

## **1. Policy statement**

Baobab comes into contact with vulnerable women through its advocacy and advice activities.

Baobab recognises that we have a responsibility to:

- Safeguard and promote the interests and well being of women with whom we are working,
- Take all reasonable practical steps to protect women from harm, discrimination or degrading treatment,
- Recruit safely, ensuring all necessary checks are made,
- Respect women's rights, wishes and feelings,
- Work with the local safeguarding boards.

This policy applies to all directors, staff and volunteers of Baobab who have contact with women at activities and, indirectly, through its events, training or research. Directors are responsible for the policies implementation.

Baobab staff members and volunteers will be made aware of this policy and how it is applied during their induction process. Staff members and volunteers who work as advocates should receive introductory adult safeguarding training.

Women that Baobab comes into contact with will be informed of this policy and the procedures contained in it as appropriate.

All suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately in accordance with this policy.

Staff members will report any incidents of adult safeguarding to the Director, who will report quarterly to the Management Committee. Volunteers will report to the Volunteer Coordinator who will alert the Director. The Directors will consider each incident, to protect the confidentiality of individuals under concern, and share relevant aspects with the management committee to establish whether any changes to Baobab's practice need to be made in the future.

## **2. Definitions of Adult Safeguarding**

This policy has been drawn up on the basis of legislation, policy and guidance that seeks to protect adults in England. A summary of the key legislation and guidance is available from Birmingham City Council Safeguarding Board, relevant legislation includes: The Care Act, 2014, Mental Capacity Act (Including DoLS) 2005, the Human Rights Act 1998.

Safeguarding adults is about stopping or preventing abuse or neglect of adults with care and support needs.

Adults with care and support needs are age 18 and over and may:

- have a learning disability,
- have a mental health need or dementia or a personality disorder,
- have a long or short term illness,
- have an addiction to a substance or alcohol; or,
- be elderly and frail due to ill health, disability or ill mental health.

Adults with care and support needs can be the victims of many types of abuse and neglect including:

### **Domestic abuse**

Controlling and coercive behaviour, forced marriage, female genital mutilation or honour based violence.

**Discriminatory abuse**

Ill-treatment or harassment based on a person's age, sex, sexuality, disability, religious beliefs or ethnic group – disability hate crime.

**Financial or material abuse**

Financial scams (in person, on line, by post or telephone); theft; fraud coercion over wills; misuse of someone's money, property or other belongings without their agreement.

**Institutional abuse**

Through rigid regimes, systematic poor care; poor organisational culture; lack of resources; denial of choice; lack of dignity and respect for service users.

**Physical abuse**

Hitting; burning; pushing or kicking someone; rough handling; unreasonable restraint (including misuse of medication); locking someone in a room.

**Neglect or acts of omission**

Neglect or acts of omission by people responsible for giving care including; ignoring medical, emotional or physical care needs; failure to provide access to the appropriate health, care and support or educational services; withholding necessities of life such as medication, adequate nutrition and heating.

**Sexual abuse**

Rape; inappropriate touching; forcing or grooming someone to take part in or witness any sexual act against their will.

**Psychological or emotional abuse**

Intimidation; bullying; shouting; swearing; taunting; threatening or humiliating someone; grooming; manipulation; or inciting someone to carry out a criminal or terrorist acts.

**Self-neglect**

Neglecting to care for oneself or environment.

**Slavery**

Trafficking; forced labour and domestic servitude.

New migrants to the UK can sometimes have additional vulnerabilities to other UK residents which can be caused by lack of knowledge of the UK, possible previous trauma and if English is not their first language.

Women migrants can have complex needs and may be particularly vulnerable to severe or enduring domestic violence if they have temporary immigration status. They may also face barriers to accessing support.

Abuse can be difficult to identify, may involve multiple perpetrators and may not be recognised by the victim of abuse.

**3. Recognising Abuse:**

Workers and advocates need to become skilled at building relationships of trust because it is widely acknowledged that speaking of traumatic events outside a relationship of trust and safety can lead to a deterioration in mental health and an increase in trauma-related symptoms.

