

Merton Saints BMX Club

Safeguarding Adults Policy



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‘Safeguarding Adults at Risk is working with adults with care and support needs to keep them safe from abuse or neglect. It is an important part of what many public services do, and a key responsibility of local authorities.’



CONTENTS	PAGE
1 Introduction	2
1.1 Our Commitment	2
1.2 Key Principles	2
1.3 The Six Principles in Relation to Adults at Risk	3
2 Guidance & Legislation	3
2.1 Responsibilities & Implementation	3
2.2 Complaints, Concerns & Allegations	4
2.3 What to do if you have Concerns About an Adult	4
3 Guidance on Making Decisions	6
3.1 Capacity	6
3.2 Responding to Disclosure of Abuse	6
4 Signs and Indicators of Abuse & Neglect	7
4.1 Guidance of Types of Harm	7
5 Good Practice Guidance	8
6 Consent	9
7 Useful Contacts	10

1. INTRODUCTION

Adult safeguarding is working with adults with care and support needs to keep them safe from abuse or neglect. An adult is anyone aged 18 years and over.

Although there are many similarities with safeguarding adults and children there are also some distinct differences. For this reason, British Cycling & **Merton BMX Club** has created a separate Safeguarding Adults Policy.

Abuse of adults links to circumstances rather than the characteristics of the people experiencing the harm.

Safeguarding duties apply to any individual who is identified as an Adult at Risk. This is an adult who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs) and;
- Is experiencing, or is 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 or neglect

1.1. OUR COMMITMENT

Merton BMX Club is committed to ensuring that everyone participating in cycling does so in a safe and enjoyable environment.

Everyone involved in cycling has regular contact with many people and so have a crucial role in the support, identification and reporting of adults who may be at risk of harm, irrespective of their role, whether or not they are British Cycling members, involved in a professional or voluntary capacity or as a spectator or participant.

1.2. KEY PRINCIPLES

Merton BMX Club recognises the following principles which underpin the guidance given in the policy and procedures:

- All adults, regardless of age, ability or disability, gender, race, religion, ethnic origin, sexual orientation, marital or gender status have the right to be protected from abuse and poor practice and to participate in an enjoyable and safe environment
- We will seek to ensure that our sport is inclusive and make reasonable adjustments for any ability, disability or impairment, we will also commit to continuous development, monitoring and review
- Everyone involved in cycling activities have the right to be listened to with respect and to be heard
- We recognise that ability and disability can change over time, such that some adults may be additionally vulnerable to abuse, in particular those adults with care and support needs
- We will support everyone to understand their roles and responsibilities with regards to safeguarding and protecting adults at risk, including the responsibility to report all concerns in line with British Cycling safeguarding adults policy and procedures
- All allegations will be taken seriously and responded to quickly in line with our Safeguarding Adults Policy and Procedures
- Confidentiality will be maintained appropriately at all times and the adult's safety and welfare must be the overriding consideration when making decisions on whether or not to share information about them
- We recognise the role and responsibilities of the statutory agencies in safeguarding adults and we are committed to complying with the procedures of the Local Safeguarding Adults Boards

1.3. THE SIX PRINCIPLES IN RELATION TO ADULTS AT RISK

The **Care Act 2014** is the current legislation that sets out the six principles which underpin all adult safeguarding work:

- **EMPOWERMENT:** People being supported and encouraged to make their own decisions and informed consent
- **PREVENTION:** It is better to take action before harm occurs
- **PROPORTIONALITY:** The 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

The principles of the **Mental Capacity Act 2005 (MCA)** state that every individual has the right to make their own decisions and provides the framework for this to happen.

Making safeguarding personal is the concept that adult safeguarding should be person-led and outcome-focused. It engages 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 adult 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 necessary.

