

Safeguarding Adults at Risk



SAFEGUARDING ADULTS AT RISK

WEST BROMWICH ALBION FOOTBALL CLUB 2021/2022 SEASON



West Bromwich Albion Football Club - Safeguarding Adults at Risk Policy & Procedures

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This Policy has been Prepared in consideration of Walsall and Sandwell Adult Services, LADO's and Birmingham County FA. It has been produced in accordance with the EFL Safeguarding Standards. 2022/23

This Policy has been prepared in consideration of the club Equalities and Diversity Policy.

'This policy has been equality impact assessed; we constantly review our policies and if you are detrimentally affected, please contact Chris Elliott <u>Chris.Elliott@wbafc.co.uk</u> and Sam Foxall HR <u>Sam.Foxall@wbafc.co.uk</u>

1. Introduction

West Bromwich Albion Football Club, (the club) it's staff, management and the board of directors acknowledge its responsibility to safeguarding all of those we engage with, work with or who attend any of our activities'. The club promotes the welfare of every child, young person and adult at risk who is engaged in our programmes and activities. We are wholly committed to working to provide a safe environment for all. The board have reviewed the safeguarding adults at risk policy and procedures and fully endorse and adopt them.

Signed.

February 2022

Reviewed February 2022 - Chris Elliott

Next Review February 2023

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2. Policy Statement

The club is committed to ensuring that all adults involved in Club programmes and activities enjoy a positive and respectful environment where they are actively protected from harmful experiences.

The policy recognises the Club's obligations and duty of care when working with adults at risk¹ as set out in national legislation, statutory guidance and sector guidance including:

- Care Act 2014
- Care and Support Statutory Guidance 2020
- Sexual Offences Act 2003
- Equality Act 2010
- Safeguarding Vulnerable Groups Act 2006
- Protection of Freedoms Act 2012
- Counter-Terrorism and Security Act 2015 (and the Government's Prevent Strategy)
- Achieving Best Evidence 2002 and 2006
- Domestic Violence Crime and Victims Act 2004
- Mental Capacity Act 2005
- Serious Crime Act 2015

Definition of an Adult at Risk

Any adult can become an adult at risk at any time. A sudden change in environment, a sudden health incident or an immediate change in an individual's circumstances can lead to them becoming at risk.

The definition below should not be viewed in isolation but with consideration to all aspects of the individual's wellbeing.

The Care and Support Guidance 2014 amended (2020) defines adults at risk (formerly referred to as vulnerable adults) as a person over 18 'who is or may be in need of community care services by reason of mental or other disability, age or illness' and 'who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'.

The categories of adult abuse are set out below, but it is not necessary for staff and volunteers to be safeguarding experts. The club does expect anyone who recognises a cause for concern to respond positively, to seek advice and to report concerns without delay. We all have a vital role to play in keeping children and adults at our Club safe from harm. Our priority is to support the development of an informed workforce who can promote safe working practices and who are alert to and will respond appropriately to any indications of concern or potential abuse. The Club recognises that any one of our **staff or participants** may be additionally vulnerable at any time irrespective of age or an identifiable risk factor.

¹ Adults at Risk were formerly referred to as 'Vulnerable Adults', a term which was felt to be both stigmatising and unhelpful in practice

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Illness, bereavement, relationship or family breakdown, isolation, or conflict, amongst many other factors, can lead to any one of us being at risk of harm.

The policy is designed to encourage compliance with relevant legislation and recommended best practice. It emphasises the responsibility of all those involved in working with adults at risk to be alert to signs of abuse and provides for a prompt and effective reporting procedure should abuse be suspected, disclosed or discovered, regardless of the setting in which the abuse has taken place.

3. What constitutes abuse and neglect?

The Care and Support Statutory Guidance 2020 (Section 14) sets out the categories of adult abuse and neglect. These and the different circumstances in which they may take place are set out in <u>Appendix 4</u>. This is not intended to be an exhaustive list but a guide as to the sort of behaviour which could give rise to a safeguarding concern. The examples provided do not prove that there is actual abuse occurring, but they do indicate that a closer look and possible investigation may be needed:

Staff should not limit their view of what constitutes abuse or neglect, as it can take many forms and the circumstances of the individual case should always be considered. Exploitation, in particular, is a common theme in adult abuse. Categories of abuse and neglect as defined by the Care and Support Statutory Guidance (2020)

4. Key principles

The Care and Support Statutory Guidance 2020 (Section 14.13) sets out the following six key principles which underpin all adult safeguarding work:

Empowerment

People being supported and 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 act before harm occurs. (*I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help*)

Proportionality

The least intrusive response appropriate to the risk presented. (*I am sure that the Club's staff and other professionals will work in my interests, as I see them, and they will only get involved as much as needed*)

Protection

Support and representation for those in greatest need.

