

OXFAM GB

Safeguarding Adults Policy

May 2018

Title:	Safeguarding Adults Policy
Author:	Oxfam's Safeguarding Team
LT Sponsor:	Mark Goldring (Chief Executive of Oxfam GB)
Area of Governance:	Safeguarding Steering Group
Date for Renewal:	March 2019
Approved by:	Oxfam GB's Council of Trustees
Geographical Scope:	For all Oxfam GB employees, volunteers and representatives Worldwide, except in countries where the following policy contravenes local legislation. In these cases, local legislation must be followed with guidance from the Safeguarding Team and the People Director. This document will apply in the event that Oxfam GB policy is more stringent than local legislation.
Confidentiality:	Public, additional guidelines and materials are available internally

Policy Statement

At Oxfam, we believe all adults regardless of age, gender, disability or ethnic origin have a right to be protected from all forms of harm, abuse, neglect and exploitation. Oxfam **will not** tolerate the abuse of adults at risk in any form.

It is the responsibility of all representatives of Oxfam to raise any concerns you have or those which are reported to you according to this policy. It is not your responsibility to decide whether or not vulnerable adult abuse has occurred.

It is the responsibility of all Oxfam managers to ensure the delivery of this policy and to promote it as relevant in all aspects of their work, to hold themselves and others to account and to help create a safe environment for all.

This policy will automatically be applied in the UK and in all geographies where Oxfam GB is the Executing Affiliate and must be used in conjunction with Oxfam's *Procedures for Safeguarding Adults*.

This policy does not form part of an employees' terms and conditions of employment and may be subject to change at the discretion of management.

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Useful Links

These links will be reviewed on a regular basis to ensure consistency across documents and with consideration for users accessing both KARL and COMPASS.

Procedures

- [Procedures for Safeguarding Adults \(2018\)](#)

Related Policy

- [Oxfam International Code of Conduct \(2017\)](#)
- [Recruitment Policy \(2017\)](#)
- [Oxfam Volunteering Policy \(2012\)](#)

If in doubt about anything in this policy, **please seek further advice** from Oxfam's Safeguarding Team (safeguarding@oxfam.org.uk or +44 (0)1865 473813).

1. Oxfam Safeguarding Principles

Oxfam will ensure that:

- a) Concerns or allegations of abuse or neglect will always be taken seriously and investigated;
- b) Oxfam will seek to safeguard adults at risk by valuing, listening to and respecting them;
- c) All managers, employees and volunteers and other representatives have access to, and are familiar with, this policy and will know their responsibilities within it;
- d) All staff receive training in relation to Safeguarding Adults at a level commensurate with their role;
- e) All staff, volunteers and carers will have access to information about how to report concerns or allegations of abuse, including those who may be an adult at risk themselves;
- f) The UK *Mental Capacity Act (2005)* will be used by Oxfam in partnership with the relevant statutory services to guide decisions on behalf of those adults at risk who are unable to make certain decisions for themselves (please refer below for definitions relating to 'Mental Capacity');
- g) Oxfam will not knowingly recruit staff, volunteers or other representatives to roles in which they pose a known risk to the safety or wellbeing of adults at risk;
- h) All managers are responsible for promoting awareness of this policy within their divisions, departments or teams.

2. Definitions

2.1 Safeguarding Adults at Risk

Safeguarding adults at risk is the process of protecting adults from abuse or neglect, enabling adults to maintain control over their lives and make informed choices without coercion. It involves empowering adults at risk, consulting them before taking action unless someone lacks the capacity to make a decision, or their mental health poses a risk to their own or someone else's safety, in which case, always acting in his or her best interests.

2.2 Adult at Risk

An adult at risk is defined as

"any person aged 18 years and over who is or may be in need of community care services 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 significant harm or serious exploitation”.*¹

Since 2005, the range of adults considered to be at risk has been widened to include people encountering domestic abuse, substance misusers and asylum seekers.²

Please note: An elderly person, while they may require extra support, does not necessarily meet the definition of *adult at risk*, and if you require any further guidance on this definition please contact a member of Oxfam’s Safeguarding Team (safeguarding@oxfam.org.uk or +44(0)1865 473813) or, if you are in the UK, your local Safeguarding Board.

