RNIB See differently Logo

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**RNIB Safeguarding Adults Policy**

## Introduction

* 1. RNIB safeguarding policy aims to explain what adult abuse is and how we can recognise it; demonstrate how RNIB will safeguard against adult abuse; and provide a range of procedures to guide staff and volunteers in the management of safeguarding matters.
	2. Safeguarding adults from harm is a core duty of RNIB. The nature of services we provide mean it is likely that staff and volunteers will have contact with adults at risk of abuse or neglect. This policy provides guidance for staff and volunteers to ensure the principles of safeguarding adults are embedded in all aspects of RNIB.

* 1. RNIB is committed to the aims of adult safeguarding which are to:
* Prevent harm and reduce the risk of abuse or neglect to adults with care and support needs.
* Stop abuse or neglect wherever possible.
* Safeguard adults in a way that supports them in making choices and having control over their lives.
* Promote an approach that concentrates on improving life for the adults concerned.
* Raise public awareness so that communities, alongside professionals, play their part in preventing abuse.
* Identify and respond to abuse and neglect.
* Provide information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult.
* Address what has caused the abuse or neglect.

1.4 To achieve these aims, we will:

* Ensure all managers, staff and volunteers have access to, and are familiar with, RNIB safeguarding policies and safeguarding procedures and their responsibilities.
* Ensure concerns or allegations of abuse are always taken seriously
* Ensure the Mental Capacity Act 2005 is used to inform any decision making on behalf of adults at risk who are unable to make particular decisions for themselves.
* Ensure all staff and volunteers receive training in relation to safeguarding adults at a level relevant to their role.
* Ensure our customers and where relevant their relatives have access to information about how to report concerns or allegations of abuse.

## Principles of Adult Safeguarding

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| **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 these directly inform what happens.’  |
| **Prevent** | 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.’  |
| **Proportionality** | 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.’  |
| **Partnership** | Local solutions through services working together within their communities.  ‘I am confident that the 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.’ |

## Making Safeguarding Personal

3.1 Adult safeguarding work should be person-led and outcome-focused. It should engage 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, wellbeing and safety.

3.2 At RNIB, we will meet the aims of Making Safeguarding Personal by:

* Keeping the person at the heart of the process.
* Striving to understand the outcomes they want to achieve from the safeguarding work and supporting them to achieve these outcomes.

## Who is an adult at risk?

4.1 The Safeguarding Adults policy applies to people who are aged 18 years, or more, and:

* Have need for care and support (whether or not these are currently being met); and
* Are experiencing, or are at risk of, abuse or neglect; and
* Because of those needs, are unable to protect themselves against the abuse or neglect or the risk of it.

4.2 This includes adults with physical, sensory and mental impairments and learning disabilities, whether present from birth or due to advancing age, illness or injury. Also included are people with a mental illness, dementia or other memory impairments, and people who misuse substances or alcohol (where this has led to impaired physical, cognitive or mental health).

## What is abuse?

5.1 Abuse can take many forms and the circumstances of the individual should always be considered. It may consist of a single act or repeated acts. The following are examples of issues that would be considered as abuse or neglect:

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| **Physical abuse** | Includes hitting, slapping, pushing, kicking, misuse of medication, unlawful or inappropriate restraint, or inappropriate physical sanctions. |
| **Domestic Abuse** | Is an incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse by someone who is or has been an intimate partner or family member. Domestic violence and abuse may include psychological, physical, sexual, financial, emotional abuse; as well as so called ‘honour’ based violence, forced marriage and female genital mutilation. The Domestic Abuse Act 2021 applies. |
| **Sexual Abuse** | Includes rape and sexual assault or sexual acts to which the adult at risk has not consented, or could not consent to or was pressured into consenting. |
| **Psychological Abuse**  | Includes emotional abuse, 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. |
| **Financial Abuse** | Includes theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits. |
| **Modern Slavery** | Includes human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhuman treatment. |
| **Neglect and Acts of Omission** | Includes 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. |
| **Discriminatory Abuse** | Includes abuse based on a person’s race, sex, gender, disability, faith, sexual orientation, or age; other forms of harassment, slurs or similar treatment or hate crime. |
| **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** | 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. A safeguarding response in relation to self-neglect may be appropriate 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. |
| **Radicalisation** | Radicalisation is comparable to other forms of exploitation, such as grooming and Child Sexual Exploitation. Prevent is part of the Government's counterterrorism strategy CONTEST and aims to provide support and re-direction to vulnerable individuals at risk of being groomed into terrorist activity before any crimes are committed. Vulnerable individuals are groomed directly or through social media to be persuaded of the legitimacy of a radical’s cause to inspire new recruits and have extreme views embedded. |

## What is an “adult safeguarding enquiry”?

6.1 Where a local authority in England or Wales believes an adult at risk is experiencing or at risk of experiencing abuse or neglect, it must make enquiries (this is not necessarily an investigation), or cause others to do so. This is a duty under s.42 of The Care Act 2014.

