

Epilepsy Action Safeguarding Adults Policy

At Epilepsy Action, safeguarding is a core responsibility. We are committed to ensuring that no harm comes to individuals in contact with our services. The Trustee Board (TB) is responsible for ensuring the charity fulfils its safeguarding responsibility and has a Safeguarding Lead to oversee this.

- **Safeguarding Lead (SL)**- operationally responsible for ensuring concerns are reported to the relevant authority(s).
- **Deputy Safeguarding Lead (DSL)**- deputises for the Lead in their absence

Epilepsy Action will always aim to have either the SL or DSL available to assist staff/ volunteers with safeguarding matters. Where this is not possible, another member of SLT will make this decision with another member of SLT and/ or department manager. Leads and deputies are as follows:

Name	Role	Job title
Ann Richardson-Greaves	Safeguarding Lead	Director of Services
Rebekah Smith	Deputy Safeguarding Lead	CEO
Steph Smith-Crawshaw	Deputy Safeguarding Lead	Director of people and Culture
Tom McLaughlan	Safeguarding Lead for Trustee Board	Trustee

Who is this policy for?

This policy applies to:

- all paid staff and volunteers
- Senior Leadership Team (SLT)
- Trustee Board
- anyone working on behalf of Epilepsy Action.

No one should ignore allegations or suspicions of abuse or neglect, doing nothing is **not** an option.

Safeguarding is everyone's business

Why do we have a policy?

This policy guides how we will:

- **Prevent abuse and neglect** wherever possible.
- **Reduce harm and risks** to vulnerable adults.
- **Ensure all staff and volunteers** know how to raise safeguarding concerns.
- **Provide a clear approach** for handling safeguarding issues.

Since we work with a variety of adults, we may encounter cases of **current or historic abuse**. Our procedures ensure we act appropriately in such situations.

Our safeguarding guidelines and procedures will ensure that staff and volunteers are able to deal appropriately with these situations. This will include:

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- having sound recruitment practices
- ensuring all staff and volunteers have an understanding and awareness of adult safeguarding
- ensuring all staff and volunteers know how to raise safeguarding concerns and feel confident doing so

Our legal duties

Legislation does not place a statutory duty on us to report safeguarding concerns about an adult, but this does not mean we do not have a responsibility and duty to safeguard the wellbeing of adults using our service. Safeguarding is the responsibility of everyone at Epilepsy Action.

The legislation covering adult safeguarding for England, Scotland and Wales is:

- The Care Act 2014 (England)
- Social Services and Wellbeing (Wales) Act 2014
- The Adult Support and Protection (Scotland) Act 2007

In Northern Ireland, the framework for adult protection mirrors that in the other parts of the UK and take the following Northern Ireland guidance and orders into consideration:

- Adult Safeguarding: Prevention and Protection in Partnership (July 2015)
- Adult Safeguarding Operational Procedures (Sept 2016)
- Family Homes and Domestic Violence (NI) Order 1998
- The Safeguarding Vulnerable Groups (NI) Order 2007
- Justice Act (Northern Ireland) 2015

These acts put duties on local authorities in relation to adult safeguarding. We will take these duties into account in our work with service users and support the local authorities to fulfil their statutory duties where possible. They include:

- stopping abuse or neglect wherever possible
- preventing harm and reducing the risk of abuse or neglect to adults with care and support needs
- safeguarding adults in a way that supports them in making choices and having control about how they want to live
- promoting an approach that concentrates on improving life for the adults concerned
- raising public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect
- providing information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or wellbeing of an adult
- addressing what has caused the abuse or neglect

Who is protected by this policy?

This policy adopts the broader definitions as per the Care Act 2014 and the Social Services and Wellbeing (Wales) Act 2014. Their definitions are broader and far-reaching and could potentially cover many of our service users.

Under the Care Act 2014 and the Social Services and Wellbeing (Wales) Act 2014 safeguarding duties apply to an adult who:

- has care and support needs, and
- is experiencing, or is at risk of, abuse or neglect, and

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- is unable to protect themselves because of their care and support needs

An adult with care and support needs may be:

- an older person
- a person with a physical disability, a learning difficulty or a sensory impairment
- someone with mental health needs, including dementia or a personality disorder
- a person with a long-term health condition
- someone who misuses substances or alcohol to the extent that it affects their ability
- to manage day-to-day living

In Scotland, the definition of an 'adult at risk' or 'vulnerable adult' applies to those aged 16 years and over. The [Adult Support and Protection \(Scotland\) Act 2007](#) is designed to protect those adults who are unable to safeguard their own interests and are at risk of harm because they are affected by:

- Disability
- mental disorder
- illness
- physical or mental infirmity

In Northern Ireland the definition is broken down as follows:

- Adult at risk of harm: is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their: a) Personal characteristics which may include, but are not limited to, age, disability, special educational needs, illness, mental or physical frailty or impairment of, or disturbance in, the functioning of the mind or brain. and/or b) Life circumstances which may include, but are not limited to, isolation, socio-economic factors and environmental living conditions.
- Adult in need of protection: is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their: a) Personal characteristics AND/OR b) Life circumstances AND c) Who is unable to protect their own well-being, property, assets, rights or other interests; AND d) Where the action or inaction of another person or persons is causing, or is likely to cause, him/her to be harmed

We will apply this policy equally to all adults who use Epilepsy Action services regardless of age, race, disability, gender reassignment, marriage and civil partnership status, pregnancy and maternity, religion and belief, sex and sexual orientation.

