



# Lancashire LGBT

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## SAFEGUARDING POLICY

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**Chief Executive Lewis Turner is the Safeguarding lead for Lancashire LGBT**

**In an event where the Chief Executive is unavailable or on annual leave and you have an immediate safeguarding concern, please contact the Safeguarding Lead for our trustees: Barbara Cumberland**

## **SAFEGUARDING ADULTS**

This policy sets out Lancashire LGBT's guidance on safeguarding adults at risk of abuse.

### **Policy Principles**

Lancashire LGBT will adhere to the following principles:

- Everyone has the right to live their life free from violence, fear and abuse;
- All adults have the right to be protected from harm and exploitation;
- All adults have the right to self-determination which involves a degree of risk.

### **Policy Objectives**

- Lancashire LGBT has a duty of care towards the people it works with and will do everything reasonable within its power to protect adults at risk from harm.
- Lancashire LGBT aims to reduce risks to adults at risk through the implementation of effective recruitment, training and supervision systems.

### **Scope**

The Safeguarding Adults Policy applies to all staff and volunteers undertaking any work on behalf of Lancashire LGBT.

## Definitions

Safeguarding is about embedding practices throughout the organisation to ensure the protection of children and / or adults at risk wherever possible. In contrast, child and adult protection is about responding to circumstances that arise.

Abuse is a selfish act of oppression and injustice, exploitation and manipulation of power sometimes by those in a position of authority. This can be caused by those inflicting harm or those who fail to act to prevent harm. Abuse is not restricted to any socio-economic group, gender or culture.

### **Abuse as defined by Care Act Guidance (2014)**

Physical abuse – including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.

Sexual abuse – including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented 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, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

Financial or material abuse – including theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Modern slavery – encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Discriminatory abuse – including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.

Organisational abuse – including neglect and poor care 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.

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

Self-neglect – this covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.

### **Adult at Risk**

The safeguarding duties apply to an adult who: has needs for care and support (whether or not the local authority are meeting any of those needs) and; is experiencing, or at risk of, abuse or neglect and as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse and neglect.

**Adult Safeguarding** means protecting an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted including, where appropriate, having regard in their views, wishes, feelings and beliefs in deciding on any action. This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances Care Act Statutory Guidance (2014, p230).

### Definition of Adults at risk

A vulnerable adult is a person aged 18 years or over who may be unable to take care of themselves or protect themselves from harm or from being exploited.

This **may** include a person who:

- Is elderly and frail
- Has a mental illness including dementia
- Has a physical or sensory disability
- Has a learning disability
- Has a severe physical illness
- Is a substance misuser
- Is homeless

**Child Safeguarding/Child Protection** is the action we take to promote the welfare of children, protect them from harm and is everyone's responsibility.

Everyone who comes into contact with children and families has a role to play. Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes (Working Together HMGov 2015).

**Domestic Abuse** is 'Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse:

- Psychological
- physical
- sexual
- financial
- emotional

Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim."\* \*This definition includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.' (Home Office 2013).

See Appendix 1 Signs of Abuse

**Forced Marriage** is a marriage conducted without the valid consent of one or both parties where duress is a factor. Forced marriage is a violation of human rights and is contrary to UK law (HM Gov, 2000).

A forced marriage is a marriage in which one or both spouses do not (or in the case of some adults with learning or physical disabilities, cannot) consent to the marriage and duress is involved. Duress can include physical, psychological, financial, sexual and emotional pressure. (HM Government 2008).

**Female Genital Mutilation** (FGM) comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons. It has no health benefits and harms girls and women in many ways. It involves removing and damaging healthy and normal female genital tissue, and hence interferes with the natural function of girls' and women's bodies. The practice causes severe pain and has several immediate and long-term health consequences, including difficulties in childbirth also causing dangers to the child (HMGov 2014).

## Responsibilities

The designated Safeguarding Lead for Lancashire LGBT is the Chief Executive.

## Trustees

Safeguarding is a standing item on the agenda for all Trustee meetings. This safeguarding policy will be reviewed and approved by the Board every 3 years or sooner.

The Chair has responsibility for the oversight of all aspects of safety, including whistleblowing and H&SW. This includes:

- Creating a culture of respect, in which everyone feels safe and able to speak up.
- An annual review of safety, with recommendations to the Board.
- Receiving regular reports, to ensure this and related policies are being applied consistently.
- Providing oversight of any lapses in safeguarding and ensuring that any issues are properly investigated and dealt with quickly, fairly and sensitively, and any reporting to the Police/statutory authorities is carried out.
- Leading the organisation in way that makes everyone feels safe and able to speak up.
- Ensuring safeguarding risk assessments are carried out and appropriate action taken to minimise these risks, as part of our risk management processes.
- Ensuring that all relevant checks including DBS checks, are carried out in recruiting staff and volunteers (including trustees).
- Planning programmes/activities to take into account potential safeguarding risks, to ensure these are adequately mitigated.
- Ensuring that all appointments have DBS clearance and safeguarding training, including the level of DBS and any training required.

