

# Safeguarding Adults

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## DEFINITIONS

**Vulnerable adult** – Section 59 of the Safeguarding Vulnerable Groups Act 2006 (England and Wales) states that:

A person is a vulnerable adult if, having attained the age of 18, s/he —

1. is in residential accommodation,
2. is in sheltered housing,
3. receives domiciliary care,
4. receives any form of health care,
5. is detained in lawful custody,
6. by virtue of an order of a court, is under supervision per Criminal Justice Act 2003 sections regarding community sentences,
7. receives a welfare service of a prescribed description,
8. receives any service or participates in any activity provided specifically for persons who has particular needs because of his age, has any form of disability or has a prescribed physical or mental problem. (Dyslexia, dyscalculia and dyspraxia are excluded disabilities),
9. has payments made to him/her or to an accepted representative in pursuance of arrangements under Health and Social Care Act 2012, and/or
10. requires assistance in the conduct of own affairs.

NB vulnerability may be a permanent or temporary state.

**Academy personnel** - refers to all adults who represent the Academy of St Martin in the Fields including: office staff, management, freelance musicians / project staff / animateurs and workshop leaders, trainees and volunteers (e.g. office staff and student musicians), and board members.

The term **project participant** is used in the context of the vulnerable adults Academy personnel work with.

# POLICY STATEMENT

## Our Commitment

The Academy of St Martin in the Fields acknowledges its responsibility to safeguard and promote the welfare of vulnerable adults, and is committed to ensuring its safeguarding practice reflect statutory responsibilities, the guidance of social and health services, and the government.

This policy statement recognises that the welfare and interests of vulnerable adults are paramount. It aims to ensure that regardless of age, gender, religion or beliefs, ethnicity, disability, sexual orientation or socioeconomic background, all vulnerable adults:

- *have a positive, creative and enjoyable musical learning experience whilst during projects with the Academy of St Martin in the Fields in a safe and participant-centred environment;*
- *are protected from abuse and harm whilst participating in any Academy of St Martin in the Fields activities.*

The Academy will safeguard the vulnerable adults involved in its projects by:

- *promoting and prioritising the safety and wellbeing of vulnerable adults*
- *ensuring all personnel understand their roles and responsibilities*
- *ensure all personnel and participants know the identity of the Designated Person / Adult Protection Officer on that project and therefore who they should report concerns, incidents and disclosures to*
- *be open about and help others to understand our safeguarding procedures by making available upon request our safeguarding documents to the community, including vulnerable adults and organisations we work with*
- *ensure personnel and vulnerable adults are provided with necessary levels of support, e.g. care / support workers are involved in projects where appropriate*
- *ensure appropriate and swift action is taken in the event of incidents/reports of abuse, and that the individual/s concerned understands that their report is being taken seriously. We will ensure that the individual/s receive support and explain clearly the next steps of action (see action plan and procedures).*
- *ensure that confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored*
- *ensure a robust safeguarding action plan and procedures are in operation.*

The Academy regularly employs some of the finest and most professional musicians and educators in the world and as such also recognises its responsibility to care for and protect its personnel. In any education project, all parties involved share of culture of trust and mutual respect based on their expertise, conduct, and a common enthusiasm for music. Malicious and false statements can arise. Therefore the Academy will fulfil its responsibility to its personnel by ensuring that:

- *within this document there are guidelines in place for safe working practices, and ensuring that personnel receive a copy of this document;*
- *personnel recognise and accept their responsibility in creating a safe learning and teaching environment;*

- all personnel are aware of the issues that cause vulnerable adults harm;
- all personnel understand their obligation to report concerns, disclosures and incidences of harm to their Designated Person and or Adult Protection Officer.

In turn our personnel are required to read and adhere to the procedures outlined in this document before participating in an Academy education project.

### **Monitoring of policy, action plan and procedures**

The Academy’s Adult Safeguarding documents and practices will be reviewed every three years, or in the following circumstances:

- changes in legislation and/or government guidance
- as recommended by the government, local authorities and social services, and professional bodies such as the Associated Board of Orchestras
- as a result of any other significant change or event.

Signed: ..... Date reviewed: .....

Position: .....

# PROCEDURES

As a provider of musical learning activities for vulnerable adults, the Academy has a duty of care to the participants and communities we work with, as well as our personnel. This document discusses the following areas of safeguarding, including the procedures personnel and management must adhere to in order to ensure a safe learning environment for all participating in an Academy project.

1. Legislation
2. Forms of harm
3. Recognising abuse
4. Responding to signs of abuse
5. Code of practice
6. Other relevant information

## 1. Legislation

There is an absence of explicit and comprehensive legislation on adult safeguarding, due to be rectified by the Care bill (2014). However, [‘No Secrets’ \(2000\) Department of Health](#) provides guidance from the government on safeguarding practice, as does the [Disclosure and Barring Service](#).

## 2. A summary of forms of abuse

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

Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and it may result in significant harm to, or exploitation of, the person subjected to it.

The Department of Health in its ‘No Secrets’ report suggests the following as the main types of abuse:-

- Physical abuse- including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.
- Sexual abuse- including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent or was pressured into consenting.
- Psychological abuse- including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.
- Financial or material abuse- including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- Neglect and acts of omission- including 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- including racist, sexist, that based on a person’s disability, age or sexuality and other forms of harassment, slurs or similar treatment.

NB this list does not cover every abuse possibility, you may witness other behaviour or circumstances that worry you.

### 3. Responding to signs of abuse

#### General

- stay calm
- remember that the safety of the vulnerable adult is paramount

#### Following suspicions

The guidelines for Academy personnel suspicious of abuse are as follows:

- if you see or suspect abuse of a vulnerable adult, make the Designated Person or Adult Protection Officer with legal responsibilities aware of the problem immediately
- make a note of what you have witnessed for Academy records, along with the response, in case there should be any consequences in which you may be involved (see incident form). Do not investigate or take matters into your own hands.

#### Responding to a disclosure

If a vulnerable adult discloses information of abuse, Academy personnel should:

- remain calm and approachable and show no judgement
- listen to what is said. Allow the project participant to speak without interruption, making it clear that you are taking them seriously.
- do not deter the vulnerable adult from making a disclosure of abuse for fear of not being believed, and to listen to what they have to say.
- ask for clarification where it's needed but do not ask for more information than is necessary or suggest a particular answer.
- as early as possible inform the vulnerable adult that you will need to share the information with others who are in a position to help them. Do not promise to keep secrets.
- assure them that the problem will remain confidential, and that the vulnerable adult has done the right thing by telling you.
- Tell the vulnerable adult what you will do next and who you will share the information with.
- Record in writing what was said, using the vulnerable adult's own words as soon as possible. The report should be a factual report based on evidence and not on any assumptions or opinion unless clearly stated that this is so.
- Do not confront the alleged abuser
- Remember that you have a responsibility to report the disclosure or concern, even if the situation is overwhelming
- Do not disturb or destroy possible forensic evidence

It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. This is a task for the professional adult protection agencies, following a referral from the Adult Protection Officer.

#### Reporting a disclosure or concern

*When a vulnerable adult discloses information or abuse, the Academy personnel should:*

- immediately inform your Adult Protection Officer (if on the project) or Designated Person about the disclosure. Delay could compromise the welfare of the participant.
- if not done already, make a report immediately comprising the actual words voiced by the vulnerable adult.
- give a copy of the report to the Designated Person / Adult Protection Officer who will refer it onto the appropriate organisations and or authorities

- never pass on any of the information to any third party other than those who should be involved. The report should remain confidential at all times
- never speak to the person(s) against whom an allegation has been made, or put the vulnerable adult in danger, or put anyone at risk of further compromise.

*If your concern regards the conduct of another member of personnel you should:*

- remember you as an individual, as well as a representative of the Academy, have a responsibility to the welfare of vulnerable adults
- report the concern to the Adult Protection Officer (if on the project) or Designated Person immediately who will create a record of the concern with you. Your concern will be listened to in good faith and in confidence (NB your identity may be shared with the authorities should they need to be involved).

The Designated Person will refer to the Adult Protection Officer. The Adult Protection Officer will refer the concern to the authorities and senior management as is appropriate and will keep a written record of the concern on file. The concern will be raised with the member of personnel concerned and they will be informed as to the action that will be taken. Your identity will remain anonymous, unless the matter should proceed to court.

*If you are concerned about the behaviour of a vulnerable adult towards you or you feel a participant is relating to you in an inappropriate way you should:*

- speak to Designated Person / Adult Protection Officer about your concerns immediately so that action can be taken, and both your and the participant's welfare can be protected

## **The Adult Protection Office and Designated Person**

**The Academy's Adult Protection Officer is Charlotte O'Dair**, Participation Producer. All incidences, suspicions and disclosures must be reported to her and she will liaise with the authorities using the information reported.

**Contact: 07852 294 733 or [charlotteodair@asmf.org](mailto:charlotteodair@asmf.org)**

The Designated Person is the workshop leader or project manager.

The Adult Protection Officer receives regular training and notifications from the Musician's Union, Arts Council and the Disclosure and Barring Service in order to keep up-to-date with Adult Protection procedures.