What do we mean by safeguarding?

Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect. (Care Act 2014). This involves:

- Preventing harm before it happens
- Taking proportionate action when risks are identified
- Providing appropriate support to individuals at risk

Confidentiality and safeguarding

It is important that our service users can trust us and know that the information they disclose to us is treated in confidence and in accordance with the principle of empowerment, the decision on whether to make a safeguarding alert should normally be discussed with the service user and wherever possible their consent should be gained to make the alert.

However, if staff/ volunteers have suspicions or information is disclosed to them about a service user being abused or we believe that they are in serious and immediate danger, in these

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situations the wellbeing of the service user or others who may be at risk takes precedent over confidentiality. Our safeguarding procedure details the process for breaching confidentiality and raising a safeguarding alert. Also see confidentiality policy

Principles of adult safeguarding

There are 6 key principles outlined in the 2014 Care Act which are used by local authorities and other statutory bodies to guide their adult safeguarding activities. These are¹:

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

Recognising the 10 different types of abuse and risk

¹ [Aims and Principles of all Adult Safeguarding](#)



Physical



Sexual



Financial



Domestic



Discrimination



Neglect



Self-Neglect



Modern Slavery



Psychological



Organisational

The indicators provided below are not an exhaustive list of signs and symptoms of someone suffering abuse and neglect. Further information about possible signs and symptoms can be found online by visiting the [NHS webpage on safeguarding](#) or the [Social Care Institute of Excellence webpages on safeguarding](#)

Type of abuse	Examples and signs
Physical abuse:	Hitting, kicking, restraining someone, withholding food, water or medication. These could include if someone Signs: bruising, cuts or burns and unable to provide an explanation
Domestic violence or abuse:	Physical, emotional, financial, or sexual abuse by a partner/family member. Signs: Fear, isolation, visible injuries, low self esteem, limited access to money.
Sexual abuse:	Rape, inappropriate touching, forced sexual acts. Signs: Difficulty walking, bruising, self harming, withdrawal.
Psychological and emotional abuse:	Threats, humiliation, isolation, emotional abuse, coercion, controlling behaviour. Signs: Low self-esteem, depression, fearfulness, weight loss/ gain.
Financial or material abuse:	Theft, fraud, coercion into financial transactions. Signs: Sudden financial difficulties, insufficient food, missing possessions and/ or money from accounts
Modern slavery:	Human trafficking, slavery, forced labour, servitude. Signs: Malnourishment, lack of personal documents, signs of physical/ emotional abuse, unkempt/ withdrawn, isolation
Discriminatory abuse:	Harassment, slurs because of age, race, sex etc. Signs: withdrawn, isolated, angry, anxiety.
Organisational or institutional abuse:	Poor care or practice within a hospital/ care setting or own home. Signs: inadequate staffing levels, poor standards of care, lack of personal clothing and possessions, lack of adequate procedures, absence of individual care plans

Neglect and acts of omission:	Failing to provide care, emotional/ physical care needs, food, or medication. Signs: Poor hygiene, malnutrition, untreated medical conditions.
Self-neglect: This covers a wide range of behaviour that is	Neglecting to care for personal hygiene, health, hoarding Signs: poor personal hygiene, unkempt, lack of food, clothing, shelter, living in unsanitary conditions

Radicalisation and safeguarding

If you are concerned about an adult at risk becoming radicalised, follow the stages in our safeguarding procedure. Under the Counter-Terrorism and Security Act 2015, Epilepsy Action has a legal duty to have "due regard to the need to prevent people from being drawn into terrorism" (Prevent duty). There are currently no mandatory reporting requirements under this duty but it's important to keep people safe. The government has a counter-terrorism strategy that includes supporting vulnerable people to prevent them being drawn into terrorism. You can read [more detail on this strategy](#).

All staff and volunteers at Epilepsy Action will be mindful of radicalisation and report any concerns using our safeguarding adult and children policies.