- Ensuring that a central register is maintained and subject to regular monitoring to ensure that DBS clearances and training are kept up-to-date.
- Ensuring that safeguarding requirements (eg DBS) and responsibilities are reflected in job descriptions, appraisal objectives and personal development plans, as appropriate.
- Listening and engaging, beneficiaries, staff, volunteers and others and involving them as appropriate.
- Responding to any concerns sensitively and acting quickly to address these.
- Ensuring that personal data is stored and managed in a safe way that is compliant with data protection regulations, including valid consent to use any imagery or video.

#### Chief Executive

- Making staff, volunteers and others aware of:
  - Our safeguarding procedures and their specific safeguarding responsibilities on induction, with regular updates/reminders, as necessary.
  - The signs of potential abuse and how to report these.

#### Staff and volunteers

- All staff (paid or unpaid) have responsibility to follow the guidance laid out in this policy and related policies, and to pass on any welfare concerns to the Safeguarding Lead.
- We expect all staff (paid or unpaid) to promote good practice by being an excellent role model, contribute to discussions about safeguarding and to positively involve people in developing safe practices.

#### Recruitment

- Employment and volunteering at Lancashire LGBT is subject to confirmation of a satisfactory Enhanced Disclosure and Barring Service (DBS) Disclosure, receipt of two verified personal references and successful completion of an induction/training period.
- All staff and volunteers will have Safeguarding training.

#### Service Users

- To safeguard the adults at risk and to protect against allegations, staff and volunteers will not transport service users.



- Although it is always necessary to be sensitive to the wishes of adults at risk there is a duty of care to report concerns or suspicions of abuse or exploitation that put them or others at risk.
- All staff have a professional duty to share information with other agencies to safeguard children and adults at risk. The public interest in safeguarding children and adults at risk may override confidentiality interests. However, information will be shared on a need to know basis only, as judged by the Chief Executive (see Confidentiality Policy).
- All staff must be aware that they cannot promise service users or their families/ carers that they will keep secrets.

### Safeguarding children

- Although Lancashire LGBT, as an organisation, does not work directly with children, it does provide services to people who may either have children or who are in contact with children. Consequently, there may be certain situations when staff or volunteers have concerns relating to child protection.
- Lancashire LGBT strongly believes that all children without exception have the right to protection from abuse whether abuse is physical, sexual, emotional or as a result of neglect. Where staff or volunteers have concerns about a child's safety or welfare it is organisational policy that an alert should be made to Local Authority Designated Officer (LADO) (see reporting below)

### Reporting

- Lancashire LGBT recognises that its staff and volunteers must discuss any concerns or suspicions they may have with the Chief Executive in the first instance.
- It is not the responsibility of staff or volunteers to interview or investigate if they have a concern about abuse. Statutory agencies such as the police or social care are responsible for this.

In the event of a safeguarding issue:

1. Seek consent from the person concerned. If you feel that they do not have capacity to consent, you can act without consent, but you must log your decision \*See Mental Capacity Act 2005 below
2. Collect all available relevant facts and appropriate information.
3. Make a written record of the concern.
4. Tell the person involved what you are going to do about the concern and note any views that they may have regarding how they wish the matter to be dealt with.

5. Explain that you will have to share the information with the Safeguarding Lead
6. Make an arrangement as to how you/the Safeguarding Lead can contact them safely.
7. Help them to contact other organisations for advice and support (e.g. Police, Domestic Abuse helpline, Victim Support).
8. Act swiftly to report and carry out any relevant actions.
9. Share information only with the people who need to know – such as the Safeguarding Lead.
10. Consider the balance between listening to someone's wishes and needing to refer information where others may be at risk.
11. Inform the person involved about the outcome of any process.
12. If someone is injured or at immediate risk from themselves or others, take immediate action. Seek help by dialling 999 for police or ambulance.

**See also Lancashire LGBT Confidentiality policy:**



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### The Mental Capacity Act 2005

The Mental Capacity Act 2005 (MCA) is designed to protect and empower people who may lack the mental capacity to make their own decisions about their care and treatment. It applies to people aged 16 and over.

It covers decisions about day-to-day things like what to wear or what to buy for the weekly shop, or serious life-changing decisions like whether to move into a care home or have major surgery.

Examples of people who may lack capacity include those with:  
dementia

- a severe learning disability
- a brain injury
- a mental health illness
- a stroke

unconsciousness caused by an anaesthetic or sudden accident

But just because a person has one of these health conditions doesn't necessarily mean they lack the capacity to make a specific decision.