A Scottish council must make inquiries about a person's well-being, property or financial affairs under The Adult Support and Protection (Scotland) Act 2007: Code of Practice if it knows, or believes:

(a) that the person is an adult at risk; and

(b) that it might need to intervene (by performing functions under this Part or otherwise) in order to protect the person's well-being, property or financial affairs.

Designated Adult protection officer within Northern Ireland’s Health and Social Care Trust must make enquiries in all cases of alleged abuse under the Adult Safeguarding: Prevention and Protection in Partnership 2015.

6.2 An enquiry should establish whether any action needs to be taken to prevent or stop abuse or neglect, and if so, by whom.

6.3 The objectives of an adult safeguarding enquiry are to:

* Establish facts.
* Ascertain the adult’s views and wishes.
* Assess and address their need for protection and support, in accordance with the wishes of the adult.
* Make decisions as to what follow-up action should be taken.
* Enable the adult to achieve resolution and recovery.

## Historic Abuse

 7.1 Abuse that took place when a person was under 18 years old is not an Adult Safeguarding issue but, dependant on the concern, could be a child safeguarding issue, irrespective of how old that person is now.

7.2 In certain cases, the relevant Children’s Social Care department may need to be informed, if for example, the person who caused harm, is considered as a continued risk to other children.

7.3 Adults who disclose historical childhood abuse can be advised that this is a crime and that they can still report this to the Police, if they want to do this.

## 8. Whistleblowing

8.1 To fulfil commitment to safeguarding, RNIB has a whistleblowing procedure, and a culture that enables issues about safeguarding and promoting welfare to be addressed through the whistleblowing policy.

8.2 RNIB is committed to the highest standards of openness, probity and accountability. In line with that commitment, RNIB recognises that an important aspect of accountability and transparency is a mechanism to enable employees and volunteers to voice concerns about breaches or failures in a reasonable and effective manner.

8.3 There must be an awareness of the vulnerability of children, and adults in RNIB settings and that whistleblowing applies in all contexts. In addition, to situations where there is a perceived risk, whistleblowing may be necessary to highlight more general problems with unacceptable practice, performance or behaviour.

8.4 RNIB whistleblowing policy or procedures make clear how to raise a concern, which can be a matter about safeguarding.

8.5 The Public Interest Disclosure Act 1998 gives workers legal protection against being dismissed or penalised as a result of publicly disclosing certain serious concerns.

## 9. Role and Responsibilities

9.1 These roles and responsibilities are relevant to RNIB Safeguarding Policy and procedures.

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| Trustees | Trustees take reasonable steps to protect those connected with RNIB from harm. This includes:* People who benefit from RNIB work and services
* Staff
* Volunteers
* Other people connected to RNIB activities

RNIB Safeguarding Policy and Procedures are approved by the Trustees. The Trustees delegate the day to day work for safeguarding within RNIB to the positions below but are ultimately responsible. Trustees are accountable to The Charity Commission. |
| Executive Officer of Chief RNIB | The Chief Executive Officer (CEO) of RNIB will ensure that safeguarding underpins all decisions made by the Executive Leadership Team by:* Maintaining a clear organisational and operational focus on safeguarding adults and children.
* Making sure relevant statutory requirements and other national standards are met.

The CEO is accountable to the Board of Trustees for safeguarding matters. |
| **Director of Care, Education and Safeguarding** | The Director of Care, Education and Safeguarding is the accountable officer for safeguarding standards, policy and procedures throughout RNIB. This includes:* Strategic ownership of safeguarding with RNIB, including governance, compliance, resources and notification of serious incident.
* Ensures safeguarding underpins all RNIB policy and procedures.

