

# P6 - British Canoeing Safeguarding Adults Policy

The policies and guidelines referenced within this document are those of British Canoeing, Canoe Wales (CW) and The Canoe Association of Northern Ireland (CANI). All references to British Canoeing within this policy also refer to CW and CANI unless otherwise stated. For Scotland please refer to the SCA for further details.

The purpose of this policy is to ensure that all British Canoeing clubs, centres, coaches, members, staff and volunteers are aware of the legislation, policy and procedures for safeguarding adults and know what to do or who to speak to if they have a concern relating to the welfare of an adult within the sport.

Safeguarding adults can be a complex process and although there are many similarities with safeguarding children there are also some distinct differences. For this reason British Canoeing has created a separate Safeguarding Adults Policy.

Despite the differences, which will be detailed further within the policy, the overarching safeguarding principles and duty of care remain very much the same for both adults and children.

## **ALL ADULTS AND CHILDREN HAVE THE RIGHT TO LIVE FREE FROM ABUSE OR NEGLECT**

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## POLICY STATEMENT

British Canoeing is committed to ensuring that everyone taking part in canoeing are able to do so protected and kept safe from abuse or neglect while they are with coaches, volunteers and/ or staff irrespective of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

As with children and young people, all adults have the right to live free from abuse or neglect.

It is the responsibility of all British Canoeing, Canoe Wales and The Canoe Association of Northern Ireland employees, volunteers, coaches, members and participants to follow and support this policy and the guidelines and procedures set out within.

All coaches and clubs should have a clear understanding of operating within an appropriate code of ethics, aware of their duty of care and how this relates to their position in providing activities and being responsible for others.

British Canoeing is committed to ensuring any concern reported about the welfare of someone taking part in canoeing is taken seriously, responded to promptly, and followed up according to the British Canoeing Safeguarding policies and procedures.

## DUTY OF CARE

In an activity such as canoeing, safety and keeping people safe is all about risk assessment and minimising the risks involved at all levels of participation. While safeguarding is the responsibility of all of us, in organised activity we have a heightened duty of care and as such we should be aware that the principal risks extend to the quality of control exercised by those in charge. Coaches, referees, officials or administrators should all take 'reasonable' steps to safeguard those directly taking part in activities and at any time they may be deemed responsible for those in their charge - in vehicles, during journeys to and from the activity, during events, team training events and camps etc.

A good definition of 'duty of care' is:

**“The duty which rests upon an individual or organisation to ensure that all reasonable steps are taken to ensure the safety of any person involved in any activity for which that individual or organisation is responsible”**

The content of this document provides specific information in respect of safeguarding adults in order that everyone can appreciate their duty of care with regard to these issues, risk assess their positions and support and advise those at risk.

Further to this document you may wish to consult the following additional information.

- Bullying and Harassment Policy
- Safeguarding Whistle Blowing Policy
- Dispute Resolution and Disciplinary Procedures
- Coaching Code of Ethics

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## INTRODUCTION TO SAFEGUARDING ADULTS

Safeguarding Adults includes:

- Protecting their rights to live in safety, free from abuse and neglect.
- People and organisations working together to prevent the risk of abuse or neglect, and to stop them from happening.
- Making sure people's wellbeing is promoted, taking their views, wishes, feelings and beliefs into account.

*(Care Quality Commission 2015)*

It relates to the need to protect those in vulnerable circumstances who may be at risk of abuse or neglect, due to the actions, or lack of action, of another person(s).

There is now a legal framework in place for safeguarding adults. The Care Act 2014, which took effect from April 2015, sets out the framework to be followed by all those with a responsibility for safeguarding adults.

As part of the Act, every Local Authority is required to set up a Safeguarding Adults Board (SAB) and must make enquiries, or ask others to make enquiries on their behalf, about any adult in their area, who they are concerned is, or is at risk of being abused or neglected in order to assess their care and support needs and consider if further action is required.

Where it is deemed that further action should be taken, where appropriate, this will be person-led and outcome-focused, taking account of the views, wishes, feelings and beliefs of the individual; supporting them to maintain control over their lives and in making informed choices (making Safeguarding Personal).

