



NORTH EAST JU-JITSU KOBUDO ASSOCIATION



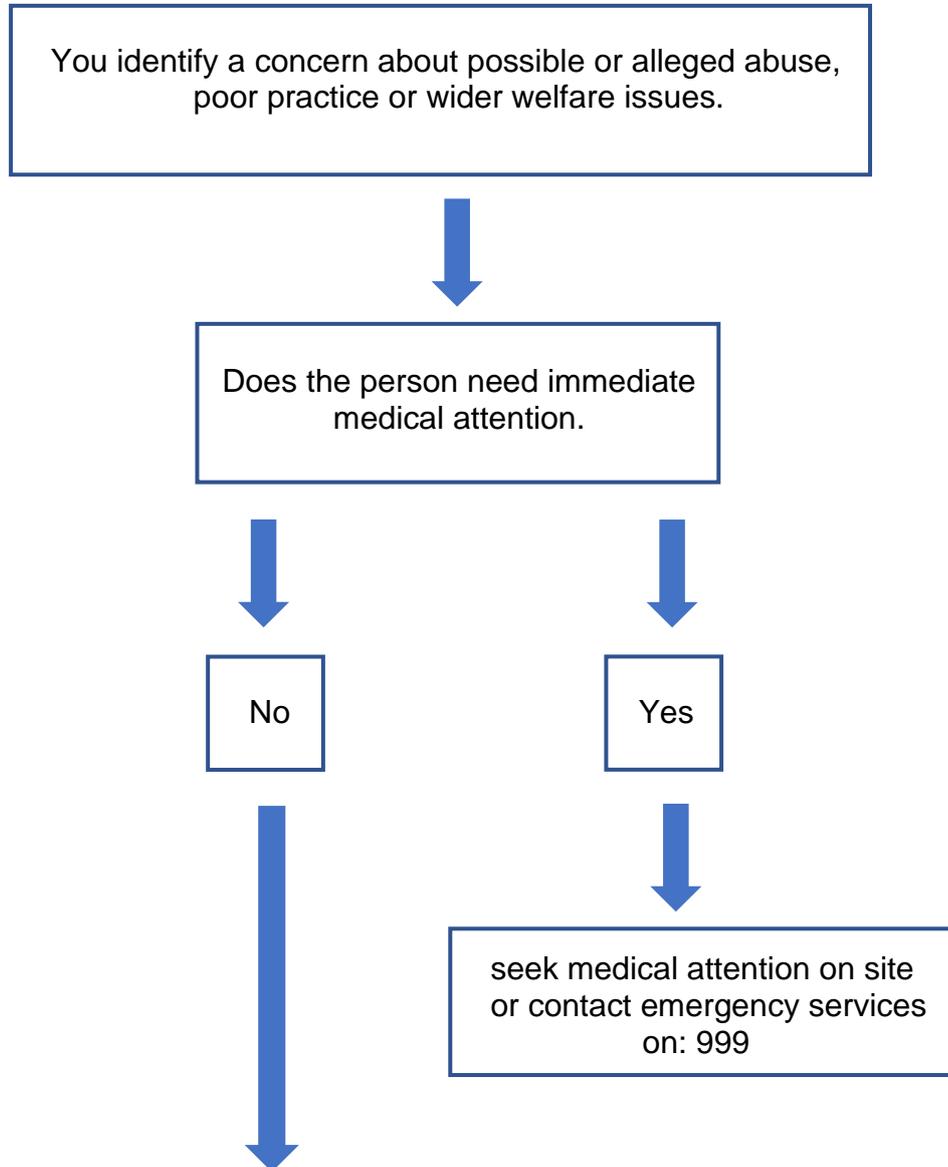
**SAFEGUARDING ADULTS
POLICY & PROCEDURES**

Do you have concerns about an adult?

safeguarding is everyone's responsibility.

If you have concerns about an adult's safety and or wellbeing, you must act upon these.

It is not your responsibility to decide whether or not an adult has been abused. It is however your responsibility to act on any concern.



What does the adult want to happen? Include their views throughout the process.
Speak to your Club Welfare Officer or National Governing Body Lead Safeguarding Officer and report your concerns.
Make notes & complete an Incident Report Form, submit to Club Welfare Officer or National Governing Body Safeguarding officer.

