



SAFEGUARDING ADULTS POLICY

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With thanks to the Ann Craft Trust (<https://www.anncrafttrust.org/>).

Foreword

Sport and physical activity can transform lives; they can improve people's physical and mental wellbeing, they can help to build social cohesion and community engagement, and they can improve the life chances of some of our most disadvantaged populations.

Everyone has the right to feel safe while taking part in sport and physical activity, or while working within the sector. We believe that no adult should experience, or be at risk of experiencing, any form of abuse or neglect. We are dedicated to creating a culture of zero-tolerance within CIMSPA and the sector, where the various forms of abuse and neglect are understood, and where potential or actual issues are proactively identified and addressed.

The willingness to report safeguarding concerns, and the knowledge of how to do this, are vitally important as prompt action can make a significant difference in preventing harm and providing support to those in need. Safeguarding is everyone's responsibility, and we therefore encourage anyone reading this who is uncertain about whether to report something that they are concerned about, to follow the guidance in this policy and report it.

Through these concerted efforts, CIMSPA can set a strong example for the sector, fostering an environment where every individual is protected, respected and encouraged to thrive.



Tara Dillon
Chief Executive Officer
CIMSPA



Joelle Conway
Welfare and Safety Lead
CIMSPA Board of Trustees

1 Policy Statement

CIMSPA believes everyone has the right to live free from abuse or neglect regardless of age, ability or disability, sex, race, religion, ethnic origin, sexual orientation, marital or gender status.

CIMSPA is committed to creating and maintaining a safe and positive environment and an open, listening culture where people feel able to share concerns without fear of retribution.

CIMSPA acknowledges that safeguarding is everybody's responsibility and is committed to preventing abuse and neglect through safeguarding the welfare of all adults involved.

CIMSPA recognises that health, wellbeing, ability, disability and need for care and support can affect a person's resilience. We recognise that some people experience barriers, for example, to communication in raising concerns or seeking help. We recognise that these factors can vary at different points in people's lives.

CIMSPA recognises that there is a legal framework within which we need to work to safeguard adults who have needs for care and support and for protecting those who are unable to take action to protect themselves, and will act in accordance with the relevant safeguarding adult legislation and with local statutory safeguarding procedures.

Actions taken by CIMSPA will be consistent with the principles of adult safeguarding, ensuring that any action taken is prompt, proportionate and that it includes and respects the voice of the adult concerned.

For the purposes of this policy, an adult is anyone aged 18 or over. Those under the age of 18 fall within the remit of CIMSPA's Safeguarding Children and Young People Policy.

2 Purpose

The purpose of this policy is to demonstrate CIMSPA's commitment to safeguarding adults, and to ensure that everyone involved in CIMSPA is aware of:

- The legislation, policy and procedures for safeguarding adults.
- Their role and responsibilities 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.

3 Scope

3.1 Who should follow this policy?

This Safeguarding Adults Policy and associated Procedures must be followed by all of CIMSPA's People, which includes but is not limited to: employees, Board trustees, sub-committee members, contractors, quality assurance assessors, internal verifiers, consultants and volunteers.

We expect our partner organisations, including but not limited to Education Partners, Employer Partners, Training Provider Partners, Awarding Organisations and Supplier Partners, to demonstrate the same level of commitment to safeguarding adults and to have appropriate policies and procedures in place.

3.2 Safeguarding Adults, or Safeguarding Adults at Risk?

Safeguarding Adults legislation talks about Adults at Risk, and sets out specific responsibilities for Local Authorities and other statutory services relating to this. The definition of an Adult at Risk is outlined in Section 8.

However, any adult can be at risk of harm or abuse and therefore this policy is not limited to those who fall within the definition of an Adult at Risk. The procedures for dealing with a concern apply to all adults; the actions may differ depending on whether the individual is an Adult at Risk.

3.3 Who can CIMSPA respond to concerns about?

First and foremost, CIMSPA will take the steps it believes necessary to protect the safety and welfare of any adult and to prevent harm or abuse (or further harm or abuse) from taking place.