For some situations it may be more relevant to refer to the British Canoeing Bullying and Harassment Policy.

## WHO NEEDS SAFEGUARDING?

The term 'Adults at Risk' has been generally accepted as the new term for 'Vulnerable Adults' and is defined within The Care Act 2014 as detailed below.

**Safeguarding duties apply to 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 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.**

*As the definition of an Adult at Risk could include any adult given their circumstances at a particular time, British Canoeing will refer to 'Safeguarding Adults' for the purpose of this policy.*

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The Care Act outlines six key principles that 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.

British Canoeing recognise that there are some people who may be at increased risk of abuse or neglect and therefore potentially more vulnerable than others. This can be due to a number of factors ranging from; health or social care needs; to specific circumstances at a particular time. These factors can continue over any period of time and may be intermittent, temporary or permanent and based on the individual's circumstances as well as the level of information and support available to them.

There are some people who will target those who they consider to be more vulnerable than others in order to abuse/ exploit them. It is important to be extra vigilant if you think someone could be at greater risk or in a situation which could increase their vulnerability.

## Who abuses and neglects Adults?

Anyone may carry out abuse or neglect including:

- Spouses/ partners or other family members
- Neighbours or local residents
- Friends or acquaintances
- People who deliberately exploit adults they perceive as vulnerable
- Paid staff or professionals
- Volunteers
- Strangers

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

## RESPONDING TO DISCLOSURE OF ABUSE

If an adult indicates that they are being abused, or information is received which gives rise to concern, 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.
- Reassure the person that they have done the right thing in revealing the information.
- Ask them what they would like to happen next.

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- 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.
- Record in writing what was said using the adult's own words as soon as possible (see Record Keeping page 7).

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.

## DIFFERENCES IN REPORTING CONCERNS RELATING TO ADULTS

Where there is a concern that a child has been abused, there is a duty of care to report that concern and for it to be followed up without the need to gain consent from the child or guardian.

**When reporting a concern about an adult the following key points must be taken into account:**

- **Consent from the adult must be granted before reporting any concerns** (*except for the exceptions listed below*).
- **Must respect the decision of the adult.**
- **Must assume an adult has capacity unless proven otherwise\***

The adult must be involved in any discussion and decision making process about their welfare (if they have capacity) and be given the opportunity to make their own choices, whether or not you consider these to be wise- *ultimately an adult may choose not to act at all to protect themselves, and only in certain circumstances should their wish be overridden.*

**The exceptions that override the decision of the person are when:**

- 1) **An adult is assessed not to have the 'capacity' to make their own decision** (*See below for more details on capacity*).
- 2) **When there is an overriding public duty to intervene due to others who may be at risk.**
- 3) **Where not acting would put the person at further risk of harm.**

If an adult is reluctant for you to report the concern and the above do not apply, explain the reasons why it may be in their best interests (and others) if the matter is referred. Ensure that they understand all the options available and empower them to make an informed decision.

## THE MENTAL CAPACITY ACT 2005

It is not for you as an individual to make a decision about whether an adult lacks capacity; however it is useful to understand the notion of capacity and ensure you follow the principles set out within the Act.

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## Definition

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.

The term 'lacks capacity' means a person cannot make a specific decision or take a particular action for themselves at a particular point in time, even if they are able to make other decisions. For example, they may be able to make small decisions about everyday matters such as what to wear for a sports activity, or what a healthy sports diet would be, but they may lack capacity to make more complex decisions about financial matters.

It may be the case that a person, who lacks capacity to make a decision at a certain time due to illness or an accident, may be able to make that decision at a later date.

## The key principles of the Mental Capacity Act 2005 are:

- A person must be assumed to have capacity unless it is established that they lack capacity.
- A person is not to be treated as unable to make a decision unless all practical steps to help him/her to do so have been taken without success.
- A person is not to be treated as unable to make a decision merely because he/she makes an 'unwise' decision.
- An act carried out or decision made, for or on behalf of a person who lacks capacity must be undertaken, or made, in their best interests with minimal restriction to their freedom and rights as possible.

