



MARLBOROUGH COLLEGE
SUMMER SCHOOL

SAFEGUARDING ADULTS AT RISK POLICY AND PROCEDURE

Marlborough College Summer School is committed to safeguarding and promoting the welfare of children and adults and expects all staff, volunteers and visitors to share in this commitment.

Safeguarding is everyone's responsibility.

The Safeguarding and Child Protection policy and procedure is available on request or on the summer school website.

Legislation and Guidance

The practices and procedures within this policy are based on the principles contained within the UK legislation and Government Guidance and have been developed to complement the Local Safeguarding Adults Boards policy and procedures. They take the following into consideration:

- The Care Act 2014
- The Protection of Freedoms Act 2012
- Domestic Violence, Crime and Victims (Amendment) Act 2012
- Domestic Abuse Act 2021
- The Equality Act 2010
- The Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Acts 2005 and 2020
- Sexual Offences Act 2003
- The Human Rights Act 1998
- The Data Protection Act 1998 and 2018
- 'Human Rights Act' (1998) – HM Government
- Data Protection Act (2018)
- The General Data Protection Regulation (GDPR) 2018

The Marlborough College Summer School is fully committed to ensuring that the best practice recommended by these legislations, policies and guidelines is implemented, maintained, and embedded within the day to day working practice of all staff at all times.

Adults at Risk legislation can be found: [Safeguarding Adults at Risk Key Legislation and Government Initiatives \(anncrafttrust.org\)](#)

Who does this policy aim to protect?

This policy is written to protect adults at risk of harm who engage with Summer School in any capacity.

This could be:

- Adults at risk who are employed by the Summer School in any capacity
- Adults at risk participating in events, activities or sessions run by Marlborough College Summer School
- Adults at risk who are staying at the College as part of the Summer School programme

Who is an 'Adult at Risk'?

An adult at risk is any person who is aged 18 years or over and at risk of abuse or neglect because of their needs for care and or support.

[Legislation relating to safeguarding adults | Overview for social care | SCIE](#)

People with care and support needs are not *all* vulnerable to abuse but may become so at any point due to physical or mental ill health, acquired disability, age, frailty or environmental factors, such as poverty and anti-social behaviour.

A person with care and support needs may:

- Be elderly, with poor health, a physical disability or cognitive impairment
- Have learning disabilities or an acquired brain injury
- Have a physical disability and/or a sensory impairment
- Have mental health needs including dementia
- Have a long-term illness/condition
- Be dependent on substances or alcohol to an extent that it has a serious impact on their ability to cope with day-to-day living

People may be at greater risk because they are:

- Socially isolated which may provide an opportunity for exploitation
- Unsure of who to trust
- Suffering the effects of trauma from previous events or life experiences
- Dependent on others to manage their personal needs or finances
- Subject to domestic abuse, unable to escape abuse or 'tolerate it' due to their reliance for care on the abuser, adapted accommodation or the lack of suitable alternative accommodation and care provision

Factors that could decrease an adult's ability to protect themselves may include:

- Not having mental capacity at that point in time to make decisions about their own safety
- Complex health needs and/or communication difficulties
- Being physically reliant on others for personal care and activities of daily life
- Being in a coercive controlling relationship with no access to money or support

The abuse of adults should relate to the circumstances rather than the characteristics of the people experiencing the harm.

An individual's level of vulnerability to harm may vary over time depending on the circumstances they are in and their needs at that time. Labelling groups of people (such as people with learning disabilities or older people) as inherently 'vulnerable' is seen to be disempowering so, instead, the Care Act (2014), describes adults '*potentially 'at risk' from harm or abuse' by those who do not have their best interests at heart.*

The six principles of adult safeguarding

The Care Act 2014 sets out the following principles that should underpin safeguarding of adults

- **Empowerment** - People being supported and encouraged to make their own decisions and informed consent.
"I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens."
- **Prevention** – It is better to take action before harm occurs. "I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help."
- **Proportionality** – The least intrusive response appropriate to the risk presented.
"I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as needed."
- **Protection** – Support and representation for those in greatest need. "I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want."
- **Partnership** – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse
"I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me."
- **Accountability** – Accountability and transparency in delivering safeguarding.
"I understand the role of everyone involved in my life and so do they."

What is Abuse?

The main areas of abuse are physical, emotional, neglect and sexual mistreatment. Other areas of abuse include child sexual exploitation, peer on peer abuse, domestic abuse, financial abuse, genital mutilation, youth produced sexual imagery and radicalisation. Adults at risk can experience abuse and it is important to be observant and act if you suspect that an adult is being abused or taken advantage of..

Types of abuse suffered by adults identified in the Care Act 2014 are:

- Physical
- Sexual
- Psychological/Emotional/Mental
- Financial and material
- Neglect and act of omission

- Discriminatory
- Organisational
- Modern Day Slavery
- Domestic Violence
- Self-Neglect – including hoarding

Other types of harm that adults may experience include:

- Cyber Bullying
- Forced Marriage
- Female Genital Mutilation
- Mate Crime
- Radicalisation

Use the link below to navigate to information on the ten types of abuse

<https://www.scie.org.uk/safeguarding/adults/introduction/types-and-indicators-ofabuse>

<https://www.anncrafttrust.org/resources/types-of-harm/>

Signs and indicators of abuse and neglect

Abuse can take place in any context and by all manner of perpetrator. Abuse may be inflicted by anyone in the Club, including, participants, staff, volunteers, or coaches. There are many signs and indicators that may suggest someone is being abused or neglected, these include but are not limited to:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- A person has belongings or money going missing.
- A person is not attending / no longer enjoying their sessions. you may notice that a participant in a team has been missing from practice sessions and is not responding to reminders from team members or coaches.
- Someone losing or gaining weight / an unkempt appearance. this could be a player whose appearance becomes unkempt, does not wear suitable sports kit and deterioration in hygiene.
- A change in the behaviour or confidence of a person. For example, a participant may be looking quiet and withdrawn when their brother comes to collect them from sessions, in contrast to their personal assistant whom they greet with a smile.
- Self-harm.
- A fear of a particular group or individual.
- Someone may tell you / another person they are being abused – i.e. a disclosure.
- Harassing of a Summer School member because they are or are perceived to have protected characteristics.
- Not meeting the needs of the participant. E.g., this could be training without a necessary break.
- A coach intentionally striking an adult.
- This could be a fellow athlete who sends unwanted sexually explicit text messages to a learning-disabled adult they are training alongside.
- This could be an athlete threatening another athlete with physical harm and persistently blaming them for poor performance.

Some examples of abuse include:

- Harassment of a participant because of their (perceived) disability or other protected characteristics.
- Not meeting the needs of the participant e.g., training without a necessary break.
- A coach intentionally striking an athlete
- One elite participant controlling another athlete with threats of withdrawal from their partnership
- An official who sends unwanted sexually explicit text messages to a participant with learning disabilities.
- A participant threatens another participant with physical harm and persistently blames them for poor performance.

Abuse or neglect outside could be carried out by:

- A spouse, partner, or family member
- Friends, neighbours, acquaintances, or strangers
- People who deliberately exploit adults they perceive as vulnerable
- Paid staff, professionals or volunteers providing care and support

Often the perpetrator is known to the adult and may be in a position of trust and/or power.

Use the link below to navigate to information on the ten types of abuse and their signs and indicators: <https://www.scie.org.uk/safeguarding/adults/introduction/typesand-indicators-of-abuse>

Making Safeguarding Personal (MSP)

Making safeguarding personal means putting the person at the centre of everything we do during a safeguarding process from the very beginning to the very end. It means engaging the person in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice, and control. As well as improving quality of life, well-being, and safety. Wherever possible we must discuss safeguarding concerns with the individual to get their view of what they would like to happen and keep them involved in the safeguarding process, seeking their consent to share information outside of the organisation where safe to do so.

This means we will:

- Listen to the person who is at risk
- Understand their wishes and feelings
- Take them seriously
- Treat them with respect
- Support them to feel safe
- Support them to make their own decisions
- Keep them informed and involved
- Tell them what will happen next

14. Capacity – Guidance on Making Decisions

The issue of capacity or decision making is a key one in safeguarding adults. Some people are only able to make some decisions, and a small number of people cannot make any decisions. Being unable to make a decision is called “lacking capacity”. To make a decision we need to:

- Understand information

- Remember it for long enough
- Think about the information
- Communicate our decision

A person's ability to do this may be affected by things like learning disability, dementia, mental health needs, acquired brain injury, and physical ill health. The Mental Capacity Acts 2005 and 2020 (MCA) states that every individual has the right to make their own decisions and provides the framework for this to happen.

Our ability to make decisions can change over the course of a day. You should consider the following five points:

1. Assume that people can make decisions, unless it is shown that they are not. If you have concerns about a person's level of understanding, you should check this with them, and if applicable, with the people supporting them.
2. Give people as much support as they need to make decisions. You may be involved in this – you might need to think about the way you communicate or provide information, and you may be asked your opinion.
3. People have the right to make unwise decisions. The important thing is that they understand the implications. If they understand the implications, consider how risks might be minimised.
4. If someone is not able to decide, then the person helping them must only make decisions in their "best interests". This means that the decision must be what is best for the person, not for anyone else. If someone was deciding on your behalf, you would want it to reflect the decision you would make if you were able to.
5. Find the least restrictive way of doing what needs to be done.

Consent, Information Sharing and Recording

All safeguarding concerns should be logged. You should discuss with your Designated Safeguarding Lead if your concern is likely to require immediate action.

If it does not increase the risk to the individual, the worker or volunteer should explain to them that it is their duty to share their concern with your Designated Safeguarding Lead.

The Designated Safeguarding Lead will then consider the situation and plan the actions that need to be taken, in conjunction with the adult at risk and in line with this policy and the local safeguarding adults board policy and procedures. [Protecting vulnerable adults from abuse | Your care Your support Wiltshire](#)

Individuals may not give their consent to the sharing of safeguarding information with the safeguarding adult's team for several reasons. Reassurance, appropriate support and revisiting the issues at another time may help to change their view on whether it is best to share information.

If they still do not consent, then their wishes should usually be respected. **However**, there are circumstances where information can be shared without consent such as when the adult does not have the capacity to consent, it is in the public interest because it may affect other people, or a serious crime has been committed.

If someone does not want you to share information outside of the Summer School or you do not have consent to share the information, ask yourself the following questions:

- Is the adult placing themselves at further risk of harm?
- Is someone else likely to get hurt?
- Has a criminal offence occurred? This includes theft or burglary of items, physical abuse, sexual abuse, forced to give extra money for lessons (financial abuse) or harassment.
- Is there suspicion that a crime has occurred?

If the answer to any of the questions above is 'yes' - then you can share without consent and need to share the information. All decision making should be recorded.

When sharing information there are seven Golden Rules that should always be followed.

1. Seek advice if in any doubt
2. Be transparent - The Data Protection Act 2018 (DPA) is not a barrier to sharing information but to ensure that personal information is shared appropriately; except in circumstances whereby doing so places the person at significant risk of harm.
3. Consider the public interest - Base all decisions to share information on the safety and well-being of that person or others that may be affected by their actions.
4. Share with consent where appropriate - Where possible, respond to the wishes of those who do not consent to share confidential information. You may still share information without consent, if this is in the public interest.
5. Keep a record - Record your decision and reasons to share or not share information.
6. Accurate, necessary, proportionate, relevant and secure - Ensure all information shared is accurate, up to date; necessary and share with only those who need to have it.
7. Remember the purpose of the Data Protection Act (DPA) is to ensure personal information is shared appropriately, except in circumstances where by doing so may place the person or others at significant harm.

Sharing information, with the right people, is central to good practice in safeguarding adults. However, information sharing must only ever be with those with a 'need to know' for example, the Summer School DSL.

This does **NOT** automatically include the persons spouse, partner, parent, child, unpaid or paid carer. Information should only be shared with family and friends and/or carers *with the consent of the adult or if the adult does not have capacity to make that decision* and family/ friends/ carers need to know in order to help keep the person safe.