North East Ju-Jitsu Kobudo Association

Safeguarding Adults Policy and Procedures

Introduction

The North East Ju-Jitsu Kobudo Association is committed to creating & maintaining a safe and positive environment and accepts our responsibility to safeguard the welfare of all adults involved in the North east Ju-Jitsu Kobudo Association in accordance with The Care Act 2014.

The North east Ju-Jitsu Kobudo Association safeguarding adult's policy & procedures apply to all individuals involved within The North East Ju-Jitsu Kobudo Association.

The North East Ju-Jitsu Kobudo Association will encourage & support partner organisations including Clubs, Counties, suppliers & sponsors to adopt & demonstrate their commitment to the principles and practice of equality as set out in this safeguarding adult's policy & procedures.

Index

Introduction

Principles

Guidance & Legislation

Definitions

Types of abuse & neglect

Signs & indicators of abuse

What to do if you have a concern

How to record a disclosure

Safeguarding Adults Flow Chart

Roles & responsibilities

Good practice, poor practice and abuse

Relevant policies

Further Information

Guidance and Information

- Capacity – Guidance on making Decisions
- Understanding the MCA
- Making Decisions
- Consent and Information Sharing
- Making safeguarding Personal
- Consent

Principles

The guidance given in the policy & procedures is based on the following principles:

- All adults, 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 & safe environment.
- The North East Ju-Jitsu Kobudo Association will seek to ensure that our Martial Arts are inclusive & make reasonable adjustments for any ability, disability, or impairment, we will also commit to continuous development, monitoring and review.
- The rights, dignity & worth of all adults will always be respected.
- We recognise that ability & disability can change over time, such that some adults may be additionally vulnerable to abuse, in particular those adults with care and support needs.
- We all have shared responsibility to ensure the safety & wellbeing of all adults and will act appropriately and report concerns whether these concerns arise within The North East Ju-Jitsu Kobudo Association & within all Classes for example inappropriate behaviour of a Coach or in the wider community.
- All allegations will be taken seriously and responded to quickly in line with The North East Ju-Jitsu Kobudo Association Safeguarding Adults Policy & Procedures.
- The North East Ju-Jitsu Kobudo Association recognises the role & responsibilities of the statutory agencies in safeguarding adults and is committed to complying with the procedures of Local Safeguarding Adult Boards.

The six principles of adult safeguarding

The Care Act 2014 sets out the following principles that should underpin safeguarding of adults.

- **Empowerment:** People being supported & 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 & 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 is needed.
- **Protection:** Support & representation for those in greatest need: I get help & support to report abuse and neglect. I get help so 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 & reporting neglect & abuse: I know that staff treat any personal & sensitive information in confidence, only sharing what is helpful & 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.

Making Safeguarding Personal

Making safeguarding personal means that adult safeguarding should be person led and outcome focused. It engages the person in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice, and control. As well as improving quality of life, wellbeing & safety.

Wherever possible discuss safeguarding concerns with the adult to get their view of what they would like to happen and keep them involved in the safeguarding process seeking their consent to share information outside of the organisation where necessary.

Wellbeing Principle

The concept of wellbeing is threaded throughout The Care Act and it is one that is relevant to adult safeguarding in sport & activity. Wellbeing is different for each of us. However, the Act sets out broad categories that contribute to our sense of wellbeing. By keeping these themes in mind, we can all ensure that adult participants can take part in NEJJKA Martial Arts fully.

- Personal dignity (including treatment of the individual with respect)
- Physical & mental health and emotional wellbeing.
- Protection from abuse and neglect.
- Control by the individual over their day to day life (including over care & support provided and the way in which they are provided)
- Participation in work, education, training or recreation.
- Social and economic wellbeing.
- Domestic, family, and personal domains.
- Suitability of the individuals living accommodation.
- The individual's contribution to society.

Legislation

The practice & procedures within this policy are based on the principles contained within the UK Legislation & Government Guidance and have been developed to complement the Safeguarding Adults Boards policy & procedures. They take the following into consideration:

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

Definitions

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

Adult is anyone aged 18yrs or over

Adult at Risk is a person aged 18yrs or over who:

- Has needs for care & support (whether or not the local authority is meeting any of these needs) and:
- Is experiencing, or is at risk of abuse or neglect: and:
- As a result of these care & support needs is unable to protect themselves from either the risk of or the experience of abuse or neglect.