(I get help and support to report abuse and neglect. I get help so that I can 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, and reporting neglect and abuse. (*I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and 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)

Also, the Club recognises the following principles which underpin our work with all groups and individuals who may have additional needs for support and protection:

- It is every adult's right to be protected from abuse irrespective of their age, gender identity, faith or religion, culture, ethnicity, sexual orientation, background, economic position, disability or level of ability.
- All staff and volunteers share the responsibility for the protection of adults at risk and will show respect and understanding for their rights, safety and welfare.
- The additional vulnerability of disabled adults (including those with invisible disabilities, learning and communication differences) is recognised.
- Allegations of abuse or concerns about the welfare of any adult will be treated seriously and will be responded to swiftly and appropriately.
- The Club recognises the responsibilities of the statutory agencies and is committed to complying with the Local Safeguarding Adult Board (SAB) procedures and the Care and Support statutory guidance (2020)
- Confidentiality will always be maintained appropriately and the adult's safety, and welfare must be the overriding consideration when making decisions on whether or not to share information about them.
- The club will support all adults involved in the Club to understand their roles and responsibilities with regards to safeguarding and protecting adults at risk, including the responsibility to report all concerns to the Club's Head of Safeguarding or a Safeguarding Officer.
- The Club ensures access to training/direct provision of learning opportunities for all staff/volunteers involved in the organisation or delivery of activities appropriate to their role to enable them to make informed and confident responses to safeguarding concerns and adult protection issues.
- All participants involved in Club activities have the right to be listened to with respect and heard.

5. Consent about safeguarding adults

<u>The Care Act 2014 statutory guidance advises</u> that the priority in safeguarding should always be to ensure the safety and well-being of the adult.

Making Safeguarding Personal is a person centred approach which means that adults are encouraged to make their own decisions and are provided with support and information to empower them to do so. This approach recognises that adults have a general right to independence, choice and self determination including control over information about themselves.

Staff should strive to deliver effective safeguarding consistently with both of the above principles. They should ensure that the adult has accessible information so that they can make informed choices about safeguarding: what it means, risks and benefits and possible consequences. The Club does not expect staff to support an adult who is felt to be at risk through this decision making process but expects staff to inform the Head of Safeguarding without delay so that they can define the various options to help support the adult at risk to decide their safety.

6. Information Sharing Protocol

Adults may not give their consent to the sharing of safeguarding information for some reasons. For example, they may be unduly influenced, coerced, or intimidated by another person, they may be

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frightened of reprisals, they may fear losing control, they may not trust social services or other partners, or they may fear that their relationship with the abuser will be damaged. Reassurance and appropriate support may help to change their view on whether it is best to share information.

The Club's Head of Safeguarding or Academy and TAF Safeguarding Officers should consider the following and:

- Explore the reasons for the adult's objections what are they worried about?
- Explain the concern and why you think it is important to share the information
- Tell the adult with whom you may be sharing the information with and why
- Explain the benefits, to them or others, of sharing information could they access better help and support?
- Discuss the consequences of not sharing the information could someone come to harm?
- Reassure them that the information will not be shared with anyone who does not need to know
- Reassure them that they are not alone and that support is available to them.

If, after this, the adult refuses intervention to support them with a safeguarding concern, or requests that information about them is not shared with other safeguarding partners, in general, their wishes should be respected. However, there are some circumstances where staff can reasonably override such a decision, including:

- It appears that the adult lacks the mental capacity to make that decision (this must be properly explored and assessed by professionals, not by our staff. If we believe this to be the case the Club has a duty to refer to the statutory agencies to seek assessment of mental capacity, and this should be recorded in line with the <u>Mental Capacity Act 2005</u>)
- Emergency or life-threatening situations may warrant the sharing of relevant information with the emergency services without consent
- Other people are or may be, at risk, including children
- Sharing the information could prevent a serious crime
- A serious crime has been committed
- The risk is unreasonably high and meets the criteria for a multi-agency risk assessment conference referral
- Staff are implicated
- There is a court order or other legal authority for taking action without consent

In such circumstances, it is important to keep a careful record of the decision-making process. Staff should seek advice from our Head of Safeguarding in line with this organisations' policy before overriding the adult's decision, except in emergency situations. Decisions will be made based upon whether there is an overriding reason which makes it necessary to take action without consent and whether doing so is proportionate because there is no less intrusive way of ensuring safety. Legal advice should be sought where appropriate. If the decision is to take action without the adult's consent, then unless it is unsafe to do so, the adult should be informed that this is being done and of the reasons why.