2.3 Vulnerable Adult Abuse³

Abuse can take many forms and the circumstances of the individual must always be considered. It may consist of a single act or repeated acts. The following is a list of examples of the different types of abuse which may affect an adult at risk:

- **Physical** – includes, but is not limited to, hitting, slapping, pushing, kicking, misuse of medication, unlawful or inappropriate restraint and inappropriate physical sanctions.
- **Sexual** – is unwanted sexual activity or behaviour that happens without consent or understanding
- **Psychological** – is emotional abuse which causes distress and can be verbal and non-verbal.
- **Financial and material** – includes theft, fraud, exploitation and pressure in connection to wills, property, inheritance and financial transactions, or inciting an adult at risk to do any of these things on another individual’s behalf; it may also involve the misuse or misappropriation of property, possessions and benefits of an adult at risk
- **Discriminatory** - includes abuse based on an individual’s race, gender, disability, faith, sexual orientation, or age; and other forms of harassment, slurs or similar treatment or hate crime/incident.
- **Neglect or self-neglect** - includes a wide range of behaviours such as neglecting to care for one’s own personal hygiene or health.
- **Domestic Abuse** – is “any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality”⁴.

2.4 Mental Capacity

For the purposes of Safeguarding Adults, mental capacity is an individual’s ability to:

- Understand the implications of their situation and risk 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.

¹ Department of Health and Social Care [No Secrets: Guidance on Protecting Vulnerable Adults in Care](#)

² Nottinghamshire District Councils and Borough [Definition of Child and Adult at Risk](#)

³ nidirect Government Services [Recognising Adult Abuse, Exploitation and Neglect](#)

⁴ Home Office [Guidance: Domestic Violence and Abuse](#)

3. Roles and Responsibilities

Safeguarding adults at risk is everyone's responsibility and failure to act on concerns relating to an adult at risk is not an option.

Oxfam Managers, and ultimately Directors, hold overall accountability for this Policy and its implementation.

Oxfam GB's Directors and Council of Trustees are responsible for reviewing and updating this Policy annually, and in line with legislative and organisational developments and hold overall accountability for Oxfam GB's Safeguarding of Adults.

All staff, volunteers and other representatives of Oxfam are required to adhere to this Policy and Oxfam's Code of Conduct at all times.

All Oxfam GB employees are obliged to report any suspicions of abuse of vulnerable adults. Failure to report to a relevant person suspicion of abuse relating to someone else is a breach of Oxfam GB's policy, and could lead to disciplinary action being taken. For the avoidance of doubt, there is no obligation placed on any individual to report any incident that has happened to them.

Oxfam GB's Safeguarding Team and senior management teams can offer further support to help staff and volunteers on implementing this Policy.

4. Support for Survivors and Victims

Support will be offered to survivors and victims, regardless of whether a formal internal response is carried out (such as an internal investigation). Support can include specialist psycho-social counselling, access to Oxfam's Employee Assistance Programmes and/or access to other specialist and appropriate support as needed. Survivors and victims can choose if and when they would like to take up the support options available to them.

5. Safe Programming at Oxfam

We recognise there is always a ***possibility of inflicting unintended harm, particularly in relation to vulnerable populations such as adults at risk***. For this reason, we have ***minimum standards in place intended to minimise this risk when working with direct or indirect adult at risk beneficiaries***. These are published in Oxfam's *Procedures for Safeguarding Adults*.

Responsibility for ensuring these programme standards are applied lies with Oxfam's Country Directors and Programme Managers. However, all Oxfam staff and partners working with adults at risk must take personal responsibility for upholding these minimum standards.

6. How to respond to a complaint or concern

Oxfam is committed to responding to all complaints and concerns of abuse. Oxfam's Safeguarding Team are responsible for this work, and have specialist expertise in prevention, carrying out investigations, and delivering support to survivors of and victims of vulnerable adult abuse.

Oxfam recognises that disclosures and suspicion should always be acted upon swiftly, and if there is an urgent vulnerable adult protection situation, for example if a vulnerable adult at risk is in imminent danger of abuse, then immediate protective action must be taken.

What to do if You Have Concerns About a Vulnerable Adult's Wellbeing

- The first priority should always be the immediate safety and welfare of the vulnerable adult.
- Keep calm and act normally; do not say or show that you are shocked.

- Do not investigate or question the vulnerable adult. If a vulnerable adult reports abuse directly to you, only ask questions to get enough information to understand the complaint (e.g. 'who, what, where, when' questions, but not 'why' questions).
- Never agree to keep a secret. If a vulnerable adult is in danger you will have to inform others.
- Do not directly challenge parents, carers or teachers about your concerns.
- **Record all the details that support your suspicion and report this in line with internal reporting procedures.**

Confidentiality

Oxfam staff cannot keep confidences when they involve concerns about a vulnerable adult. Any information offered in confidence to Oxfam staff or volunteers relating to risks or concerns about a vulnerable adult should be received on the basis that it will have to be shared with the relevant person or people in authority. In the first instance this will be a senior Oxfam manager in your division and Oxfam's Safeguarding Team.

It is the responsibility of all who represent Oxfam, in whatever capacity, to raise concerns regarding possible or known issues of child abuse or exploitation in projects managed or supported by Oxfam immediately in line with the procedures outlined below.

7. How to raise a Complaint or Concern

Anyone can raise a concern or make a complaint to Oxfam about something they have experienced or witnessed. You can do this verbally or in writing to your Safeguarding Focal Point or the Safeguarding Team (all details on [KARL](#) and [COMPASS](#)), your Line Manager, HR or via Oxfam's Whistleblowing Service.

You can contact the Safeguarding Team confidentially on safeguarding@oxfam.org.uk or telephone +44 (0)1865 473813

Those who work with or for Oxfam (including Oxfam's beneficiaries) can also raise a concern without fear of retribution to Oxfam's Whistleblowing Service by emailing whistleblowing@oxfam.org.uk, or phoning:

English	00441 86547 2120
Arabic	00441 86547 2121
French	00441 86547 2122
Spanish	00441 86547 2123
Portuguese	00441 86547 2124

Oxfam has also set up a confidential, 3rd party, independent Whistleblowing hotline, available online at www.oxfam.ethicspoint.com and by phone (UK number 0808 234 9797, country specific numbers all available online). This is available to anyone who wishes to report a concern.

Please refer to Oxfam's [Disclosure of Malpractice in the Workplace \(Whistleblowing\) Policy](#) for further details.

If an allegation is made against you, then you must inform your manager immediately. You must create a signed and dated record of the details as you know them and send a copy of this to HR. All those accused will be treated with respect and all allegations are treated confidentially. You may wish to seek support from your Union or Staff Representative.

8. Procedure for Handling Complaints

When a complaint or concern has been raised, it must be referred within 24 hours to Oxfam's Safeguarding Team. This can be done on behalf of somebody else, and may only involve a suspicion.

Internal Response

Within 72 hours of receiving a complaint or concern, Oxfam's Safeguarding Team must convene a case conference. An email should be sent to the complainant to acknowledge the complaint in

writing as soon as possible. Oxfam will refer suspected cases of vulnerable adult abuse to local statutory authorities where possible.

The process for addressing complaints is outlined in Oxfam's *Procedures for Safeguarding Children*.

Confidentiality must be maintained throughout the complaints process by all staff and witnesses. Staff members who breach confidentiality will be subject to disciplinary action up to and including termination of employment. In some cases, such breaches constitute breaking the law.

Retaliation Against Complainants, Victims and Witnesses

Oxfam will take action against any staff, volunteers or other representatives, whether they are the subject of a complaint or not, who seek or carry out retaliatory action against complainants, victims or other witnesses. Staff who are found to do this will be subject to disciplinary action, up to and including termination of employment.

Outcomes of Misconduct

Employees who are found to contravene this policy will be subject to disciplinary action that may result in dismissal. Volunteers, contractors and other representatives will have their relationship with Oxfam terminated.

False Allegations

It is extremely rare that staff or other stakeholders are found to have raised allegations which they knew to be false. If a member of staff from Oxfam is found to have made an allegation that they knew to be false they will be subject to disciplinary action, up to and including termination of employment.