Adult in need of care and support is determined by a range of factors including personal characteristics, factors associated with their situation or environment and social factors.

Naturally, a person's disability or frailty does not mean that they will inevitably experience harm or abuse.

In the context of safeguarding adults, the likelihood of an adult in need of care & support experiencing harm or abuse should be determined by considering a range of social, environmental and clinical factors, nor merely because they may be defined by one or more of the above descriptions.

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 & civil rights by another person or persons. (See types of abuse for further explanation)

Adult Safeguarding is protecting a person's rights to live in safety, free from abuse & neglect.

Capacity refers to the ability to make decisions 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 (MCA2005).

Types of Abuse & Neglect

There are different types and patterns of abuse and neglect and different circumstances in which they may take place. The Care Act 2014 identifies the following as an illustrative guide and is not intended to be exhaustive list as to the sort of behaviour 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.

Modern- Slavery: Encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers & 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.

Domestic Abuse & Coercive Control: Including psychological, physical, sexual, financial, and emotional abuse. It also includes so called 'honour' based violence. It can occur between any family members.

Discriminatory Abuse: 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.

Organisational Abuse: Including neglect & 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 home. This may range from one off incidents to ongoing ill treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes & practices within an organisation.

Physical Abuse: Including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.

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 & sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

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.

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.

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.

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 bully related to special educational needs & disabilities) but instead of the perpetrator carrying out the bullying face to face, they use technology as a means to do so.

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 & Policing Act 2014 make it a criminal offence when the adult does not have the capacity to consent to the marriage.

Mate Crime: A 'mate crime' as defined by the Safety Net Project as when vulnerable people are befriended by members of the community who go 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 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 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 Club who a participant or Coach comes into contact with. Or the Class members, volunteers, parents, or other members of the Coaching team may suspect an individual is being abused or neglected outside of the Class setting. There are many signs & indicators that may suggest someone is being abused or neglected, these include but are not limited to:

- Unexplained bruises or injuries. Lack of medical attention when an injury is present.
- Person has belongings or money going missing.
- Person is not attending or no longer enjoying their sessions, you may notice that a participant in a class that has been missing from practice sessions and is not responding to reminders from team members or coaches.
- Someone losing or gaining weight, an unkempt appearance, this could be a student whose appearance becomes unkempt, does not wear the required attire and deterioration in hygiene.
- A change in the behaviour or confidence of a person. For example, a participant may be looking quiet & withdrawn when their brother comes to collect them from sessions, in contrast to their personal assistant whom they may greet with a smile.
- They may self-harm.
- They may have a fear of a particular group or individual.
- They may tell you or another person that they are being abused i.e. a disclosure.
- Harassing of a club member because they are or are perceived to have protected characteristics.
- Not meeting the needs of the participant. E.g. this could be training without a necessary break.
- A Coach intentionally striking a participant.
- This could be a fellow Coach or training partner who sends unwanted sexually explicit text messages to a learning-disabled adult that they are coaching or training alongside.
- This could be a Coach or participant threatening another participant with physical harm & persistently blaming them for poor performance.

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

- It is not your responsibility to decide whether or not an adult has been abused. It is however everyone's responsibility to respond to and report concerns.
- If you are concerned someone is in immediate danger, contact the police on 999 straight away. Where you suspect a crime is being committed, you must involve the police.
- If you have concerns and or you are told about possible or alleged abuse, poor practice or wider welfare issues you must report this to the North East Ju-Jitsu Kobudo

Association Welfare Officer or Head Coach of The North East Ju-Jitsu Kobudo Association.

