

WheelPower

Safeguarding Adults Policy

Introduction

WheelPower is committed to creating and maintaining a safe and positive environment and accepts our responsibility to safeguard the welfare of all adults involved in sport in accordance with the Care Act 2014.

WheelPower Safeguarding Adults policy and procedures apply to all individuals involved in WheelPower's programmes and events.

WheelPower will encourage partner organisations, including member National Governing Bodies, suppliers, sponsors and customers, to adopt and demonstrate their commitment to the principles and practice of equality as set out in this Policy.

2 Principles

- 2.1 The guidance given in the Policy is based on the following principles:
 - 2.1.1 All adults¹, regardless of age, ability or disability, gender, race, religion, ethnic origin, sexual orientation, marital or transgender status have the right to be protected from abuse and poor practice and to participate in an enjoyable and safe environment.
 - 2.1.2 WheelPower will seek to ensure that our sport is inclusive and make reasonable adjustments for any ability, disability or impairment, we will also commit to continuous development, monitoring and review.
 - 2.1.3 The rights, dignity and worth of all adults will always be respected.
 - 2.1.4 We recognise that ability and disability can change over time, such that some adults may be additionally vulnerable to abuse, for example those who have a dependency on others or have different communication needs.
 - 2.1.5 We recognise that a disabled adult may or may not identify themselves or be identified as an adult 'at risk'².
 - 2.1.6 We all have a shared responsibility to ensure the safety and wellbeing of all adults and will act appropriately and report concerns whether these concerns arise during a WheelPower event or activity (e.g. inappropriate behaviour of a coach) or outside (e.g. in the wider community).
 - 2.1.7 All allegations will be taken seriously and responded to quickly in line with WheelPower Safeguarding Adults Policy and Procedures.
 - 2.1.8 WheelPower recognises the role and responsibilities of the statutory agencies in safeguarding adults and is committed to complying with the procedures of the Local Safeguarding Adults Boards³.

¹ An adult is anyone aged 18 years or over

² For definition of 'At Risk' see section 4 definitions.

³ The Local Safeguarding Adults Board (LSAB) brings together local statutory and independent sector agencies working with adults at risk of abuse. The LSAB is responsible for ensuring the Multi-Agency Safeguarding Adults Policy and Procedures are effective and prevent adults from experiencing significant harm.

2.1.9 WheelPower Safeguarding Adults Policy and Procedures are mandatory. Noting the remit of WheelPower and its jurisdiction, WheelPower encourages its National Governing Bodies (NGBs) to adopt a similar policy.

2.2 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

3 Guidance and Legislation

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

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

4 Definitions

4.1 To assist working through and understanding this Policy a number of key definitions need to be explained:

4.1.1 **Adult or Vulnerable Adult or Adult at Risk?** 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. Vulnerable is believed to be a disempowering term. To describe the adults who we are referring to in this document, we will use the definition from the Safeguarding Adults in Sport Steering Group (2013):

'When we are speaking about adults at risk we are referring to those who have health or social care needs (irrespective of whether or not those needs are being met by social services) and who are unable to safeguard themselves as a result.

While we recognise that some people will be vulnerable due to their learning disability or mental health needs there are also those adults who are at risk due to a specific circumstance they may find themselves in, for example: domestic abuse; forced marriage; and sexual or commercial exploitation (this is not an exhaustive list).

In sport this may look like but is not limited to:

- a player being sent threatening and sexually explicit text messages from their coach;
- a member of a learning disabled sports club being exploited by another member who regularly takes money from them at lunch.

Adults at Risk

- The Care Act (2014) replaces 'No Secrets (2000) definition of 'Vulnerable Adult'
- Explicitly applies to those aged over 18 even if they may be receiving what may be thought of as a "children" or "young people's" service
- Care and Support Needs:
"The adult's needs arise from or are related to a physical or mental impairment or illness. Local authorities must consider at this stage if the adult has a condition as a result of either physical, mental, sensory, learning or cognitive disabilities or illnesses, substance misuse or brain injury...a formal diagnosis of the condition should not be required".
(Care Act statutory guidance)
- Includes carers

4.1.2 **Abuse** is a violation of an individual's human and civil rights by another person or persons. See section 5 for further explanations.

4.1.3 **Adult** is anyone aged 18 or over.

4.1.4 **At risk** is a term which has become broadly accepted to mean that someone may be more vulnerable to abuse than someone else. For example, an adult with a learning disability may well be more at risk of financial abuse as they may struggle with managing their finances, this could leave them at risk from an unscrupulous person.