Someone can lack capacity to make some decisions (for example, to decide on complex financial issues) but still have the capacity to make other decisions (for example, to decide what items to buy at the local shop).

The MCA says:

assume a person has the capacity to make a decision themselves, unless it's proved otherwise

wherever possible, help people to make their own decisions

don't treat a person as lacking the capacity to make a decision just because they make an unwise decision

if you make a decision for someone who doesn't have capacity, it must be in their best interests

TRUSTEE APPROVED 16.08.16 UPDATED 27.08.19; UPDATED 27.07.2020; UPDATED AND APPROVED 31.01.2023

treatment and care provided to someone who lacks capacity should be the least restrictive of their basic rights and freedoms

The MCA also allows people to express their preferences for care and treatment, and to appoint a trusted person to make a decision on their behalf should they lack capacity in the future.

Where someone doesn't have a trusted person to represent them or make a decision on their behalf, or where there are concerns about the trusted person, they should be provided with an independent advocate, who will support them to make decisions in certain situations, such as serious treatment or where the individual might have significant restrictions placed on their freedom and rights in their best interests.

Please see Appendix 2 reporting form.

### Domestic Abuse

If you have concerns about a service user experiencing domestic abuse, complete the Safe Lives DASH risk assessment with the service user and discuss with the Safeguarding Lead.



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### Reporting to the Local Authority:

Local Authority Adult safeguarding supports adults who have care and support needs and experiencing, or at risk of abuse, neglect or exploitation and unable to protect themselves.

Lancashire County Council:

<http://www.lancashire.gov.uk/health-and-social-care/adult-social-care/safeguarding-adults.aspx>

Blackpool Council:

[Adult.socialcare@blackpool.gov.uk](mailto:Adult.socialcare@blackpool.gov.uk)

Blackburn with Darwen Council:

[Safeguarding.adults@blackburn.gov.uk](mailto:Safeguarding.adults@blackburn.gov.uk)

Ensure that feedback from the Local Authority is received and their response recorded

Reporting to LADO:

Lancashire County Council LADO:

<https://www.lancashire.gov.uk/practitioners/supporting-children-and-families/safeguarding-children/local-authority-designated-officer/>

Blackburn with Darwen LADO

[CPUnt@blackburn.gov.uk](mailto:CPUnt@blackburn.gov.uk)

Blackpool Council LADO;

[Duty.assessment@blackpool.gov.uk](mailto:Duty.assessment@blackpool.gov.uk)

## Allegations Management

Lancashire LGBT recognises its duty to report concerns or allegations against its staff (paid or unpaid) within the organisation or by a professional from another organisation.

The process for raising and dealing with allegations is as follows:

Any member of staff (paid or unpaid) at Lancashire LGBT is required to report any concerns in the first instance to the Chief Executive.

If the Chief Executive is implicated, then contact their line manager: the Chair of Trustees Neil Darby

## See also Lancashire LGBT Whistleblowing policy



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## Review and Maintenance

- This policy will be subject to revision every 3 years – or more regularly if required, and, if revised, all staff and volunteers will be alerted to the new version.

## Training and Supervision

- Lancashire LGBT staff and volunteers receive training and regular updates on Safeguarding Children and Adults awareness as necessary and appropriate.
- For staff and volunteers, this is Level 2 training and for the Safeguarding lead, Level 3 Safeguarding training

## Online Safety

We will identify and manage online risks by ensuring:

- Volunteers, staff and trustees understand how to keep themselves safe online. For example, using high privacy settings and password access to meetings to support this
- The services we use and/or provide are safe and in line with our code of conduct.
- Protect people's personal data and follow GDPR legislation.
- Consent for any images on our website or social media accounts.

### **See also Lancashire LGBT Online Activities Protocol:**



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## Appendix 1 – Signs of Abuse

### Physical Abuse

- bruises, black eyes, welts, lacerations, and rope marks.
- broken bones.
- open wounds, cuts, punctures, untreated injuries in various stages of healing.
- broken eyeglasses/frames, or any physical signs of being punished or restrained.
- laboratory findings of either an overdose or under dose medications.
- individual's report being hit, slapped, kicked, or mistreated.
- vulnerable adult's sudden change in behaviour.
- the caregiver's refusal to allow visitors to see a vulnerable adult alone.

### Sexual Abuse

- bruises around the breasts or genital area.
- unexplained venereal disease or genital infections.
- unexplained vaginal or anal bleeding.
- torn, stained, or bloody underclothing.
- an individual's report of being sexually assaulted or raped.

### Mental Mistreatment/Emotional Abuse

- being emotionally upset or agitated.
- being extremely withdrawn and non-communicative or non-responsive.
- nervousness around certain people.
- an individual's report of being verbally or mentally mistreated.