It is also important to:

- Recognise the impacts of abuse
- Be non-judgmental
- Ensure the client knows that her safety is our first priority
- Ensure the client knows she is believed. Some women's experiences of abuse are horrific – but because something appears unbelievable, it does not make it untrue.

Don't assume you know what is 'best' for the client. It is important that she remains in control of the situation. Abuse strips control from victims, and our role should be to empower and support recovery.

Women may require practical help with for example regularising immigration status, Islamic divorce, support to access mainstream services. These issues are linked to their experience of domestic abuse and should not be seen as 'separate' by workers.

Offer options, always ensuring they are realistic and achievable. Some women may want to use refuge provision, some will prefer to be made safe in their own home, or to use the legal remedies available to them (including injunctions, Occupation Orders and so on).

Some women will have access to other remedies. Women who enter the UK on a spousal visa may be entitled to access public funding via the Destitute Domestic Violence Concession (DDVC). Other victims of abuse may be able to access support through the National Referral Mechanism for victims of trafficking which may be available to victims of forced marriage where force, coercion or deception are a feature of the abuse.

#### **4. Adult Protection Procedures**

Baobab recognises that any procedure is only as effective as the ability and skill of those who operate it. Our staff and volunteers will work with women to ensure that their needs and welfare remain paramount. We can reduce situations of the abuse of adults and help protect staff and volunteers by promoting good practice.

It is recognised that our staff and volunteers are not experts in the field of adult abuse and our duty is to report suspected cases of abuse **not** to investigate cases. The Local Authority has a statutory duty under the Care Act to investigate such cases.

Client confidentiality will be maintained at all times in accordance with Baobab's Confidentiality Policy. If a breach of confidentiality is deemed necessary, it will be carried out strictly in accordance with the procedures set out in that policy and below.

Many forms of abuse women we support suffer are a direct result of being denied protection, or having over stayed a visa. Women choose to live with destitution and potential abuse rather than return to their countries of origin. Our organisation exists to address these issues.

Safeguarding encompasses six key concepts: empowerment, protection, prevention, proportionate responses, partnership and accountability.

Key principles in adult safeguarding: Empowerment Prevention Proportionality Protection Partnership, source: Department of Health (2013)<sup>1</sup>

- Empowerment: Presumption of person led decisions and informed consent.
- Prevention: It is better to take action before harm occurs.
- Proportionality: Proportionate and 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.

#### **5. Code of conduct for staff, volunteers and trustees**

**Staff and volunteers should always:**

- Be aware of situations which may present risks and manage them.

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<sup>1</sup> Department of Health (2013) Statement of Government Policy on Adult Safeguarding. 10 May 2013. See p.6 [www.gov.uk/government/publications/adult-safeguarding-statement-of-government-policy-10-may-2013](http://www.gov.uk/government/publications/adult-safeguarding-statement-of-government-policy-10-may-2013)

- Plan and organise their work and the workplace to minimise risks.
- Encourage adults to raise any concerns about inappropriate behaviour with, or abuse.
- Challenge poor practice or potentially abusive behaviour in others.
- Empower adults – discuss with them their rights, what is acceptable and unacceptable and what they can do if there is a problem.

**Staff and volunteers must never:**

- Use language, make suggestions or offer advice which is inappropriate, offensive or abusive.
- Behave physically in a way that is inappropriate.
- Hit or otherwise physically assault or abuse an adult.
- Develop relationships which could in any way be deemed exploitative or abusive.
- Act in ways intended to shame, belittle, humiliate or degrade adults.
- Discriminate against, show differential treatment, or favour particular adults to the exclusion of others.

## **6. Responding to suspicious or allegations of adult abuse.**

Baobab staff and volunteers will remain alert to potential signs of abuse and if they are concerned that an adult is being abused, they will:

- Allow the adult to speak freely and at his/her own pace;
- Record all relevant factual details immediately in the attached form;
- Reassure the adult that she/he was right to tell someone about the abuse;
- Communicate with the adult in a way that is appropriate to their age, understanding and preference. This is especially important for whose first language is not English;
- Consider the welfare of other adult for example household members, who might also be at risk.

