

my AFK Protection of Young Persons And Adults At Risk (my AFK is the trading name of Action For Kids Charitable Trust)

1. PURPOSE

To enable my AFK to use good management policies and practice as a means of preventing the physical, sexual and emotional abuse of young people/adults at risk by anyone associated with the Trust. This policy supports and reinforces existing legislation and sets out some key principles intended to help my AFK fulfil its duty of care.

This policy must be implemented in conjunction with the Recruitment Policy, Bullying Policy, Confidential Reporting policy and The Code of Staff Behaviour, Data protection policy and process, guidance on Health and Safety and the Staff Handbook. Supporting documents and guidance includes Safer Recruitment practices and Working Together to Safeguard Children (2018).

my AFK's designated Safeguarding Lead is Harriet Fisher with Deputies Sam Holloway and Kate Jackson.

2. SCOPE

All established and temporary employees, all job applicants, agency staff, volunteers, contractors and consultants, senior management and trustees.

3. POLICY STATEMENT

my AFK has a mission to help disabled young people/adults at risk find a greater level of independence and opportunity through the provision of appropriate aid and support. Within that remit is a commitment to the welfare of young people/vulnerable adults.

It is usually the case that abuse of young people/adults at risk entails an abuse of power: someone with greater power than the young person/adults at risk exercises that power in a way that results in harm to him/her. 'Abuse is a violation of an individual's human and civil rights by any other person or persons' Children and young adults with disabilities are at much greater risk of abuse than other young people, as, for example, the differential treatment of young people/adults at risk with disabilities means that they are more likely to suffer maltreatment and neglect.

Protecting young people/adults at risk from abuse is not an optional activity to be added to the Trust's programme, but is an integral part of our duty of care for the young people/adults at risk with whom we work. All those employed by or involved in my AFK have a duty to prevent the physical, sexual or emotional abuse of all children and young

adults with whom they come into contact. It is therefore vital for my AFK that everyone in the Trust is aware of the problem of abuse and of what to do to prevent it. Equally, where abuse is suspected, employees and others need to be clear about the responses they should make in reporting their concerns and offering support wherever possible.

Stringency in recruitment, awareness in the work place, and a formal process for raising concerns, are all key elements in ensuring the Trust meets its commitments to safeguard young people/vulnerable adults.

4. DEFINITIONS

4.1 Adult at Risk

Any person 18 years or over who by reason of physical or learning disability, may be unable to take care of themselves or unable to protect themselves against significant harm or exploitation.

4.2 Abuse of Young People/Adults at Risk

Abuse of young people/adults at risk is a general term used about situations where a child or young adult may experience harm, usually as the result of failure on the part of the parent or carer to ensure a reasonable standard of care and protection. It may include both actions and omissions on the part of the parent or carer and is normally categorised into four main forms: physical, sexual and emotional abuse, and neglect. It is often the case that a young person/adult at risk vulnerable adult discovered to be suffering one form of abuse will also be experiencing others.

- **Physical abuse** – the actual or likely physical injury to a young person/vulnerable adult, or a failure to prevent physical injury or suffering to a young person/vulnerable adult. For example:
 - physically hurting or injuring young people or young adults;
 - giving young people (under the age of 18) alcohol, cigarettes, inappropriate drugs or poison.

- **Neglect** – neglect is defined as the persistent or severe neglect of a young person/adult at risk, or the failure to protect a young person/adult at risk from exposure to any kind of danger, or extreme failure to carry out important aspects of care, resulting in a significant impairment of the young person's/adult at risk's health or development, including non-organic failure to thrive. (NB: neglect may be wilful or otherwise.) For example:
 - when a young person or young adult's basic needs are not met (e.g. food, warmth);
 - when a young person or young adult requiring support is consistently left alone and unsupported.

- **Sexual abuse** – sexual abuse is the actual or likely sexual exploitation of a young person or young adult. For example:
 - full sexual intercourse, masturbation, oral sex, or fondling;
 - showing pornographic books, photographs or videos or taking photographs for pornographic purposes.

- **Emotional abuse** – emotional abuse refers to the actual or likely adverse effect on the emotional and behavioural development of a young person/adult at risk caused by persistent or severe emotional ill-treatment or rejection. For example:
 - when there is a persistent lack of love, affection or attention shown to a young adult;
 - when young people or adults at risk are overprotected preventing them from socialising;
 - when young people or adults at risk are frequently shouted at or taunted.