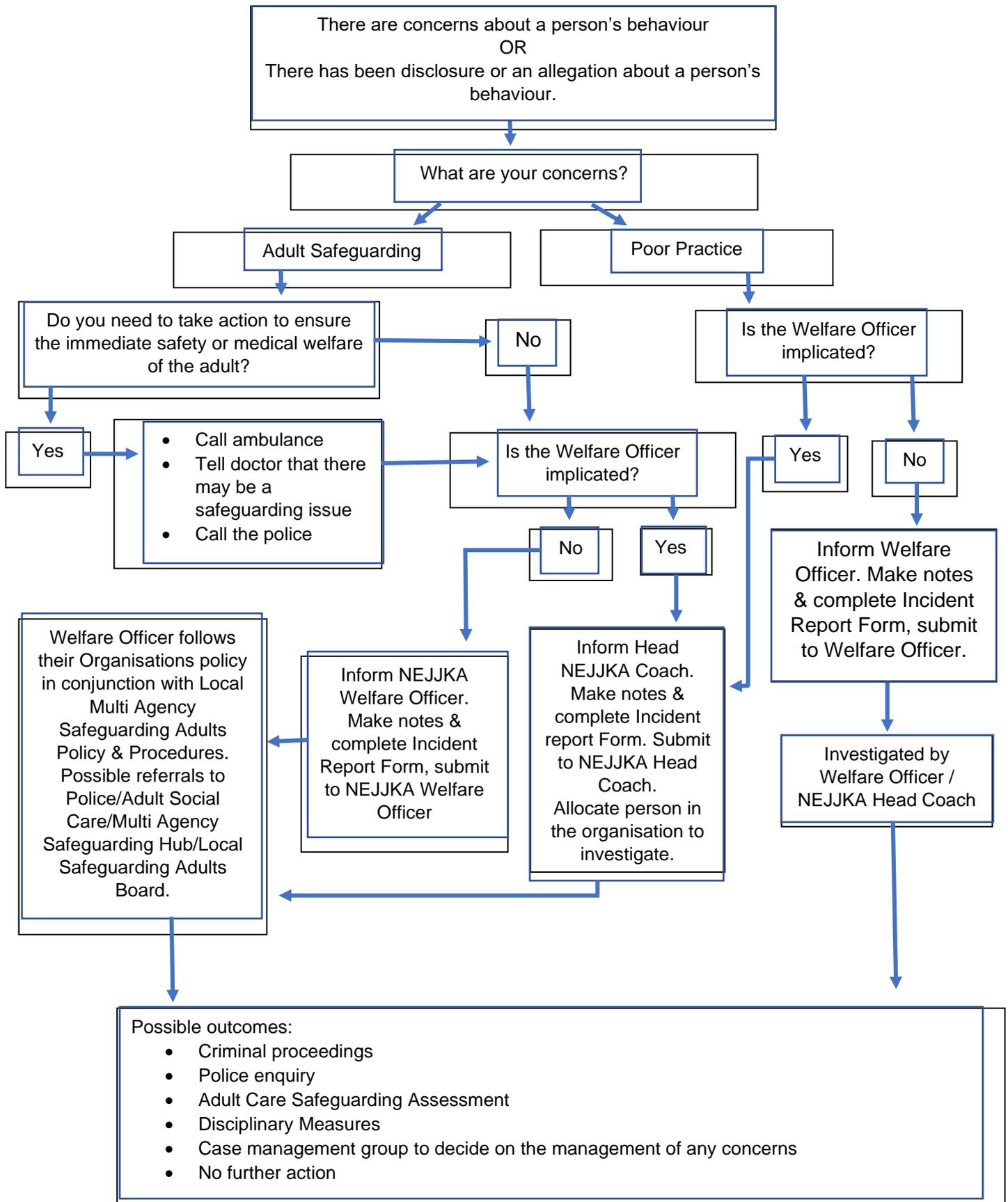
- When raising your concern with The Association Welfare Officer, remember make safeguarding personal. It is good practice to seek the adults view on what they would like to happen next and to inform the adult you will be passing on your concern & keep them updated
- It is important when considering your concern that you also ensure that you keep the person informed about any decisions and action taken about them and always consider their needs & wishes.

How to respond to a concern

- Make a note of your concern.
- Make a note of what the person has said using his or her own words as soon as practicable. Complete an Incident Form and submit to the North East Ju-Jitsu Kobudo Association Welfare Officer.
- Remember to make safeguarding personal. Discuss your safeguarding concerns with the adult, obtain their view of what they would like to happen, but inform them it's your duty to pass on your concerns to your Welfare Officer.
- 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 NEJJKA Welfare Safeguarding Officer and others on a need to know basis.
- If the matter is urgent and relates to immediate safety of an adult at risk, then contact the emergency services immediately.

Safeguarding Adults Flowchart

Dealing with Concerns, Suspicions or Disclosures



Remember to involve the adult at risk throughout the process wherever possible and gain consent for any referrals to social care if the person has capacity.

