuals who may be at risk of potentially becoming involved in terrorist activities, or becoming involved with extremist groups.

The Prevent duty requires all education providers to have due regard to the need to prevent people from being drawn into terrorism.

All staff have a responsibility to look out for concerning changes (emotional, physical or verbal) in behaviour and report them to the Designated Safeguarding Lead.

Spotting the signs

The journey to becoming radicalised is different for everyone and there are many reasons why someone becomes vulnerable. Radicalisation can take place very quickly, or over a long period of time.

More important than any one specific sign is the sense that something is not quite right with the person you're worried about. You could spot one sign or a combination of signs that seem to be increasing in intensity. However, there are certain behaviours you can watch out for that we often see when someone is being led down the path of extremism:

- Being influenced or controlled by a group
- An obsessive or angry desire for change or 'something to be done'
- Spending an increasing amount of time online and sharing extreme views
- Personal crisis
- A need for identity, meaning and belonging
- Mental health issues
- Looking to blame others
- Desire for status, need to dominate

Reporting a Safeguarding Concern:

If any staff member or learner has any safeguarding concerns about a fellow staff member or learner, then they should contact John Ladell (Director and Designated Safeguarding Lead – 07887565509/john@thegasrooms.co.uk) for advice, even if they are not sure. If in doubt, check.

It is crucial that all concerns are properly recorded. Details of all concerns should be emailed to the Designated Safeguarding Lead, including, where possible:

- Name, address and date of birth
- Ethnic origin, religion, if any, disability, if any.
- Name and address of adults involved in the incident/concern/allegation.

- Date and time of the alleged incident.
- Nature of injury, behaviour or concern and when the behaviour or injury was first noticed.
- The explanation in his/her own words as verbatim as possible.
- Date and time of the recording.
- Any questions that were asked.

The Designated Safeguarding Lead, in consultation with the staff member/learner, will decide as to whether a referral is necessary and needs to be escalated to the police or Local Authority.

To report a crime, telephone the police:

- In an emergency telephone 999
- If the person is not in immediate danger telephone 101

Local Authority

Supporting people when concerns about abuse or neglect are raised can be very difficult and worrying for everyone involved. It is important to remember that you must not ignore abuse or neglect. You must report it. If you are not sure what to do you can always seek advice.

To report concerns about an adult in Allerdale, Carlisle or Copeland contact Cumberland Council on 0300 373 3732.

To report concerns about an adult in Barrow, Eden or South Lakeland contact Westmoreland and Furness Council on 0300 373 3301.

Prevent

The national police Prevent advice line [0800 011 3764](tel:08000113764), can be contacted in confidence, to share your concerns with specially trained officers.

If it's an emergency, please call [999](tel:999).

To make a referral online to Cumbria Police <https://www.cumbria.police.uk/advice/advice-and-information/t/prevent/prevent/>

If you see online material promoting terrorism or extremism, you can [report it online](#).

Recording and Information Sharing

All organisations must comply with 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 perfectly 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 you are in doubt as to whether to share information seek advice e.g. seek 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 must be recorded together with the reasons to share or not share information.

Multi-Agency Working

Safeguarding adults' legislation gives the lead role for adult safeguarding to the Local Authority. However, it is recognised that safeguarding can involve a wide range of organisations.

Organisations may need to cooperate with the Local Authority and the Police including to:

- Provide more information about the concern you have raised.
- Provide a safe venue for the adult to meet with other professionals e.g. Police/Social Workers/Advocates.
- Attend safeguarding meetings.
- Coordinate internal investigations (e.g. complaints, disciplinary) with investigations by the police or other agencies.
- Share information about the outcomes of internal investigations.
- Provide a safe environment for the adult to continue their involvement/ their role in the organisation.

Appendix 1 – Sources of Information and Support

Cumbria Safeguarding Adults Board

The Cumbria Safeguarding Adults Board work together with local services such as councils, health, police and other agencies and ensure local services plan for safeguarding adults that need it.

www.cumbriasab.org.uk

Action on Elder Abuse

A national organisation based in London. It aims to prevent the abuse of older people by raising awareness, encouraging education, promoting research and collecting and disseminating information.

Tel: 020 8765 7000

Email: enquiries@elderabuse.org.uk

www.elderabuse.org.uk

Ann Craft Trust (ACT)

A national organisation providing information and advice about adult safeguarding.

Tel: 0115 951 5400

Email: Ann-Craft-Trust@nottingham.ac.uk

www.anncrafttrust.org

Men's Advice Line

For male domestic abuse survivors

Tel: 0808 801 0327

National LGBT+ Domestic Abuse Helpline

Tel: 0800 999 5428

National 24Hour Freephone Domestic Abuse Helpline

Tel: 0808 2000 247

www.nationaldahelpline.org.uk/Contact-us

Rape Crisis Federation of England and Wales

Rape Crisis was launched in 1996 and exists to provide a range of facilities and resources to enable the continuance and development of Rape Crisis Groups throughout Wales and England.

Email: info@rapecrisis.co.uk

www.rapecrisis.co.uk

Respond

Respond provides a range of services to victims and perpetrators of sexual abuse who have learning disabilities, and training and support to those working with them.

Tel: 020 7383 0700 or

0808 808 0700 (Helpline)

Email: services@respond.org.uk

www.respond.org.uk

Stop Hate Crime

Works to challenge all forms of Hate Crime and discrimination, based on any aspect of an individual's identity. Stop Hate UK provides independent, confidential and accessible reporting and support for victims, witnesses and third parties.

24 hours service:

Telephone: 0800 138 1625

Web Chat: www.stophateuk.org/talk-to-us/

E mail: talk@stophateuk.org

Text: 07717 989 025

Text relay: 18001 0800 138 1625

By post: PO Box 851, Leeds LS1 9QS

Susy Lamplugh Trust

The Trust is a leading authority on personal safety. Its role is to minimise the damage caused to individuals and to society by aggression in all its forms – physical, verbal and psychological.

Tel: 020 83921839

Email: info@suzylamplugh.org

www.suzylamplugh.org

Victim Support

Provides practical advice and help, emotional support and reassurance to those who have suffered the effects of a crime.

Tel: 0808 168 9111

www.victimsupport.com

Women's Aid Federation of England and Wales

Women's Aid is a national domestic violence charity. It also runs a domestic violence online help service.

www.womensaid.org.uk/information-support