



Sandhurst and District Gardening Club Safeguarding Adults Policy

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SECTION I – SAFEGUARDING ADULTS POLICY

Introduction

Sandhurst Gardening Club is committed to Safeguarding Adults in line with national legislation and relevant national and local guidelines.

We will safeguard adults by ensuring that our activities are delivered in a way which keeps all adults safe.

Sandhurst Gardening Club is committed to creating a culture of zero-tolerance of harm to adults which necessitates: the recognition of adults who may be at risk and the circumstances which may increase risk; knowing how adult abuse, exploitation or neglect manifests itself; and being willing to report safeguarding concerns.

This extends to recognising and reporting harm experienced anywhere, including within our activities, within other organised community or voluntary activities, in the community, in the person's own home and in any care setting.

Sandhurst Gardening Club is committed to best safeguarding practice and to uphold the rights of all adults to live a life free from harm from abuse, exploitation and neglect.

Policy Statement

Sandhurst Gardening Club believes everyone has the right to live free from abuse or neglect regardless of age, ability or disability, sex, race, religion, ethnic origin, sexual orientation, marital or gender status.

Sandhurst Gardening Club is committed to creating and maintaining a safe and positive environment and an open, listening culture where people feel able to share concerns without fear of retribution.

Sandhurst Gardening Club acknowledges that safeguarding is everybody's responsibility and is committed to prevent abuse and neglect through safeguarding the welfare of all adults involved.

Sandhurst Gardening Club recognises that health, well-being, ability, disability and need for care and support can affect a person's resilience. We recognise that some people experience barriers, for example, to communication in raising concerns or seeking help. We recognise that these factors can vary at different points in people's lives.

Actions taken by Sandhurst Gardening Club will be consistent with the principles of adult safeguarding ensuring that any action taken is prompt, proportionate and that it includes and respects the voice of the adult concerned.

Purpose

The purpose of this policy is to demonstrate the commitment of Sandhurst Gardening Club to safeguarding adults and to ensure that everyone involved in Sandhurst Gardening Club is aware of:

- The legislation, policy and procedures for safeguarding adults.

- Their role and responsibility for safeguarding adults.
- What to do or who to speak to if they have a concern relating to the welfare or wellbeing of an adult within the organisation.

Scope

This safeguarding adult policy and associated procedures apply to all members, including committee members/board of trustees, volunteers and all involved at shows or other gardening club events, including speakers and judges and to all concerned about the safety of adults whilst taking part in our organisation, its activities and in the wider community.

We expect any partner organisations, including for example, suppliers and sponsors to adopt and demonstrate their commitment to the principles and practice as set out in this Safeguarding Adults Policy and associated procedures.

Commitments

In order to implement this policy Sandhurst Gardening Club will ensure that:

- Everyone involved with Sandhurst Gardening Club is aware of the safeguarding adult procedures and knows what to do and who to contact if they have a concern relating to the welfare or wellbeing of an adult.
- Any concern that an adult is not safe is taken seriously, responded to promptly, and followed up in line with Sandhurst Gardening Club Safeguarding Adults Policy and Procedures.
- The well-being of those at risk of harm will be put first and the adult actively supported to communicate their views and the outcomes they want to achieve. Those views and wishes will be respected and supported unless there are overriding reasons not to (see the Safeguarding Adults Procedures).
- Any actions taken will respect the rights and dignity of all those involved and be proportionate to the risk of harm.
- Confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored in line with our Data Protection Policy and Procedures
- Sandhurst Gardening Club will cooperate with the Police and the relevant Local Authorities in taking action to safeguard an adult.
- Sandhurst Gardening Club shares information about anyone found to be a risk to adults with the appropriate bodies. For example: Disclosure and Barring Service, Services, Police, Local Authority/Social Services
- This policy, related policies (see below) and the Safeguarding Adults Procedures are reviewed no less than on a two yearly basis and whenever there are changes in relevant legislation and/or government guidance as required by [Bracknell Forest Safeguarding Board](#), or as a result of any other significant change or event.

