

Blue Ocean Waves

Code Of Conduct for *Safeguarding Adults*

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1. Important details

Reporting allegations or suspicions of abuse

If you have any concerns about abuse you should inform the **designated person who is also the Safeguarding Lead**:

Maria Antonia Jolene Dias
Founder, Blue Ocean Waves
Tel: 07448848009 blueoceanjolene@yahoo.com

Police

In the event of a disclosure being made out of hours and you feel it needs to be referred immediately (e.g., in the case of sexual abuse or physical abuse causing the individual to be in danger), refer the matter straight to the police using 999 (emergency) or 101 (non-emergency).

2. Adults at Risk Protection Policy

Introduction

Every individual who participates in Blue Ocean Waves is entitled to do so in an enjoyable and safe environment. Blue Ocean Waves have a moral and legal obligation to ensure that, when given responsibility for an adult at risk, all **Responsible Adults** provide them with the highest possible standard of care.

Blue Ocean Waves is committed to devising and implementing policies so that every individual involved in dance and physical activity accepts their responsibilities to safeguard individuals from harm and abuse. This means following procedures to protect individuals and reporting any concerns about their welfare to appropriate authorities.

The aim of the policy is to promote good practice, providing adults at risk with appropriate safety and protection whilst in the care of Blue Ocean Waves and to allow all **Responsible Adults** to make informed and confident responses to adult protection issues.

The introduction of the Care Act 2014 put adult safeguarding on a statutory footing for the first time, embracing the principle that the 'person knows best'. It lays the foundation for change in the way that care, and support is provided to adults, encouraging greater self-determination, so people maintain independence and have real choice. There is an emphasis on working with adults at risk of abuse and neglect to have greater control in their lives to both prevent it from happening, and to give meaningful options of dealing with it should it occur.

Adult at Risk is a person aged 18 or over who is in need of care and support regardless of whether they are receiving them, and is at risk of being abused or neglected, and are unable to protect themselves against abuse or neglect because of those needs.

In recent years there has been a marked shift away from using the term 'vulnerable' to describe adults potentially at risk from harm or abuse.

Capacity refers to the ability to make a decision at a particular time, for example when under considerable stress. The starting assumption must always be that a person has the capacity to make a decision unless it can be established that they lack capacity (MCA 2005).

Responsible Adults in this context are:

- **Employees:** those persons engaged by Blue Ocean Waves under a Contract of Employment.
- **Freelancers:** individuals contracted to Blue Ocean Waves on a freelance basis, and not as an employee
- **Volunteers:** individuals recruited by Blue Ocean Waves on a voluntary basis.

2.2 Policy Statement

Blue Ocean Waves is committed to the following:

- The welfare of the adult is paramount.
- Every individual, whatever their age, culture, ability, gender, language, racial origin, religious belief and/or sexual identity should be able to participate in dance and physical activity in a fun and safe environment.
- Taking all reasonable steps to protect individuals from harm, discrimination, and degrading treatment and to respect their rights, wishes and feelings
- All suspicions and allegations of poor practice or abuse will be taken seriously and responded to swiftly and appropriately.
- All **Responsible Adults** who work with adults at risk will be recruited with regard to their suitability for that responsibility, and will be provided with guidance and/or training in good practice and safeguarding procedures.
- All **Responsible Adults** have a responsibility to report concerns to the designated person with responsibility for safeguarding.
- **Responsible Adults** are not trained to deal with situations of abuse or to decide if abuse has occurred.
- Working in partnership with the adult at risk and, as appropriate their guardians/carers is essential for the protection of that adult.

We will aim to safeguard adults by:

- Adopting safeguarding guidelines through procedures and a code of conduct for **Responsible Adults**.
- Sharing information about adult protection and good practice with participants, guardians, carers, and **Responsible Adults**.
- Sharing information about concerns with agencies who need to know, and involving guardians/carers and adults at risk appropriately.
- Carefully following the procedures for recruitment and selection of **Responsible Adults**.
- Providing effective management for **Responsible Adults** through support and supervision.
- Recognising some adults are additionally vulnerable, for example those with disabilities, because of their level of dependency and possible communication barriers.

2.3 Monitor and review the policy and procedures

The implementation of procedures should be regularly monitored and reviewed. The policy should be reviewed every 3 years or whenever there is a major change in the organisation or in relevant legislation.

Legal Framework

This policy has been drawn up on the basis of law and guidance that seeks to protect adults, namely:

- The Care Act 2014
- Making Safeguarding Personal Guide 2014
- The General Data Protection Regulation 2016
- The Human Rights Act 1998
- The Equality Act 2010
- The Protection of Freedoms Act 2012

3. Code of Conduct: Professional Behaviour Policy

Introduction

To provide adults with the best possible experience and opportunities in Music, Dance, Drama and Art activities everyone must operate within an accepted ethical framework.

It is not always easy to distinguish poor practice from abuse. It is therefore NOT the responsibility of **Responsible Adults** to make judgements about whether or not abuse is taking place. It IS however their responsibility to identify poor practice and possible abuse and act if they have concerns about the welfare of an individual.

This section will help you identify what is meant by good practice and poor practice.

3.1 Good Practice

All **Responsible Adults** should adhere to the following principles and action:

- Be familiar with and adhere to Blue Ocean Waves' Policies and Procedures on Safeguarding Adults at Risk. Re-read the policy as necessary to remind yourself of points that are particularly relevant to your area of work.
- Keep a register of all individuals attending activities. This should include session/event details (days, times and venue) and the names of the instructor(s) who run the session.
- Report any incidents or disclosures to the designated person as soon as possible. In terms of serious incidents such as sexual abuse disclosures or abuse that risks the safety of the individual concerned, a report should be made immediately.
- Take factual notes of what the individual has said about any reported incident or occurrence. Where possible you should quote the individual directly (see Appendices for incident forms).
- Conduct yourself in a way that is fair, acknowledging equal opportunities.
- Under no circumstances should **Responsible Adults** working for Blue Ocean Waves give out their personal details to participants, or obtain personal details from participants. This includes phone numbers, e-mail addresses and contact through social networking sites. Exceptions may be made if there is a genuine reason that

means contact cannot be made via Blue Ocean Waves. In all cases permission must be sought through the designated person.

