

Safeguarding beneficiaries from Abuse

Policy Statement

The Harmony Therapy Trust believes that beneficiaries must be safeguarded from all forms of abuse. It recognises that it must at all times protect its beneficiaries from the risk of abuse and identify and deal with specific instances of abuse if they occur. The Harmony Therapy Trust complies with the Kent and Medway Safeguarding Vulnerable Adults Policy.

The Harmony Therapy Trust is always be aiming for the very best quality of care and will not be satisfied with anything that falls short of this. It takes every possible action to prevent abuse and to deal with it as promptly and effectively as possible if it occurs.

Aim of the Policy

The central aim of the safeguarding policy is to set out for all relevant parties the:

- principles and values underlying the charity's approach to the safeguarding of its beneficiaries
- ways in which The Harmony Therapy Trust does this
- steps taken to avoid abuse taking place
- actions taken to deal with abuse if it occurs.

Legislation

The Harmony Therapy Trust seeks to work in line with local safeguarding authority policies and procedures. It recognises the importance of national guidance such as that contained in *No Secrets* (Department of Health), and seeks to comply in all respects with current safeguarding legislation and regulations.

The Harmony Therapy Trust recognises that beneficiaries who lack mental capacity are particularly vulnerable to abuse and exploitation. It is accordingly mindful of the need to follow the principles and practice guidance that has accompanied the Mental Capacity Act 2005. These apply particularly to investigations of possible abuse in which it is important to seek means of ascertaining the experiences and views of any victim or indeed alleged perpetrator who might lack capacity, e.g. by seeking the services of independent advocates.

Defining Abuse

The Harmony Therapy Trust recognises that abuse of beneficiaries may take the following forms:

physical abuse

financial or material abuse

psychological abuse

sexual abuse

neglect

discriminatory abuse

self-harm

inhuman or degrading treatment

inappropriate or excessive restraint and other forms of organisational abuse.

Identifying Abusers

The Harmony Therapy Trust accepts that abuse can be committed by a range of possible people.

It therefore accepts its responsibility to protect the people who use our services from possible abuse from all sources, which include:

All those connect with The Harmony Therapy Trust
volunteers.

visiting health and social care practitioners and other official visitors

service users' friends and relatives

people who have contact with beneficiaries while they are temporarily outside their premises

other beneficiaries.

The Role and Accountability of all team members in Relation to Abuse

The Harmony Therapy Trust insists that all its therapists and volunteers have a responsibility to:

provide beneficiaries with the best possible care

desist from any abusive action in relation to beneficiaries

report anything they witness which is or might be abusive

co-operate in every possible way in any investigation into an alleged abuse

participate in training activities relating to abuse and protection.

The Harmony Therapy Trust requires its trustees to take responsibility for:

developing the systems and structures within which it is possible to deliver the best possible care

encouraging a culture and ethos for the charity that is hostile to any sort of abuse

producing and regularly revising the policies and procedures to combat abuse

operating personnel policies which identify, appropriately deal with and if necessary, exclude from practice potential or actual abusers

providing training for all team members in all aspects of abuse and protection

investigating any evidence of abuse speedily and sympathetically

implementing improvements to procedures if an investigation into abuse reveals deficiencies in the way in which the charity operates

collaborating with all other relevant agencies in combating abuse and improving the protection of beneficiaries.

Recruitment Practices

The Harmony Therapy Trust takes great care in the recruitment of volunteers and therapists. It carries out all possible checks on recruits to ensure that they are of a high standard, and co-operates in all initiatives regarding the sharing of information on therapists who are found to be unsuitable to work with vulnerable people. The Harmony Therapy Trust ensures that new team members are checked through the DBS and against the barring lists and that all volunteers are checked if the risk assessment confirms it necessary.