Implementation

Sandhurst Gardening Club is committed to developing and maintaining its capability to implement this policy and procedures. In order to do so the following will be in place:

- Access to relevant legal and professional advice.
- Safeguarding adult procedures that deal effectively with any concerns of abuse or neglect, including those caused through poor practice.
- A Safeguarding Lead/ Welfare Officer: Julie Sheppard 07711 056 815

Policies and procedures that address the following areas and which are consistent with this Safeguarding Adults policy:

Safeguarding Children

Information policy, data protection and information sharing

How to report a concern

Any suspected abuse should be reported to the designated safeguarding lead or reported via the [Bracknell Forest website](#),

Adult Social Care can also be contacted by phone: 01344 351500

If emergency help is required when the office is closed, the Out of Hours Team can be contacted on 01344 351999.

SECTION 2 – SUPPORTING INFORMATION

Key Points

- There is a **legal duty on Local Authorities** to provide support to ‘adults at risk’.
- Adults at risk are defined in legislation (see definitions on page 6).
- The safeguarding legislation applies to all [forms of abuse](#) that harm a person’s well-being.
- The law provides a framework for good practice in safeguarding that makes the overall well-being of the adult at risk a priority of any intervention.
- The law in all four home nations emphasises the importance of person-centred safeguarding, (referred to as ‘[Making Safeguarding Personal](#)’ in England).
- The law provides a framework for making decisions on behalf of adults who can’t make decisions for themselves ([Mental Capacity](#)).
- The law provides a framework for organisations to [share concerns](#) they have about adults at risk with the local authority.
- The law provides a framework for all organisations to share information and cooperate to protect adults at risk.

Safeguarding Adults Legislation

Safeguarding Adults in the United Kingdom is compliant with United Nations directives on the rights of disabled people and commitments to the rights of older people. It is covered by:

- The Human Rights Act 1998
- The Data Protection Act 2018
- General Data Protection Regulations 2018

The practices and procedures within this policy are based on the relevant legislation and government guidance.

England - [The Care Act 2014](#)

Many other pieces of UK and home nation legislation also affect adult safeguarding. These include legislation about different forms of abuse and those that govern information sharing.

- Murder/attempted murder
- Physical Assault
- Sexual Offences
- Domestic Abuse/Coercive control
- Forced Marriage
- Female Genital Mutilation
- Theft and Fraud

- Modern slavery and Human exploitation
- Hate crime
- Harassment
- Listing and Barring of those unsuitable to work with adults with care and support needs

In England, there is legislation about the circumstances in which decisions can be made on behalf of an adult who is unable to make decisions for themselves:

- England and Wales - Mental Capacity Act 2005
- There are specific offences applying to the mistreatment of and sexual offences against adults who do not have Mental Capacity and specific offences where mistreatment is carried out by a person who is employed as a carer: e.g. wilful neglect and wilful mistreatment.

Definition of an Adult at Risk

The Safeguarding Adults legislation creates specific responsibilities on Local Authorities, Health, and the Police to provide additional protection from abuse and neglect to Adults at Risk.

When a Local Authority has reason to believe there is an adult at risk, they have a responsibility to find out more about the situation and decide what actions need to be taken to support the adult. The actions that need to be taken might be by the Local Authority (usually social services) and/or by other agencies, for example the Police and Health. The Local Authority role includes having multi-agency procedures which coordinate the actions taken by different organisations.

An Adult at risk is:

England (Care Act 2014)

An adult at risk is an individual aged 18 years and over who:

- a) has needs for care and support (whether or not the local authority is meeting any of those needs) AND;
- b) is experiencing, or at risk of, abuse or neglect, AND;
- c) 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.

Abuse and Neglect

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

There are different types and patterns of abuse and neglect and different circumstances in which they may take place.