Rules & responsibilities of these with The North East Ju-Jitsu Kobudo Association

- The North East Ju-Jitsu Kobudo Association is committed to having the following in place:
- A NEJKA Welfare Officer to produce & disseminate guidance & resources to support policy & procedures.
- A clear line of accountability within The Organisation for work on promoting the welfare of all adults.
- Procedures for dealing with allegations of abuse or poor practice against members of the Class, volunteers & parents & guardians.
- A Steering Group or Case Management or Case referral Group that effectively deals with issues, manages concerns and refers to the disciplinary panel where necessary (i.e. where concerns arise about the behaviour of someone within The North East Ju-Jitsu Kobudo Association).
- A Disciplinary Panel will be formed as required for a given incident, if appropriate and should a threshold be met.
- Arrangements to work effectively with other organisations to safeguard & promote the welfare of adults, including arrangements for sharing information.
- Appropriate whistleblowing procedures and an inclusive culture that enables safeguarding & equality & diversity issues to be addressed.
- Clear codes of conduct are in place for Coaches, participants, officials, spectators & other relevant individuals.

Good practice, poor practice & 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 The North East Ju-Jitsu Kobudo Association to make judgments regarding whether or not abuse is taking place, however all North East Ju-Jitsu Kobudo Association personnel have the responsibility to recognise and identify poor practice and potential abuse, and act on this if they have concerns.

Good Practice

North East Ju-Jitsu Kobudo Association expects that Coaches of adult participants:

- Adopt & endorse The North East Ju-Jitsu Kobudo Association Coaches Code of Conduct.
- Abide by & implement The Adult Safeguarding Policy & Procedures.

Everyone should:

- Aim to make the experience of North East Ju-Jitsu Kobudo Association Martial Arts a positive, welcoming, safe & enjoyable learning & training environment.
- Promote fairness & abiding by the rules & guidelines.
- Not tolerate the use of prohibited or illegal substances.
- Treat all adults equally & preserve their dignity, this includes giving more & less talented members of a group similar attention, time & respect.

Further Information

Policies, procedures & supporting information are available from The North East Ju-Jitsu Kobudo Association.

NEJKA Welfare Officer: Miss Julie Anderson BA(Hons): Mobile: 07542387762

NEJKA Head Coach: Miss Dorothy Adamson: 0191-4559291

Review date

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

Guidance & information

Making Safeguarding Personal

There has been a cultural shift towards Making Safeguarding Personal within the safeguarding process. This is a move from prioritising outcomes demanded by bureaucratic systems. The safeguarding process used to involve gathering a detailed account of what happened and determining who did what to whom. Now the outcomes are defined by the person at the centre of the safeguarding process.

The safeguarding process places a stronger emphasis on achieving satisfactory outcomes that take into account the individual choices & requirements of everyone involved.

“What Good is it making someone safe if it merely makes them miserable?”: Lord Justice Mundy, “What price Dignity?” (2010)

What this means in practice is that adults should be more involved in the safeguarding process. Their views, wishes, feelings & beliefs must be taken into account when decisions are made.

The Care Act 2014 builds on the concept stating that “We all have different preferences, histories, circumstances and lifestyles so it is unhelpful to prescribe a process that must be followed whenever a concern is raised.

However, The Act is also clear that there are key issues that should be taken into account when abuse or neglect are suspected, and that there should be clear guidelines regarding this.

Capacity – Guidance on Making Decisions

The issue of capacity or decision making is a key one in safeguarding adults. It is useful for organisations to have an overview of the concept of capacity.

We make many decisions every day, often without realising. We make so many decisions that its easy to take this ability for granted.

But some people are only able to make some decisions, and a small number of people cannot make any decisions. Being unable to make a decision is called “lacking capacity”.

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 like learning, disability, dementia, mental health needs, acquired brain injury and physical ill health.

The Mental Capacity Act 2005(MCA) states that every individual has the right to make their own decisions and provide the framework for this to happen.

The MCA is about making sure that people over the age of 16 have the support they need to make as many decisions as possible.

The MCA also protects people who need family, friends, or paid support staff to make decisions for them because they lack the capacity to make specific decisions.

Our ability to make decisions can affect the course of the day.