- Do not use inappropriate language or behaviour, either directly to or in the presence of any participants or spectators of Blue Ocean Waves activities and events. In order to protect yourself from misunderstandings be aware that comments or behaviour you feel are made in jest or that are 'lighthearted,' could be taken the wrong way.
- Do not smoke, drink or take illegal drugs in front of participants or spectators of or associated with Blue Ocean Waves.
- Make every effort to encourage participants of Blue Ocean Waves sessions to adhere to the standards and best practice of this policy. This refers to their behaviour towards **Responsible Adults** and their peers.
- Do not allow participants to smoke, drink or take illegal drugs on or in the vicinity of any activity that Blue Ocean Waves is delivering or any of the associated venues.
- Do not let inappropriate comments go unchecked in any situation. For example, discourage any comment against Equal Opportunities or which could be considered personally offensive or upsetting to another person. This not only applies to people within the session directly, but also if they are referring to someone without connection to Blue Ocean Waves.
- Consider that being safe and feeling safe are two different things. Check that the activity is appropriate to the space, gender, physique and maturity of the participants, the individuality and differentiation of participants' needs and supporting the promotion of self-esteem and assertiveness.
- Always work in an open environment (e.g., avoiding private situations and encouraging open communication with no secrets).
- Make the experience of Music, Dance, Drama and Art activity fun and enjoyable: promote fairness, confront and deal with bullying.
- Treat all people equally and with respect and dignity.
- Always put the welfare of the participant first, before winning/results.
- Maintain a safe and appropriate distance with participants (e.g. it is not appropriate for **Responsible Adults** to have an intimate relationship with adults at risk or to share a room with them).
- Avoid unnecessary physical contact with any adult at risk. Where any form of manual/physical support is required, it should be provided openly and with the consent of the individual. Physical contact can be appropriate so long as it is neither intrusive nor disturbing and the individual's consent has been given. If the person lacks mental capacity consent must be gained from their legal guardian/carer.
- Involve guardians/carers wherever required, e.g., where an adult at risk need to be supervised in changing rooms, encourage guardians/carers to take responsibility for their own relative or person they are supporting. If groups must be supervised in changing rooms always ensure guardians/carers, or **Responsible Adults** work in pairs.
- Request written consent from the guardian/carer if Blue Ocean Waves' **Responsible Adults** are required to transport adults who lack capacity to consent in their cars.
- Gain written consent for any significant travel arrangements e.g., overnight stays.
- Ensure that if mixed participants are traveling for events, they should always be accompanied by a male and female member of staff.
- Ensure that at overnight events adults should not enter the room of an adult at risk or invite individuals to their rooms.
- Always give enthusiastic and constructive feedback rather than negative criticism.
- Recognise the developmental needs and capacity of every individual and do not risk sacrificing welfare in a desire for the organisation's or personal achievements. This means avoiding excessive training or competition and not pushing them against their will.

- Secure written consent for Blue Ocean Waves to act in loco parentis, to give permission for the administration of emergency first aid or other medical treatment if the need arises where an adult lacks capacity to consent.
- Keep a written record of any injury that occurs, along with details of any treatment given.

3.2 Poor Practice

The following are regarded as poor practice and should be avoided:

- Unnecessarily spending excessive amounts of time alone with an adult at risk away from others where they lack capacity to consent.
- Taking an adult at risk alone in a car on journeys, however short where they lack capacity to consent.
- Taking an adult at risk to your home where they will be alone with you.
- Sharing a room with an adult at risk.
- Engaging in rough, physical, or sexually provocative games, including horseplay.
- Allow or engage in inappropriate touching of any form.
- Allowing inappropriate language to be used unchallenged.
- Making sexually suggestive comments even in fun.
- Reducing an individual to tears as a form of control.
- Allow allegations made by an adult at risk to go unchallenged, unrecorded or not acted upon.
- Do things of a personal nature that an adult at risk can do for themselves.

When a case arises where it is impractical/impossible to avoid certain situation e.g., transporting someone in your car, the tasks should only be carried out with the full understanding and consent of the individual involved, and their guardian/carer if they lack capacity to consent.

If during your care you accidentally hurt an individual, the individual seems distressed in any manner, appears to be sexually aroused by your actions and/or if the individual misunderstands or misinterprets something you have done, report any such incidents as soon as possible to another colleague and make a written note of it. Guardians/carers should also be informed of the incident.

3.3 Use of Photographic/Filming Equipment

There is evidence that some people have used activities/events as an opportunity to take inappropriate photographs or film footage of those in vulnerable positions. All **Responsible Adults** should adhere to the appropriate guidelines detailed below.

Blue Ocean Waves is committed to providing a safe and enjoyable environment for everyone who participates in its activities and events. Implicit in this is the commitment to ensure that all publications, resources, and media represent participants appropriately and with due respect. By adopting the points outlined in these guidelines you will be putting in place the best practice to protect people wherever photographs or recorded images are taken and stored.

The key concerns contained within this Policy regarding the use of images of adults at risk relate to:

- The taking of inappropriate photographs or recorded images of adults at risk.
- Publishing details of adults at risk that may lead to the identification of and illicit contact with that person.
- The inappropriate use, adaptation or copying of images for use on pornography websites.

Recording of images

There have been concerns about the risks posed directly and indirectly to adults at risk through the use of photographs on websites and other publications. Therefore, the following guidelines should be followed:

- All adults at risk featured in photographs/recordings must be appropriately dressed for the activity they are undertaking.
- The photograph/recording should ideally focus on the activity. Where possible images of adults at risk should be recorded in small groups (the group may comprise any combination of adults and children).
- Staff and freelancers should still be allowed to use video equipment as a legitimate coaching aid and means of recording special occasions with the written consent of the individual (and their guardian/carer if they lack capacity to consent).
- Care should be taken in the dissemination and storage of the material. **Publishing of images.**
- If a photograph/recording is used, personal details of adults at risk such as email address, home address and telephone numbers should never be revealed.
- Ask for guardian/carer written consent to take and use an image of an adult who lacks capacity to consent. This ensures that guardians/carers are aware of the way the image of their charge is representing the activity/event.
- Where a story concerns an individual who lacks mental capacity to consent, particular attention should be paid to ensuring permission is gained from guardian/carer to use a photograph/ recording and relevant details.
- In order to guard against the possibility of an individual under a court order appearing on a website, the simultaneous streaming of images onto a website is not recommended. Delayed streaming also provides an opportunity for the editing of inappropriate clips (e.g., disarranged clothing).
- Think about the level of consideration that you give to the use of images in all communications. Apply an increased level of consideration to the images of adults at risk used on websites and social media.