## REPORTING A CONCERN

- If the adult is in immediate risk of significant harm, call the police or Local Safeguarding Adults Board without delay.
- If consent is granted for you to refer the information received, contact your Home Nation Safeguarding Officer and/ or Local Safeguarding Adults Board\* with the details of the concern.
- If consent is not granted but you still have concerns, contact your Home Nation Safeguarding Officer who will be able to offer advice on what action should be taken. Wherever possible you should always explain and involve the adult concerned with what you plan to do and why.

***\*If you report a concern to your Local Authority Safeguarding Adults Board or Police you are also required to contact your Home Nation Safeguarding Officer to advise them of your concern and whom you have reported it to. A standard reporting form for this purpose is available from your Home Nation website.***

## RECORD KEEPING

If you have been made aware of/ or have a concern, keep a record of what you have been told/ what your concerns are, in as much detail as possible in case it is needed in the future. It can also be a way of tracking a sequence of events which could suggest a pattern of abuse over time. A Reporting Concern Form is available to download from your Home Nation website.



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- You should make notes/ report as soon as possible after you have been told about/ become aware of a concern;
- If you are being told about the concern by someone else, explain that you are taking notes so that you can be accurate in your recording;
- Try to remember what the person said, using their own words and phrases where possible.
- In your written report factual information should be clearly separated from expression of opinion;
- Sign, date and time your report; (along with who you passed the information to and when/ details of your concern).
- Ensure you keep a copy for yourself.
- Be aware that your report may be required later as part of legal action; disciplinary procedure or litigation claim;
- In all recording, proper consideration must be given to the requirements of current data protection legislation;

## CLUBS AND ORGANISATION BEST PRACTICE

Having good standards of practice within your club or organisation and clear, visible policies and procedures for both children and adults is likely to encourage more people to join and stay within the sport and your organisation as well as deter those with wrong intentions.

We recommend that you review your existing policies and procedures on an annual basis to ensure they remain up to date and reflect current legislation and best practice. There are several guidance documents and templates available on your home nation websites to assist with this.

### Disclosures

The requirement for a Disclosure and Barring Service (DBS) check in relation to working with adults, is only required when very specific types of activity are being carried out (as detailed in [DBS Regulated Activity- Adults Workforce](#)). It is very unlikely that a volunteer or staff member of a canoe club or centre would be carrying out any form of Regulated Activity with an adult but we advise that you check this as necessary.

## USEFUL CONTACTS

### Home Nation Safeguarding Officers Contact details:

England	0115 8968842	email: <a href="mailto:safeguarding@britishcanoeing.org.uk">safeguarding@britishcanoeing.org.uk</a>
N Ireland	028 95438094	email: <a href="mailto:safeguarding@cani.org.uk">safeguarding@cani.org.uk</a>
Scotland	07900 887007	email: <a href="mailto:child.protection@canoescotland.org">child.protection@canoescotland.org</a>
Wales	07496 018281	email: <a href="mailto:childprotection@canoewales.com">childprotection@canoewales.com</a>

**Please put in the details of your local contacts or equivalents for quick and easy reference when required.**

Local Authority Safeguarding Adults Board: .....

Local Authority Adult Social Care Services: .....

Citizens Advice Bureau: .....

## APPENDIX A: DEFINITION OF ABUSE OR NEGLECT

Abuse is about the misuse of power and control that one person has over another. Abuse may consist of a single act or repeated acts. It can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it. Any or all of the following types of abuse may be perpetrated as the result of deliberate intent, negligence, omission or ignorance.