4.1.5 **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.

5 Types of Abuse

5.1 **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.

5.2 **Modern Slavery** – encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

5.3 **Domestic Abuse** – including psychological, physical, sexual, financial, emotional abuse.

- 5.4 **Discriminatory** – discrimination is abuse which centres on a difference or perceived difference particularly with respect to race, gender or disability or any of the protected characteristics of the Equality Act. Research tells us that bullying of vulnerable groups can be an issue in sport, this could be the harassing of an individual because they are or are perceived to be transgender
- 5.6 **Organisational Abuse** – including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one’s own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.
- 5.7 **Physical Abuse** – includes hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.
- 5.8 **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 was pressured into consenting.
- 5.9 **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.
- 5.10 **Neglect** – including ignoring medical or physical care needs, failure to provide access to appropriate health social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and hearing.
- 5.11 **Emotional or Psychological Abuse** – this includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.
- 5.12 **Cyber Bullying** – cyberbullying occurs when someone repeatedly makes fun of another person online or repeatedly picks on another person through emails or text messages, or uses online forums with the intention of harming, damaging, humiliating or isolating another person. It can be used to carry out many different types of bullying (such as racist bullying, homophobic bullying, or bullying related to special educational needs and disabilities) but instead of the perpetrator carrying out the bullying face-to-face, they use technology as a means to do it. See section 12.

6 Signs and Indicators of Abuse

- 6.1 Abuse can take place in any context and by all manner of perpetrator. There are many signs and indicators that may suggest someone is being abused, these include but are not limited to:
 - 6.1.1 Unexplained bruises or injuries – or lack of medical attention when an injury is present.
 - 6.1.2 Person has belongings or money going missing
 - 6.1.3 Person is not attending / no longer enjoying their activities
 - 6.1.4 Someone losing or gaining weight / an unkempt appearance
 - 6.1.5 A change in the behaviour or confidence of a person.
 - 6.1.6 They may self-harm.
 - 6.1.7 They may have a fear of a particular group or individual
 - 6.1.8 They may tell you / another person they are being abused – i.e. a disclosure.

7 What to do if you have a concern or someone raises concerns with you.

- 7.1 You may become aware that abuse or poor practice is taking place, suspect abuse or poor practice may be occurring or be told about something that may be abuse or poor practice and you must report this to the WheelPower Safeguarding Officer (SO), or, if the SO is implicated then report to the WheelPower Chief Executive, or, if both are implicated then report it to a WheelPower Director. .
- 7.2. If you are at an international event and have a concern, then speak to the coach or a team official.
- 7.3 If you are concerned someone is in immediate danger please contact the police.
- 7.4 It is important when considering your concern that you also consider the needs and wishes of the person at risk, taking into account the nature of the alert, more information on this is given in Appendix 1 ‘‘The Legislative Framework’.
- 7.5 Refer to the WheelPower Safeguarding Adults Procedures document for full requirements for raising a concern or disclosure.

8 How to Record a Disclosure

- 8.1 Make a note of what the person has said using his or her own words as soon as practicable and complete an Incident Form, submit to the WheelPower SO.
- 8.2 Describe the circumstances in which the disclosure came about.
- 8.3 Take care to distinguish between fact, observation, allegation and opinion. It is important that the information you have is accurate.

- 8.4 Be mindful of the need to be confidential at all times, this information must only be shared with your SO or their substitute and others on a need to know basis.
- Consent must be obtained from the person affected
 - Information can also be shared without consent where the 'vital interests' of the individual are affected (and he or she cannot give consent or consent cannot reasonably be obtained); or where there is a legal duty.
 - Liaise with the family/carers, providing they are not implicated and the person consents
- 8.5 Share your concern either verbally or in writing with the SO or their substitute.
- 8.6 If the matter is urgent and relates to the immediate safety of an adult at risk then contact the police immediately.
- 8.7 Refer to the WheelPower's Safeguarding Adults Procedures document for full requirements for raising a concern or disclosure.