Complaints about Oxfam's Partners

If Oxfam receives a complaint about a partner organisation, Oxfam will expect the partner to respond quickly and appropriately. Oxfam should assist the partner to ascertain its obligations under local law to refer the matter to the police or other statutory authorities for criminal investigation.

Where appropriate, Oxfam should work with the partner to address the issue through an appropriate independent investigation. If the outcome is that vulnerable adult abuse has occurred, ongoing work with the partner cannot involve the individual(s) concerned.

If there is reason to believe that an allegation of vulnerable adult abuse has been dealt with inappropriately by a partner then serious consideration must be given to withdrawing funding or pulling out of the relationship (including networks and consortia).

Receiving External Complaints and Concerns

Complaints raised from outside the organisation must be referred to Oxfam's Safeguarding Team and must adhere to Oxfam's policy and procedures as outlined in this document.

9. Safe Recruitment

Oxfam is committed to recruiting staff, volunteers and other representatives safely. All application forms, interviews and references must address Safeguarding and equality requirements and attitudes in line with the Recruitment Policy.

Recruitment for all applicants to roles supervising Adult at Risk Volunteers or working directly with child beneficiaries must follow Oxfam's Safeguarding Adults Guidelines, particularly that:

- All applicants must be asked to disclose all criminal convictions in keeping with the parameters of local employment law;
- We are not able to offer volunteering opportunities to anyone with spent or unspent convictions for sexual offences or any form of vulnerable adult abuse;

- Legitimate registers must be checked to establish whether applicants applying for such roles are a known risk to adults at risk;
- Applicants should not start work until reference checking and legitimate register checks have taken place.

Engaging Adult at Risk Volunteers

Initial chat

It is ***mandatory that if an initial chat takes place with an adult at risk that at least two Oxfam representatives should be present at this meeting.*** During this meeting, the adult at risk should be made aware of Oxfam's Safeguarding Adults Policy.

In some cases, an initial chat will not take place, such as for one off campaigning or fundraising events. In such cases the Adult at Risk should be given a copy of Oxfam's Safeguarding Adults Policy prior to volunteering.

Health and Safety

All relevant ***health and safety checks must be completed before taking on*** an Adult at Risk Volunteer.

10. Supervision of Adults at Risk

Effective supervision is critical in order to safeguard adult at risk volunteers in our care.

- Volunteers who are adults at risk must ***not be left alone in a property at any time.***
- Ideally ***two adults should be present*** when an adult at risk is volunteering, of which one must be designated as the adult at risk's supervisor for the duration of their shift.
- ***If an activity is identified as higher risk*** in the Health & Safety assessment, then this ***should have constant supervision*** from the nominated supervisor.
- In exceptional circumstances, it may be necessary for an adult at risk to work alone with an adult. This should not be the norm, with management responsible for identifying and addressing when this is not the case.
- During their inductions, adults at risk must be told who is responsible for their safety and how to raise concerns. Managers must ensure appropriate supervision arrangements are clearly set out and agreed in advance with each person who will supervise adult at risk volunteers.

11. Use of Personal Data about Adults at Risk

In order to protect the personal data of adults at risk, Oxfam staff must adhere to Oxfam's [Data Protection Policy](#) which is guided by the General Data Protection Regulation in the European Union (2018). All information stored by Oxfam about adults at risk must be processed in accordance with this Act and Oxfam's policy.

Research with adults at risk must be well thought through and special attention must be given to Oxfam's *Procedures for Safeguarding Adults*. Oxfam representatives must give particular attention to the process for gathering content about adults at risk, how to protect an adult at risk's identity, how to share and store such content and how to achieve "informed consent".

Any disputes about the use of images of adults at risk in Oxfam's work must be addressed to the Chair of Oxfam's Safeguarding Steering Group (Tina Proudlock, People Director), who will raise this matter to the rest of the group.

12. Training

All Oxfam staff and other representatives must receive training on Safeguarding Adults commensurate with their role. This training will be carried out by specialists on a regular basis and will include information about Oxfam's policy positions, reporting and investigation procedures, and how to embed Adult Safeguarding across the organisation.

Overall responsibility for ensuring that staff receive regular training and messages about Safeguarding lies with managers.

Adults at Risk require training to ensure that their capabilities and competencies are at a level where they can operate without putting themselves and others at risk.