Shallal

Protection of Adults at Risk of Harm

PART 1: Safeguarding Adults Policy Statement

PART 2: Code of Conduct and Procedure

Updated and Approved by Trustees: 13th August 2024

Next review: July 2026

PART 1 - SAFEGUARDING ADULTS POLICY

INTRODUCTION

Through its work Shallal comes into contact with many adults who are at risk of harm. Shallal is committed to ensuring a safe and supportive environment for everyone involved in its activities. These activities cover a wide range of dance, theatre, public performance, visual arts and other creative opportunities where Shallal staff are responsible for the safeguarding of adults at risk of harm.

Safeguarding is about embedding practice and behaviours throughout our organisation to ensure the protection of adults at risk of harm wherever possible and to ensure that we respond effectively to circumstances that may arise.

Abuse can be caused by those inflicting harm and by us failing to act to prevent harm.

LEGISLATION

The principal legislation covering this policy is the Care Act 2014. Details of the legal framework as it applies to charities such as Shallal is provided in the Charity Commission guidance, https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees

DEFINITIONS

An adult at risk of harm is:

A person over the age of 18 years who:

- is or may be in need of care by reason of mental or other disability, age or illness
- is or may be unable to take care of himself or herself
- is unable to protect himself or herself against significant harm or serious exploitation

Harm means:

- Ill-treatment including sexual abuse and forms of ill-treatment that are not physical
- the impairment of, or an avoidable deterioration in, physical or mental health
- and the impairment of physical, intellectual, emotional, social or behavioural development and wellbeing

Abuse is:

When a person or persons have caused harm, or may be likely to do so, to the physical, sexual, emotional/psychological, financial or material wellbeing of an adult at risk of harm.

The following list is not exhaustive:

- **Physical abuse** includes the use of unnecessary force – hitting, slapping, pushing, pulling, pinching, kicking, misuse of medication, inappropriate physical restraint, forced feeding.
- **Sexual abuse** includes rape and sexual assault or sexual acts to which the vulnerable adult has not consented or could not consent or was pressured into consenting. Sexual abuse does not necessarily involve contact - it could include indecent exposure, harassment (physical or verbal), exposure to pornography and the use of pornography.
- **Emotional/psychological abuse** includes shouting, screaming, intimidation, humiliation, threats of harm or abandonment, denial of the expression of choice and opinion, denial of privacy and dignity; deprivation of contact either by letter or social contact, controlling - denial of freedom to associate with others outside of the place of

residence, isolation or withdrawal from services or support networks.

- **Financial or material abuse** includes theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property or benefits.
- **Neglect and acts of omission** includes medical or physical care needs, failure to provide access to appropriate health, assessed social care or educational services, the withholding of the necessities of life such as medication, adequate nutrition and heating.

Also:

- abuse may be a deliberate act or may be the result of a failure to act appropriately
- an individual may experience one or more of the above abuses at the same time
- this may be within a continuing relationship or a professional service context
- abuse may be carried out by other service users or by people who have deliberately
- formed a relationship with a vulnerable person in order to exploit them
- an individual may have experienced a history of intimidation and victimisation.

Abuse is not acceptable and may often be a criminal offence. People who may be at greater risk of abuse because of their age or the nature of their disability should be enabled to take part in Shallal's activities in an environment that is free from prejudice and safe from abuse. To this end all facilitators will have an enhanced DBS check every three years.

We are aware that due to the diversity of Shallal participants, some adults will not fall within the remit of safeguarding i.e. those who do not meet the criteria in our policy which comes for the Care Act.

All Shallal's participants are entitled to:

- privacy
- be treated with dignity
- be supported to lead an independent life

- be able to choose how they lead their lives
- the protection of the law
- have their rights upheld regardless of ethnic origin, sexuality, impairment or disability, age, religion or cultural background.

Our aim is to prevent abuse occurring wherever possible and to deal with it appropriately and effectively if it does occur. All allegations of suspected abuse must be taken seriously regardless of the source of the information. We will respond promptly to allegations and where there is any doubt about the person's immediate health and safety or that of other individuals at risk of harm, appropriate professional colleagues from Cornwall Adult Social Care Services or the Police will be informed.

Our key responsibility is to report alleged abuse to our nominated contact and through them to report the risk to adult safeguarding in Cornwall. It is not our job to investigate but rather it is our job to report and make sure the person at risk has the right support.

- Facilitators, trustees and volunteers have a 'duty of care' to act in the best interests of the allegedly abused person.
- Facilitators are personally responsible for ensuring that their safeguarding training is up to date.
- Trustees and facilitators are personally responsible for ensuring that their protection of vulnerable adults training is up to date.
- Lead facilitators are responsible for ensuring that any volunteers they work with on Shallal projects are up to date with 'protection of vulnerable adults' training.
- Training opportunities in adult protection may be provided by external agencies and partner organisations.

PART 2: CODE OF CONDUCT AND PROCEDURE

To minimise the risk of abuse, the following code of conduct will be adhered to by all people engaging with adults at risk of harm by everyone involved with Shallal in any capacity. Following this code will:

- Help us all to understand what is appropriate and inappropriate behaviour when interacting with anyone
- Enable us to protect people at risk of harm from abuse
- Help staff, trustees and volunteers to maintain the standard of behaviour expected of them
- Reduce the possibility of unfounded allegations of inappropriate behaviour or abuse being made

When working with people at risk of harm, all staff, trustees, volunteers and freelancers are acting in a position of trust. It is important that we are all aware that we may be seen as role models and must act in an appropriate manner at all times.