Staff and Volunteers will not:

- Panic – this will silence the adult;
- Ask for specific details of the abuse;
- Promise confidentiality;
- Fail to report their concerns.

Staff and volunteers will bear in mind that an allegation of adult abuse or neglect may lead to a criminal investigation, so they will not do anything that may jeopardise a police investigation, such as asking a adult leading questions or attempting to investigate the allegations of abuse.

The suspicion, allegation or incident should be reported to the the Director on the same day and **recorded on the attached form**. It is the responsibility of the Director to agree a course of action including informing the Local Authority Safeguarding Unit if deemed appropriate, with consent of another Director unless this breaches confidentiality. However, a referral should not be delayed if an adult is at immediate risk, even if the other Directors are not contactable.

The decision and reasons not to seek adults consent before making a referral to the Local Authority must be recorded. Where an adult has agreed to the referral, this must be recorded and confirmed in the referral to Social Services.

## **7. Recruitment**

Every effort will be made to ensure that trustees, staff and volunteers recruited to work for Baobab are suitable to do so. For example:

- The Director and Management Committee will assess every post to be recruited, to determine whether it requires a DBS check or disclosure of criminal convictions due to the post's work with children or vulnerable adults.
- If so, this will be made clear in the recruitment literature.

- During the selection process, if relevant to the post, the recruitment panel will ask the candidate questions about good practice when working with vulnerable adults, and how to minimise risks of abuse or inappropriate behaviour.
- Any offer to a successful candidate will be subject to satisfactory checks. This includes reference checks and where necessary a satisfactory DBS check and disclosure form of previous criminal convictions.
- Baobab's standard reference request form includes the specific question: '*This post may require the candidate to work with children, young people or vulnerable adults. Do you know of any reason why this person should not work with these client groups?*'
- The candidate will not be confirmed in post, before satisfactory references, and where necessary DBS checks and disclosure forms have been received.
- Agency staff in relevant posts must have a relevant DBS check. The Director must have written confirmation of this from the agency supplying staff, before the individual begins work with children or vulnerable adults.

### **Convictions that will cause concern**

Baobab is committed to the principle of equality of opportunity, and subject to the overriding consideration of protecting children and vulnerable adults, all efforts will be made to prevent unfair discrimination against those with criminal records.

Only those convictions that may make a staff member unsuitable to work with children or vulnerable adults will cause concern. Examples of offences that are likely to cause concern are:

- Those of a sexual nature
- Attack or abuse against a person
- Sexual/ racial/ homophobic abuse
- Offences against a minor

This list is not exhaustive or conclusive.

If, following checks, there are any convictions that cause concern, the Director and the Management committee will take a decision about whether to:

- Retract Baobab's offer of employment or end employment
- State additional conditions of employment
- Continue with its offer of employment

Written reasons will be given for refusal of employment or any conditions imposed.

If a staff member or volunteer commits an offence, is cautioned or acquires a criminal conviction whilst employed by Baobab they must inform the Director who must inform the Management Committee. Baobab will assess the risk that this brings to the people they are working with. It will not prove automatic grounds for dismissal but it may do if the offence is one which damages trust, calls into question their suitability for the work they do or is likely to damage the reputation of Baobab. Baobab has a legal obligation to refer any information that we may have regarding individuals who pose a threat to children or vulnerable adults to the ISA (Employees and Volunteers). This may lead to the individual being identified and barred from working with these groups.

## **8. Allegations of abuse against members of staff and volunteers**

Adult abuse can and does occur in the community. It is crucial that those involved at Baobab are aware of this possibility and that all allegations are taken seriously and the appropriate action is taken.

Baobab is fully committed to support and protect anyone who, in good faith, reports his or her concerns that a colleague is or may be abusing an adult.

The Baobab Directors have a responsibility to ensure proper supervision of people working in all Baobab services.

Allegations of unacceptable and/or abusive behaviour towards adults may come to light via the Baobab's complaints procedure (see Baobab Complaints Procedure) or may be raised verbally.

Any allegations of unacceptable and/or abusive behaviour, however they are raised, must be acted on immediately.

**Process when a complaint is made against a member of staff**

- Record the complaint on the attached form
- Report the complaint to the Director (or Board of Directors if the complaint is against the Director)
- The Director and the board of Directors will decide whether the statutory authorities need to be involved (or the board of Directors, if the complaint is against the Director).
- If the statutory authorities do need to be involved, the Director (or Board of Directors) will make the referral. An internal Baobab enquiry will be suspended until the investigation is completed.
- Baobab has the right to suspend staff members during or following investigations.
- After any investigation by statutory authorities has been concluded, or if it is not necessary to make a referral to statutory authorities, the Director and board of Directors will consider whether to undertake an internal enquiry to decide appropriate internal action (for example disciplinary or misconduct action/ investigation, discussion with the steering group).
- Every effort will be made to ensure confidentiality for all concerned, within the parameters of the above procedure.

**What happens following a complaint of abuse against a member of staff?**

Where there is a complaint of abuse against a member of staff there may be three types of investigation.

1. A criminal investigation
2. A adult protection investigation
3. A disciplinary or misconduct investigation

Results of the police and local authority investigation may well influence the disciplinary investigation, but not necessarily. Issues of misconduct will be dealt with by a committee involving the Director of Baobab and two members of the Management Committee.

## 9. Reporting form for suspected or alleged abuse

**This form is to be used by Baobab staff members or volunteers, to report any incident involving actual or suspected abuse of a child or vulnerable adult.**

The information in this form is confidential. It should only be sent to the Director (sarah@baobab-women.co.uk) (if about behaviour by a staff member or volunteer). It will then be held in a safe and secure place in accordance with data protection regulations. However, a court of law may require Baobab to disclose it as evidence. If the incident is about the Director, then the form should be sent to the Board c/o directors@baobabwomen.co.uk.

Please fill in as much of the form as possible. Leave blank any areas for which you have no information. If raising general concerns about observed behaviour, please make this clear.

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| <b>Part One – About You</b>                                                                                                                          |
| <b>Your name:</b>                                                                                                                                    |
| <b>Your relationship to the adult/ vulnerable adult:</b>                                                                                             |
| <b>Part Two – About the Adult/Vulnerable adult</b>                                                                                                   |
| <b>Adult/ vulnerable adult's name:</b>                                                                                                               |
| <b>Is the adult/ vulnerable adult male or female?</b>                                                                                                |
| <b>Adult/ vulnerable adult's address:</b>                                                                                                            |
| <b>Who does the adult/ vulnerable adult live with?<br/>Please give their names and dates of birth.<br/>What is the nature of their relationship?</b> |
| <b>Adult/ vulnerable adult's date of birth/ age:</b>                                                                                                 |
| <b>What is the ethnicity, first language and religion of the adult/vulnerable adult?</b>                                                             |
| <b>What is the ethnicity, first language and religion of the parents of the adult?</b>                                                               |
|                                                                                                                                                      |

### **Part Three – About Your Concern**

**How did you come to have a concern?**

- **Was abuse observed or suspected?**
- **Did a adult/ vulnerable adult disclose abuse?**
- **Was an allegation of abuse made by another person?**

**Date(s), time(s) and location(s) of any incident(s):**

**Nature of concern/allegation:**

**Name, address and date of birth of alleged perpetrator(s)**  
**Are they aware of your concerns?**



**Observations made by you (e.g. description of visible bruising, other injuries, adult/vulnerable adult's emotional state etc)**

**N.B. Please make it clear whether each observation is fact, opinion or something you have been told.**

**Exactly what the adult/ vulnerable adult has said and what you have said:  
(Do not lead the adult/ vulnerable adult by asking them yes/no questions– ask open-ended questions. Record details of conversation(s), continue on a separate sheet if necessary)**

**Any other information (e.g. does the adult/ vulnerable adult have a disability/ learning difficulties/ find it difficult to communicate?)**

**Why do you think that they are a vulnerable adult?**

**What is their first language? Do they need an interpreter, signer or other communication aid?**