4.3 Abuse specifically of Young Adults at Risk

'Abuse is a violation of an individual's human and civil rights by any other person or persons'.

In addition to the above abuse may include one or more of the following:

- **Discriminatory abuse**, including that based on a person's ethnic origin, religion, language, age, sexuality, gender, disability, and other forms of harassment, slurs or similar treatment.
- **Sexual abuse**, including contact or non-contact sexual acts to which the adult at risk has not consented, or could not consent or was pressurised into consenting.
- **Financial or material abuse**, including theft, fraud, exploitation, pressure in connection with financial transactions, or the misuse or misappropriation of property, possessions or benefits;
- **Institutional abuse**; indicated by repeated instances of unsatisfactory professional practice, pervasive ill treatment or gross misconduct indicating an
- **Abuse of power** - including not allowing contact with friends and family.

NB. Abusers can be other young adults at risk.

4.4 Significant Harm

When deciding on whether a young person/adult at risk has been or is being treated in an abusive or neglectful way, it can be helpful to consider if the young person/adult at risk is, as a result, suffering significant harm. The concept of significant harm helps to focus on the likely consequences to the young person/adult at risk, and to assess the seriousness of the concerns about the young person's/adult at risk's safety or welfare. Harm resulting from physical, sexual or emotional abuse, or from neglect, may take the form of impairment of the young person's/adult at risk's health and development.

The level at which harm to a young person/adult at risk can be regarded as significant is difficult to define but should nevertheless form the basis of discussions of any concerns. Consideration must be given to the nature of the abuse and the level of concerns that exist, as well as to the context within which the abuse or harm takes place. It is important to discuss all concerns with managers and relevant others in order to assess the levels of risk to young people/adults at risk.

4.5 Criminal Offence

Some instances of abuse will constitute a **criminal offence**. In this respect, adults at risk are entitled to the protection of the law in the same way as any other member of the public. In addition, statutory offences have been created which specifically protect those who may be incapacitated in various ways. Examples of actions which may constitute criminal offences are assault, whether physical or psychological, sexual assault and rape, theft, fraud or other forms of financial exploitation, and certain forms of discrimination, based on race or gender.

5. GUIDANCE FOR WORKING WITH YOUNG PEOPLE / ADULTS AT RISK

5.1 Principles

The following principles translate into practical guidance in working with young people/adults at risk:

- the welfare of the young person/adult at risk is paramount;
- all young people/adults at risk without exception have the right to protection from abuse;
- all suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately;
- all of the Trust's trustees, staff and volunteers have a responsibility to report concerns.

5.2 Adults at Risk

The following principles translate into practical guidance in working with adults at risk.

- Provide a proportionate response and seek to ensure that the individual's life will be improved as a result of using safeguarding procedures.
- Actively promote the empowerment and well-being of adults at risk through the services provided;
- Actively support the rights of the individual to lead an independent life based on self-determination and personal choice;
- Ensure the law is followed when assessing an individual's capacity to make particular decisions and that decisions made on their behalf are in their best interests if they are assessed as lacking capacity to do this for themselves.
- Recognise people who are unable to make their own decisions and/or protect themselves, their assets and their bodily integrity;
- Recognise that the right to self-determination can involve risk and ensure such risk is recognised and understood by all concerned, and harm is minimised whenever possible;
- Ensure that when the right to an independent lifestyle and choice is at risk, the individual concerned receives appropriate advocacy, including advice, protection and support from relevant agencies;
- Ensure that the law and statutory requirements are known and used appropriately so that adults at risk receive the protection of the law and access to the judicial process;

5.3 Guidelines for Good Practice

It is important for all staff and others in contact with young people/adults at risk to:

- empower young people/adults at risk - discuss with them their rights, what is acceptable and unacceptable, and what they can do if there is a problem. Young people/adults at risk who come into contact with my AFK for more than just the odd occasion should be told of their right to talk to an independent person should they feel that they have been physically, sexually or emotionally abused by an adult or by another young person/adult at risk. The NSPCC can be telephoned on 0808 800 5000, or Childline can be contacted on 0800 1111. Those over the age of 18 can contact the adult safeguarding team in their local authority.
- be aware of situations which may present risks and manage these;
- plan and organise the work and the workplace so as to minimise risks;
- as far as possible, work in an open environment (avoid private/unobserved

situations);