Use of photographic/filming equipment by media

There is evidence that some people have used activities and events as an opportunity to take inappropriate photographs or film footage. Therefore, the following guidelines should be followed:

- If professional photographers are commissioned or the press is invited to an activity or event, it is important to ensure they are clear about expectations of them in relation to the welfare of adults at risk.
- The photographer/camera person must have bona fide identification and be able to produce it on request.

- Individuals (and their guardian/carer if the individual lacks capacity to consent) must be informed that a photographer/camera person will be in attendance at an event and ensure that they give written consent to both the taking and publication of films or photographs.
- Do not allow unsupervised access to participants or one to one photo sessions at events/ activities.
- Do not approve/allow photo sessions outside the event/activity.

Use of photographic/filming equipment by family/carers and spectators

If family members, carers or other spectators are intending to photograph or video at an activity or event they should also be made aware of the expectations:

- Family members, carers and spectators should be prepared to identify themselves if requested and state their purpose for photography/filming.
- Family members, carers and spectators will be informed of any specific requirements concerning photography and filming at activities and events both verbally and through the use of published information at the activity/event.

In addition:

- Participants, family members, carers and spectators should be informed that if they have concerns about inappropriate or intrusive photography/filming these should be reported to the event organiser or official and recorded in the same manner as any other safeguarding concern
- Event organisers should approach and challenge any person of concern taking photographs who has not made themselves known and/or registered with them. They might need to refer it to the local police force if this person continues to record images unauthorised.

3.4 Adults at risk & the Internet

Blue Ocean Waves use some social media (for example Facebook, YouTube, Twitter and Instagram) to promote its activities. Blue Ocean Waves will occasionally use these media formats to contact people. All **Responsible Adults** must apply the following safeguarding measures:

- Request permission from the designated person to contact participants from their personal mobile numbers, e-mail addresses or via any social media sites. It will only be deemed appropriate to give permission if the contact cannot be done through Blue Ocean Waves' usual channels of communication.
- Blue Ocean Waves will only contact individuals through their professional pages within these sites, not via their personal pages.
- Filming and Photography will not be published by Blue Ocean Waves unless consent has been provided.
- When distributing Blue Ocean Waves' social media site details, participants will be briefed on the acceptable way of using the sites encouraging respect for their peers, Blue Ocean Waves' team and reputation.
- Blue Ocean Waves will do its best to monitor posts on our social media pages of sites, but acknowledge that it cannot be responsible for everything other people write.

3.5 Image Consent

By law, Blue Ocean Waves is required to treat all information with respect, hold it securely, not disclose it to any unauthorised parties, and only use it as required and as consented to and instructed by the individual to whom it relates.

In all cases, consent for use of images where individuals can be identified will be gained and recorded. This is particularly important to demonstrate and document when using any information relating to adults at risk.

3.6 Use of Contractors and Third Parties

The consent form will need to specifically state how the images or other personal information will be used and may be shared.

In terms of engaging third parties or freelancers to document or record various activities, agreements must be in place prior to any disclosure of personal information. Agreements must clearly define the use, storage and disclosure of any personal information captured during the engagement. Any agreement should clearly indicate that the use of any personal information captured during the engagement can only be used in the manner compatible with the original consent form.

3.7 Third Party Access

If we receive unsolicited calls from agencies and film companies who want to work with adults at risk/lacking mental capacity to consent, they must be able to respond to a positive to the following questions or the conversation should go no further:

1. Do all the staff in your organisation who directly work with adults at risk hold an advanced DBS certificate?
2. Who is the organisation's lead DBS signatory; can we have access to dialogue with that individual?
3. Will there be chaperones with adults at risk?

We will not divulge any contact details (see Data Protection Policy) without prior consent; we would, however, allow someone access to talk to our dance participants overseen by Blue Ocean Waves once the individual's consent, or of their guardian/carer as appropriate has been obtained.

The organisation should be encouraged to provide their contact details and a permission request letter/form for individuals to take home and discuss, as appropriate with their guardians/carers before handing over their own contact details.

4. Defining Abuse

Introduction

Abuse is any form of physical, emotional, or sexual mistreatment or lack of care that leads to injury or harm, it commonly occurs within a relationship of trust or responsibility and is an abuse of power or a breach of trust. Abuse can happen to a person regardless of their age, gender, race, or ability.

There are a number of different types of abuse. The abuser may be a family member, someone the person encounters in residential care or in the community. Any individual may abuse or neglect an adult at risk directly or may be responsible for abuse because they fail to prevent another person harming the individual.

Adults with disabilities may be at increased risk of abuse through various factors such as stereotyping, prejudice, discrimination, isolation, and a powerlessness to protect themselves or adequately communicate that abuse had occurred.

4.1 Types of Abuse

The following categories of abuse are defined in the Care Act 2014. They are not mutually exclusive, and an adult may be subjected to more than one type of abuse at the same time, whatever the setting. It is important to recognise that some adults may reveal abuse themselves by talking about or drawing attention to physical signs or displaying certain actions/gestures. This may be their only means of communication and it is therefore important for carers to be alert to these signs and to consider what they might mean. Note that these are not all types of abuse as defined in the Care Act 2014, however are the ones most likely to be prevalent in the Music, Dance, Drama and Art activity environment. For the full list, please refer to the London Safeguarding Adult Procedures:

<https://www.safeguardingadultsyork.org.uk/media/1070/pan-london-safeguarding-adults-procedures.pdf>

Physical Abuse

- Hitting, slapping, scratching
- Pushing or rough handling
- Assault and battery
- Restraining without justifiable reasons
- Inappropriate and unauthorised use of medication
- Using medication as a chemical form of restraint
- Inappropriate sanctions including deprivation of food, clothing, warmth, and health care needs.