Safeguarding legislation lists categories of abuse:

- Physical
- Sexual
- Psychological
- Neglect

- Financial

Abuse can take place in any relationship and there are many contexts in which abuse might take place; e.g. Institutional abuse, Domestic Abuse, Forced Marriage, Human Trafficking, Modern Slavery, Sexual Exploitation, County Lines, Radicalisation, Hate Crime, Mate Crime, Cyber bullying, Scams. Some of these are named specifically within home nation legislations.

Abuse or neglect could be carried out by:

- A spouse, partner or family member
- Neighbours or residents
- Friends, acquaintances or strangers
- People who deliberately exploit adults they perceive as vulnerable
- Paid staff, professionals or volunteers providing care and support

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

The Safeguarding Adults Legislation defines categories of adult abuse and harm as follows. England (Care Act 2014)

Physical

Sexual

Emotional/Psychological/Mental

Neglect and acts of Omission

Financial or material abuse

Discriminatory

Organisational / Institutional

Self-neglect

Domestic Abuse (including coercive control)

Modern slavery

Signs and Indicators of Abuse and Neglect

An adult may confide to a member that they are experiencing abuse inside or outside of the organisation's setting. Similarly, others may suspect that this is the case.

Abuse or neglect can be:

- single or repeated acts of abuse
- done deliberately or unintentionally
- as a result of a failure of others to protect people from abuse

Patterns of abuse vary and include:

- serial abusing in which the perpetrator seeks out and 'grooms' individuals. Sexual abuse sometimes falls into this pattern as do some forms of financial abuse.
- long-term abuse in the context of an ongoing family relationship such as domestic violence between spouses or generations or persistent psychological abuse.
- opportunistic abuse such as theft occurring because money or jewellery has been left lying around.

Exploitation can be a common theme in the experience of abuse or neglect. Whilst it is acknowledged that abuse or neglect can take different forms, the Care Act identifies the following types of abuse or neglect:

There are many signs and indicators that may suggest someone is being abused or neglected. There may be other explanations, but they should not be ignored.

Making Safeguarding Personal

Making Safeguarding Personal (MSP) is at the heart of the work of those involved in safeguarding adults and involves an outcome focussed, person centred approach to safeguarding adults. It is at the heart of adult safeguarding under the Care Act (2014). It emphasises personalised outcomes for individuals with care and support needs who may have experienced abuse.

The Principles of Adult Safeguarding:

England (Care Act 2014)

The Act's principles are:

- 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.

Mental Capacity and Decision Making

We make many decisions every day, often without realising. UK Law assumes that all people over the age of 16 have the ability to make their own decisions, unless it has been proved that they can't. It also gives us the right to make any decision that we need to make and gives us the right to make our own decisions even if others consider them to be unwise.

We make so many decisions that it is easy to take this ability for granted. The Law says that to make a decision we need to:

- Understand information
- Remember it for long enough
- Think about the information
- Communicate our decision

A person's ability to do this may be affected by things such as learning disability, dementia, mental health needs, acquired brain injury and physical ill health. Being unable to make a decision is called "lacking mental capacity".

Mental capacity refers to the ability to make a decision at the time that decision is needed. A person's mental capacity can change. If it is safe/possible to wait until they are able to be involved in decision making or to make the decision themselves.

Mental Capacity must also be considered when we believe abuse or neglect might be taking place. More information can be found [here](#).

Recording and Information Sharing

Organisations must comply with the Data Protection Act (DPA) and the General Data Protection Regulations (GDPR).

Information about concerns of abuse includes personal data. It is therefore important to be clear as to the grounds for processing and sharing information about concerns of abuse.

Processing information includes record keeping. Records relating to safeguarding concerns must be accurate and relevant. They must be stored confidentially with access only to those with a need to know.

Sharing information, with the right people, is central to good practice in safeguarding adults. However, information sharing must only ever be with those with a 'need to know'. This does **NOT** automatically include the persons spouse, partner, adult, child, unpaid or paid carer. Information should only be shared with family and friends and/or carers with the consent of the adult or if the adult does not have capacity to make that decision and family/ friends/ carers need to know in order to help keep the person safe.

