



Dance Hastings CIO Safeguarding Policy and Procedures

April 2020

Introduction

Dance Hastings is committed to creating and maintaining a safe and positive environment for our activities, and we accept our responsibility to safeguard the welfare of all adults and children involved in dance activities and events in accordance with the Care Act 2014.

Dance Hastings safeguarding policy and procedures apply to all individuals involved in Dance Hastings CIO.

Dance Hastings acknowledges the duty of care to safeguard and promote the welfare of children and vulnerable adults; and is committed to ensuring safeguarding practice reflects statutory responsibilities, government guidance and complies with best practice and East Sussex Social Care requirements.

The policy recognises that the welfare and interests of children and vulnerable adults are paramount in all circumstances. It aims to ensure that regardless of age, ability or disability, gender reassignment, race, religion or belief, sex or sexual orientation, socio-economic background, all children and vulnerable adults

- have a positive and enjoyable experience of dance with Dance Hastings in a safe environment
- are protected from abuse whilst participating in our activities

Dance Hastings acknowledges that some children and adults at risk, including those who are disabled or those from ethnic minority communities, can be particularly vulnerable to abuse and we accept the responsibility to take reasonable and appropriate steps to ensure their welfare.

As part of our safeguarding policy Dance Hastings will

- promote and prioritise the safety and wellbeing of children, young people and adults at risk
- ensure everyone understands their roles and responsibilities in respect of safeguarding and is provided with appropriate learning opportunities to recognise, identify and respond to signs of abuse, neglect and other safeguarding concerns relating to children, young people and adults at risk
- ensure appropriate action is taken in the event of incidents/concerns of abuse, and support provided to the individual/s who raise or disclose the concern
- ensure that confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored
- prevent the employment/deployment of unsuitable individuals

- ensure robust safeguarding arrangements and procedures are in operation

The policy and procedures will be widely promoted and are mandatory for everyone involved with Dance Hastings. Failure to comply with the policy and procedures will be addressed without delay and may ultimately result in dismissal/exclusion from the organisation.

Monitoring

The policy will be reviewed every year

Principles

- All adults and children, regardless of age, ability or disability, gender, race, religion, ethnic origin, sexual orientation, marital or gender status have the right to be protected from abuse and poor practice and to participate in an enjoyable and safe environment.
- Dance Hastings will seek to ensure that our activities are inclusive and make reasonable adjustments for any ability, disability or impairment, we will also commit to continuous development, monitoring and review.
- The rights, dignity and worth of all participants will always be respected.
- We recognise that ability and disability can change over time, such that some adults and children may be additionally vulnerable to abuse, for example those who have a dependency on others or have different communication needs.
- We recognise that a disabled adult may or may not identify themselves or be identified as an adult 'at risk'.
- We recognise that a vulnerable adult or a child may feel uncomfortable dancing with strangers. We will seek to make adjustments to ensure that they feel safe.
- We all have a shared responsibility to ensure the safety and well-being of all adults and children and will act appropriately and report concerns whether these concerns arise within Dance Hastings for example inappropriate behaviour of a dance facilitator or volunteer, or in the wider community.
- All allegations will be taken seriously and responded to quickly in line with Dance Hastings CIO Safeguarding Policy and Procedures.
- Dance Hastings recognises the role and responsibilities of the statutory agencies in safeguarding and is committed to complying with the procedures of the Local Safeguarding Boards.

Guidance and Legislation

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

- The Care Act 2014
- The Protection of Freedoms Act 2012
- Domestic Violence, Crime and Victims (Amendment) Act 2012
- The Equality Act 2010
- The Safeguarding Vulnerable Groups Act 2006

- Mental Capacity Act 2005
- Mental Health Act 2007
- Sexual Offences Act 2003
- The Human Rights Act 1998
- The Data Protection Act 2018

Definitions

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

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 because of those needs are unable to protect themselves against abuse or neglect.

Definition of Vulnerable Adults

This **may** include a person who:

- Is elderly and frail
- Has a mental illness including dementia
- Has a physical or sensory disability
- Has a learning disability
- Has a severe physical illness
- Is a substance misuser
- Is homeless

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.

Abuse is a violation of an individual's human and civil rights by another person or persons.

Safeguarding is protecting a person's right to live in safety, free from abuse and neglect.

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.

Types of Abuse and Neglect - Definitions from the Care Act 2014

This is not intended to be an exhaustive list but an illustrative guide as to the sort of behaviour or issue which could give rise to a safeguarding concern.