In a physical activity situation, indicators could include:

- Any unwanted or unnecessary physical contact
- An instructor disregarding the individual requirements of an adult's needs when setting a programme e.g., allowing those who are limited by a physical impairment to undertake long, continuous practice.

Sexual

- Sexual activity which an adult cannot or has not consented to, or has been pressured into.
- Sexual activity which takes place when the adult client is unaware of the consequences or risks involved.
- Rape or attempted rape.
- Sexual assault and harassment.
- Non-contact abuse e.g., voyeurism, pornography, explicit and inappropriate language.

In a physical activity situation indicator could include:

- Either direct or indirect involvement in sexual activity or a relationship whereby consent has not occurred, there is a lack of capacity to give consent or that someone has been coerced into a relationship due to another person's position of trust.
- An instructor engaging in unnecessary and inappropriate physical contact with a participant.
- An instructor making suggestive comments to their participants.
- An individual spending an unnecessary amount of time in the changing area where adults are present.

Psychological/Mental/Emotional

- Emotional abuse
- Verbal abuse
- Humiliation and ridicule
- Threats of punishment, abandonment, intimidation or exclusion
- Isolation or withdrawal from services or supportive networks
- Deliberate denial of religious or cultural needs
- Failure to provide access to appropriate social skills and development training.

In physical activity, emotional abuse can include threats, humiliation, intimidation, blame, control, coercion, bullying and cyberbullying. It is often where a person's emotional health and development is harmed and results in distress, denial of self-expression, privacy or dignity, isolation or over dependence.

Emotional and psychological harm rarely occur in isolation and is usually present with each other type of abuse.

In a physical activity situation, indicators could include:

- A carer or instructor subjecting an adult to constant criticism, shouting, name-calling, sarcasm, bullying or discriminatory behaviours or prejudicial attitudes.
- A carer or instructor putting an adult under unrealistic pressure in order to perform to high expectations.

Financial or Material

- Misuse or theft of money
- Fraud and/or extortion of material assets
- Misuse or misappropriation of property, possessions or benefits
- Exploitation, pressure in connection with wills, property or inheritance

In a physical activity situation, indicators could include:

- Blackmailing an adult by requiring financial or material payment in return for certain benefits such as awards or complements.
- Charging adults more than the standard fee for participation in activities.
- Charging adults for unnecessary and unwanted coaching, equipment, etc.

Neglect and acts of omission

- Ignoring medical or physical care needs
- Failure to access care or equipment for functional independence
- Failure to give prescribed medication
- Failure to provide access to appropriate health, social care or educational services
- Neglect of accommodation, heating, lighting etc.
- Failure to give privacy and dignity

In a physical activity situation, indicators could include:

- An instructor not keeping an adult safe by exposing them to undue cold, heat or the unnecessary risk of injury.
- A guardian or carer consistently leaving an adult without adequate provisions e.g. food, water, clothing, sun block, where they are unable to provide themselves with these provisions.
- Instructors not taking a participant's injury seriously and asking them to continue when it is inappropriate.
- Situations where medication is given to ease the pain from injury so participation can continue when rest would actually be more appropriate.

Discriminatory

- Discrimination demonstrated on any grounds including sex, race, colour, language
- Culture, religion, politics or sexual orientation
- Discrimination that is based on a person's disability or age.
- Harassment and slurs which are degrading
- Hate crime

In a physical activity situation, indicators could include:

- A venue refusing access to disabled people
- Using sexist or discriminatory language towards others.

Institutional/ Organisational

Neglect and poor standards of care, for example, in hospitals, day centres and care homes.

Domestic Violence

Adults may be the victims of domestic abuse themselves or be affected by it occurring in their household. Domestic abuse is likely to have a serious effect on a vulnerable adult's physical and mental wellbeing.

Female Genital Mutilation

Involves procedures that intentionally alter or injure female genital organs for non-medical reasons. The procedure has no health benefits for girls and women.

Makes it illegal to practise FGM in the UK or to take girls who are British nationals or permanent residents of the UK abroad for FGM whether or not it is lawful in another country.

Hate Crime

The police define Hate Crime as 'any incident that is perceived by the victim, or any other person, to be racist, homophobic, transphobic or due to a person's religion, belief, gender identity or disability'. It should be noted that this definition is based on the perception of the victim or anyone else and is not reliant on evidence. In addition, it includes incidents that do not constitute a criminal offence.

Honour Based Violence

Will usually be a criminal offence and referring to the police must always be considered. It has or may have been committed when families feel that dishonour has been brought to them. Women are predominantly (but not exclusively) the victims, and the violence is often committed with a degree of collusion from family members and/or the community. Some of these victims will contact the police or other organisations. However, many others are so isolated and controlled that they are unable to seek help.

Modern Slavery

Slavery, servitude and forced or compulsory labour. There are many different characteristics that distinguish slavery from other human rights violations, however only one needs to be present for slavery to exist. Someone is in slavery if they are:

- Forced to work
- Owned or controlled by an 'employer', usually through mental or physical abuse or the threat of abuse
- Dehumanised, treated as a commodity or brought and sold as 'property'
- Physically constrained or has restrictions placed on his/ her freedom of movement.

Recognising abuse

Factors described below are frequently found in cases of abuse and/or neglect. Their presence is not proof abuse has occurred but must be regarded as indicators of possible significant harm. Such indications justify the need for careful assessment and discussion with the designated officer and may require consultation with and/or referral to Local Adult Safeguarding Services.

Indications that an adult may be experiencing abuse include the following:

- The adult appears frightened of the carer/peers/adults
- The adult acts in a way that is inappropriate to her/his age
- Unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated on a part of the body not normally prone to such injuries
- An injury for which the explanation seems inconsistent
- Unexplained changes in behaviour
- Unexplained shortage of money
- Inappropriate sexual awareness
- Engaging in sexually explicit behaviour
- Distrust of adults, particularly those with whom a close relationship would normally be expected
- Has difficulty in making friends
- Is prevented from socialising with other people

- Displays variations in eating patterns including overeating or loss of appetite
- Loses weight for no apparent reason
- Becomes increasingly dirty or unkempt
- Abuse can also occur through social media and this is often harder to detect. It is important to remember that the type of abuse that can occur through social media always includes emotional and psychological abuse and can include sexual and financial abuse.