Here are some examples that demonstrate how the timing of a question can affect the response:

- A person with epilepsy may not be able to make a decision following a seizure.
- Someone who is anxious may not be able to make a decision at that point.
- A person may not be able to respond as quickly if they have just taken some medication that causes fatigue.

In each of these examples, it may appear as though the person cannot make a decision, But later in the day, presented with the same decisions, they may be able to at least be involved.

The MCA recognises that capacity is decision-specific, so no one will be labelled as entirely lacking capacity. The MCA also recognises that decisions can be about big life-changing events, such as where to live, but equally about small events, such as what to wear on a cold day.

To help you understand the MCA, consider the following five points:

1. Assume that people are able to make decisions, unless it is shown that they are not. If you have concerns about a person's level of understanding, you should check this with them, and if applicable, with the people supporting them.
2. Give people as much support as they need to make decisions. You may be involved in this – you might need to think about the way you communicate or provide information, and you may be asked your opinion.
3. people have the right to make unwise decisions. The important thing is that they understand the implications. if they understand the implications, consider how risks might be minimised.
4. If someone is not able to make a decision, then the person helping them must only make decisions in their "best interests". This means that the decision must be what is best for the person, not for anyone else. If someone was making a decision on your behalf, you would want it to reflect the decision you would make if you were able to.
5. Find the least restrictive way of doing what needs to be done.

Remember:

- You should not discriminate or make assumptions about someone's ability to make decisions, and you should not pre-empt a best-interests decision merely on the basis of a person's age, appearance, condition, or behaviour.
- When it comes to decision making, you could be involved in a minor way, or asked to provide more detail. The way you provide information might influence a person's ultimate decision. A person may be receiving support that is not in line with the MCA, so you must be prepared to address this.

Consent and Information Sharing

Coaches & volunteers should always share safeguarding concerns in line with their organisations policy, usually with their NEJJKA Welfare Officer in the first instance, except in emergency situations. As long as it does not increase the risk to the individual, The Coach or volunteer should explain to them that it is their duty to share their concern with their Welfare Officer.

The Welfare Officer will then consider the situation and plan the actions that need to be taken, in conjunction with the adult at risk and in line with the organisations policy & procedures and local safeguarding adults board policy and procedures.

To make an adult safeguarding referral you need to call the local safeguarding adult team. This may be part of MASH (Multi-Agency Safeguarding Hub). A conversation can be had with the safeguarding adult's team without disclosing the identity of the person in the first instance. If it is thought that a referral needs to be made to the safeguarding adults' team, consent should be sought where possible from the adult at risk.

Individuals may not give their consent to the sharing of safeguarding information with the safeguarding adults team for a number of reasons. Reassurance, appropriate support and revisiting the issues at another time may help to change their view on whether it is best to share information.

If they still do not consent, then their wishes should usually be respected. However, there are circumstances where information can be shared without consent such as when the adult does not have the capacity to consent, it is in the public interest because it may effect other people or a serious crime has been committed. This should always be discussed with your Welfare Officer & the local authority safeguarding adults' team.

If someone does not want you to share information outside the organisation or you do not have consent to share the information, ask yourself the following questions:

- Is the adult placing themselves at further risk of harm?
- Is someone else likely to get hurt?
- Has a criminal offence occurred? This includes theft or burglary of items, physical abuse, sexual abuse, forced to give extra money for lessons (financial abuse) or harassment.
- Is there suspicion that a crime has occurred?

If the answer to any of the questions above is "yes" then you can share without consent and need to share the information.

When sharing information, there are seven golden rules that should always be followed.

1. Seek advice if in any doubt.
2. Be transparent: The Data Protection Act (DPA) is not a barrier to sharing information but to ensure that personal information is shared appropriately, except in circumstances where by doing so places the person at significant risk or harm.
3. Consider the public interest: base all decisions to share information on the safety and well-being of that person or others that may be affected by their actions.
4. Share with consent where appropriate. Where possible respond to the wishes of those who do not consent to share confidential information. You may still share information with consent if this is in the public interest.
5. Keep a record. record your decision and reasons to share or not to share information.
6. Accurate, necessary, proportionate, relevant and secure. Ensure all information shared is accurate, up-to-date, necessary and share with only those who need to have it.

7. Remember the purpose of The Data Protection Act (DPA) is to ensure personal information is shared appropriately, except in circumstances where by doing so may place the person or others at significant harm.