The purpose of Data Protection legislation is not to prevent information sharing but to ensure personal information is only shared appropriately. Data protection legislation allows information sharing within an organisation.

There are also many situations in which it is perfectly legal to share information about adult safeguarding concerns outside the organisation. Importantly personal information can be shared with the consent of the adult concerned. However, the adult may not always want information to be shared. This may be because they fear repercussions from the person causing harm or are scared that they will lose control of their situation to statutory bodies or because they feel stupid or embarrassed. Their wishes should be respected unless there are over-riding reasons for sharing information.

The circumstances when we need to share information without the adult's consent include those where:

- it is not safe to contact the adult to gain their consent – i.e. it might put them or the person making contact at further risk.
- you believe they or someone else is at risk, including children.
- you believe the adult is being coerced or is under duress.
- it is necessary to contact the police to prevent a crime, or to report that a serious crime has been committed.
- the adult does not have mental capacity to consent to information being shared about them.
- the person causing harm has care and support needs.

When information is shared without the consent of the adult this must be explained to them, when it is safe to do so, and any further actions should still fully include them.

If you are in doubt as to whether to share information seek advice e.g. seek legal advice and/or contact the Local Authority and explain the situation without giving personal details about the person at risk or the person causing harm.

Any decision to share or not to share information with an external person or organisation must be recorded together with the reasons to share or not share information.

Appendix I – Sources of Information and Support

Action on Elder Abuse

A national organisation based in London. It aims to prevent the abuse of older people by raising awareness, encouraging education, promoting research and collecting and disseminating information.

Tel: 020 8765 7000

Email: enquiries@elderabuse.org.uk

www.elderabuse.org.uk

Ann Craft Trust (ACT)

A national organisation providing information and advice about adult safeguarding. ACT have a specialist Safeguarding Adults in Sport and Activity team to support the sector

Tel: 0115 951 5400

Email: Ann-Craft-Trust@nottingham.ac.uk

www.anncrafttrust.org

Men's Advice Line

For male domestic abuse survivors

Tel: 0808 801 0327

National LGBT+ Domestic Abuse Helpline

Tel: 0800 999 5428

National 24Hour Freephone Domestic Abuse Helplines England

Tel: 0808 2000 247

www.nationaldahelpline.org.uk/Contact-us

Rape Crisis Federation of England and Wales

Rape Crisis was launched in 1996 and exists to provide a range of facilities and resources to enable the continuance and development of Rape Crisis Groups throughout Wales and England.

Email: info@rapecrisis.co.uk

www.rapecrisis.co.uk

Respond

Respond provides a range of services to victims and perpetrators of sexual abuse who have learning disabilities, and training and support to those working with them.

Tel: [020 7383 0700](tel:02073830700) or

[0808 808 0700](tel:08088080700) (Helpline)

Email: services@respond.org.uk

www.respond.org.uk

Stop Hate Crime

Works to challenge all forms of Hate Crime and discrimination, based on any aspect of an individual's identity. Stop Hate UK provides independent, confidential and accessible reporting and support for victims, witnesses and third parties.

24 hours service:

Telephone: 0800 138 1625

Web Chat: www.stophateuk.org/talk-to-us/

E mail: talk@stophateuk.org

Text: 07717 989 025

By post: PO Box 851, Leeds LS1 9QS

Susy Lamplugh Trust

The Trust is a leading authority on personal safety. Its role is to minimise the damage caused to individuals and to society by aggression in all its forms – physical, verbal and psychological.

Tel: [02083921839](tel:02083921839)

Email: info@suzylamplugh.org

www.suzylamplugh.org

Victim Support

Provides practical advice and help, emotional support and reassurance to those who have suffered the effects of a crime.

Tel: 0808 168 9111

www.victimsupport.com

Women's Aid Federation of England and Wales

Women's Aid is a national domestic violence charity. It also runs a domestic violence online help service.

www.womensaid.org.uk/information-support