Social media includes (but is not limited to): networking sites such as Facebook, Twitter and LinkedIn, email, text messages, Skype and instant messaging services.

Some examples of abuse that can occur through social media include:

- Unwanted sexual text messages (sexual abuse)
- Unwanted communication or stalking/harassment (emotional abuse)
- Inappropriate messaging; with kisses attached (emotional and sexual abuse)
- Requests for money (financial abuse)
- Intimidation (emotional abuse)
- Blackmail (emotional and financial abuse)
- Sexual coercion (sexual abuse)
- Cyber-bullying (emotional abuse)

It is not the responsibility of those working in Music, Dance, Drama and Art activity to decide that abuse to an adult is occurring but it is their responsibility to act on any concerns.

5. Responding to Suspicions and Allegations

Introduction

It is not the responsibility of anyone working with Step Change Studios in a paid or unpaid capacity to decide whether or not abuse has taken place. However, there is a responsibility to act on any concerns through contact with the appropriate authorities so that they can then make inquiries and take necessary action to protect the individual. This applies **BOTH** to allegations/ suspicions of abuse occurring within Step Change Studios and to allegations/suspicions that abuse is taking place elsewhere.

This section explains how to respond to allegations/suspicions.

What is an adult safeguarding concern?

An adult safeguarding concern is any worry about an adult who has or appears to have care and support needs, that they may be subject to, or may be at risk of, abuse and neglect and may be unable to protect themselves against this.

A concern may be raised by anyone, and can be:

- An active disclosure of abuse by the adult, where the adult tells a member of staff that they are experiencing abuse and/or neglect.
- A passive disclosure of abuse where someone has noticed signs of abuse or neglect, for example clinical staff who notice unexplained injuries.
- An allegation of abuse by a third party, for example a family/friend or neighbour who have observed abuse or neglect or have been told of it by the adult.

- A complaint or concern raised by an adult or a third party who doesn't perceive that it is abuse or neglect.
- A concern raised by **Responsible Adults**, others using the service, a carer or a member of the public.
- An observation of the behaviour of the adult at risk.
- An observation of the behaviour of another.
- Patterns of concerns or risks that emerge through reviews, audits, and complaints.

5.1 Receiving Evidence of Possible Abuse

We may become aware of possible abuse in various ways. We may see it happening, we may suspect it happening because of signs such as those listed in this document, it may be reported to us by someone else or directly by the individual affected.

In the last of these cases, it is particularly important to respond appropriately. If an individual says or indicates that they are being abused, you should:

- **Stay calm** so as not to frighten the individual
- **Reassure** the individual that they are not to blame and that it was right to tell
- **Listen** to the individual, showing that you are taking them seriously
- **Keep questions to a minimum** so that there is a clear and accurate understanding of what has been said. The law is very strict and abuse cases have been dismissed where it is felt that the individual has been led or words and ideas have been suggested during questioning. Only ask questions to clarify
- **Inform** the individual that you have to inform other people about what they have told you. Tell them that this is to help stop the abuse continuing
- **Safety of the adult at risk** is paramount. If the person needs urgent medical attention call an ambulance, inform the doctors of the concern, and ensure they are made aware that this is an adult protection issue
- **Record** all information
- **Report** the incident to the designated person.

5.3 Reporting the Concern

All suspicions and allegations **MUST** be reported appropriately. Blue Ocean Waves expects its **Responsible Adults** to discuss any concerns they may have about the welfare of an adult at risk immediately with the person in charge and subsequently to check that appropriate action has been taken.

If the designated person from Blue Ocean Waves is not available you should take responsibility and seek advice from the duty officer at your local adult social services department or the police.

Referral to the Local Authority

If, on the basis of the information available, it appears that the following three triggers are met, a referral **must** be made to the Local Authority.

1. A person has care and support needs regardless of whether they are receiving support for these needs.
2. They may be experiencing or at risk of abuse and neglect.
3. They are unable to protect themselves from abuse and neglect because of those care and support needs.

In all cases, prior to any referral being made, the person in question should be consulted and consent gained (wherever possible).

Individuals that refer to the Local Authority should include the following information:

- Contact details for the adult at risk, the person who raised the concern and for any other relevant individual, specifically carers and next of kin
- Basic facts, focussing on whether or not the person has care and support needs including communication and on-going health needs
- Factual details of what the concern is about; what, when, who, where
- Immediate risks and action taken to address risk
- Preferred method of communication

If reported as a crime - details of which police station/officer, crime reference number etc.

- Whether the adult at risk has any cognitive impairment which may impede their ability to protect themselves
- Any information of the person alleged to have caused harm
- Wishes and views of the adult at risk, in particular consent
- Advocacy involvement (includes family/friends)
- Information from other relevant organisations
- Any recent history (if known) about previous concerns of a similar nature or concerns raised about the same person, or someone within the same household.

Where there is a complaint against a **Responsible Adults**, there may be three types of investigation.

- **Criminal** in which case the police are immediately involved
- **Adult protection** in which case the social services (and possibly) the police will be involved
- **Disciplinary or misconduct** in which case Blue Ocean Waves will be involved

Step Change Studios are not adult protection experts, and it is not their responsibility to determine whether or not abuse has taken place. All suspicions and allegations must be shared with professional agencies that are responsible for adult protection.

NB: If there is any doubt, you must report the incident: it may be just one of a series of other incidences which together cause concern

What to do after a person has talked to you about abuse

- You should use the form '**Confidential Abuse & Major Incident Record Sheet.**' This form is in the Appendices of this policy.
- You should report your discussion to the designated person as soon as possible. If this person is implicated, report directly to the local authority social services.
- You should under no circumstances discuss your suspicions or allegations with anyone other than those nominated above.
- After a person has disclosed abuse the designated persons should carefully consider whether or not it is safe for the person to return home to potentially abusive situation. On these rare occasions it may be necessary to take immediate action to contact social services to discuss putting safety measures into effect. If a person is at immediate risk of harm, or if you believe a crime has been committed, contact the police on 999 or 101.