2. GUIDANCE & LEGISLATION

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

- **The Care Act 2014**
- **The Protection of Freedoms Act 2012**
- **Domestic Violence, Crime and Victims (Amendment) Act 2012**
- **The Equality Act 2010**
- **The Safeguarding Vulnerable Groups Act 2006**
- **Mental Capacity Act 2005**
- **Sexual Offences Act 2003**
- **The Human Rights Act 1998**
- **The Data Protection Act 1994 and 1998**

2.1. RESPONSIBILITIES & IMPLEMENTATION

Merton Saints BMX Club will work to promote the principles of safeguarding adults through the following **mandatory requirements**:

- Reviewing **British Cycling & Merton Saints BMX Club** policy and procedures every three years or whenever there is a major change in legislation or significant organisational change
- Giving guidance on appropriate recruitment procedures to assess the suitability of volunteers and staff working with adults who have care and support needs
- Following procedures to report welfare concerns and allegations about the behaviour of adults and ensure that all staff, volunteers, parents and participants, including children, are aware of these procedures
- Directing staff, volunteers, coaches and officials to appropriate safeguarding training and learning opportunities, where this is appropriate to their role

British Cycling seeks to help affiliated organisations and individual members understand their responsibilities through the provision of clear guidance and support.

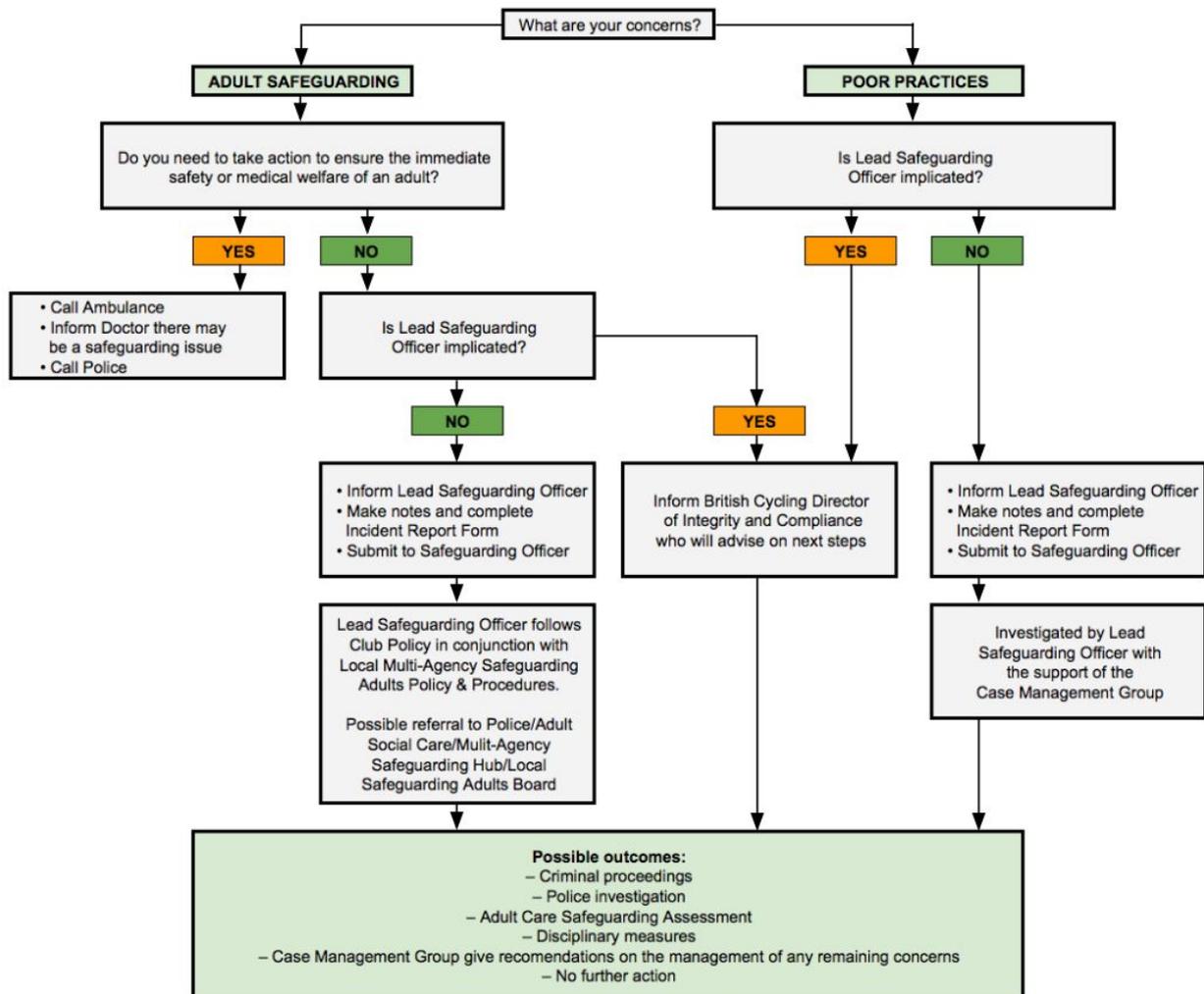
2.2. COMPLAINTS, CONCERNS & ALLEGATIONS

If any individual has a concern about the welfare of an adult, or you become aware that abuse or poor practice is taking place, suspect abuse or poor practice may be occurring or be told about something that may be abuse or poor practice then, these concerns should be brought to the attention of the British Cycling Lead Safeguarding Officer within a reasonable time frame.