- where manual/physical support is required, provide it openly and according to current guidelines. As far as possible, young people/adults at risk should always be consulted and their agreement gained. Be responsive to the young person's/adult at risk's reactions. If they are fully dependant on you, talk about what you are doing and, where practicable, give choices. Avoid taking on tasks that you are not appropriately trained for. Where practicable and appropriate, the views of parents must also be considered;
- ensure that a culture of openness exists to enable any issues or concerns to be raised and discussed;
- ensure that a sense of accountability exists between staff so that poor practice or potentially abusive behaviour does not go unchallenged;
- treat young people/adults at risk equally, with respect and dignity;
- talk to young people/adults at risk about their contact with staff or others and encourage them to raise any concerns;
- give enthusiastic and constructive feedback instead of negative criticism;
- be an excellent role model. This includes not smoking or drinking alcohol in the company of young people under 18 or swearing in the company of young people or adults at risk.

5.4 Practice to be Avoided

The following should be avoided except in emergencies:

- spending excessive amounts of time alone with young people/adults at risk away from others;
- taking young people/adults at risk to your home where you will be alone with them.
- taking a young person/adult at risk alone in a car unless specifically sanctioned by an appropriate manager.

5.4 Practice Never to be Sanctioned

Employees and others in scope for this policy should never:

- engage in rough, physical or sexually provocative games such as horseplay;
- share a room with a young person/adult at risk or invite or allow young people/adult at risk to stay with you at your home unsupervised;
- allow or engage in any form of inappropriate touching;
- make sexually suggestive comments to young people or adults at risk even in

fun;

- allow allegations made by a young person/adult at risk to go unchallenged, unrecorded, or not acted upon;
- do things of a personal nature for young people/adults at risk that they can do for themselves.
- give a personal mobile number or e mail address to a young person/adult at risk.
- engage with a young person/adult at risk on social media. (eg accept invitation to be a friend)
- engage in social relationships with a young person/adult at risk.
- make/accept loans or gifts of money.
- gain in any way when using the adult at risk's money on his/her behalf or guiding them in the use of his/her own money;
- borrow money from, or lend money to an adult at risk.

6. RECOGNITION AND REPORTING OF ABUSE

6.1 Recognition

It is not the responsibility of employees or others in scope for this policy, whether in a paid or unpaid capacity, to take responsibility or to decide whether or not abuse of a young person /adult at risk has taken place. However, there is a responsibility to act on any concerns through contact with the appropriate authorities. The following may be signs of abuse in both young people or adults.

- unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated on a part of the body not normally prone to such injuries;
- any injury for which the explanation is inconsistent;
- the child or young adult describing what appears to be an abusive act;
- someone else expressing concerns about the welfare of the child or young adult;
- unexplained changes in behaviour;
- sexual awareness inappropriate for age;
- engaging in sexually explicit behaviour in games;
- being mistrustful of adults, particularly those with whom a close relationship would normally be expected;
- having difficulty in making friends;

- being prevented from socialising with their peers;
- variations in eating patterns including overeating or loss of appetite;
- loss of weight for no apparent reason;
- becoming increasingly dirty or unkempt.

Adults at risk

In addition to the above

- never having any personal money;
- talking about being sent abroad to get married;
- appearing fearful of personal assistant or care worker.
- talking about not being allowed to

The above list is not exhaustive and the presence of one or more of the indicators is not necessarily proof that abuse is taking place. However, anyone concerned about the welfare of a young person/adult at risk must act and must not assume that someone else will.

6.2 What to do if Abuse is Suspected

The Trust will fully support and protect anyone who in good faith reports his/her concern that an employee or another person in scope for this policy is, or may be, abusing a child or young adult. (The process described in this clause is shown as a flowchart in Appendix I.)

Any suspicion that a young person/adult at risk has been abused should be reported without delay (i.e. normally the same day) to either a Director or the Designated Officer (Executive Director of Services), who will take steps to ensure the safety of the young person/vulnerable adult in question and anyone else at risk. The Designated Officer may refer the allegation to Social Services, who may involve the police. (See Appendix II for information that, if appropriate, should be given to Social Services/the police.) If appropriate, the parents/carers of the young person/adult at risk will be contacted as soon as possible.

If either a Director or the Executive Director of Services is the subject of the suspicion/allegation, the report must be made to the appropriate other person (i.e. if a Director is the subject of suspicion/allegation, then the report must be made to the CEO, and vice versa).

At all times when making decisions regarding what action to take in response to concerns, the Designated Officer will be guided by the principle of 'best interests of the young person/adult at risk and the desire to secure the best outcomes for the young person/adult at risk.