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. In dance this could be a participant whose appearance becomes unkempt, does not wear suitable dance clothes and exhibits deterioration in hygiene.

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. In dance you may notice that a regular participant in activities has been missing for a while and is not responding to reminders from peers or teachers.

Domestic Abuse – including psychological, physical, sexual, financial and emotional abuse. It also includes so called 'honour' based violence. Activity leaders may notice a power imbalance between a participant and a family member or carer. For example a participant with Downs syndrome may be looking quiet and withdrawn when their brother comes to collect them from sessions, in contrast to their personal assistant whom they greet with a smile.

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. This could be the harassing of an activity participant because they are, or are perceived to be, transgender

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. In dance, this could be not enough support staff to enable participants to go to the toilet or have a drink when needed.

Physical Abuse – includes hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions. This could be a participant or activity leader/support worker intentionally using force to make a participant move in a certain way.

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. This could be a fellow participant who sends unwanted sexually explicit text messages to a learning disabled adult they are dancing alongside. However, dance activities can provide a safe way of teaching about appropriate touch.

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.

This could be someone taking equipment from a participant with dementia.

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 heating.

This could be an dance facilitator not ensuring participants have access to water or a space to rest.

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. This could be a participant threatening another participant with physical harm and persistently blaming them for poor performance.

Not included in the Care Act 2014 but also relevant:

Cyber Bullying - cyber bullying 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.

Forced Marriage - forced marriage is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-social Behaviour, Crime and Policing Act 2014 make it a criminal offence to force someone to marry.

Mate Crime - a 'mate crime' as defined by the Safety Net Project is 'when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual.' Mate Crime is carried out by someone the adult knows and often happens in private. In recent years there have been a number of Serious Case Reviews relating to people with a learning disability who were murdered or seriously harmed by people who purported to be their friend.

Radicalisation - the aim of radicalisation is to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. This may be direct through a relationship, or through social media.

Signs and indicators of abuse and neglect

Abuse can take place in any context and by all manner of perpetrator. Abuse may be inflicted by anyone in the group who a participant comes into contact with. Or group members, workers, volunteers or teachers may suspect that a participant is being abused or neglected outside of the setting. There are many signs and indicators that may suggest someone is being abused or neglected, these include but are not limited to:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- Person has belongings or money going missing.
- Person is not attending / no longer enjoying their sessions.
- Someone losing or gaining weight / an unkempt appearance.
- A change in the behaviour or confidence of a person
- They may self-harm.
- They may have a fear of a particular group or individual.
- They may tell you / another person they are being abused – i.e. a disclosure.

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

- 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 Dance Hastings Lead Safeguarding Officer [Philippa Beagley], or, if the Lead Safeguarding Officer is implicated then report to the Local Safeguarding Board [Health and Social Care Connect (HSCC) (Mon-Thurs 8.30am - 5pm and Fri 8.30am - 4.30pm) on 0345 60 80 191. You can also text HSCC on 07797 878111
- **If it is an emergency, or if the adult is at immediate risk, then call the police on 999.**

- Outside of normal hours (including weekends and public holidays), contact the emergency duty service on 01323 636399.

If you are concerned someone is in immediate danger, contact the police straight away.

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'.

How to Record a Disclosure

Make a note of what the person has said using his or her own words as soon as practicable, and submit to the Dance Hastings Lead Safeguarding Officer.

As long as it does not increase the risk to the individual, you should explain to them that it is your duty to share your concern with your Lead Safeguarding Officer.

Do not ask leading questions.

Describe the circumstances in which the disclosure came about.

Take care to distinguish between fact, observation, allegation and opinion. It is important that the information you have is accurate.

Be mindful of the need to be confidential at all times, this information must only be shared with your Lead Safeguarding Officer and others on a need to know basis.

If the matter is urgent and relates to the immediate safety of an adult at risk then contact the police immediately.

Good practice, poor practice and abuse

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

It is not the responsibility of any individual involved in Dance Hastings to make judgements regarding whether or not abuse is taking place, however, all Dance Hastings personnel have the responsibility to recognise and identify poor practice and potential abuse, and act on this if they have concerns.