The person reporting the concern is not required to decide whether abuse has occurred, but simply has a duty to share their concerns and any relevant information to the British Cycling Lead Safeguarding Officer.

2.3. WHAT TO DO IF YOU HAVE CONCERNS ABOUT AN ADULT

When there are concerns/suspicions about a person's behaviour **OR** there has been disclosure or an allegation about a person's behaviour:



Remember to involve the adult at risk throughout the process wherever possible and gain consent for any referrals to social care if the person has capacity.

All concerns will be treated in confidence. Details should only be shared on a 'need to know' basis with those who can help with the management of the concern.

Concerns should be addressed respecting the following **mandatory requirements**:

- Concerns should be recorded on an Incident Report Form and sent to the British Cycling Lead Safeguarding Officer within 24 hours or as soon possible
- British Cycling will work with clubs/teams, regions and other external agencies to take appropriate action where concerns relate to potential abuse or serious poor practice. British Cycling disciplinary procedures will be applied and followed where possible
- Any information about an individual that relates to their suitability to work, volunteer with or participate alongside adults with care and support needs must be reported to the British Cycling Safeguarding Lead Officer
- A safeguarding risk assessment will be completed and British Cycling disciplinary procedures will be applied and followed where appropriate
- Safeguarding adults at risk requires everyone to be committed to the highest possible standards of openness, integrity and accountability. British Cycling supports an environment where staff, volunteers, parents/carers and the public are encouraged to raise safeguarding concerns
- Anyone who reports a legitimate concern to the organisation (even if their concerns subsequently appear to be unfounded) will be supported
- All concerns will be taken seriously
- It is important when considering your concern that you also understand the concept of Making Safeguarding Personal and consider the needs and wishes of the person at risk
- British Cycling may take action to restrict a member's involvement in cycling during an ongoing investigation. This is a neutral act. At a later stage the individual may be subject to action under the British Cycling Safeguarding and Disciplinary Regulations
- All concerns will be referred to the British Cycling Case Management Group who will advise the Lead Safeguarding Officer on the appropriate course of action to take and ensure that all allegations, incidents and referrals relating to the safeguarding of adults at risk are dealt with fairly and equitably
- Details relating to the adult at risk will be kept on file and secure. Details will not be shared with a third party without consent unless the information is required in the interests of safeguarding and the person may be at greater risk if relevant parties are not made aware
- All concerns/allegations will be dealt with confidentially by British Cycling and information will only be shared on a need to know basis, either internally or externally depending on the nature/seriousness of the concern/allegation
- Anyone unhappy with the action taken by the Lead Safeguarding Officer, following the referral of a concern relating to poor practice or suspected abuse, may submit a complaint, following the British Cycling complaints procedure

3. GUIDANCE ON MAKING DECISIONS

We make many decisions every day, often without realising. We make so many decisions that it's easy to take this ability for granted. But 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'.

3.1. CAPACITY

The issue of capacity or decision making is a key one in safeguarding adults. It is useful for organisations to have an overview of the concept of 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 Act 2005 (MCA)** states that every individual has the right to make their own decisions and provides the framework for this to happen.

The MCA is about making sure that people over the age of 16 have the support they need to make as many decisions as possible. *(Whilst the MCA refers to those over the age of 16, it must be noted that the British Cycling Safeguarding Children and Young People Policy should be followed for all children under the age of 18 years.)*

The MCA also protects people who need family, friends, or paid support staff to make decisions for them because they lack capacity to make specific decisions.

Our ability to make decisions can change over the course of a day. Here are some examples that demonstrate how the timing of a question can affect the response:

- A person with epilepsy may not be able to make a decision following a seizure.
- Someone who is anxious may not be able to make a decision at that point.
- A person may not be able to respond as quickly if they have just taken some medication that causes fatigue.