If none of the above applies and the decision is not to share safeguarding information with other safeguarding partners, or not to intervene to safeguard the adult:

- Support the adult to weigh up the risks and benefits of different options
- Ensure they are aware of the level of risk and possible outcomes
- Offer to arrange for them to have an advocate or peer supporter
- Offer support for them to build confidence and self-esteem if necessary
- Agree on and record the level of risk the adult is taking
- Record the reasons for not intervening or sharing information

- Regularly review the situation
- Try to build trust to enable the adult to protect them better.

It is important that the risk of sharing information is considered. In some cases, such as domestic violence or hate crime, it is possible that sharing information could increase the risk to the adult. The Club will always seek to work with safeguarding partners to work jointly to provide advice, support and protection to the adult to minimise the possibility of worsening the relationship or triggering retribution from the abuser.

7. Procedures

Consent

The priority in safeguarding should always be to ensure the safety and welfare of the adult at risk. If concerns arise, consent must be obtained from the adult at risk concerned before a referral is made to Local Authority Safeguarding Adults Team or the Police. If the adult at risk refuses to give consent, the employee, worker, consultant, agency staff or volunteer should seek advice and support from their DSO or the club's Safeguarding Team. Information should not be given to carers or other adults involved without the consent of the adult at risk. There are some circumstances whereby an external referral can be made without consent, and these include:

- The adult lacks the mental capacity to make that decision this must be properly explored and recorded in line with the <u>Mental Capacity Act</u>
- Emergency or life-threatening situations may warrant the sharing of relevant information with the emergency services without consent;
- Other people are, or may be, at risk, including children and young people;
- Sharing the information could prevent a serious crime;
- A serious crime has been committed;
- The risk is unreasonably high and meets the criteria for a multi-agency risk assessment conference referral.
- Employees, workers, consultants, agency staff and volunteers are implicated; There is a court order or other legal authority for taking action without consent.

8. Responding to Disclosures and Concerns

It is not the responsibility of anyone within the club to decide whether or not abuse has taken place. However, there is a responsibility to act on any concerns. The club assures all employees, casual workers, agency staff, consultants or volunteers that it will fully support and protect anyone, who in good faith reports his or her concern that a colleague or another is, or may be, abusing an adult at risk.

If an adult at risk informs you directly that they are concerned about another person's behaviour towards him/her, this is known as a disclosure. In this situation the following steps should be taken:

- Take the adult at risk to a safe and quiet place; let someone know what you are doing.
- React calmly so as not to frighten the adult at risk.
- Tell the adult at risk that he or she is not to blame and that he or she was right to tell you.
- Take what the adult at risk says seriously and do not be judgemental.
- If emergency medical treatment is needed, telephone for an ambulance.
- Avoid leading the adult at risk in discussion and keep any questions to the absolute minimum. Ask only what is necessary to ensure a clear understanding of what has been said. Make a note of what you say and the adult at risk tells you.
- Reassure the adult at risk but do not make promises of confidentiality or outcome.

- No contact should be made with the alleged abuser, particularly if this is another adult at risk or the carer of the alleged victim;
- Do not commence an investigation into the incident;
- Refer the concern to the Safeguarding Team immediately;
- Make a record using the club's Safeguarding Concern Form or complete a My Concern entry

For a flowchart of the process to follow, please see Appendices 1 and 2.

9. Preserving the Evidence

Your first concern is the safety and welfare of the adult at risk. However, your efforts to preserve evidence may be vital. In all cases, the preservation of evidence is crucial especially if any police investigation is required to be effective. What you do or do not do in the time while you are waiting for the police to may make all the difference. Below are some helpful points:

In situations of physical and sexual assault:

- In physical abuse cases, where an adult at risk wishes to show you an injury, only observe what he/she consents to show you and what is appropriate;
- Do not touch what you do not have to. Wherever possible leave things as they are. Do not clean up, do not wash anything or in any way remove fibres, blood, etc. If you do have to handle anything at the scene keep this to a minimum;
- Do not touch any weapons unless they are handed directly to you. If this happens, keep handling to a minimum. Place the items/weapons in a clean, dry place to hand to the police;
- Preserve anything that was used to comfort the abused adult at risk, for example, a blanket;
- Secure the room. Do not allow anyone to enter unless strictly necessary to support you or the abused adult at risk and the alleged perpetrator, until the police arrive.