The Designated Officer will make an immediate decision about whether an individual accused of abuse should be temporarily suspended pending further internal

investigation and/or Social Service and police inquiries.

Any concerns, allegations or disclosures must be written down at the time or as soon as possible after the concern is raised, and ideally no longer than 24 hours afterwards. All records should be signed and dated.

6.3 Confidentiality

Every effort will be made to ensure confidentiality is maintained, where information is handled and disseminated on a need to know basis only. Information will be stored in a secured place with limited access to designated people, in line with data protection laws.

6.4 Further Help

Many of the issues in the protection of young people/adults at risk are very sensitive and employees and others may not know who it is best to turn to for advice, or alternatively may be worried about sharing concerns with a senior colleague. In this case, (and subject to the conditions within the Public Interest Disclosure policy) it is recommended that Social Services be contacted directly, or alternatively the NSPCC can be telephoned on 0808 800 5000, or Childline can be contacted on 0800 1111.

7. RESPONSIBILITY

Individual managers are responsible for ensuring that this policy is applied within their own area. Any queries on the application or interpretation of this policy must be discussed with the Designated Officer prior to any action being taken.

All employees must become acquainted with the requirements of this policy and act in accordance with these. If it comes to light that anyone associated with my AFK commits acts in relation to young people/adult at risk, whether within or outside the context of the Trust's work, which are criminal, grossly infringe the rights of young people/adults at risk, or contravene the principles and standards contained in this document, the Trust will take immediate disciplinary action and any other action which may be appropriate to the circumstances. This may mean for:

- Staff -disciplinary action/dismissal
- Volunteers -ending the volunteering relationship
- Partners -withdrawal of funding/support
- Contractors -termination of contract.

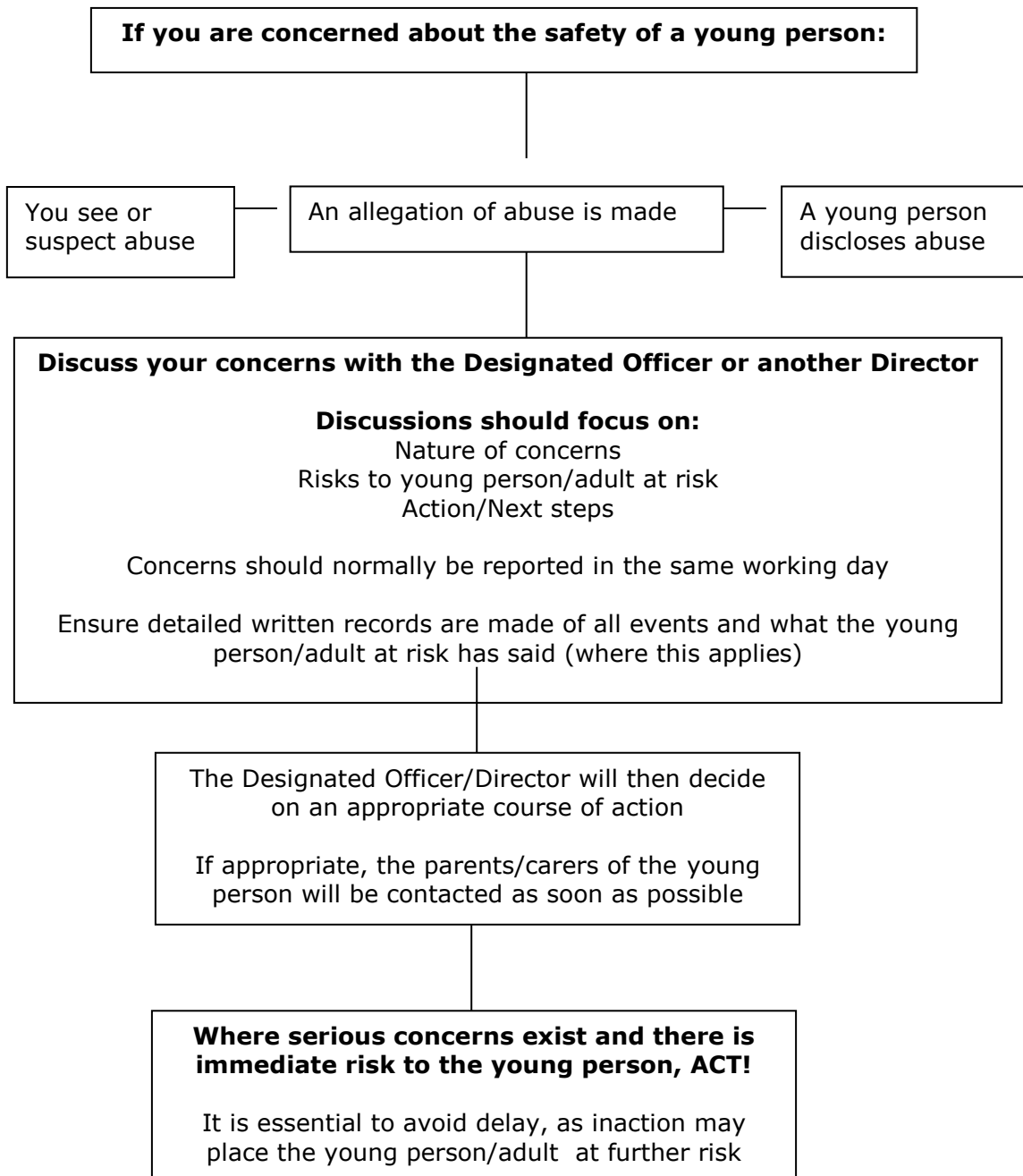
Depending on the nature, circumstances and location of the case, my AFK will also consider involving authorities such as the police to ensure the protection of young people/adults at risk and criminal prosecution where this is appropriate.