The circumstances when we need to share information without the adult's consent include those where:

- it is not safe to contact the adult to gain their consent – i.e., it might put them or the person making contact at further risk.
- you believe they or someone else is at risk, including children.
- you believe the adult is being coerced or is under duress.
- it is necessary to contact the police to prevent a crime, or to report that a serious crime has been committed.
- the adult does not have mental capacity to consent to information being shared about them.
- the person causing harm has care and support needs.

When information is shared without the consent of the adult this must be explained to them, when it is safe to do so, and any further actions should still fully include them. Staff should be vigilant of possible coercion and the emotional or psychological impact that the abuse may have had on the adult and should therefore:

- *Explore the reasons for the adult's objections (what are they worried about?)*
- *Explain the concern and why it might be important to share the information*

- *Tell the adult at risk who you need to tell why*
- *Discuss the benefits, to them or others, of sharing information (including access to better help and support)*
- *Discuss the consequences of not sharing the information (could someone come to harm?)*
- *Reassure them that the information will not be shared with anyone who does not need to know*
- *Reassure them they are not alone, and support is available to them*

There are only a limited number of circumstances where it would be acceptable to *not share* information pertinent to safeguarding, with the local authority.

These would be where the person involved has the mental capacity to make the decision about sharing information, does not want their information shared **and:**

- The individual is not at risk of serious harm
- Nobody else is at risk
- No serious crime has been or may be committed
- The alleged abuser has no care and support needs
- No staff are implicated
- No coercion or duress is suspected
- The public interest served by disclosure does not outweigh the public interest served by protecting confidentiality

If someone does not want you to share information outside of the organisation or you do not have consent to share the information, ask yourself the following questions:

- Is the adult placing themselves at further risk of harm?
- Is someone else likely to get hurt?
- Has a criminal offence occurred? This includes theft or burglary of items, physical abuse, sexual abuse, forced to give money (financial abuse) or harassment.
- Is there suspicion that a crime has occurred?

If the answer to any of the questions above is 'yes' - then you can and should share the information with relevant statutory agencies without consent.

Where any decision to act or not act, share information, or not share; you should keep a careful record of the decision-making process; who was involved in making the decision and the reasons why that decision was made

The most important consideration is whether sharing information is likely to safeguard and protect an adult at risk.

Protecting adults at risk: Good practice guide:

<https://www.scie.org.uk/publications/adultsafeguardinglondon/files/sections/riskassessment.pdf?res=true>

Good Practice

All employees, workers, consultants, agency staff and volunteers working with children or young people should adhere to the following principles when undertaking their work:

- Be a role model, displaying consistently high standards of behaviour and appearance.
- Always use language that is appropriate and socially acceptable.
- Always work in an open environment. You should avoid unnecessary private situations and discourage secrets and/or closed communications.
- Make the experience of the activity fun and enjoyable for all involved. In doing this, you should promote fairness and confront and manage any bullying.

- Treat all people equally and with respect and dignity.
- Always put the welfare of the adult at risk first.
- Avoid unnecessary physical contact and maintain a safe and appropriate distance with adults at risk.
- Where any form of manual/physical support is required, it should be provided in an open environment and with the consent of adult at risk.
- There must always be a qualified first aider present or readily available.
- When providing feedback make sure it is constructive and encouraging as opposed to negative criticism.
- Ensure that a written record is kept of any incidents or injuries that occur. This record should include details of the incident, any action taken, and any treatment given.
- Ensure all communication with adults at risk conducted with consent from official Summer School accounts. Any text messages or social media contact with adults at risk must be for the sole purpose of facilitating arrangements and should always be made using the business mobile telephone provided.

Training

It is essential that all staff are confident in recognising, responding and reporting any safeguarding concern and that they all understand and adhere to this policy, the associated procedures and code of conduct.

During the induction process of new staff this policy and the safeguarding code of conduct is given out and talked through.

In addition, the Summer School staff who are working with adults will receive face to face or online training regarding safeguarding adults.