### Neglect

- dehydration, malnutrition, untreated bed sores and poor personal hygiene.
- unattended or untreated health problems.
- hazardous or unsafe living condition (e.g., improper wiring, no heat or running water).
- unsanitary and unclean living conditions (e.g., dirt, fleas, lice on person, soiled bedding, faecal/urine smell, inadequate clothing).
- an individual's report of being mistreated.

## Self-Neglect

- dehydration, malnutrition, untreated or improperly attended medical conditions, and poor personal hygiene.
- hazardous or unsafe living conditions.
- unsanitary or unclean living quarters (e.g., animal/insect infestation, no functioning toilet, faecal or urine smell).
- inappropriate and/or inadequate clothing, lack of the necessary medical aids.
- grossly inadequate housing or homelessness.
- inadequate medical care, not taking prescribed medications properly.

## Exploitation

- sudden changes in bank account or banking practice, including an unexplained withdrawal of large sums of money.
- adding additional names on bank signature cards.
- unauthorized withdrawal of funds using an ATM card.
- abrupt changes in a will or other financial documents.
- unexplained disappearance of funds or valuable possessions.
- bills unpaid despite the money being available to pay them.
- forging a signature on financial transactions or for the titles of possessions.
- sudden appearance of previously uninvolved relatives claiming rights to a vulnerable adult's possessions.
- unexplained sudden transfer of assets to a family member or someone outside the family.
- providing services that are not necessary.

## Domestic Abuse

### Physical abuse

- Black eyes
- Bruises on the arms
- Busted lips
- Red or purple marks on the neck
- Sprained wrists

## Controlling behaviour

- Asking permission to go anywhere or to meet and socialize with other people
- Constant calls, texts, or tracking by their partner wanting to know where they are, what they are doing, and who they are with
- Having very little money available to them, not having access to a credit card, or having to account for every penny spent
- Not having access to a vehicle
- Referring to their partner as "jealous" or "possessive," or always accusing them of having affairs



## Appendix 2 - Safeguarding Adults Report Form

To be completed as fully as possible if you have concerns regarding an adult.

If it is safe to do so, it is important to inform the adult about your concerns and that you have a duty to pass the information onto the safeguarding lead. The Safeguarding Lead will then look at the information and start to plan a course of action.

Section 1 – Details of adult (you have concerns about)	
Name of adult	
Address	
Date of Birth/ Age	
Contact number	
Emergency contact if known	
Consent to share information with emergency contact?	
Section 2 – Details of the person completing this form/ Your details	
Name	
Contact phone number(s)	
Email address	
Your Role in organisation	
Section 3 – Details of concern	
Please explain why you are concerned. Please give details about what you have seen/been told/other that makes you believe the adult is at risk of harm or is being abused or neglected (include dates/times/evidence from records/photos etc.)	
Date/ Time	What happened

<b>Section 5 – Details of the person thought to be causing harm (if known)</b>	
Name	
Address	
Date of Birth/Age	
Relationship/connection to adult	
Role in organisation	
Do they have contact with other adults at risk in another capacity? E.g. in their work/family/as a volunteer	
<b>Section 6 - Have you discussed your concerns with the adult? What are their views, What have they stated about what they want to happen and what outcomes they want?</b>	
<b>Section 6A – Reasons for not discussing with the adult</b>	
Discussion would put the adult or others at risk. Please explain:	

Adult appears to lack mental capacity. Please explain:	
Adult unable to communicate their views. Please explain:	
<b>Section 7 – Risk to others</b>	
Are any other adults at risk Yes/No/Not known – delete as appropriate If yes please fill in another form answering questions 1-6	
Are any children at risk Yes/No/Not known Delete as appropriate If yes please fill in a safeguarding children referral form and attach to this.	
<b>Section 8 – What action have you taken if any /agreed with the adult to reduce the risks?</b>	
<b>Section 9: Other agencies contacted</b>	<b>Who contacted/reference number/contact details/advice gained/action being taken</b>
Police	
Ambulance	
Other – please state who and why:	
<b>Consultation with Safeguarding Lead</b>	<b>Dates and times</b>

Completed Form copied to Safeguarding Lead; Date and time	
Signed:	
Date:	

**OFFICE USE ONLY**

## Section 11 – Sharing the concerns (To be completed by Safeguarding Lead)

Details of your contact with the adult at risk of harm. Have they consented to information being shared outside of Lancashire LGBT

Details of contact with the Local Authority Safeguarding Team/MASH where the adult at risk of harm lives – advice can be still sought without giving personal details if you do not have consent for a referral.

Details of any other agencies contacted:

Details of the outcome of this concern: