



Safeguarding Adults at Risk Policy

Written with guidance from Ann Craft Trust <https://www.anncrafttrust.org/resources/safeguarding-adults-policy-procedures-templates/>

In line with ECB Safeguarding Adults at Risk guidance

<https://resources.ecb.co.uk/ecb/document/2022/07/11/9a4d69ac-c03e-41f3-8e87-2eb695aee1a7/AAR-Policy-Statement-June-2022.pdf>

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Introduction

Durham Cricket has an essential role as the strategic delivery arm of the ECB in North East England. Durham Cricket also has the opportunity to mark out a very distinctive position in the world of cricket through the development and communication of an inspiring common purpose and strong individual identity (the Durham Cricket brand).

Our vision and commitment to safeguarding aligns the organisation from Changing Room to Boardroom, bringing together cricketing and commercial goals and resonates with our community.

An effective Durham Cricket brand demands focus, ambition and a consistent approach to everything we do. There is an expectation that all our people will follow the vision, live and breathe the values and adhere to a set of consistent behaviours. These are all set out below.

Durham Cricket is committed to Safeguarding Adults in line with national Government legislation and ECB guidelines. We will safeguard adults by ensuring that our activities are delivered in a way which keeps all adults safe.

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

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

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



Policy Statement

Durham Cricket is committed to creating and maintaining a safe and positive environment and accepts our responsibility to safeguard Adults at Risk involved in all levels of Cricket.

Safeguarding means protecting an adults right to live safely, free from abuse and neglect.

Durham Crickets Safeguarding Adults Policy applies to all individuals involved in Cricket.

Legislation in England and Wales defines an 'Adult at Risk' as any person aged 18 years or over, who has care and support needs, who is experiencing (or at risk of) abuse or neglect, and as a result is unable to protect themselves from the abuse, neglect, or the risk of the risk of it.

Legislation in both areas commits to putting the adult at the centre of decision making, empowering adults to make decisions for themselves with support from others where appropriate.



Purpose

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

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

Scope

This safeguarding adult policy and associated procedures apply to all individuals involved at Durham Cricket including Board members, Staff, Volunteers and Members and to all concerns about the safety of adults whilst taking part in our organisation, its activities and in the wider community.

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

Commitments

In order to implement this policy Durham Cricket will ensure that:

- Everyone involved with Durham Cricket is aware of the safeguarding adult procedures and knows what to do and who to contact if they have a concern relating to the welfare or wellbeing of an adult.
- Any concern that an adult is not safe is taken seriously, responded to promptly, and followed up in line with Durham Cricket Safeguarding Adults Policy and Procedures.
- The well-being of those at risk of harm will be put first and the adult actively supported to communicate their views and the outcomes they want to achieve. Those views and wishes will be respected and supported unless there are overriding reasons not to (see the Safeguarding Adults Procedures).
- Any actions taken will respect the rights and dignity of all those involved and be proportionate to the risk of harm.
- Confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored in line with ECB Data Protection Policy and Procedures.
- Durham Cricket acts in accordance with best practice advice, from ECB, NSPCC and Ann Craft Trust.
- Durham Cricket will cooperate with the Police and the relevant Local Authorities in taking action to safeguard an adult.
- All Board members, staff, officials and volunteers understand their role and responsibility for safeguarding adults and have completed and are up to date with safeguarding adult training and learning opportunities appropriate for their role.



- Durham Cricket uses safe recruitment practices and continually assesses the suitability of volunteers and staff to prevent the employment/deployment of unsuitable individuals in this organisation and within the sporting community.
- Durham Cricket shares information about anyone found to be a risk to adults with the ECB Safeguarding team via referral form.
- When planning activities and events Durham Cricket includes an assessment of, and risk to, the safety of all adults from abuse and neglect and designates a person who will be in attendance as a safeguarding lead for that event.
- Actions taken under this policy are reviewed by Durham Cricket Board on an annual basis.
- This policy, related policies (see below) and the Safeguarding Adults Procedures are reviewed no less than on a two yearly basis and whenever there are changes in relevant legislation and/or government guidance as required by the ECB or as a result of any other significant change or event.



Implementation

Durham Cricket is committed to developing and maintaining and implementing this policy and procedures.

In order to do so the following will be in place:

- A clear line of accountability within the organisation for the safety and welfare of all adults.
 - Access to relevant legal and professional advice.
 - Regular reports to the Board detailing how risks to adult safeguarding are being addressed and how any reports have been addressed.
 - Safeguarding adult procedures that deal effectively with any concerns of abuse or neglect, including those caused through poor practice.
 - A Safeguarding Officer.
 - Arrangements to work effectively with the ECB and other relevant organisations to safeguard and promote the welfare of adults, including arrangements for sharing information.
 - Codes of conduct for Board members, Staff, Coaches, Officials, Volunteers and Members and other relevant individuals that specify zero tolerance of abuse in any form.
 - Risk assessments that specifically include safeguarding of adults.
 - Policies and procedures that address the following areas and which are consistent with this Safeguarding Adults policy.
- | | |
|---|---|
| ✓ Safeguarding Children | ✓ Discipline and grievance |
| ✓ Bullying and harassment | ✓ Concerns, Complaints and Compliments |
| ✓ Social Media | ✓ Whistleblowing |
| ✓ Equality, diversity and inclusion | ✓ Safe recruitment and selection (staff and volunteers) |
| ✓ Safe activities risk assessments | ✓ Information policy, data protection and information sharing |
| ✓ Code of Conducts - Staff, Coaches, Officials, Volunteers, Participants/Members. | |