Key contacts:

Safeguarding adults from abuse and neglect

Always remember

You are not alone. There is always support from:

- MASH [0300 456 0111](tel:03004560111)
- Your GP or local health care
- Police [101](tel:101) or [999](tel:999)

Designated Safeguarding Lead

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Appendix 1:

Staff Safeguarding Code of Conduct

- It is the responsibility of all staff to share the duty of care to “safeguard and promote the welfare” of the participants of summer school.
- Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- Staff should be honest and professional at all times.
- Staff must:
 - i.treat all participants equally regardless of the protected characteristics
 - ii.avoid making assumptions about others based on their gender, ethnicity, or national origin
 - iii.ask participants how their name is pronounced if they are not sure, rather than guessing or using a shortened version.
 - iv.recognise that participants may come from a range of cultural backgrounds and may speak English as an additional language.
 - v.respect the preferred pronouns and gender identity of other staff and participants.
 - vi.not allow participants to use inappropriate language unchallenged.
 - vii.positively challenge inappropriate chat e.g., racist, sexist, homophobic comments, swearing or sexual jokes.
- Staff should choose language that is appropriate in vocabulary, register and tone for their professional role. Swearing at or in front of participants is not acceptable; crude, aggressive, frightening, or offensive language or comments are not acceptable in the Summer School context.
- Staff behaviour towards children, adults and towards members of staff, regardless of role or responsibility, should be based on courtesy and respect at all times. Staff should be always aware that they are representing Marlborough College Summer School and their behaviour should be professional and of a standard expected in an educational environment at all times.
- Staff should avoid discussion of their private and personal relationships, including sexual relationships with, or in the presence of, participants or via any means. Nor should they discuss an attendant’s or member of staff’s private, personal or sexual relationships in inappropriate settings or contexts.
- Staff must never touch a participant in a way that may be considered inappropriate, indecent or aggressive. Staff who need to initiate physical contact with a participant, e.g. in order to support them to perform a task safely or to demonstrate or teach a particular skill, should place the needs of the participant first at all times. Staff should be sensitive to any discomfort expressed verbally or non-verbally by the participant. Contact should only be with the participant’s agreement, the reason for and form of the contact should be clear, the context should be an open and relevant one (e.g. lesson, coaching session, rehearsal), and contact should last for the minimum time necessary. Staff should consider alternatives to achieve the same ends without physical contact.
- Staff working with participants under the age of 18 must avoid the use of shared toilet/changing facilities at the same time as participants and should never shower or change with participant. It is expected that staff will use designated staff facilities where available.
- Staff should report any safeguarding concerns (low level, self-reporting or otherwise), incidents where behaviour fails to meet this Code, or any incident which raises concern to the Designated Safeguarding Lead as soon as possible either by phone, email or walkie talkie depending on urgency.
- Staff should know the name of the Designated Safeguarding Lead, be familiar with the Safeguarding and Child Protection procedures and understand their responsibilities to safeguard and protect children and vulnerable adults, including the responsibility to protect from the risk of being drawn into extremism and terrorism.
- Staff should be aware and adhere to the law, in that it is illegal to buy alcohol for an under 18 in a licensed premise.

- Staff are placed in a position of trust with respect to the welfare of the children and adults; regardless of the age or the position held by the member of Staff. Staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification and need to accept the responsibilities and trust inherent in such a relationship. The responsibility is discharged, in a large part, by the maintenance of respectful, caring, and professional relationships. Behaviour by staff should at all times demonstrate integrity, maturity and good judgement.
- Whistleblowing: Staff should feel able to report concerns about professional conduct, in the knowledge that immunity from disciplinary action for “whistle blowing” in good faith is assured.
- Staff staying in Marlborough College Summer School accommodation agree to –
 - i. Avoid excessive noise, antisocial behaviour or any activity that might reasonably create a nuisance, causes complaints from neighbours (within or outside the College) or residents, or brings the College or Summer School into disrepute.
 - ii. Take reasonable care of the accommodation and any contents that are property of the College.
 - iii. Abide by Summer School policies including those regarding health and safety and smoking and vaping on site. There must be no illegal drugs on site.
 - iv. Accommodation is provided for the sole use of the member of staff working Summer School. No visitors (external or participants of Summer School) are permitted to occupy the provided accommodation at any point.
 - v. Staff acknowledge and agree that no independent rights are intended to be nor granted to you to reside in the accommodation and are obliged vacate the accommodation when employment is terminated or reasonably required by Summer School or Marlborough College.
- Failure to adhere to this Code of Conduct could result in termination of accommodation or contract.