When the Adult Protection Officer is not present for a project, all concerns, disclosures and allegations must be communicated to her at the earliest opportunity, but in the first instance may be shared with the project's Designated Person (who will pass on your report). Personnel will be informed as to the identity of the Designated Person (e.g. the project manager) via their schedules.

The role of the Designated Person is to:

- be the first point of contact for reporting allegations, disclosures and concerns of abuse
- receive information from Academy personnel, support workers and vulnerable adults who have concerns, and record this and ensure they have recorded the details (see incident report template for details to record)
- to pass on reports to the Adult Protection Officer

The role of the Adult Protection Officer is to:

- make a formal referral to the appropriate authorities and senior management
- act as a source of advice, support and knowledge within the organisation
- ensure that all Academy personnel are aware of and have access to this document
- ensure that the policy is upgraded when necessary

- ensure that accurate and secure written records of referrals are kept
- keep a record of all contact details of all authorities so they can be contacted should any suspicion, allegation or referral occur.

It is not the role of the Designated Person or Adult Protection Officer to decide whether a vulnerable adult has been abused or not; this is the task of the relevant authorities. It is however, everybody's responsibility to ensure that concerns are shared and appropriate action taken.

## 4. Code of practice

To ensure we protect and safeguard the vulnerable adults we work with to the best of our ability, all personnel must adhere to the working practices listed below:

### **Physical contact**

Physical contact should not be initiated and avoided where in the best interests of the vulnerable adult.

- Where possible, instrument technique should be modelled or explained verbally. However, where forms of demonstration have failed and in your professional judgement physical contact is the logical solution, personnel must ensure they gain the vulnerable adult's permission first and that they are working in an open and visible environment (e.g. a room with windows), before making contact.
- If you are working with a vulnerable adult who is disabled, ask them first before initiating any necessary physical contact.
- If a vulnerable adult initiates contact with you (e.g. a hug) then it is within your professional discretion to decide whether to reciprocate. However if you do, personnel must ensure they are in an open and visible environment with another adult present.

### **Creating and maintaining a safe teaching and learning environment**

*As well as adhering to the working practices above regarding physical contact, personnel should ensure the wellbeing of vulnerable adults by implementing the following measures during projects.*

- Work in spaces that are well-lit, and ensure that the room has windows to communal spaces so the environment can be observed by others. Where this is impossible, teach with the door open.
- Personnel must not make suggestive or inappropriate remarks to or about a vulnerable adult, even in fun, as this could be misinterpreted
- Personnel should show that they value and respect the vulnerable adults they are working with through constructive feedback, fair treatment, support and ensuring project participants have contributed to and influenced creative processes in workshops; this behaviour will exclude shouting, bullying, racism, sexism or sectarianism.
- We recommend that personnel do not lend or give items to vulnerable adults, including money, as this might confuse the nature of your relationship
- Personnel should maintain an emotionally-safe and professional working relationship with project participants. Personnel should not label project participants with medical terms, unless participants do this themselves.

*The orchestra management understand that they have a responsibility to ensure their personnel work in appropriate and safe environments with vulnerable adults. This includes ensuring members of personnel work in:*

- open / observable spaces (e.g. classrooms with windows, or rooms where the door is left open)
- pairs, teams, with a support worker or under supervision where possible and certainly where necessary
- environments where the risks to both vulnerable adults and personnel have been assessed prior to a project taking place

### **Training and recruitment**

The Academy has put in place the following measures for its work with vulnerable adults:

- Personnel will receive training and will regularly have the opportunity to debrief after workshops with a support worker so they can be advised on how to best work with clients;
- It is a requirement of their employment that personnel read and adhere to the procedures outlined in this safeguarding document prior to working with vulnerable adults;
- DBS certificates will be acquired for personnel as is necessary to the nature, intensity and frequency of the role (as dictated by the Disclosure and Barring service);
- Personnel must be committed to safeguarding the vulnerable adults that they work with and have a duty to report any concerns, incidences and allegations to the Designated Person / Adult Protection Officer;
- Management will brief personnel, and provide specialist training where necessary, so that personnel may safeguard themselves as well as project participants;
- At least one support worker will be present at all projects.

### **Photos and filming**

Only personnel appointed or given permission to film or photograph projects by the Participation Producer may take films or photos of any project involving vulnerable adults. Parents / carers / guardians and staff from the organisations we work with may film and photograph events where consent has been provided by both the Academy and participants in advance.

### **Contact outside of Academy projects**

In general, the Academy does not encourage personnel to have contact with vulnerable adults outside of projects as this may confuse the professional relationship you have with a project participant.

- Personnel must not offer lifts. Personnel are not permitted to: have phone contact (text or calls), email or social media correspondence with a vulnerable adult; the only exceptions being the office management who may be in contact for project and care purposes, or in contact through the Academy's official social media accounts.
- If a vulnerable adult from a project requests instrumental lessons from a member of personnel, and the musician wishes to teach that person, they should do the following: declare it to Participation Producer who will liaise with the vulnerable adult's guardian or the organisation they are affiliated with to ensure there is notice of the arrangement. No arrangements should be made between vulnerable adult and musician directly.
- Only the project manager and the support worker have permission to remove a vulnerable adult from an Academy project and take them to a doctors/hospital for medical treatment.

## Recording incidents

Electronic copies of reports will be retained and stored securely on the Academy shared drive; the files will be password protected and accessible to the Adult Protection Officer and CEO only.

Remember, under the Data Protection Act of 1998 both the alleged victim and alleged abuser have the right to confidentiality, and that an investigation can be compromised through inappropriate information being released. Personnel must keep all facts confidential except where details must be discussed or revealed as part of an investigation to the appropriate authorities.

## 5. Other relevant information

### Contacts and resources

- 999 (emergency) / 101 (non-emergency) for the Police

- Adult and social services:

- Lambeth t: 020 7926 5555
- Westminster t: 020 7641 2176 / 020 7641 1444 / 020 7641 1175 (9am to 5pm). t: 020 7641 6000 (out-of-office-hours). Email: [safeguardingadults@westminster.gov.uk](mailto:safeguardingadults@westminster.gov.uk)
- Islington t: 020 7527 2299, or call the Emergency Duty team on 020 7226 0992 (out-of-hours)
- Newham t: 020 3373 0440. (24hr safeguarding helpline).

- Duty to refer to the [Disclosure and Barring Service](#)

Key organisations that the designated person may need to involve in a report of alleged abuse include:

- adult social services (each local authority has a Safeguarding Adults Board)
- the police
- the partner organisation involved in the project

### Sources for the creation of these documents

[‘Statement of Government Policy on Adult Safeguarding’](#) (2011) Department of Health

[‘Keeping arts safe’](#) (2005) Arts Council

[‘No Secrets’](#) (2000) Department of Health

[‘Safeguarding adults at risk of harm: A legal guide for practitioners’](#) (2011) Social Care Institute for Excellence

# ACTION PLAN

## Ensuring awareness of our Adult Protection commitment and procedures

All personnel working on an Academy project are issued with a copy of the orchestra's adult protection documents. The member of personnel agree to adhere to procedures and practices instructed within the Adult Protection documents as a condition of their employment contract.

Vulnerable adults, parents / carers / guardians, care organisations and other community members are able to review the Academy's Adult Protection documents.

All personnel are informed who their Adult Protection Officer or Designated Person is for that project.

All vulnerable adults, parents / carers / guardians, care organisations and community members involved in the project know the identity of the Designated Person or Adult Protection Officer who is responsible for all welfare and safeguarding issues during the course of the project.

## How concerns / disclosures / allegations will be managed

Member of Academy personnel has a concern regarding the behaviour or well-being of a vulnerable adult

Member of Academy personnel raises a concern regarding the behaviour of another adult towards a vulnerable adult involved in a project

A vulnerable adult discloses to a member of Academy personnel

The member of Academy personnel who has the concern or has been disclosed to passes on the information to the Designated Person (who refer to the Adult Protection Officer) or the Adult Protection Officer.  
A written record will be made of the incident and passed to the Adult Protection Officer

The Adult Protection Officer will share the report with the people and organisations listed below as is relevant and necessary to ensure the welfare of the child. The report will be stored and any information regarding the nature of the incident, identities of those involved will remain confidential where it is legal and in the best interests of the vulnerable adult to do so.

- CEO
- Social services
- Disclosure and Barring Service
- Police
- Care / Community organisations we work with
- Parents, guardians and carers (if appropriate)

The member of personnel who made the report will be informed as to the steps that will be taken. Should the report concern another member of Academy personnel, they too will be informed of the report and the steps that will be taken.

# INCIDENT FORM

Date of incident: ..... Time:.....

Your name: .....

Adults involved (including witnesses):

What was said / done and by whom? Stick to the facts. Indicate which are your own and the adult's words.

Name of Designated Person / Adult Protection Officer to whom the incident was referred to:

.....

Your signature: .....

Date of incident: ..... Time:.....

Contact details should the police or another authority need to follow up your report:

Tel: ..... Email .....

A record of this report will be stored securely, shared with authorities and organisations as is necessary to ensure the welfare of the vulnerable adult but otherwise kept confidential.

**TO BE COMPLETED BY THE ADULT PROTECTION OFFICER:**

**Action taken by the designated person, Adult Protection Officer and organisation involved**

**Any further action taken**

**If relevant, the reasons for the decision not to refer to a statutory agency**