9 Roles and Responsibilities of those within the WheelPower network.

- 9.1 WheelPower is committed to having the following in place:
- 9.1.1 A Safeguarding Officer to produce and disseminate guidance and resources to support the Policy and procedures.
- 9.1.2 A clear line of accountability within the organisation for work on promoting the welfare of all adults.
- 9.1.3 Procedures for dealing with allegations of abuse or poor practice against members of staff and volunteers.
- 9.1.4 A Steering Group that effectively deals with issues, manages concerns and refers to a disciplinary panel where necessary (i.e. where concerns arise about the behaviour of someone within WheelPower).
- 9.1.5 A Disciplinary Panel will be formed as required for a given incident.
- 9.1.6 Arrangements in place to work effectively with other organisations to safeguard and promote the welfare of adults, including arrangements for sharing information.
- 9.1.7 Appropriate whistle blowing procedures and an open and inclusive culture that enables safeguarding and equality and diversity issues to be addressed.

10 Good Practice, Poor Practice and Abuse

Introduction

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

It is not the responsibility of any individual involved in WheelPower activities to make judgements regarding whether or not abuse is taking place, however, all WheelPower

personnel have the responsibility to recognise and identify poor practice and potential abuse, and act on this if they have concerns.

10.1 Good practice

WheelPower strongly advises that coaches of adult athletes:

- Fully accept WheelPower's Coaches Codes of Conduct.
- Have completed a course in basic awareness in working with Adults at Risk.

Everyone should:

- Aim to make the experience fun and enjoyable.
- Promote fairness and playing by the rules.
- Not tolerate the use of prohibited or illegal substances.
- Treat all adults at risk equally and preserve their dignity; this includes giving more and less talented members of a group similar attention, time and respect.

Coaches and those working directly with adults at risk should:

- Coaches/team leaders advise athletes and team officials of local laws, for example: behaviour, dress codes and alcohol laws.
- Respect the developmental stage of each athlete and not risk sacrificing their welfare in a desire for team or personal achievement.
- Ensure that the training intensity is consistent to the physical, social and emotional stage of the development of the athlete.
- Work with adults at risk, medical advisers and their carers (where appropriate) to develop realistic training and competition schedules which are suited to the needs and lifestyle of the athlete, not the ambitions of others such as coaches, team members, parents or carers.
- Build relationships based on mutual trust and respect, encouraging adults at risk to take responsibility for their own development and decision-making
- Always be publicly open when working with adults at risk:
 - avoid coaching sessions or meetings where a coach and an individual athlete are completely unobserved.
- Maintain an appropriate and open environment.
- Avoid unnecessary physical contact with young people and adults. Physical contact (touching) can be appropriate so long as:
 - it is neither intrusive nor disturbing
 - the athlete's permission has been openly given
 - it is delivered in an open environment
- Maintain a safe and appropriate relationship with athletes and avoid forming intimate relationships with athletes you are working with as this may threaten the position of trust and respect present between athlete and coach.
- Be an excellent role model by maintaining appropriate standards of behaviour.
- Gain the adult at risk's consent and, where appropriate, the consent of relevant carers, in writing, to administer emergency first aid or other medical treatment if the need arises. If the athlete has capacity their carers should not consent for them. Carers cannot legally consent for them if over the age of 18.

- Be aware of medical conditions, disabilities, existing injuries and medicines being taken and keep written records of any injury or accident that occurs, together with details of treatments provided.
- Arrange that someone with current knowledge of emergency first aid is available at all times.
- . Complete relevant checklists and information forms for travel arrangements and trips; gain written consent from the athlete if they have capacity and from medical advisors and/or carers if they do not have the capacity.

10.2 Poor Practice

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

- Spending excessive amounts of time alone with an adult at risk.
- Engaging in rough, physical or sexually provocative games, including horseplay.
- Allowing or engaging in inappropriate touching of any form.
- Using language that might be regarded as inappropriate by the adult at risk and which may be hurtful or disrespectful.
- Making sexually suggestive comments, even in jest.
- Reducing an adult at risk to tears as a form of control.
- Letting allegations made by an adult at risk go uninvestigated, unrecorded, or not acted upon.
- Taking an adult at risk alone in a car on journeys, however short.
- Inviting or taking an adult at risk to your home or office where they will be alone with you.
- Sharing a room with an adult at risk.

Note: At times it may be impractical to avoid some of these particular examples of poor practice. In this case, to protect both the adult at risk and yourself, seek written consent from the adult at risk and, where appropriate, their carers and ensure that the SO of your organisation is aware of the situation and gives their approval.

If, during your care, you accidentally injure an adult at risk, they seem distressed in any manner, appear to be sexually aroused by your actions, or misunderstand/misinterpret something you have done, report these incidents as soon as possible to the SO, Chief Executive or Event Organiser and make a brief written note of it. It may also be in the best interests of the adult at risk to discuss the matter with them openly and in a professional and sensitive manner that will avoid embarrassment; this is dependent on the individual athlete and the circumstances.

