

# OXFAM GB

## Safeguarding Adults Policy - Trading

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| <b>Title:</b>              | Safeguarding Adults Policy - Trading                                 |
| <b>Sponsor:</b>            | <b>Trading Director (Andrew Horton)</b>                              |
| <b>Date for Adoption:</b>  | July 2019  |
| <b>Date for Renewal:</b>   | July 2022  |
| <b>Approved by:</b>        | Trustee Safeguarding Group on behalf of Council                      |
| <b>Geographical Scope:</b> | For all Oxfam GB employees and volunteers in the UK Trading Division |
| <b>Confidentiality:</b>    | Public   |

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### Policy Statement

This Policy relates to Oxfam's Trading Division in the UK including its shops. Oxfam will not tolerate the abuse of adults at risk in any of its forms. Oxfam is committed to managing our business in a way which minimizes the risk of abuse occurring; supporting adults at risk who are experiencing or have experienced abuse and working with adults at risk and other agencies to end any abuse that is taking place

- 1. Principles**
  - 2. Definitions**
  - 3. Legal Framework**
  - 4. Safeguarding Adults Procedures**
- Appendix 1 – Raising a Safeguarding Adult concern**  
**Appendix 2 – Additional Guidance**  
**Appendix 3 – Oxfam Trading Safeguarding Incident Report Form**  
**Appendix 4 – Useful Contacts**

### Links

Related policies, procedures or required practices that minimise the risk of abuse occurring:

- Safeguarding Adults policy
  - [Whistle blowing policy](#)
  - [One Oxfam Code of Conduct](#)
  - [Volunteer Policy](#)
  - [Anti-Bullying and Harassment Policy](#)
  - [Resolving Differences](#)
  - [Dealing with Problems at Work](#)
  - [Recruitment and Selection policy](#)
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- One Oxfam Policy on Protection from Sexual Exploitation and Abuse
  - Survivor Policy
  - Misconduct Standard Operating Procedures

**NB what to do if someone raises a concern with you – and how to report a concern- please see Appendix 1.**

## **1. Principles**

- All managers, employees and volunteers in Oxfam's UK Trading Division will have access to and be familiar with this safeguarding adult policy and procedure and their responsibilities within it.
- Concerns or allegations of abuse will always be taken seriously and investigated.
- The Mental Capacity Act will be used to make decisions on behalf of those adults at risk who are unable to make particular decisions for themselves (Please refer to below Definitions re. Mental Capacity)
- All staff will receive training in relation to safeguarding adults at a level commensurate with their role.
- Staff, volunteers and carers will have access to information about how to report concerns or allegations of abuse.
- There will be a named lead person to promote safeguarding awareness and practice within Oxfam Trading.

## **2. Definitions**

### **2.1 Who is an 'Adult At Risk'?**

An Adult at Risk is defined as any person aged 18 years and over who (a) has needs for care and support, (b) is experiencing, or is at risk of, abuse or neglect, and (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.<sup>1</sup>

This would include any adult who is or may be at greater risk of harm or abuse by reason of mental health issues, learning or physical disability, sensory impairment, or unable to protect themselves due to age or illness and who may be unable to take care of themselves or unable to protect themselves against abuse, exploitation or other harm. Adults considered to be at risk includes people encountering domestic abuse, substance misusers and asylum seekers. NB - age in itself does not make an adult at risk and if you need any advice on who is an Adult at Risk contact Trading Safeguarding Adviser

### **2.2 What is abuse?**

Abuse can take many forms and the circumstances of the individual should always be considered. It may consist of a single act or repeated acts and within a number of contexts including extremism<sup>2</sup> or modern day slavery<sup>3</sup>. The following are examples of issues that would be considered as a safeguarding concern:

- **Physical abuse** – includes but is not limited to, hitting, slapping, pushing, kicking, misuse of medication, unlawful or inappropriate restraint, or inappropriate physical sanctions. It also includes cultural practices which can alter physically in ways that cause distress, harm and/or cause lasting health ramifications such as Female Genital Mutilation.
- **Domestic abuse** – is “an incident or pattern of incidents of controlling, coercive or

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<sup>1</sup> Care Act 2014, section 42

<sup>2</sup> The Counter Extremism Strategy 2015 defines extremism as “the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty, and respect and tolerance for different faiths and beliefs. We also regard calls for the death of members of our armed forces as extremist.”