Before the arrival of the police and medical examination:

- Ensure that no one has physical contact with both the abused adult at risk and the alleged perpetrator as cross contamination can destroy evidence;
- Encourage the victim not to shower;
- Encourage the victim not to change clothing;
- Even when the adult at risk says they do not want police involvement, preserve items anyway as the adult at risk may change his/her mind later or you may be legally obliged to inform the police;
- Encourage the adult at risk not to eat or drink if there is a possibility that evidence may be obtained from the mouth.

10. Managing Allegations Against Employees, Workers, Consultants, Agency Staff and Volunteers.

Should a concern arise about an employee, worker, consultant, agency staff or volunteer's conduct in relation to an adult at risk, this should be reported to the Head of HR, the club's Head of Safeguarding Chris Elliott or the Senior Safeguarding Lead, Mark Miles who will take such steps as considered necessary to ensure the safety of the adult at risk any other person who may be at risk. The employee, worker, consultant, agency staff or volunteer raising the concern should complete the club's Safeguarding Concern Form. When managing an allegation against an employee, worker, consultant, agency staff or volunteer, the Safeguarding Team will follow this process: It may be necessary to inform HR Sam Foxall about the matter where there is an immediate impact upon our workforce or volunteers etc.

- The allegation will be referred to the Local Safeguarding Adults Team and the Police;
- The carers of the adult at risk will be contacted as soon as possible, if applicable, following advice from statutory agencies;

Senior Management will be notified and if applicable the Premier League, EFL and the FA;

- If a member of the Safeguarding Team is the subject of an allegation, the report must be made to the Head of HR who will refer the allegation to the appropriate statutory agencies;
- If required, a full investigation and possible disciplinary action by the club's Disciplinary Policy for employees will follow. Workers, consultants or agency workers may have their Agreements terminated.
- Referrals as appropriate will be made to the Disclosure and Barring Service (DBS)

For a flowchart of the process to follow, please see Appendix 3.

11. Managing Concerns for an Adult at Risk

Any concern relating to the abuse of an adult at risk by another adult at risk must be dealt with through this Policy and Procedures. Any such concern should be reported immediately to the Heads of Safeguarding or member of the club safeguarding team.

12. Making a Referral

All employees, workers, consultants, agency staff and volunteers should complete the club's Safeguarding Concern Form after referring any case to the Head of Safeguarding or Safeguarding Team. The Safeguarding Team will contact the relevant Local Authority Safeguarding Adults Team completing their Referral Form and update the Safeguarding Concern Form for the club's records. (Appendix 2)

All incidents should subsequently be added to the 'my concern' system

13. What to do if an Adult at Risk is in Danger of Immediate Harm

The priority is to ensure the adult at risk is in a safe place away from the alleged perpetrator. Emergency services should be summoned whenever a situation is felt to be beyond the control of employees, casual workers, agency staff, consultants or volunteers. Also, employees, workers, consultants, agency staff and volunteers should have, readily available, all the contact numbers of the club's Safeguarding Team colleagues, or other services which can assist in an emergency or urgent situation. (Appendix 1)

Report the matter to the Head of Safeguarding or a member of the safeguarding team at the earliest opportunity.

If for some reason you are unable to contact the head of safeguarding or a team member then please contact the local adult safeguarding team at Sandwell or the local Police.

Sandwell Adults at Risk team

0121 569 2266 after 5.30 pm call 01021 569 2355

Sandwellenquiry@sandwell.gov.uk (Non emergency)