11 Whistle Blowing

See Whistle Blowing Policy: www.wheelpower.org.uk or email the Safeguarding Officer.

12 Social Media

12.1 How to Protect Yourself Online?

- Never leave your computer or telephone without locking it.
- Always check your emails before opening or replying – if it is from a company, check the email address. If it is from a bank, check with your bank that they emailed you before responding to anything.
- Read disclaimers/terms and conditions before registering with websites.

- Do not use the same password for all of your accounts or profiles. Alternatively, use a password that includes upper case letters, lower case letters and numbers.
- You may wish to use a password generator to create a random password.
- Change your password regularly, preferably every three months if possible.
- When using social networking sites such as Facebook, keep a close eye on what information you're sharing because you might be sharing more than you think.
- When using social networking sites, never add or talk to anyone who you do not know. Remember that people can pretend to be someone different from who they really are.
- Always check that your personal information – email address, phone numbers and home address – is not on display for others to see.

12.2 What might happen if you don't protect yourself?

- Your online banking information could be stolen and used to access other information or to steal from your account.
- Your social networking accounts could be used by someone else. They might be used to post abusive messages about you or to your friends, which appear to be sent by you.
- You could be at risk of unwanted attention from people who you may not know or like, or who may pose a risk to you or others.

Over the years, social media has introduced new safety methods and tools. However, there are many dangers in using social media, you can reduce these by making your profile private and hiding your information from strangers and remember anything posted on the internet is permanent.

12.3 Here are our top facebook tips:

- Keep your password secret.
- Make sure you regularly change your password.
- Ensure your password is not easy to guess.
- Ensure you log out after finishing a session.
- Set your profile to private and ensure only friends can see your personal information.

12.4 Top five things to keep in mind when on the internet:

12.4.1. Make sure everyone you talk to, connect with, share with or tweet is someone you know and trust.

12.4.2. Any pictures you share can be viewed and shared by anyone on the internet.

12.4.3. Anything you post online is permanent. Once it has been uploaded you can never truly retract it.

12.4.4. Information, stories and rumours can spread fast on the internet. If you become a target for cruel or damaging rumours or pictures, you can report it to the site.

12.4.5. Make sure that emails you receive, the conversations you have online, and the websites you visit are what you think they are.

13 Photography

13.1 Events

Event organisers must set up an accreditation procedure, where anyone wishing to take photographs can be registered.

- **Professional photographers** should seek accreditation with the event organiser by producing their professional identification for the details to be registered.
- **Amateur photographers** should seek accreditation with the event organiser by producing their club or registration card and a letter from their club.
- **Spectators** wishing to take photographs should register their intent with the organiser.

13.2 Photography as a Coaching Aid

Coaches must discuss the use of video or still photography with the athlete and have their consent prior to taking video or still photography.

13.3 If you have concerns

If you are concerned about any photography taking place at an event, contact the organiser and discuss it with them.

13.4 Use of Photographs

Written permission must be obtained from the adult before photographs are used including on websites.

14 Further Information

Policies, procedures and supporting information are available on the WheelPower Website: www.wheelpower.org.uk

Safeguarding Officer: safeguarding@wheelpower.org.uk

Appendix 1

Key Government Initiatives and Legislation

■ Sexual Offences Act 2003

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

■ 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. www.dca.gov.uk

What does the Act do?

- Sets a framework for deciding who has the capacity to make their own decisions
- Sets out that people who can make decisions for themselves must be allowed to do so
- Ensures that decisions made on behalf of people who lack capacity are made in their best interests
- Sets out how people can say in advance what they want to happen if they can't make decisions for themselves

Principles

- Assumption of capacity
- Must take all practical steps to assist decision making
- Can make unwise decisions without being assumed to lack capacity
- Must act in person's best interests
- Must be least restrictive alternative

Unable to make a decision if unable to;

- Understand relevant information
- Retain the information
- Use the information to make the decision
- Communicate the decision

<http://www.legislation.gov.uk/ukpga/2005/9/section/5>

■ **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. www.opsi.gov.uk

■ **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. www.dca.gov.uk

■ **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/dbs-update-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

■ **Making Safeguarding Personal Guide 2014**

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

www.local.gov.uk/publications//journal_content/56/10180/6098641/PUBLICATION