The Director of Care, Education and Safeguarding is accountable to the RNIB CEO. |
| Head of Safeguarding | The Head of Safeguarding is the safeguarding subject expert employed by RNIB and the point of advice for safeguarding within the organisation. They lead on standard setting, the development and production of safeguarding procedures and compliance standards. They are responsible for The Safeguarding Team.The Head of Safeguarding is accountable to the Director of Care, Education and Safeguarding.  |
| **Safeguarding Case Manager** | The Safeguarding Case Manager will work as part of the safeguarding team and ensure there is effective operational decision making on safeguarding cases. They will support the Head of Safeguarding in overseeing RNIB investigations into safeguarding concerns and support the case management group.The Case Manager is accountable to the Head of Safeguarding. |
| **Designated Safeguarding Lead****(DSL)** | The DSL will take **lead responsibility** for safeguarding adults at risk within their service area of the organisation.* Act as a source of support and advice for staff and volunteers on all safeguarding matters.
* Refer and liaise with the safeguarding team regarding safeguarding concerns.
* Following through safeguarding policy and procedures regarding their responsibilities.
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## 10. The monitoring and oversight of safeguarding across RNIB

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| **Case Management Group (CMG)** | All safeguarding allegations must have oversight or supervision achieved through a Case Management Group. CMGs must consist of a member of the Safeguarding Team, HR, (and where appropriate) Head of Volunteering, or the Head of Service where the person subject of the concern is working or volunteering.The CMG is a group of people who will decide on how an internal RNIB safeguarding allegation is managed. A series of CMGs will take place to ensure oversight of all allegations. |
| **Quality Assurance Framework** | The Safeguarding Quality Assurance Framework provides a structure to ensure that the systems in place in RNIB protect people at risk and are proportionate, balanced and responsive. The framework ensures all service areas in RNIB are audited to ensure safeguarding practice ensures the safety and wellbeing of our customers. The safeguarding team ensure monthly reports are sent to Executive leadership Meetings. Followed by quarterly reports provided to Regulated Services and Safeguarding Committee (RSSC) for scrutiny.  |
| **Executive Leadership meetings** | The Executive Leadership is provided with regular safeguarding reports for discussion and challenge. The Executive Leadership Team is aware of all safeguarding matters and monitor progress.  |
| **Regulated Services and Safeguarding Committee (RSSC)** | The Regulatory Services and Safeguarding Committee must assure itself services are delivered to defined regulatory standards, and specifically to provide a direct line to RNIB Board on matters relating to the governance of schools, colleges and care provision registered with Ofsted, Care Quality Commission and the Scottish Care inspectorate. Assurance is required by the Board in the defined areas of Safety, Effectiveness, Caring, Responsiveness and Leadership.The Committee is accountable directly to the RNIB Board. |
| **The Board of Trustees** | The Board of Trustees must take reasonable steps to protect those connected with RNIB from harm. This includes: · People who benefit from RNIB work and services · Staff · Volunteers · Other people connected to RNIB activities RNIB Safeguarding Policy must be approved by the Trustees. The Trustees delegate the day to day work for safeguarding within RNIB to the Safeguarding Team but are ultimately responsible. The Board of Trustee are provided with Regular safeguarding reports including audit findings.Trustees are accountable to The Charity Commission.  |

## 11. Charity Regulators: Scotland, Northern Ireland, Isle of Man, England, and Wales

11.1 **England and Wales only**. The Charity Commission requires charities to report serious incidents. If a serious incident takes place within RNIB, it is important that there is prompt, full and frank disclosure to the Commission. RNIB will report what happened and, importantly, let the Commission know how RNIB is dealing with it, even if RNIB has also reported it to the Police, donors or another regulator.

11.2 A serious incident is an adverse event, whether actual or alleged, which results in, or risks, significant:

* harm to RNIB beneficiaries, staff, volunteers or others who come into contact with RNIB through its work, or
* harm to RNIB’s work or reputation.

11.3 For the purposes of reporting a serious incident to The Charity Commission, “significant” means significant in the context of the charity, taking account of its staff, operations, finances and/or reputation.

11.4 RNIB must report an actual or alleged incident promptly. This means as soon as is reasonably possible after it happens, or immediately after RNIB becomes aware of it.

11.5 The responsibility for reporting serious safeguarding incidents rests with the charity’s Trustees. However, this is delegated to the CEO and will be agreed with Governance Manager and Head of Legal Services before any incident is reported to The Charity Commission.

11.6 **Scotland.** There is no legal requirement for RNIB to report a notifiable event in Scotland, however, it is RNIB’s policy that all events which are notifiable must be reported to the Office Scottish Charity Regulator (OSCR).

11.7 A notifiable event to OSCR is one which will have a significant impact on the charity. A safeguarding notifiable event to OSCR is one which:

* Incidents involving the mistreatment or abuse of RNIB beneficiaries. This will include when a charity Trustee, member of staff or someone connected to RNIB has or it alleged mistreated or abused a child or adult while carrying out RNIB activities.
* RNIB has been subject to a criminal investigation or an investigation by another regulator or agency; sanctions have been imposed, or concerns raised by another regulator or agency.

11.8 This is not the full list of notifiable events and reference should be made to the OSCR web site for further details.