It is generally acknowledged that there are five main types of abuse in relation to Children (Physical, Sexual, Emotional, Bullying and Neglect). Categories of abuse relating to Adults encompass the following broader definitions, but are not limited to:

### **Physical Abuse**

*Including assault, hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.*

### **Domestic Violence**

*Including psychological, physical, sexual, financial, emotional abuse; so called 'honour' based violence.*

### **Sexual Abuse**

*Including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented, or could not consent or was pressured into consenting.*

### **Psychological abuse**

*Including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.*

### **Financial or material abuse**

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

### **Modern slavery**

*Encompasses slavery, human trafficking; forced labour and domestic servitude.*

### **Discriminatory abuse**

*Including harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.*

### **Organisational abuse** (previously known as institutional abuse)

*Neglect and poor care practice within an institution or specific care setting such as 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.*

### **Neglect and acts of omission**



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*Including, ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.*

## **Self- neglect**

*This covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.*

## **APPENDIX B: INDICATORS OF ABUSE**

There may be physical and behavioural signs and symptoms that might raise your concern about the welfare or safety of an adult. The following are only indicators and should not be seen as confirmation. Abuse is not always easy to identify and can be a combination of signs or symptoms, sometimes forming a pattern over time.

***It is important to remember, it is not your responsibility to decide whether someone is being abused- but it is your responsibility to pass the information on to the appropriate person.***

The following can be seen as indicators of abuse:

*(This is not an exhaustive list)*

Unexplained or significant changes in behaviour such as:

- Low self-esteem, passivity, becoming withdrawn, quiet.
- Isolates themselves from the group and seems unable to make friends.
- Fear, defensiveness.
- Becomes aggressive/verbally violent.
- Significant change in sexual behaviour or attitude.
- Change in appetite- excessive weight loss or weight gain for no obvious reason.

Unexplained physical injuries such as:

- Consistent untreated injuries or health issues.
- Marks on body, including slap marks, finger marks, bruising.
- Unusual difficulty in walking or sitting.
- Multiple fractures.

Unexplained changes in living conditions such as:

- Sudden inability to pay bills or maintain lifestyle, including lack of heating, clothing, food.
- Physical appearance becomes unkempt.
- Unusual interest shown by family members or others in the person's assets.
- No identification documents in possession
- Little or no finances of their own.

Bear in mind that some people with physical and/or learning disabilities may use alternative forms of communication which you need to be aware of in order to ensure that you can understand what is happening to them.

## APPENDIX C: KEY GOVERNMENT INITIATIVES AND LEGISLATION

### ■ **Sexual Offences Act 2003**

The Sexual Offences Act introduced a number of new offences concerning vulnerable adults and children.

### ■ **Mental Capacity Act 2005**

Its general principle is that everybody has capacity unless it is proved otherwise, that they should be supported to make their own decisions, that anything done for or on behalf of people without capacity must be in their best interests and there should be least restrictive intervention.

### ■ **Safeguarding Vulnerable Groups Act 2006**

Introduced the new Vetting and Barring Scheme and the role of the Independent Safeguarding Authority. The Act places a statutory duty on all those working with vulnerable groups to register and undergo an advanced vetting process with criminal sanctions for non-compliance.

### ■ **Deprivation of Liberty Safeguards**

Introduced into the Mental Capacity Act 2005 and came into force in April 2009. Designed to provide appropriate safeguards for vulnerable people who have a mental disorder and lack the capacity to consent to the arrangements made for their care or treatment, and who may be deprived of their liberty in their best interests in order to protect them from harm.

### ■ **The Protection of Freedom Act 2012**

The Act includes changes to freedom of information, rights to data and criminal history checks (Vetting and Barring – DBS checks) amongst other civil liberty issues. This Act will affect sport organisations when undertaking safe recruitment and DBS checks.

### ■ **Disclosure & Barring Service 2013**

Criminal record checks: guidance for employers - How employers or organisations can request criminal records checks on potential employees from the Disclosure and Barring Service (DBS). [www.gov.uk/government/organisations/disclosure-and-barring-service](http://www.gov.uk/government/organisations/disclosure-and-barring-service)

### ■ **The Care Act 2014 – statutory guidance**

The Care Act introduces new responsibilities for local authorities. It also has major implications for adult care and support providers, people who use services, carers and advocates. It replaces No Secrets and puts adult safeguarding on a statutory footing. [www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation](http://www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation)

### ■ **Making Safeguarding Personal Guide 2014**

This guide is intended to support councils and their partners to develop outcomes focused, person-centred safeguarding practice.