<sup>3</sup> Modern Slavery Act 2015: being held in slavery or servitude or being required to perform forced or compulsory labour

threatening behaviour, violence or abuse... by someone who is or has been an intimate partner or family member regardless of gender or sexuality” (Home Office, 2013). Domestic violence and abuse may include psychological, physical, sexual, financial, emotional abuse; as well as so called ‘honour’ based violence, forced marriage and female genital mutilation.

- **Sexual abuse** - includes rape and sexual assault or sexual acts to which the adult at risk has not consented, could not consent or was pressured into consenting.
- **Psychological abuse** – includes but is not limited to 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 from services or supportive networks.
- **Financial and material abuse** – includes theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- **Discriminatory abuse** - includes abuse based on a person’s race, gender, disability, faith, sexual orientation, or age; other forms of harassment, slurs or similar treatment or hate crime/hate incident.
- **Self-neglect** - covers a wide range of behaviours, such as neglecting to care for one’s personal hygiene and or health.

## 2.3 Mental Capacity

In the safeguarding context, mental capacity is the ability of a person to:

- Understand the implications of their situation and the risks to themselves.
- Take action themselves to prevent abuse.
- Participate to the fullest extent possible in decision making about interventions involving them, be they life changing events or everyday matters.

If uncertain regarding this please seek advice from Oxfam Trading Safeguarding Adviser (you will find details in the below contacts list) or your local Adult Social Services

## 3. Legal Framework

- England & Wales: The Care Act 2014 and Mental Capacity Act 2005 (updated in 2019)
- Scotland: The Adult Support and Protection Act 2007
- Wales: Social Services and Wellbeing Act 2014

## 4. Safeguarding Adult Procedures

### 4.1 Responding to an allegation/concern

#### 4.1.1 Responsibilities of all employees and volunteers

If any member of staff or volunteer has reason to believe that abuse is or may be taking place you have a responsibility to act on this information. It does not matter what your role is, doing nothing is not an option as we all have a duty of care. Where possible refer the matter to the Shop Manager/Line Manager, and otherwise to the Trading Safeguarding Officer.

If a person discloses abuse to you directly, use the following principles to respond to them:

- Assure them that you are taking the concerns seriously

- Do not be judgmental or jump to conclusions
- Listen carefully to what they are telling you, stay calm, get as clear a picture as you can
- Use open ended questions
- Do not start to investigate or ask detailed or probing questions
- Do not promise confidentiality; explain that you have a duty to tell your manager or the HR Business Partner
- You can reassure them that they will be involved in decisions being made about them and actions taken as far as possible, although if there is a genuine concern that there is a risk of harm information should be passed to Adult Social Services and/or the police even if they have not given consent for it to be shared.

#### **4.1.2 Your responsibilities are:**

- To take action to keep the person safe if possible.
- Always inform your Line Manager or HR Business partner of the matter.
- Clearly record what you have witnessed or been told, record your responses and any actions taken and complete the Oxfam Trading Safeguarding Incident Recording Form (See Appendix 2)
- If consulting with your Line Manager/HR Business Partner will lead to an undue delay and thereby leave a person in a position of risk, you should raise a Safeguarding Concern yourself by contacting the Local Social Services Adult Team (See below raising a concern).

#### **4.2 Key Roles**

- Every member of staff and volunteer has a responsibility to act on concerns of possible abuse and must inform their Line Manager.
- The Line Manager (with advice from HR Business Partners) has the responsibility to decide whether it is appropriate to raise a Safeguarding concern or respond to the concerns in an alternative manner.
- The Deputy Director of Trading will have overall responsibility for Oxfam Trading on all Safeguarding matters. Oxfam's Chief Executive Officer and ultimately the Chair of Trustees hold overall accountability for this Policy and its implementation.
- The Trading Safeguarding Adviser will advise on all safeguarding matters and ensure this policy is reviewed annually.

#### **4.3 Safer Recruitment**

- All staff and volunteers will be interviewed by at least two members of Oxfam; relevant references will be checked and a DBS check undertaken if in a regulated activity. The Department of Health provides detailed guidance on how to determine if an activity is regulated, but in relation to vulnerable adults it mainly means providing personal care, healthcare, providing social work, assistance with conducting an individual's own affairs, assistance with household matters, or conveying to a place of care/social work. With regard to children it means mainly teaching/ training/ instructing/ coaching/ or caring for or supervising children.
  - (Oxfam may also request that staff and volunteers provide a basic DBS check if not in a regulated activity.)
  - Oxfam Trading is committed to working within best practice as established by the Disclosure and Barring Scheme (DBS).
  - Oxfam also works within the guidelines of the Protection for Vulnerable Adults Scheme for Scotland.