11.9 **Northern Ireland.** Serious incidents are defined as mainly concerned with criminal or unlawful activity, or very serious incidents about a charity that may affect its funds, property, beneficiaries or reputation. This will include safeguarding concerns which are being investigated by the Police or Health and Social Care Trust.

11.10 For safeguarding it is when RNIB adult or child customers have been, or alleged to have been or are being, abused or mistreated while under the care of the charity, or by someone connected with RNIB, for example, a charity trustee, employee or volunteer.

11.11 There has been an incident (alleged or actual) where someone has been or is being abused or mistreated and this relates to the activities of RNIB.

11.12 **Isle of Man**. The Central Registry is the joint regulator of charities in the Isle of Man in conjunction with HM Attorney General’s Chambers. The Central Chambers does not make any requirements to report serious safeguarding incidents that occur in the Isle of Man.

## 12. Notifiable Incidents to the Care Quality Commission (CQC) England

### 12.1 CQC (Registration) Regulations 2009

12.2 Regulation 18 governs when providers such as RNIB must notify the CQC of a safeguarding concern. The intention of this regulation is to specify a range of events or occurrences that must be notified to CQC so that, where needed, CQC can take follow-up action. RNIB must notify CQC of all incidents that affect the health, safety and welfare of people who use services. The full list of incidents is below.

12.3 RNIB **must send their notifications directly to CQC when:**

12.4 Any injury to a service user which, in the reasonable opinion of a health care professional, has resulted in:

* An impairment of the sensory, motor or intellectual functions of the service user which is not likely to be temporary.
* Changes to the structure of a service user's body.
* The service user experiencing prolonged pain or prolonged psychological harm; or
* The shortening of the life expectancy of the service user.

12.5 Any injury to a service user which, in the reasonable opinion of a health care professional, requires treatment by that, or another, health care professional to prevent:

* The death of the service user; or
* An injury to the service user which, if left untreated, would lead to one or more of the outcomes mentioned in sub-paragraph.

12.6 Due to the subjective nature of the threshold to notify safeguarding incidents to the CQC. All safeguarding incidents must be discussed with the safeguarding team before CQC are notified. Any dispute with whether a safeguarding concern has reached the threshold for notifying CQC must be raised to the Director of Care, Education and Safeguarding.

## 13. Notification to Care Inspectorate Scotland

**13.1** By law RNIB must tell the Care Inspectorate in Scotland immediately if the following events take place:

* Accidents, incidents or injuries
* Outbreak of infectious disease
* Death of person using a care service
* Allegations of abuse
* Significant equipment breakdown
* Allegation of misconduct by a provider or employee
* Criminal convictions resulting in unfitness of a manager
* A provider becoming unfit
* Absence of manager
* Planned refurbishment/alteration/extension of premises
* Change of registration details
* Person living at the registered premises.

**13.2** RNIB should notify the Care Inspectorate to any adverse events and concerns involving schedule 2, 3, 4, and 5 controlled drugs used in care settings, when they occur, and while the service user is receiving care in the care service.

## 14. Duty of Candour

**14.1** Duty of Candour is governed by statutory regulations for England, Wales and Scotland. A Duty of Candour does not exist in Northern Ireland or Isle of Man.

**14.2** Where RNIB provides a health service, care service or social work service then a Duty of Candour will apply. The Safeguarding Team must be contacted in all occasions when it is being considered that a Duty of Candour applies.

## Review

This policy is due for review every year or following any significant organisational changes.

Next review date: 13 May 2022

## Document Owner and Approval

Document owner: Sandra Cornwall

Final policy sign-off by: Trustee Board

## Associated Policies, Procedures, Standards and Guidelines

* Adult Safeguarding Procedure
* Child Safeguarding Policy
* Child Safeguarding Procedure
* Safeguarding Concerns and Allegation Reporting Process
* Customer Safeguarding Concerns Process
* Employee Safeguarding Concerns Process
* Volunteer Safeguarding Concerns Process
* Contractor Safeguarding Procedure
* Suicide Risk Procedure
* Duty of Candour
* Mental Capacity and Deprivation of Liberty Safeguarding Policy
* Record Keeping and Data Standards Procedure
* External Referral Procedure
* Medicine Related Incident and Safeguarding Procedure
* Medicine Related Incident Process
* Member of Public Safeguarding Concern Procedure

## Version control

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| --- | --- | --- | --- | --- |
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| 1.0 | 21 May 2020 | Sandra Cornwall, Head of Safeguarding | Approved - Board | Fundamental fit for purpose changes  |
| 2.0 | 13/05/2021 | Sandra Cornwall, Head of Safeguarding | Approved - Board | Added in reference to the Domestic Abuse Act |
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