Good practice

Everyone should:

- Aim to make the experience of Dance Hastings fun and enjoyable.
- Promote fairness.
- Not tolerate the use of prohibited or illegal substances.
- Preserve the dignity of all participants, make reasonable adjustments to ensure everyone has an equal opportunity to participate.
- Promote safe touch, and touch with respect
- Check with participants about their willingness to engage with touch
- Ensure that they are not on their own in a secluded place with a child or vulnerable adult

Dance Hastings expects that that activity leaders and support volunteers:

- Work with children, adults at risk, medical advisers and their carers (where appropriate) to develop realistic activity schedules which are suited to the needs and lifestyle of the dancer, not the ambitions of others such as teachers, team members, parents or carers.
- Build relationships based on mutual trust and respect, encouraging participants to take responsibility for their own development and decision-making.
- Ensure that all participants' voices are heard, especially those of children and adults at risk
- Always be publicly open when working with children and adults at risk:
 - avoid coaching sessions or meetings where a teacher/volunteer and an individual dancer are completely unobserved.
- Avoid unnecessary physical contact with people. Physical contact (touching) can be appropriate so long as:
 - It is neither intrusive nor disturbing.
 - The dancer's permission has been openly given
 - It is delivered in an open environment.
 - The dancer has a choice about whether or not they engage with physical contact and what the 'dance hold' should be
- Ensure that the dance hold between adults and children is an open hand and forearm hold, not a close hold
- Maintain a safe and appropriate relationship with dancers and avoid forming intimate relationships with participants you are working with as this may threaten the position of trust and respect present between participants and Dance Hastings representatives.
- Be an excellent role model by maintaining appropriate standards of behaviour.
- Gain the participant'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.
- 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.
- Gain written consent from the correct people and fill out relevant checklists and information forms for travel arrangements and trips. This must be the adult themselves if they have capacity to do so.

Poor practice

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

- Unnecessarily spending excessive amounts of time alone with an individual participant.
- 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 child or adult and which may be hurtful or disrespectful.
- Making sexually suggestive comments, even in jest.
- Reducing a child or adult to tears as a form of control.
- Letting allegations made by a child or adult go uninvestigated, unrecorded, or not acted upon.
- Taking a child or adult at risk alone in a car on journeys, however short.
- Inviting or taking a child or adult at risk to your home or office where they will be alone with you.
- Sharing a room with a child or adult at risk.
- Doing things of a personal nature that adults at risk can do for themselves.

Note: At times it may be acceptable to do some of the above. In these cases, to protect both the child or adult at risk and yourself, seek written consent from the child's carers or adult at risk and,

where appropriate, their carers and ensure that the Lead Safeguarding Officer of your organisation is aware of the situation and gives their approval.

If, during your care, a child or adult at risk suffers any injury, seems distressed in any manner, appears to be sexually aroused by your actions, or misunderstands/misinterprets something you have done, report these incidents as soon as possible to another adult in the organisation and make a brief written note of it.

13 Further Information

Policies, procedures and supporting information are available on request from Dance Hastings CIO. Contact us on dancehastings@gmail.com

Lead Safeguarding Officer: Philippa Beagley, 07790698053. Philippabeagley2@gmail.com

Date of most recent training attended for Safeguarding Leads: 23.11.16

Local Safeguarding Board

- Health and Social Care Connect (HSCC) (Mon-Thurs 8.30am - 5pm and Fri 8.30am - 4.30pm) on 0345 60 80 191. You can also text HSCC on 07797 878111 **If it is an emergency, or if the adult is at immediate risk, then call the police on 999.**
- Outside of normal hours (including weekends and public holidays), contact the emergency duty service on 01323 636399.

Review date: August 2021

This policy will be reviewed every two years or sooner in the event of legislative changes or revised policies and best practice.

Appendix 1

Legislation and Government Initiatives

Sexual Offences Act 2003

<http://www.legislation.gov.uk/ukpga/2003/42/contents>

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

Mental Capacity Act 2005

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

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

Safeguarding Vulnerable Groups Act 2006

<http://www.legislation.gov.uk/ukpga/2006/47/contents>

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

<https://www.gov.uk/government/collections/dh-mental-capacity-act-2005-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.

Disclosure & Barring Service 2013

<https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>

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

<http://www.legislation.gov.uk/ukpga/2014/23/introduction/enacted>

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.

Making Safeguarding Personal Guide 2014

<http://www.local.gov.uk/documents/10180/5852661/Making+Safeguarding+Personal+-+Guide+2014/4213d016-2732-40d4-bbc0-d0d8639ef0df>

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