#### **4.4 Training and Supervision**

- Awareness of safeguarding policy and procedure will be covered within the induction

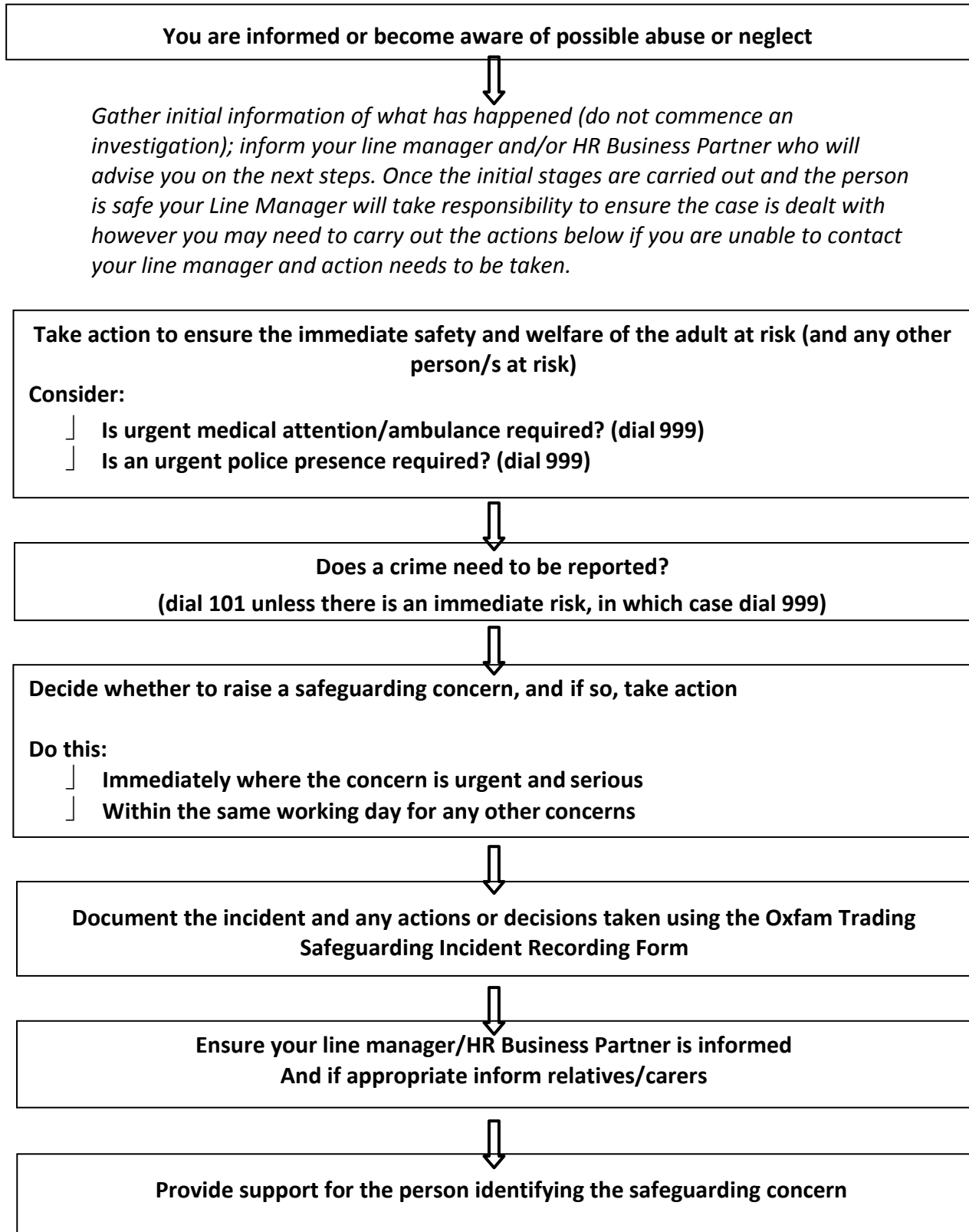
programme of all new Trading employees and volunteers

- All staff must receive training on Safeguarding Adults at a level commensurate with their role.