We Do:

- Act inclusively and considerately, welcoming and supporting people of all backgrounds, abilities and identities
- Choose our words carefully to ensure we are being inclusive and considerate
- Always aim to be great ambassadors for Shallal's values of equity, inclusion and understanding
- Welcome, involve and respect everyone
- Listen to adults at risk of harm at all times
- Challenge all discriminatory or inappropriate language or behaviour and report all allegations/suspicions of inappropriate conduct or abuse to the Creative Director within the same working day
- Ensure that whenever possible, there is more than one adult present during all activities. If this isn't possible, we will ensure that facilitators are within sight or hearing of other adults. If in any doubt, consult the Creative Director
- Always ensure that equipment is used safely and for its intended purpose
- Recognise that special caution and a balanced approach is required when you are discussing sensitive issues with adults at risk of harm.

We Do Not:

- Make personal comments or gestures to any person, or about any person, which could be unwelcome e.g. about their appearance
- Touch anyone or invade their personal physical space without their express permission e.g during a dance, unless it is to protect them from imminent danger
- Make any comments which are discriminatory in terms of race, religion, disability, age, sexual orientation, size, appearance or gender
- Put staff or volunteers in a position where we they are in a private space e.g. working or travelling alone with a vulnerable adult, unless they have been DBS checked and have a specific Shallal purpose for doing so
- Communicate personally with any vulnerable adult, whether by email, telephone, post or in person without permission except for purposes of Shallal business by key staff and freelancers who have been DBS checked

- Give vulnerable adults our own personal contact details e.g. mobile number or address without prior permission from their carer or support worker
- Allow allegations of inappropriate behaviour to go unreported
- Make inappropriate comments or gestures to, or in front of, vulnerable adults
- Publish anything online about vulnerable adults e.g. via the website or social media, without the appropriate permission of support workers or carers.

Staff, freelancers and volunteers who fail to comply with this code of behaviour may be subject to Shallal's disciplinary procedures. Any breach of the code involving a volunteer or member of staff from another organisation will result in them being asked to leave. Serious breaches may also result in a referral being made to a statutory agency.

If you are in doubt about any aspect of this Code of Conduct, or are aware of anyone behaving in a way that is likely to break the code of conduct, please do not hesitate to consult the nominated member of staff or nominated trustee.

PROCEDURE:

This is Shallal's protection of adults at risk of harm procedure. All people working for and with Shallal (both paid and unpaid) have responsibility to follow this procedure and pass on any welfare concerns.

GENERAL PRINCIPLES

It is important to remember that our key responsibility is to report alleged abuse to our nominated contact and through them to report the risk to adult safeguarding in Cornwall. It is not our job to investigate but rather it is our job to report and make sure the person at risk has the right support.

Where an allegedly abused person is clearly able to make choices, they must be advised of the options available to them and their wishes respected, unless, exceptionally, a statutory responsibility to intervene arises.

Where an adult at risk of harm is unable to make a decision due to mental impairment, Shallal will need to review their position in respect of the law to see what further action can be taken.

Where intervention is necessary, action should be pursued in a way that causes the least disruption to the allegedly abused person's way of life and should be aimed at preventing the risk of abuse recurring. Every

effort will be made to support the adult and their carer/s. This will be undertaken in an open and honest atmosphere.

The adult's consent to involve their carers will be obtained where possible. Where it is not possible to obtain the person's consent it may be necessary to consult with appropriate professional colleagues from Cornwall Adult Social Care Services.

Carers may need help and support in their own right after hearing about the alleged abuse. Carers of adults at risk of harm may themselves be vulnerable and come within the terms of this policy and procedure. In some cases, the carer may be the alleged abuser. While each case must be dealt with in as sympathetic way as possible, the protection of the person who is alleged to have been abused is paramount. Advice will be taken from appropriate professional colleagues from Cornwall Adult Social Care Services and/or the Police, depending on the specific need and circumstances.

What to do if an adult at risk of harm confides any abuse to you

Do:

- find an appropriate place to carry on the conversation
- listen carefully and ensure the person knows that you are taking what he or she says seriously
- stay calm
- show sympathy and concern, reassure the person that he or she is doing the right thing in telling you
- explain what you're going to do next to support and protect them and that information will need to be shared with nominated primary contact, or the nominated trustee who will decide on what action will be taken – thus absolute confidentiality cannot be guaranteed
- write a factual and chronological account of what you have heard and learnt
- report to the nominated primary contact.
- if the nominated primary contact is not available, contact the nominated trustee
- if the person seems in any immediate danger or in need of urgent treatment, their safety should be ensured. Emergency services should be called if necessary

Do Not:

- have the conversation in an inappropriate place e.g. public thoroughfare
- appear shocked, horrified, disgusted or angry
- make judgements other than to show concern
- give sweeping assurances e.g. don't say 'he won't be allowed to come near you again'
- confront or contact the alleged perpetrator
- press the individual for details;
- promise to keep secrets
- contaminate or remove forensic evidence such as blood, semen and saliva, which may be used in court.
- if first aid is required, this should be administered for bleeding and shock only.

Where people have difficulty in articulating what has/is happening to them because of the nature and severity of their disability, they may do so in other ways including changes in their behaviour. Shallal should always be alert to the need to communicate with sensitivity.

The responsible staff member is the **Creative Director/Lead Facilitator Either: Jo Willis**
Telephone number: 01326 375867 07505 983710
Or: Colin Curbishley Telephone number: 01736 350106 Mobile number: 07747 543300

The nominated trustee contact is: **Nick Fripp** Mobile Number:07532 116126

Cornwall Adult Social Care Services contact is:
In normal working hours: **0300 1234 131**
Outside normal working hours: **0300 1234 131**

(Option 1, for Emergency Duty Worker – to be used in emergencies only)

Police contact is: Enquiries and Non-Emergencies: **101** Emergencies: **999**

This policy document will be reviewed July 2026.

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