Under this policy, CIMSPA has a responsibility to respond to concerns relating to the following:

- Any of CIMSPA's people:
 - Actually or potentially experiencing harm or abuse
 - Actually or potentially causing harm or abuse to another adult
- Any CIMSPA member actually or potentially breaching CIMSPA's [Member Code of Conduct](#) by failing to 'promote and undertake practices that reduce the potential for harm to occur, including discrimination, abuse or physical harm / injury', or any other breach of the Code relating to safeguarding adults.
- Any CIMSPA member actually or potentially 'failing to work within... safeguarding guidelines', as outlined in [CIMSPA's Malpractice or Maladministration of CIMSPA Members Policy](#)
- Any CIMSPA member actually or potentially breaching safeguarding guidelines, as outlined in [CIMSPA's Disciplinary Policy and Procedure for CIMSPA Members](#)
- Any CIMSPA partner actually or potentially breaching CIMSPA's [Partner Code of Conduct](#) by not 'providing sufficient safeguarding arrangements in accordance with

relevant safeguarding guidelines', or any other breach of the Code relating to safeguarding adults.

- Any CIMSPA partner actually or potentially 'failing to work with integrity, inclusivity or within ethical and safeguarding guidelines', as outlined in [CIMSPA's Malpractice or Maladministration of CIMSPA Partners Policy](#)
- Any CIMSPA partner actually or potentially breaching safeguarding guidelines, as outlined in [CIMSPA's Disciplinary Policy and Procedure for CIMSPA Partners](#)

If a concern falls outside of the above list, CIMSPA will always endeavour to provide advice and signposting to the person making the report. CIMSPA also reserves the right to take appropriate action as outlined in our Safeguarding Procedures if we feel this is justified to protect the safety and welfare of an individual.

4 Commitments

- In order to implement this policy, CIMSPA will ensure that:
 - Everyone involved with CIMSPA 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 the CIMSPA Safeguarding Adults Policy and Procedures.
 - The wellbeing 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.
 - 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 our Data Protection Policy, Privacy Notice and Data Retention Schedule.
 - CIMSPA acts in accordance with best practice advice from organisations such as the Ann Craft Trust and the Home Countries Sports Councils.
 - CIMSPA will cooperate with the Police and the relevant Local Authorities in taking action to safeguard an adult.
 - All of CIMSPA's People understand their role and responsibility for safeguarding adults, and, where appropriate, have completed and are up to date with safeguarding adult training and learning opportunities as necessary for their role.
 - CIMSPA uses safe recruitment practices and continually assesses the suitability of staff and volunteers to prevent the employment/deployment of unsuitable individuals in this organisation.

- CIMSPA shares information about anyone found to be a risk to adults with the appropriate bodies. For example: Disclosure and Barring Service, Police, Local Authority/Social Services. CIMSPA will follow current guidance (see [here](#)) when deciding whether to make a referral to the Disclosure and Barring Service.
- When planning activities and events, CIMSPA includes an assessment of the safety of all adults from abuse and neglect and, where appropriate, designates a person who will be in attendance as a safeguarding lead for that event.
- Actions taken under this policy are reviewed by the CIMSPA Board of Trustees and Senior Leadership Team on an annual basis.

5 Implementation

CIMSPA is committed to developing and maintaining its capability to implement this policy and associated 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 management reports to the Board detailing how adult safeguarding risks are being mitigated 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.
- At least one Safeguarding Lead.
- A Board Welfare and Safety Lead.
- A delegated Safeguarding Lead / Welfare Officer for events, where appropriate.
- A process for forming a Case Management Group on a case by case basis within clear terms of reference.
- Arrangements to work effectively with other relevant organisations to safeguard and promote the welfare of adults, including arrangements for sharing information.
- Codes of conduct for Members that specify zero tolerance of abuse in any form.
- Codes of conduct for Partners requiring sufficient safeguarding arrangements to be in place
- Risk assessments that specifically include safeguarding of adults, including for relevant events.
- Policies and procedures that address the following areas and which are consistent with this Safeguarding Adults Policy:

- Safeguarding Children and Young People Policy
- Mental Health and Wellbeing Policy
- Equal Opportunities Policy (includes Bullying and Harassment)
- Social Media
- Code of Conducts for Members and Partners, and a process for addressing breaches of these
- Disciplinary Policy
- Grievance Policy
- Whistleblowing Policy
- Recruitment Policy
- Partner Due Diligence process
- Privacy Policy
- Information security Policy
- Personal Data Protection Policy

6 Key Points

- There is a legal duty on Local Authorities to provide support to ‘adults at risk’.
- Adults at risk are defined in legislation and the criteria applied differs between each home nation (definitions for each home nation are in section 8).
- The safeguarding legislation applies to all forms of abuse that harm a person’s wellbeing.
- The law provides a framework for good practice in safeguarding that makes the overall wellbeing of the adult at risk a priority of any intervention.
- The law in all four home nations emphasises the importance of person-centred safeguarding, (referred to as ‘Making Safeguarding Personal’ in England).
- The law provides a framework for making decisions on behalf of adults who can’t make decisions for themselves (mental capacity).
- The law provides a framework for organisations to share concerns they have about adults at risk with the local authority.
- The law provides a framework for all organisations to share information and cooperate to protect adults at risk.