**July 2019**

**Appendix 1.****Raising a Safeguarding Concern Procedure Flowchart**

Raising a safeguarding concern means reporting abuse to the local authority under the Safeguarding Adults Procedure. Anyone can raise a safeguarding concern; however this should be undertaken by a Line Manager (with advice from the HR Business Partner)



## Appendix 2

### Additional Guidance

#### Considering whether to Raise a Safeguarding Concern

In the event that a Line Manager/HR Business Partner or Trading Safeguarding Adviser is not available and the person who the concern was reported to needs to make a referral themselves please follow these guidelines.

When deciding whether a safeguarding concern should be raised, consider the following key questions:

1. Is the person an 'adult at risk' as defined within this policy/procedure?
2. Are they experiencing, or at risk of, abuse and neglect?
3. What is the nature and seriousness of the risks?

Consider:

- The person's individual circumstances
- The nature and extent of the concerns
- The length of time it has been occurring
- The impact of any incident
- The risk of repeated incidents for the person
- The risk of repeated incidents for others

4. What does the adult at risk want to happen now?

Wherever possible, consider what the adult at risk wants to happen next, what they want to change about their situation, and what support they want to achieve it.

On some occasions, it may be necessary to raise a safeguarding concern even if this is contrary to the wishes of the adult at risk. Any such decision should be proportional to the risk, for example:

- It is in the public interest e.g. there is also a risk to others, a member of staff or volunteer is involved, or the abuse has occurred on property owned or managed by Oxfam
- The person lacks mental capacity to consent and it is in the person's best interests
- The person is subject to coercion or undue influence, to extent that they are unable to give consent
- It is in the person's vital interests (to prevent serious harm or distress or life threatening situations)

If you remain unsure whether to raise a safeguarding concern, you can:

- Contact Oxfam Trading Safeguarding Adviser or the Oxfam Global Safeguarding Team for advice
- Seek advice from the Safeguarding Adults Board Advice Line in your area

- Refer to your local Adults Safeguarding Adult Policy and Procedures at [www.safeguardingadults.org.uk](http://www.safeguardingadults.org.uk) for further information and guidance

### **Considering whether to report a concern to the police**

If a crime has been or may have been committed, seek the person's consent to report the matter immediately to the police. This will be in addition to raising a safeguarding concern with the local authority.

If the person has mental capacity in relation to the decision and does not want a report made, this should be respected unless there are justifiable reasons to act contrary to their wishes, such as:

- the person is subject to coercion or undue influence, to the extent that they are unable to give consent, or
- there is an overriding public interest, such as a risk to other people
- it is in the person's vital interests (to prevent serious harm or distress or in life-threatening situations)

There should be clear reasons for overriding the wishes of a person with the mental capacity to decide for themselves. A judgment will be needed that takes into account the particular circumstances.

If the person does not have mental capacity in relation to this decision, a 'best interests' decision will need to be made in line with the Mental Capacity Act.

### **Preserving evidence**

If a crime has occurred, try to preserve evidence in case there is a criminal investigation.

- Try not to disturb the scene, clothing or victim if at all possible
- Secure the scene, for example, lock the door, or even consider closing the shop.
- Evidence may be present even if you cannot actually see anything
- If in doubt, contact the police and ask for advice

The police should be contacted for advice wherever required.

### **Who else to inform**

You may need to inform:

- relatives of the adult at risk according to their wishes, or in their 'best interests' where they lack the mental capacity to make this decision for themselves, unless it is possible the relatives are involved in the crime
- child protection services, if children are also at risk from harm
- HR Business Partner if allegations/concerns relate to or affect a member of staff or volunteer

### **Document the concern and any actions or decisions taken**

Ensure all actions and decisions are fully recorded. It is possible that your records may be required as part of an enquiry, be as clear and accurate as you can. Record the reasons for your decisions and any advice given to you in making these decisions, using the Oxfam Trading Safeguarding Incident Recording form (See Appendix 3)



Ensure that appropriate records are maintained, including details of:

- the nature of the safeguarding concern/allegation
- the wishes and desired outcomes of the adult at risk
- the support and information provided to enable
- the adult at risk to make an informed decision
- assessments of Mental Capacity where indicated
- the decision to raise a concern or not

### **How to Raise a Safeguarding Concern**

To raise a safeguarding concern under the Safeguarding Adults procedures, contact:

- Adult Social Care Contact Centre: (Details can be found on the internet)
- Social Services emergency Duty Team: Details can be found on the internet (if urgent and outside of the Contact Centre times)

The person you speak to will ask you for details about the allegation/concern. If you have reported the incident to the police, tell the person this as well.