Allegations of abuse are sometimes made sometime after the event. Where such allegation is made, you should follow the same procedures and have the matter reported to social services. This is because other individuals in the physical activity or outside it may be at risk from the alleged abuser. Anyone who has a previous conviction for offences related to abuse is automatically excluded from working with adults at risk.

5.4 Concerns outside the immediate activity/Service environment (e.g. a guardian or carer)

- Report your concerns to the designated person
- If the designated person is not available, the person being told or discovering the abuse should contact the local social services department or the police immediately
- Social services and the designated person from Blue Ocean Waves will decide how to inform the guardians/carers as appropriate.
- Maintain confidentiality on a need to know basis.

5.5 Confidentiality

Every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a need to know basis only. This includes the following people:

- Designated person of Blue Ocean Waves
- The guardian/carers of the individual concerned
- The person making the allegation
- Social services/police
- The alleged abuser (and guardian/carers if the alleged abuser is another adult at risk).

Seek social services advice on who should approach the alleged abuser.

All information should be stored in a secure place with limited access to designated people, in line with data protection laws.

5.6 Internal Inquiries and suspension

- The designated person will make an immediate decision about whether any individual accused of abuse should be temporarily suspended pending further police and social services inquiries.
- Irrespective of the findings of the social services or police inquiries the designated person from Blue Ocean Waves will assess all individual cases to decide whether a **Responsible Adult** can be reinstated and how this can be sensitively handled. This may be a difficult decision; especially where there is insufficient evidence to uphold any action by the police. In such cases a decision must be reached based upon the available information which could suggest that on the balance of probability, it is more likely than not that the allegation is true. The welfare of the adult at risk concerned should remain of paramount importance throughout.

6. Safer Recruitment Policy

It is important that all reasonable steps are taken to prevent unsuitable people from working with adults at risk. This applies equally to **Responsible Adults**. To ensure unsuitable people are prevented from working with adults at risk the following steps should be taken when recruiting:

- Identifying the tasks and responsibilities involved and the type of person most suitable for the job.
- All **Responsible Adults** should complete an application form. The application form will elicit information about the applicant's past and a self-disclosure about any criminal record.
- We will make sure that we measure the application against the selection criteria.
- All applicants will sign a declaration stating that there is no reason why they should be considered unsuitable to work with adults at risk. Employment which enables the post-holder to have access to persons under the age of 18 in the course of their normal duties is exempt from The Rehabilitation of Offenders Act (1974) and therefore all spent and unspent convictions must be disclosed, including any pending case against them. This will then be subject to enhanced disclosure certificate from DBS or enhanced and barred disclosure if employment falls under 'regulated activity' as set out in the Safeguarding Vulnerable Groups Act 2006, as amended by the Protection of Freedoms Act 2012. This applies to potential **Responsible Adults**. It is important that any applicant in this particular category understands that all information will be dealt with confidentially and will not be used against them unfairly.
- We will ask for photographic evidence to confirm the identity of the applicant, e.g., their passport and evidence of their right to work in the UK.
- When appropriate we will request to see documentation of any qualifications detailed by the applicant.
- We will request two written references from people who are not family members or friends and who have knowledge of the applicant's experience of working with adults at risk. We will ask the referee to comment on their suitability for working with adults at risk. We will try to follow up written references with a telephone call.
- We recommend that all staff subscribe to the Disclosure Barring Service update service.
- When school aged work experience students (up to age 18) attend projects or workshops they won't be expected to hold a DBS certificate, however they must be accompanied by a member of staff with an Enhanced Certificate at all times. The student will never be left in sole responsibility for any adult at risk. Work experience students from University or over the age of 18 will be expected to undergo an Enhanced disclosure from DBS.

6.2 Interview and Induction

All **Responsible Adults** involved in dance provision will be required to undertake an interview. Anyone involved in delivering or supporting Blue Ocean Waves' Music, Dance, Drama and Art provision should receive formal or informal induction during which:

- A check should be made that the application form has been completed in full, including sections on criminal records and self-disclosures
- Their qualifications should be substantiated
- The job requirements and responsibilities should be clarified
- Every appointed individual is issued with a copy of this policy on the start of their role with Blue Ocean Waves, and be kept up to date with any amendments.
- Step Change Studios will keep a record of all Safeguarding training undertaken by **Responsible Adults**.

7. Whistleblowing Policy

Blue Ocean Waves has a whistleblowing policy to enable all **Responsible Adults** to report any internal wrongdoing and disclose information which they believe shows malpractice, impropriety, criminal activity, or dangers to health and safety. Our whistleblowing policy aims to:

- Encourage all **Responsible Adults** to feel confident in raising serious concerns
- Provide clear procedures for raising those concerns and to receive feedback on any action taken
- Ensure all **Responsible Adults** are aware of how to pursue concerns if they aren't satisfied with the way concerns were dealt with
- Protect "whistleblowers" from possible reprisals or victimisation if there is reasonable belief that they have raised any concerns in good faith.

8. Records, Confidentiality & Information Sharing

All adults who participate in Blue Ocean Waves' activities and events are entitled to their privacy. However, where there are concerns about the safety or welfare of an adult at risk, those concerns and the necessary personal information will need to be shared with those who can make decisions about action to safeguard the individual.

There is nothing in any legislation that prohibits the sharing of confidential and personal information where there are concerns about the safety or welfare of an adult at risk, or where a criminal act may be, or may have been committed.

All **Responsible Adults** should make written notes at the earliest opportunity, and these should be passed to the designated person who must keep all written documents relating to a safeguarding issue in a secure place.

These detailed records should be kept until Blue Ocean Waves is confident that the information is held accurately with the agency responsible for taking further action to safeguard the individual concerned i.e. partner agencies, social services or the police. A chronology of decisions made and actions taken can then be kept on file, once the detailed records are deleted or destroyed. This record should be held until the 75th birthday of the individual in question.

Where concerns have been raised about a **Responsible Adult** and these relate to behaviour that has harmed, or may have harmed an individual; possibly committed a criminal offence against, or related to an adult at risk; or behaved in a way that indicates s/he is unsuitable to work with adults at risk, then:

- The designated person receiving the information must follow correct procedures and bring in police if an offense has occurred.
- A clear and comprehensive summary of any allegations made, details of how the allegations were followed up and resolved, and of any action taken and decisions reached, will be recorded.
- This record will be kept in the person's confidential personnel file and a copy should be given to the individual.
- Such information will be retained on file indefinitely.

The purpose of the record is to enable accurate information to be given in response to any future request for a reference. It will provide clarification in cases where a future DBS

disclosure reveals information from the police that an allegation was made but did not result in a prosecution or a conviction. It will also prevent unnecessary re-investigation if, as sometimes happens, allegations resurface after a period of time.

Blue Ocean Waves has a Duty to Refer to DBS anyone, including **Responsible Adults**, who has been dismissed, redeployed, retired/redundant or resigned where Blue Ocean Waves believe that this person has either:

- Engaged in relevant conduct or
- Satisfied the harm test or
- Received a caution for, or been convicted of, a relevant offence

9. Declaration

On behalf of **Blue Ocean Waves** I, the undersigned, will oversee the implementation of the

Adult Protection Policy and take all necessary steps to ensure it is adhered to.

Signed:

Name:

Maria Antonia Jolene Dias

Position within Blue Ocean Waves

Founder/Director

Date:

27th September 2021

APPENDIX 1: Outline of Policies for Guardians/Carers

Blue Ocean Waves believe that the welfare of every individual that takes part in its activities and events is paramount. We will ensure that our policies and activities are empowering and enabling, creating a safe and creative environment for participants. Please find below a brief outline of our policies. Our policy and procedure on safeguarding adults at risk is available on request.

Safeguarding Policy

- The welfare of the individual is paramount
- Every individual, whatever their age, culture, disability, gender, language, racial origin, religious beliefs and/or sexual identity have the right to protection from abuse
- All suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately
- It is not the responsibility of **Responsible Adults** to deal with situations of abuse or to decide if abuse has occurred, but they do have a responsibility to report concerns to the Director of Blue Ocean Waves 'designated person' who will assess and refer to authorities or agencies as appropriate.

We will aim to safeguard individuals by:

- Adopting adult at risk protection guidelines through procedures and a code of conduct for all staff, freelancers and volunteers
- Sharing information about adult at risk protection and good practice with participants, guardians and carers, staff and **Responsible Adults**
- Sharing information about concerns with agencies who need to know, and involving adults at risk, and guardians/carers where the adult lacks capacity
- Carefully following the procedures for recruitment and selection of **Responsible Adults**
- Providing effective management for **Responsible Adults** through support, supervision and training
- Recognising some adults are additionally vulnerable, for example those with disabilities, because of their level of dependency and possible communication barriers.

Professional Behaviour Policy

All Responsible Adults are asked to adhere to and be guided by our Professional Behaviour Policy. This includes:

- Conduct yourself in a way that is fair and respectful to all
- Do not use inappropriate language or behaviour, either directly to, or in the presence of Music, Dance, Drama or Art participants
- Do not smoke, drink, or take illegal drugs in front of dance participants and spectators with during or outside of an activity or event
- Make every effort to encourage participants in sessions/events to adhere to the standards and best practice of this policy. This refers to their behaviour towards **Responsible Adults** and their peers
- Do not allow participants to smoke, drink or take illegal drugs on or in the vicinity of the any of our sessions, including third party venues used by Blue Ocean Waves
- Do not let inappropriate comments go unchecked in any situation
- Under no circumstances should **Responsible Adults** working for or supporting Blue Ocean Waves give out their personal details to participants, or obtain personal

details from participants. There may be exceptions on specific projects, in all cases permission must be sought through the director of Blue Ocean Waves.

- Consider that being safe and feeling safe are two different things. Check that the activity is appropriate to the space, gender, physique and maturity of the participants, the individuality and differentiation of participants' needs and supporting the promotion of self-esteem and assertiveness.

Whistleblowing Policy

Blue Ocean Waves has a whistleblowing policy to enable all **Responsible Adults** to report any internal wrongdoing and disclose information which they believe shows malpractice, impropriety, criminal activity, or dangers to health and safety. Our whistleblowing policy aims to:

- Encourage all **Responsible Adults** to feel confident in raising serious concerns
- Provide clear procedures for raising those concerns and to receive feedback on any action taken
- Ensure all **Responsible Adults** are aware of how to pursue concerns if they aren't satisfied with the way concerns were dealt with
- Protect "whistleblowers" from possible reprisals or victimisation if there is reasonable belief that they have raised any concerns in good faith.

Protection Procedures

All **Responsible Adults** must report any incidents or disclosures to the designation person as soon as possible. In terms of serious incidents such as sexual abuse disclosures or abuse that risks the safety of the individual concerned, a report should be made immediately. You must take factual notes of what the individual has said about any reported incident or occurrence. Where possible you should quote the individual directly.

The role of the designated person is to:

- Obtain information from **Responsible Adults**, participants, guardian and carers who have safeguarding concerns and to record this information
- Assess the information quickly and carefully and ask for further information as appropriate
- Consult with a statutory protection agency such as the local adults social services department to clarify any doubts or worries
- If concerns persist the lead professional (or the designated person if concern is of a person suffering or likely to suffer significant harm) should make a referral to a statutory protection agency or the police without delay.

APPENDIX 2: Guidance Notes for Safe Touch

All staff should adhere to and be guided by the following principles:

- Safe Touch may not always be appropriate.
- Staff do not have the right to touch adults at risk during projects without their permission.
- All staff should examine whether it is necessary to use touch or whether clear verbal instruction, visualisation techniques or demonstration can be as effective.
- Where touch is deemed necessary, it should be relevant to the person's participation in and understanding of the activity and should not be used in order to encourage familiarity.
- Where it is deemed necessary to have physical contact with an adult at risk to instruct them then permission must be sought before contact is made.
- For touch to be 'safe touch' it needs to be:
 - Necessary – demonstration and verbal instruction is not adequate.
 - Permitted – permission for contact is sought and given by the individual.
 - Clear – tell the individual where and how you will touch to give instruction.
 - Contextual – explain why you are going to touch.
- Always check your reason for using touch is understood and has been effective.