An Adult at risk is

England (Care Act 2014)

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

- (a) has needs for care and support (whether or not the local authority is meeting any of those needs) AND;
- (b) is experiencing, or at risk of, abuse or neglect, AND;
- (c) as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

Abuse and Neglect

Abuse is a violation of an individual's human and civil rights by another person or persons. It can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it. Any or all of the following types of abuse may be perpetrated as the result of deliberate intent, negligence, omission or ignorance.

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

Safeguarding legislation in each home nation lists categories of abuse differently however, they all include the following types of abuse:

- Physical
- Sexual
- Psychological
- Neglect
- Financial

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

Abuse can take place within a sporting context and the person causing harm might be any other person. For example: a member of staff, a coach, a volunteer, a participant or a fan.

Some examples of abuse within sport include:

- Harassment of a participant because of their (perceived) disability or other protected characteristics.
- Not meeting the needs of the participant e.g. training without a necessary break.
- A coach intentionally striking an athlete
- One elite participant controlling another athlete with threats of withdrawal from their partnership
- An official who sends unwanted sexually explicit text messages to a participant with learning disabilities.
- A participant threatens another participant with physical harm and persistently blames them for poor performance.

Abuse or neglect outside sport could be carried out by:



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

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

Mental Capacity and Decision Making

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

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

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

A person's ability to do this may be affected by things such as learning disability, dementia, mental health needs, acquired brain injury and physical ill health.

Most adults have the ability to make their own decisions given the right support however, some adults with care and support needs have the experience of other people making decisions about them and for them.

Some people can only make simple decisions like which colour T-shirt to wear or can only make decisions if a lot of time is spent supporting them to understand the options. If someone has a disability that means they need support to understand or make a decision this must be provided. A small number of people cannot make any decisions. Being unable to make a decision is called "lacking mental capacity".

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

For example:

- 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.

Mental Capacity is important for safeguarding for several reasons.

Not being allowed to make decisions one is capable of making is abuse. For example, a disabled adult may want to take part in an activity but their parent who is their carer won't allow them to and will not provide the support they would need. Conversely the adult may not seem to be benefiting from an activity other people are insisting they do.



Another situation is where an adult is being abused and they are scared of the consequences of going against the views of the person abusing them. It is recognised in the law as coercion and a person can be seen not to have mental capacity because they cannot make 'free and informed decisions'.

Mental Capacity must also be considered when we believe abuse or neglect might be taking place. It is important to make sure an 'adult at risk' has choices in the actions taken to safeguard them, including whether or not they want other people informed about what has happened, however, in some situations the adult may not have the mental capacity to understand the choice or to tell you their views.

Each home nation has legislation that describes when and how we can make decisions for people who are unable to make decisions for themselves. The principles are the same.

- We can only make decisions for other people if they cannot do that for themselves at the time the decision is needed.
- If the decision can wait, wait – e.g. to get help to help the person make their decision or until they can make it themselves.
- If we have to make a decision for someone else then we must make the decision in their best interests (for their benefit) and take into account what we know about their preferences and wishes.
- If the action we are taking to keep people safe will restrict them then we must think of the way to do that which restricts to their freedom and rights as little as possible.

Many potential difficulties with making decisions can be overcome with preparation. A person needing support to help them make decisions whilst taking part in a sports organisation will ordinarily be accompanied by someone e.g. a family member or formal carer whose role includes supporting them to make decisions.

It is good practice to get as much information about the person as possible. Some people with care and support needs will have a 'One page profile' or a 'This is me' document that describes important things about them. Some of those things will be about how to support the person, their routines, food and drink choices etc. but will also include things they like and don't like doing. It's also important to have an agreement with the person who has enrolled the adult in the sports activity about how different types of decisions will be made on a day to day basis.

If a person who has a lot of difficulty making their own decisions is thought to be being abused or neglected you will need to refer the situation to the Local Authority, and this should result in health or social care professionals making an assessment of mental capacity and/or getting the person the support they need to make decisions.

There may be times when a sporting organisation needs to make decisions on behalf of an individual in an emergency. Decisions taken in order to safeguard an adult who cannot make the decision for themselves could include:

- Sharing information about safeguarding concerns with people that can help protect them.
- Stopping them being in contact with the person causing harm.



Table

The Safeguarding Adults Legislation in each Home Country defines categories of adult abuse and harm as follows.

England (Care Act 2014)
Physical Sexual Emotional/Psychological/Mental Neglect and acts of Omission Financial or material abuse Discriminatory Organisational / Institutional Self-neglect Domestic Abuse (including coercive control) Modern slavery