Mental capacity and safeguarding

The legal frameworks that apply regarding mental capacity are:

- Mental Capacity Act 2005- England and Wales
- Mental Capacity Act (NI) 2016
- Adults with Incapacity (Scotland) Act 2000

The following should be considered where mental capacity could be a factor:

- **Presumption of capacity:** Adults are assumed to have capacity unless proven otherwise
- **Decision-specific:** Capacity is assessed in relation to the particular decision at the time it needs to be made.
- **Support to decide:** All reasonable steps should be taken to help the adult understand information and make their own decisions.
- **Unwise decisions/ lack of capacity:** Adults have the right to make choices others may see as risky or unwise, if they understand the consequences.
- **Best interests:** If a person lacks capacity, decisions must be made in their best interests, considering their wishes, feelings, values, and those of people who know them well.
- **Least restrictive:** Any action taken must restrict the person's rights and freedoms as little as possible.

Where there are mental capacity concerns staff and volunteers should talk to their supervisors/ line managers and/ or Safeguarding Lead/ Deputies- and refer to safeguarding policies and procedures.

Screening of staff and volunteers

Epilepsy Action will ensure that all staff and volunteers who work in roles which are legally entitled to get a DBS or Access NI (Northern Ireland) check are screened appropriate to the role.

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If a DBS/ Access NI check reveals a conviction for a sexual offence against a child or vulnerable adult, whenever it was committed, that individual is not suitable for that role and will not be taken on. Any other convictions will be considered on an individual basis.

For further details of how Epilepsy Action screens staff and volunteers, also see our 'safer recruitment procedure'.

Supervision, training and safeguarding

During induction staff and volunteers will be inducted in the organisations safeguarding policies and procedures.

Staff and volunteers will be given regular supervision where safeguarding and training needs will be discussed.

Appropriate safeguarding training is available to all staff and volunteers at a level appropriate to their role. This may be in the form of:

- policy awareness sessions delivered internally
- briefing sessions by a local authority or other relevant authority
- attendance at training arranged through partner agencies
- online training/ eLearning

If a staff member or volunteer is removed from their role

If a staff member or volunteer is moved or dismissed from their role because of safeguarding concerns arising from their actions or inactions, Epilepsy Action may have a responsibility to inform the Disclosure and Barring Service. Epilepsy Action will follow the [guidance set out by the Disclosure and Barring service](#) in these situations.

Working with local statutory agencies

Safeguarding Boards may carry out reviews or investigations and may require us to supply information. The boards are made up of representatives from local authorities and other statutory bodies and partner agencies.

Epilepsy Action will supply information requested by a safeguarding board under the following circumstances:

- the information must be requested for the purpose of enabling the board to perform its functions
- the person or body requested to supply the information must have functions or engage in activities such that the board considers it likely to have information relevant to a function of the board

In general, there is no bar to Epilepsy Action taking part in a safeguarding adults' review, a criminal investigation or a Serious Case Review if required to do so. This will be considered on a case-by-case basis taking into account confidentiality.

Developing new services

Any new services in development will take account of the need to safeguard adults at risk. This may be achieved by:

- risk assessment of proposed activities/ venues
- agreeing safeguarding measures with partner organisations including information sharing protocol
- seeking specialist advice, for example from the local safeguarding board

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Review date	April 2025
Lead reviewer	Safeguarding Lead
Review frequency	Annually or sooner if there is a change in legislation and/or guidance

Appendix 1: Safeguarding behaviours for working with adults

Staff and volunteers at Epilepsy Action will demonstrate their understanding and awareness of safeguarding by exhibiting the following behaviours and standards:

- Staff and volunteers will never undertake a home visit for an adult at risk of, or who is experiencing, abuse or neglect unless it is in an official Epilepsy Action capacity and pre-arranged.
- Staff and volunteers will never transport an adult at risk in their own car, alone, unless prior arrangements have been made and approved by the safeguarding lead or in the case of a medical emergency.
- Staff and volunteers will never make any comments with sexual overtones, even in humour, or partake in any 'horse play' with an adult at risk.
- An adult at risk of or experiencing abuse or neglect will never be allowed into a staff member or volunteer's home.
- Staff and volunteers will not lend money to or borrow money or possessions from an adult at risk of or experiencing abuse or neglect. They will not agree to make any purchases, or undertake any financial transactions, on behalf of the client
- Staff and volunteers will not engage in sexually provocative games.
- Staff and volunteers will not allow or engage in inappropriate touching of any form.
- Staff and volunteers will not allow an adult at risk of or experiencing abuse or neglect to use inappropriate language unchallenged.
- Staff and volunteers will not make sexually suggestive comments about or to an adult at risk of or experiencing abuse or neglect, even in fun.
- Staff and volunteers will not let allegations that an adult at risk of or experiencing abuse or neglect makes go unchallenged or unrecorded.
- Staff and volunteers will not do things of a personal nature for an adult at risk of or experiencing abuse or neglect that they can do themselves.