Preventing Abuse from Occurring

The Harmony Therapy Trust is committed to taking all possible steps to prevent abuse from occurring including:

setting out and making widely known the procedures for responding to suspicions or evidence of abuse

operating personnel policies which ensure that volunteers are checked, by the taking up of references and clearance through DBS checks and the ISA's barring list

Therapists are DBS ISA's barring list checked. They are required to have insurance, qualification certificates and appropriate professional membership

incorporating material relevant to abuse into training

maintaining vigilance concerning the possibility of abuse of service users from whatever source

encouraging among therapists, beneficiaries and all other stakeholders a climate of openness and awareness that makes it possible to pass on concerns about behaviour that might be abusive or that might lead to abuse

devising systems that minimise the risk of abuse of beneficiaries by other service users by understanding and dealing appropriately with any form of aggression

maintaining robust procedures for regulating any contact members of the charity need to have with service users' property, money or financial affairs

communicating concerns to the appropriate officers of the local Safeguarding (Protection of Vulnerable Adults) Authority, in line with current policies and authoritative professional guidance

helping beneficiaries as far as possible to avoid or control situations or relationships that would make them vulnerable to abuse.

Identifying Actual or Possible Abuse

The Harmony Therapy Trust aims to identify any instances of actual or possible abuse involving our beneficiaries by all possible means including:

fostering an open and trusting communication structure so that volunteers, therapists, beneficiaries and others feel able to discuss their concerns with someone authorised to take action

ensuring that all members and beneficiaries know whom they may turn to for advice and action if they become aware or suspect that abuse is occurring

encouraging members to recognise that a commitment to the highest possible standards of care must, when necessary, overrule loyalty to colleagues individually or corporately

making it clear to members that failing to report incidents or suspicions of abuse is itself abusive and may lead to disciplinary or criminal proceedings

operating systems of management, supervision, internal inspection and quality control that have the potential to reveal abuse where it exists.

Procedures for When Abuse has Occurred or is Alleged to Have Occurred

If abuse is clearly occurring or is alleged to have occurred, the charity takes swift action to limit the damage to beneficiaries and to deal with the abuse, as follows.

Initial Procedures

A therapist /volunteer member who witnesses a situation in which a beneficiary is in actual or imminent danger must use their judgment as to the best way to stop what is happening without further damage to anyone involved including themselves, either by immediately intervening personally or by summoning help.

Any therapist /volunteer to whom actual or suspected abuse is reported — usually the manager or a trustee — must immediately take any further action necessary to provide protection, support or additional care to a beneficiary who has been harmed.

The trustee must without delay alert the local safeguarding unit and follow its procedures and guidance from that point on. This will usually involve a strategy meeting and an action plan to be implemented from the strategy meeting.

In some instances, the trustee might need to report the matter directly to the police and take guidance from them on the measures to be taken.

The trustee must take steps to ensure that there is no further risk of the victim being abused by the alleged or suspected perpetrator.

The trustee must ensure that the needs of the alleged victim of the abuse for any special or additional care, support or protection or for checks on health or wellbeing are met at the outset and subsequently throughout the proceedings.

If the alleged abuser is a therapist /volunteer member and there is sufficient evidence that abuse has or might have occurred, the trustee will suspend the person from duty. The trustee will receive guidance on the steps to be taken following the local safeguarding authority strategy meeting, which will be held following the reporting of the abuse or suspected abuse.

If the evidence is insufficiently strong to warrant suspension the therapist against whom the allegation has been made will be instructed not to have further unsupervised contact with any beneficiary until the matter is resolved.

Investigating Alleged Abuse

In many cases an investigation will be carried out or led by a member of an external agency in line with the action plan determined by the initial strategy meeting convened by the local safeguarding authority. If a trustee is expected to carry out an investigation the following guidance should be followed.

An appointed investigating officer will usually consult the person who may have been abused to hear their account of what has occurred and their views about what action should be taken, involving the beneficiary's relatives, friends or representatives if that is appropriate and in line with the wishes of the beneficiary.

The investigating officer is expected to take into account in his or her conducting of the investigation:

- the fears and sensitivity of the abused person
- any risks of intimidation or reprisals
- the need to protect and support witnesses
- any confidentiality or data protection issues
- the possible involvement of other agencies, including the police, local safeguarding team
- the obligation to keep the abused person and in specific instances the alleged perpetrator on the progress of the investigation.

The investigating officer will assure the person who may have been abused that they will be taken seriously, that the comments will as far as possible be treated confidentially, that they will be protected from reprisals and intimidation, and that they will be kept informed of actions taken and of the outcome.