Sandwell Police 101

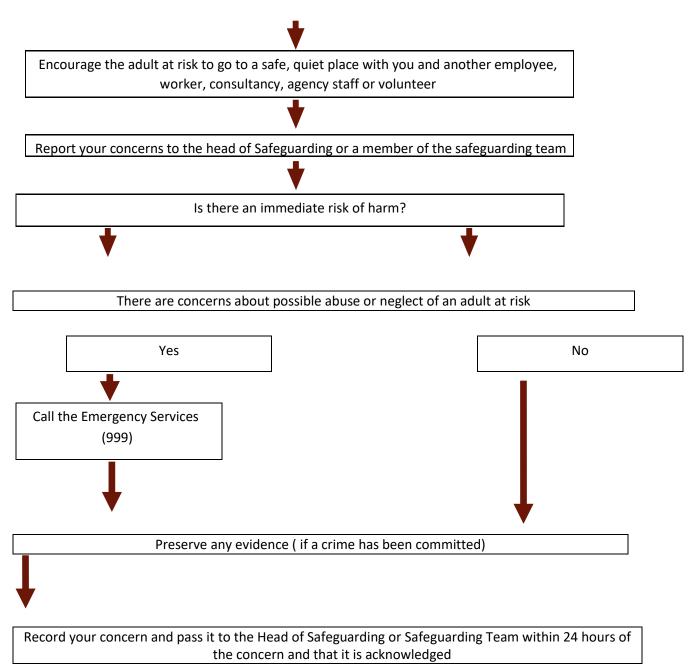
In an emergency, please dial 999

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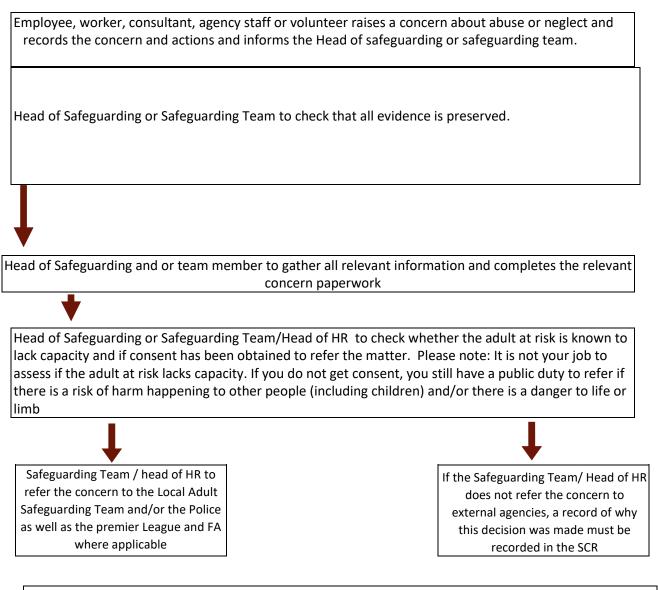
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Appendix 1

Flowchart for employees, workers, consultants, agency staff and volunteers who raise a concern about an adult at risk



Appendix 2 Flowchart for Safeguarding Team making a referral



Safeguarding Team to conduct a learning review of the event and enact any recommendations

Appendix 3 Allegations against employees, workers, consultants, agency staff or volunteers' flowchart

Safeguarding allegation raised about the conduct or behaviour of an employee, worker, consultant, agency staff or volunteer

If the allegation concerns a member of the Safeguarding Team or an employee, decide whether the employee, worker, consultant, agency staff or volunteer has:

- Behaved in a way that has harmed or may have harmed an adult at risk;
- Possibly committed a criminal offence about an adult at risk;
- Behaved towards an adult at risk in a way that indicates they are unsuitable to work with adults at risk .

Staff should

- Ensure welfare of the adult at risk is paramount
- Consider the risk of harm to the organisation

A member of the Safeguarding Team/Head of HR will contact Sandwell Safeguarding Adults Unit and/or police for advice and support. The Safeguarding Team/Head of HR will act on the advice of Sandwell Safeguarding Adults Social Care and the police. The club will also inform the Premier League, FA and EFL

The club will decide whether to suspend the employee, worker, consultant, agency staff or volunteer pending the statutory investigations and inform Sandwell Safeguarding Adults Social Care and Police of the club's decision

Once any statutory investigations are concluded or where appropriate in parallel, the club will undertake its investigation and decide what sanction should be taken against the employee, worker, consultant, agency staff or volunteer If the employee, worker, consultant, agency worker or volunteer is removed from their role in working with adults at risk, a referral will be made to the Disclosure and Barring Service (DBS)

Any learning and recommendations from the case will be implemented.