In each of these examples, it may appear as though the person cannot make a decision. But later in the day, presented with the same decision, they may be able to at least be involved. The MCA recognises that capacity is decision-specific, so no one will be labelled.

3.2. RESPONDING TO DISCLOSURE OF ABUSE

If an adult indicates that they are being abused the person receiving the information should:

- Stay Calm
- Listen carefully to what is said, allowing the adult to continue at their own pace, and take it seriously
- Explain that it is likely the information will have to be shared with others – do not promise to keep secrets
- Keep questions to a minimum, only ask questions if you need to identify/ clarify what the person is telling you
- Take care to distinguish between fact, observation, allegation and opinion. It is important that the information you have is accurate
- Reassure the person that they have done the right thing in revealing the information
- Ask them what they would like to happen next

- Explain what you would like to do next and ask if they are happy for you to share the information in order for you to help them
- As long as it does not increase the risk to the individual, you should explain to them that it is your duty to share your concern with your Lead Safeguarding Officer
- Record in writing what was said using the adult's own words as soon as possible

Do not:

- Dismiss the concern
- Panic or allow shock or distaste to show
- Probe for more information than is offered
- Make promises that cannot be kept
- Conduct an investigation of the case
- Make negative comments about the alleged perpetrator

If the matter is urgent and relates to the immediate safety of an adult at risk then contact the police immediately.

Mandatory: Complete an Incident Form and copy it to the British Cycling Lead Safeguarding Officer within 24 hours.

4. SIGNS AND INDICATORS OF ABUSE AND NEGLECT

Abuse can take place in any context and abuse may be inflicted by anyone. Participants, members, staff, volunteers, coaches or officials may suspect that an adult is being abused or neglected in or outside of the sport.

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.
- Person has belongings or money going missing.
- Harassment of a participant because they are or are perceived to have protected characteristics.
- Not meeting the needs of the participant. E.g. training without a necessary break.
- Person is not attending / no longer enjoying their sessions.
- Someone losing or gaining weight / an unkempt appearance.
- A change in the behaviour or confidence of a person.
- Self-harm.
- A fear of a particular group or individual.
- They may tell you / another person they are being abused – i.e. a disclosure.

4.1. GUIDANCE OF TYPES OF HARM

The **Care Act 2014** recognises 10 categories of abuse that may be experienced by adults:

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.

Modern Slavery: This encompasses slavery, human trafficking, forced labour and domestic servitude.

Domestic Abuse: This includes psychological, physical, sexual, financial and emotional abuse perpetrated by anyone within a person's family. It also includes so called 'honour' based violence.

Discriminatory: Discrimination is abuse which centres on a difference or perceived difference particularly with respect to race, gender or disability or any of the protected characteristics of the Equality Act.

Organisational: This includes 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.

Physical: This includes hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.

Sexual: This includes 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.

Financial or material: This includes 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.

Neglect/Acts of omission: This includes ignoring medical or physical care needs, failing 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.

Emotional or psychological: This includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive.

Not included in the **Care Act 2014**, but also relevant to safeguarding adults in sport and physical activity:

Cyber Bullying: Cyberbullying occurs when someone repeatedly makes fun of another person online or repeatedly picks on another person through emails or text messages, or uses online forums with the intention of harming, damaging, humiliating or isolating another person. It can be used to carry out many different types of bullying (such as racist bullying, homophobic bullying, or bullying related to special educational needs and disabilities) but instead of the perpetrator carrying out the bullying face-to-face, they use technology as a means to do it.

Forced marriage: This is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-social Behaviour, Crime and Policing Act 2014 make it a criminal offence to force someone to marry.

Mate Crime: A 'mate crime' is when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual. Mate Crime is carried out by someone the adult knows and often happens in private. In recent years there have been a number of Serious Case Reviews relating to people with a learning disability who were murdered or seriously harmed by people who purported to be their friend.

Radicalisation: The aim of radicalisation is to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. This may be direct through a relationship, or through social media.

5. GOOD PRACTICE GUIDANCE

Mandatory Requirement: Merton Saints BMX Club should follow safer recruitment procedures when appointing staff and volunteers. The following should form the basis of safe recruitment and best practice:

- Detailed application forms
- Self-disclosure
- Robust interviews that cover safeguarding, equality, and diversity knowledge and skills

- Reference checks (a friend or neighbour is not a suitable referee, unless they have specific knowledge of the applicant's work, experience and skills)
- Thorough induction process
- Verification of qualifications and experience
- Risk assessments

Once the person is in the role, there should be a probationary period and review. Consideration must also be given as to whether any roles working with adults require a Disclosure and Barring Service (DBS) check.