APPENDIX 3: Confidential Abuse & Major Incident Record Sheet

To be used in incidents of allegations or situations of abuse, or incidents where an individual's safety has been seriously threatened.

Organisation

Name and position of person reporting

Name of adult

Address and telephone number of adult Age and date of birth

Ethnicity

Religion

First language

Disability

Carer's name and address (if applicable)

Are you reporting your concerns or reporting someone else's concerns. Please provide details

Exactly what the person in question said and what you said (Remember, do not lead person – record actual details. Continue on separate sheet if necessary)

Any physical signs? Behavioural signs? Indirect signs?

Have you spoken to the individual concerned? If so, what was said?

Have you spoken to the person's carer/guardian (if appropriate)? If so, what was said?

Has anybody been alleged to be the abuser? If so, please give details?

Have you consulted anybody else? Please give details

Person reported to and date of reporting

Signature of person reporting Today's date

Action taken

Notes

Appendix 4: Minor Incident Record Sheet

This form should be used for less serious incidents, such as pastoral issues or incidents where the adult at risk is not immediately in danger or distress.

Date of Report: _____

Incident Reported By: _____

Incident Reported To: _____

Date of Incident: _____

Venue of Incident: _____

Details:

Exactly what the person in question said and what you said

(Remember, do not lead person – record actual details. Continue on separate sheet if necessary)

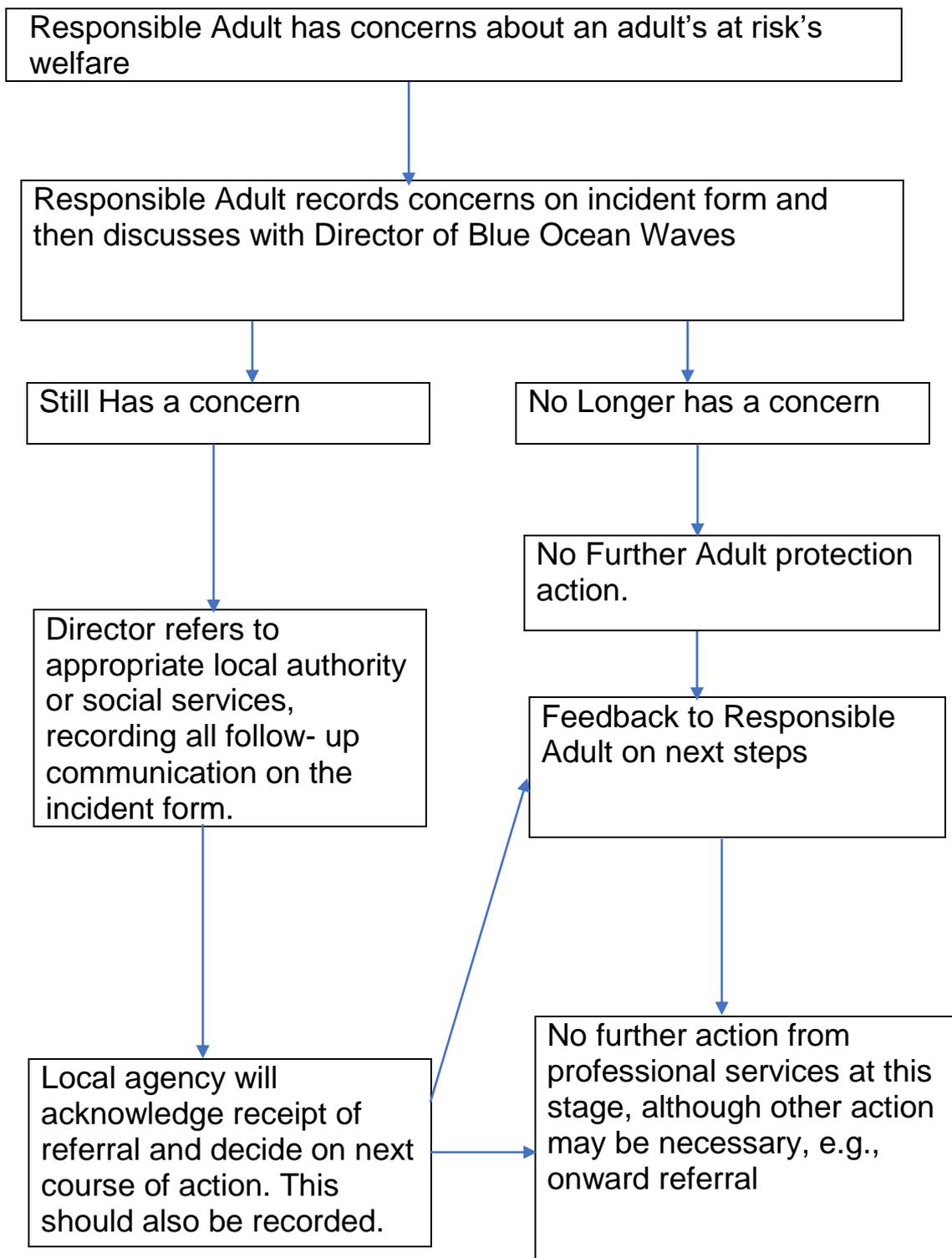
Next Step:

Signed (by designated person):

Name: _____

Date: _____

Appendix 5: Process Flowchart



Appendix 6: Staff Declaration Sheet

*This form is to be signed by all **Responsible Adults** and work experience students (of all ages) to confirm that they have read and understood Blue Ocean Waves' Policies and Procedures on Safeguarding Adults at Risk.*

Staff Declaration

Name: _____

I have read and understood Blue Ocean Waves policy and procedures on safeguarding adults at risk, along with the attached appendices. I agree to adhere to and be guided by its terms and to re-read the policy to keep myself aware of best practice.

I know no reason why I should be considered unsuitable to work with adults at risk.
I have declared all convictions, or have no convictions or pending convictions against me.

Signed: _____ **Date:** _____

Please give this form to Jolene Dias, Director Blue Ocean Waves. It will be kept in your file.