Social Services may need you to complete their form sometimes called the SA1 Form (Do not confuse with Oxfam SA1 Form). Ask them to forward this to you or where you can find it on the internet

The safeguarding concern will be allocated to an appropriate team, who will then contact you to discuss the concerns further and advise you to whom the Supporting Information form (SA1) should be sent.

**Appendix 3:**

# Trading Safeguarding Incident Report Form



This form should be completed by members of staff or volunteers to record disclosures of inappropriate behaviour, abuse or suspicions of abuse. The completed form should be sent to the HR Business Partner or Area Manager for your area.

For any support or advice in completing this form please feel free to contact either Karen Jay, Trading Safeguarding Manager on 07554 332812 [kjay1@oxfam.org.uk](mailto:kjay1@oxfam.org.uk)

For more information about how to deal with Safeguarding concerns please see Oxfam's PSEA Policy and Child Protection Policy, and Misconduct Standard Operating Procedures on Karl/COMPASS.

**In urgent cases please contact the Police.**

|   |                      |
|---|----------------------|
| Your name   | Your position        |
| Place of work   | Contact phone number |
| Shop Name and code  | Area Manager         |
| The child's/vulnerable adult's details  |                      |
| Name  |                      |
| Address/phone number  |                      |
| Date of birth   |                      |
| Other relevant details about the child/vulnerable adult:<br><i>E.g. family circumstances, physical and mental health, any communication difficulties.</i> |                      |
| Parent/guardian/carer details (if applicable)   |                      |

|   |
|---|
| Persons of concern details  |
| Name  |
| Address/phone number  |
| Date of Birth   |
| Other relevant details about the child/vulnerable adult:<br><br><i>E.g. family circumstances, physical and mental health, any communication difficulties.</i>   |
| Parent/guardian/carer details (if applicable)   |
| Details of the allegations/suspicions   |
| Are you recording:<br><br><input type="checkbox"/> Disclosure made directly to you by the child/vulnerable adult?<br><input type="checkbox"/> Disclosure or suspicions from a third party?<br><input type="checkbox"/> Your suspicions or concerns? |
| Date and time of disclosure   |
| Date and time of incident ( If known)   |
| Details of the allegation/suspicion(s). <i>State exactly what you were told or observed and what was said. Include details of any witnesses to the incident. Use the persons own words as much as possible</i>                                      |

Action taken so far:

HR/Area Manager Notified: **Yes / No**

Referred to Social Services: **Yes / No**

Any other action taken?

Any immediate recommendations arising from this case?

Forwarded to HR Business Partner/Line Manager – Name(s):

Signed:

Full Name:

Date/Time:

### Appendix 3: Useful Contacts

Use this section to record useful telephone numbers that are relevant to safeguarding adults. Please fill in for your local area where your shop is located, most details can be found on the internet e.g. type in Bristol Adult Social Services.

| <b>To raise a safeguarding concern</b>   |  |
|--|--|
| <p>Adult Social Care: Contact Centre<br/>(Mon-Fri 8am – 6pm, excluding bank holidays)</p> <p>Emergency Duty Team<br/>(Outside of the contact centre times above)</p> | <p>Tel:<br/>Text phone for deaf and hard of hearing people:</p> <p>Tel:</p>  |
| <p>Local Adults Safeguarding Board Support Unit<br/>Advice Line:</p> <p>(Mon-Thurs 9am-5pm, Fri 9am-4.30pm)</p>  | <p>Tel:</p>  |
| <b>Contacting the police</b>   |  |
| <p>If the person is in imminent danger</p> <p>If you need to report a crime, but the person is not in imminent danger</p>  | <p>Tel: 999<br/>(Emergency Service)</p> <p>Tel: 101<br/>(Non-Emergency Service)</p>                                    |
| <p><b>Trading Safeguarding Manager, Karen Jay</b></p>  | <p>Mobile 07554 332812</p> <p>Email: <a href="mailto:kjay1@oxfam.org.uk">kjay1@oxfam.org.uk</a></p>                    |
| <p><b>Oxfam Safeguarding Team</b></p>  | <p>Tel: 01865 473197</p>   |
| <b>Employment related advice lines</b>   |  |
| <p>Oxfam Shop Support<br/>Disclosure and Barring Service (DBS)</p>   | <p>Tel: 0300 200 1333</p> <p>Tel: 01325 953795</p>   |
| <p><b>Confidential Helpline</b></p>  | <p>Tel 01865 472120</p> <p>E:mail<br/><a href="mailto:whistleblowing@oxfam.org.uk">whistleblowing@oxfam.org.uk</a></p> |