(Guidance on DBS checks can be found on the British Cycling Website or on request from the British Cycling Lead Safeguarding Officer)

Merton Saints BMX Club requires that all staff and volunteers working in any cycling activity follow and adhere to the standards set out in the Code of Conduct and British Cycling guidance relevant to their role.

Similarly, all participants are expected to follow their respective Codes of Conduct to ensure the enjoyment of all and assist British Cycling in ensuring their welfare is safeguarded.

Merton Saints BMX Club recommends all staff and volunteers working in the sport to complete a course in basic awareness of safeguarding adults.

(Recommended safeguarding training can be requested from the British Cycling Lead Safeguarding Officer by emailing compliance@britishcycling.org.uk)

- The use of prohibited or illegal substances should not be tolerated.
- All adults should be treated equally and their dignity should be preserved.
- This includes giving more and less talented members of a group similar attention, time and respect.

It can be difficult to distinguish poor practice from abuse, whether intentional or accidental.

It is not the responsibility of any individual to make judgements regarding whether or not abuse is taking place, however, everyone has the responsibility to recognise and identify poor practice and potential abuse, and act on this if they have concerns.

6. CONSENT

Mandatory Requirement: The Care Act 2014 statutory guidance advises that the first priority in safeguarding should always be to ensure the safety and well-being of the adult.

Adults have a general right to independence, choice and self-determination including control over information about themselves.

Merton Saints BMX Club does not expect staff, volunteers, coaches, officials and members to assist an adult who is felt to be vulnerable or at risk with their decision making process, but we do expect them to inform the British Cycling Lead Safeguarding Officer without delay so that they can clearly define the various options to help support the adult at risk to make a decision about their safety.

As long as it does not increase the risk to the individual, it should be explained to them that it is their duty to share their concern with the safeguarding lead.

Consent is not required to seek guidance or share information within the organisation.

Adults may not give their consent to the sharing of safeguarding information outside of the organisation for a number of reasons. For example, they may be unduly influenced, coerced or intimidated by another person, they may be frightened of reprisals, they may fear losing control, they may not trust social services or other partners or they may fear that their relationship with the abuser will be damaged. Reassurance and appropriate support may help to change their view on whether it is best to share information.

Those seeking to support the adult should consider the following:

- Explore the reasons for the adult's objections – what are they worried about?
- Explain the concern and why you think it is important to share the information

- Tell the adult with whom you may be sharing the information with and why
- Explain the benefits, to them or others, of sharing information – could they access 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 that they are not alone and that support is available to them.

The adult continues to refuse intervention to support them with a safeguarding concern, or requests that information about them is not shared with other safeguarding partners their wishes should be respected.

However, there are a number of circumstances where those seeking to support the adult can reasonably override such a decision, including but not limited to:

- It appears that the adult lacks the mental capacity to make that decision (this must be properly explored and further guidance should be sought from the British Cycling Lead Safeguarding Officer)
- Emergency or life-threatening situations may warrant the sharing of relevant information with the emergency services without consent
- Other people are, or may be, at risk, including children
- A serious crime has been committed / may be prevented
- Individuals in a Position of Trust are implicated

In such circumstances, it is important to keep a careful record of the decision-making process and guidance should be sought from the British Cycling Lead Safeguarding Officer. Legal advice will be sought where appropriate. If the decision is to take action without the adult's consent, then unless it is unsafe to do so, the adult should be informed that this is being done and of the reasons why.

7. USEFUL CONTACTS

British Cycling Contacts		
Name	Address	Contact
Lead Safeguarding Officer	National Cycling Centre Stuart Street Manchester M14 4DQ	Tel: 0161 274 2000 Email: compliance@britishcycling.org.uk (address your email FAO Lead Safeguarding Officer)

National Contacts		
Name	Address	Contact
Ann Craft Trust - Safeguarding Adults in Sport and Activity	www.anncrafttrust.org	Telephone: 0115 951 540 Email: ann-craft-trust@nottingham.ac.uk
Local Police teams	www.samaritans.org	Telephone: 101 (in an emergency call 999)
Samaritans		Telephone: 08457 90 90