The investigating officer will consider whether the beneficiary needs independent help or representation in presenting their evidence and, in conjunction with the trustee if necessary, will arrange for the appropriate help or support to be made available.

If the abused person expressly states a wish that no further action should be taken, the investigating officer will consider whether:

- a danger to others exists from not investigating further

- in the light of that assessment it is possible to follow the person's wishes
- in any case precautionary measures should be taken to protect others from the possibility of abuse from the same source.

The person will be informed of what is to happen.

If it is decided that an investigation should proceed, the investigating officer will, as discreetly and confidentially as possible, look into all aspects of the situation.

The investigation will include interviewing the team member involved in the incident up to that point, hearing and assessing evidence from any others who might be in a position to supply information, exploring every other possible source of evidence, maintaining appropriate contact with any other agencies involved, and if necessary, seeking expert advice on any technical aspects of the situation which are outside the knowledge or expertise available within the organisation.

Any team member from whom evidence is taken will be assured that they will be dealt with in a fair and equitable manner and informed of their employment, legal and procedural rights.

The alleged victim of the abuse, and where appropriate their relatives, friends or representatives, will at all times be kept as fully informed as possible of what is happening regarding the suspected abuse.

The investigation will be carried out as quickly as possible and the findings presented to the local safeguarding strategy group, which will then decide what further action to take.

Following the Investigation

If it seems from the investigation that on the balance of probabilities abuse did indeed take place, the trustee will, if the abuser is a team member, initiate and carry through proceedings according to the charity's disciplinary policy or, if the abuser is not a member of the team, take action to involve other responsible bodies. An AP1 form should be completed and emailed to the Adult Protection Unit at KCC Adult Services Department.

If abuse is proved against a team member, the trustee will initiate appropriate action, which most likely will be dismissal and referral to the Independent Safeguarding Authority.

Other sanctions could apply depending on whether there might have been mitigating or extenuating circumstances. In some cases, retraining could be appropriate.

The beneficiary or representatives will be informed of the outcome of the investigation and any further action and will be consulted about whether any redress or apology would be appropriate and helpful to them.

The trustee will take appropriate steps to inform the Independent Safeguarding Authority for possible inclusion of the person on its barring lists as someone who is unsuitable to work again with vulnerable adults and possibly children.

At all stages of the process, a careful record will be kept of all action taken, paying particular attention to the sensitivity of the abused person.

Planning Further Action

At the end of an incident involving possible or actual abuse, Trustees should review what has happened with a view to assessing whether The Harmony Therapy Trust or its management has been in any way culpable, ineffective or negligent, learning lessons for the way the charity should operate in the future, and passing on any appropriate information to other agencies.

If necessary, The Harmony Therapy Trust's policies, procedures and training arrangements should be modified in response to any material that has emerged from the incident or the investigation. The Harmony Therapy Trust might carry this out with advice and guidance from the local safeguarding authority.

Contacts and Sources of Assistance

- the Local Authority Safeguarding Authority Unit (including emergency contact telephone numbers)
- the Charity Commission Serious Incident Reporting Procedure
- the police (including Adult/Child Protection Team details if known)
- advocacy and victim support services
- any medical practitioners who might be needed

Record Keeping

The Harmony Therapy Trust ensures that all details associated with allegations of abuse are recorded clearly and accurately. The records are kept securely and The Harmony Therapy Trust's policy on confidentiality are carefully followed. Reports are made as required to the other safeguarding agencies involved.

Referrals to ISA Barring Lists

The Harmony Therapy Trust always complies with its legal requirement to refer a team member, where it has evidence that the team member in question has been guilty of misconduct by harming or putting at risk a vulnerable adult (or child), during the course of their work, to the ISA's barring lists following the procedures issued by the ISA.

Related Policies

This policy should be read in conjunction with the several other policies of the charity that relate to aspects of abuse or protection of the beneficiary. They include the policies on complaints, physical restraint, the management of beneficiary's money and financial affairs, recruitment, induction, team member development and training, team member supervision and importantly whistleblowing. The policy on mental capacity will also be relevant in some circumstances.

Awareness

All team members are made aware of their obligations with regard to this policy at the time of their joining Harmony Trust.

Review dated.....February 2020

Robert Nelson

Next Review date.....February 2021