Appendix 4

Categories of abuse and neglect as defined by the Care and Support Statutory Guidance (2020)

Neglect and acts of omission	Ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.		
Sexual abuse	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.		
Physical abuse	Assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanction.		
Psychological/emotional abuse	Emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.		
Discriminatory abuse including hate crime	Forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.		
Financial or material abuse	Theft, fraud, internet scamming, coercion about an adult at risk'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.		
Organisational abuse	Neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or about care provided in one's own home. Examples 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.		
Domestic Abuse and honour based abuse.	Psychological, physical, sexual, financial, emotional abuse; so called 'honour' based violence and abuse; female genital mutilation; stalking and forced marriage.		
Modern slavery	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.		
Self-neglect	Neglecting to care for one's hygiene, health or surroundings and includes behaviour such as hoarding.		

RECOGNISE	Anyone who is concerned about the well-being of a child, young person or adult at risk, or becomes aware of concerns through seeing, hearing or receiving a disclosure of abuse or neglect made to them must follow the Club's reporting procedures in line with the Club's Safeguarding Policy
RESPOND	We are a listening organisation and expect all staff and volunteers to respond positively to anyone sharing a concern about the safety or welfare of a child, young person or adult at risk. Reassure the individual that they have done the right thing by telling you.
	We aim to listen carefully to what the person is telling us keeping interruptions and leading questions to a minimum. Any request to share information will be respected unless circumstances over ride such a decision. (See 6 Information Sharing Protocol)
REPORT/ REFER	Is there an immediate risk or danger to the individual or anybody else? NO YES
	Emergency services (999) are contacted, parents/carers notified, and the Head of Safeguarding informed is informed
	Head of Safeguarding or in their absence, an Academy designated lead for welfare and safeguarding will provide support, guidance and when necessary, oversee the referral process to external agencies.
	In line with the Statutory, Club's Policy and Procedures and FA regulations, If the club has safeguarding concerns about a child, young person or their parents/carers the club may refer these concerns to external agencies. External agencies include, but are not limited to children's social care, adult social care, the police, health agencies, the FA,EFL and the Premier League
	Reasonable efforts will be made to inform parents/carers of any concerns raised or disclosed at the earliest opportunity unless guided by the police or children services to do otherwise. *
	*Please see the Club's Information Sharing Protocol for persons aged 18 and over.
RECORD	A safeguarding report is completed, detailing the nature of the concern/ disclosure and a factual account of what was seen, reported or directly disclosed. A copy of the report may be shared external agencies, in line the Club's policies and procedures. External agencies include, but are not limited to children's social care, adult social care, the police, health agencies, the FA and the
	Premier League and the EFL.

Appendix 5

Club policies and procedures and relevant legislation

Other applicable club Policies and Procedures

- Bullying and Harassment Policy
- Data Handling and Protection Policy
- Disciplinary Policy
- Equal Opportunities Policy
- Grievance Policy
- Health and Safety Policy
- Human Rights and Modern Slavery Policy
- Safeguarding Children and Young People Policy and Procedures
- Whistleblowing Policy

Key Government Initiatives and Legislation

- Achieving Best Evidence 2002
- Care Act 2020
- Equality Act 2010
- Human Rights Act 1998
- Mental Capacity Act 2005
- Modern Slavery Act 2015
- Protection of Freedoms Act 2012
- Sexual Offences Act 2003
- Safeguarding Vulnerable Groups Act 2006
- Data Protection Act 2018 (GDPR General Data Protection Regulations)

These lists are not exhaustive.

Policy renew date: May 2022. Reviewed May 2021

Key Safeguarding Contacts

The Club and Match Day						
Head of Safeguarding		Chris Elliott	Mb 07976 660 953 Chris.elliott@wbafc.co.uk			
Deputies		Mark Miles	Safeguarding Lead Mark.miles@wbafc.co.uk			
Match Day Operations	The Hawthorns	Jon Thursfield Steve Poppitt	07581 084751 jon.thursfield@wbafc.co.uk 07814 633096 <u>Steve.poppitt@wbafc.co.uk</u>			
OTHER CONTACTS						
Safeguarding & Welfare Officer	Birmingham FA	Vacant	Birminghamfa.com			
Sandwell Adult Services Care Team –		Sandwell_enquiry@sandwell.gov.uk 0121 569 2266 day time Out of hours 0121 569 2355				

The Premier League		0207 864 9000 safeguarding@premierleague.com
The EFL		
		Alexandra Richards 07792284740
		Arichards.@efl.com
FA Case Management	Case Managers	0800 169 1863# 6272
The FA	Safeguarding at the FA	safeguarding@thefa.com.
West Midlands Police		101 999 in an Emergency

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