The C.E.O. has the responsibility for ensuring the maintenance, regular review and updating of this policy. Revisions, amendments or alterations to the policy can only be implemented following consideration and approval by the Chief Executive.

Last reviewed: 17/07/18 Next review date: 17/07/19

APPENDIX I

HOW TO RAISE CONCERNS – A FRAMEWORK FOR ACTION



APPENDIX II

INFORMATION THAT, IF APPROPRIATE, SHOULD BE GIVEN TO SOCIAL SERVICES / THE POLICE

- Name of young person/adult at risk.
- Age of young person/adult at risk and date of birth.
- Home address and telephone number.
- Is the person making the report/allegation expressing their own concerns or those of someone else?
- What is the nature of the allegation? (Include dates, times, any special factors and other relevant information.)
- Make a clear distinction between what is fact, opinion or hearsay.
- A description of any visible bruising or other injuries.
- Details of witnesses to the incidents.
- The young person's/adult at risk's account, if it can be given, of what has happened and how any bruising or injuries occurred.
- Have the parents/carers been contacted? (if appropriate)
- If so, what has been said?
- Has anyone else been consulted? (If so record details.)
- If it is not the young person/adult at risk making the report, has the young person/adult at risk concerned been spoken to? (If so, what was said?)
- Has anyone been alleged to be the abuser? (If so, record details.)

APPENDIX III

PROTECTION OF YOUNG PEOPLE & ADULTS AT RISK

All young people without exception have the right to protection from abuse. All allegations of abuse will be taken seriously and responded to swiftly and appropriately.

All students benefiting from AFKCT work related programmes should in the first instance bring to the attention of a member of staff any concerns relating to inappropriate behaviour or any form of sexual or emotional abuse whether this abuse is by an adult or another young person either in the workplace, school or home.

All students may access an independent person in relation to the above by contacting the NSPCC on 0808 800 5000 or Childline on 0800 1111.

Adults at risk should contact their local authority adult referral and advice line.

Haringey: 020 8489 1400 (office hours)

020 8348 3148 (out of office hours)

Single Point of Access for children 020 8489 4470

Out of hours for children 020 8489 0000

Barnet: 020 8359 5000 for Adults and 020 8359 2000 out of hours

MASH <https://www.barnet.gov.uk/citizen-home/children-young-people-and-families/Safeguarding-children/multi-agency-safeguarding-hub-mash.html>
or 020 8359 4066

Enfield: 020 8379 3196 (office hours)

020 8379 5212 (out of office hours)

Children Single Point of Entry contact 020 8379 5555 and 020 8379 1000 (option 2) out of hours

Islington: 020 7527 2299 for Adults

020 7527 7400 for children, 020 7226 0992 out of hours

Camden: 020 7974 4000 (office hours)

020 7974 4444 (out of office hours)

Children 020 7974 3317 or 020 7974 4417 for Multi agency safeguarding hub

The full policy and guidance notes relating to the protection of young people and adults at risk is available for inspection at any time and is held by the Designated Officer.