7 Safeguarding Adults Legislation

Safeguarding Adults in all home nations is compliant with United Nations directives on the rights of disabled people and commitments to the rights of older people. It is covered by:

- The Human Rights Act 1998
- The Data Protection Act 2018
- General Data Protection Regulations 2018

The practices and procedures within this policy are based on the relevant legislation and government guidance, including:

- England - The Care Act 2014 - Care and Support Statutory Guidance 2014
- Wales - Social Services and Well Being Act 2014 - Wales Safeguarding Procedures 2019
- Scotland - Adult Support and Protection Act 2007 - Adult Support and Protection (Scotland) Act 2007 Code of Practice 2014
- Northern Ireland - Adult Safeguarding Prevention and Protection in Partnership 2015

Many other pieces of UK and home nation legislation also affect adult safeguarding. These include legislation about different forms of abuse and those that govern information sharing. For example, legislations in dealing with:

- Murder/attempted murder
- Physical Assault
- Sexual Offences
- Domestic Abuse/Coercive control
- Forced Marriage
- Female Genital Mutilation
- Theft and Fraud
- Modern slavery and Human exploitation
- Hate crime
- Harassment
- Listing and Barring of those unsuitable to work with adults with care and support needs

Each home nation also has legislation about the circumstances in which decisions can be made on behalf of an adult who is unable to make decisions for themselves:

- England and Wales - Mental Capacity Act 2005
- Scotland - Adults with Incapacity Act 2000
- Mental Capacity (Northern Ireland) 2016
- There are specific offences applying to the mistreatment of and sexual offences against adults who do not have Mental Capacity, and specific offences where mistreatment is carried out by a person who is employed as a carer, e.g. wilful neglect and wilful mistreatment.

8 Definition of an Adult at Risk

The Safeguarding Adults legislation creates specific responsibilities on Local Authorities, Health Services, and the Police to provide additional protection from abuse and neglect to Adults at Risk.

When a Local Authority has reason to believe that there is an adult at risk, they have a responsibility to find out more about the situation and decide what actions need to be taken to support the adult. In Scotland and Wales, the Local Authority can gain access to an adult to find out if they are at risk of harm, e.g. if that access is being blocked by another person.

The actions that need to be taken might be by the Local Authority (usually social services) and/or by other agencies, for example the Police and Health Services. Other organisations such as CIMSPA may need to take action as part of safeguarding an adult, for example, to use the disciplinary procedures in relation to a member of staff or member who has been reported to be harming another individual. The Local Authority role includes having multi-agency procedures which coordinate the actions taken by different organisations.

An adult at risk is:

Home Nation	Definition
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.
Scotland (Adult Support and Protection Act 2007)	An adult at risk is an individual aged 16 years and over who: a) is unable to safeguard their own wellbeing, property, rights or other interests, b) is at risk of harm, and; c) because they are affected by disability, mental disorder, illness or physical or mental infirmity, is more vulnerable to being harmed than adults who are not so affected.
Wales (Social Services and Well Being Act 2014)	An adult at risk is an individual aged 18 years and over who: a) is experiencing or is at risk of abuse or neglect, and; b) has needs for care and support (whether or not the authority is meeting any of those needs) 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.

Northern Ireland (Adult Safeguarding Prevention and Protection in Partnership 2015)	An adult at risk of harm is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their a) personal characteristics and/or b) life circumstances. a) Personal characteristics may include, but are not limited to age, disability, special educational needs, illness, mental or physical frailty or impairment of, or disturbance in, the functioning of the mind or brain. b) Life circumstances may include, but are not limited to, isolation, socio-economic factors and environmental living conditions. An adult in need of protection is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their: Personal characteristics and/or Life circumstances and; c) who is unable to protect their own wellbeing, property, assets, rights or other interests and; d) where the action or inaction of another person or persons is causing, or is likely to cause, him/her to be harmed. In order to meet the definition of an 'adult in need of protection' either (a) or (b) must be present, in addition to both elements (c), and (d)
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9 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 or physical activity context and the person causing harm might be any other person, for example: a member of staff, a coach or instructor, a volunteer, a participant or a fan.

Some examples of abuse within sport and physical activity 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 sending unwanted sexually explicit text messages to a participant with learning disabilities
- A participant threatening another participant with physical harm and persistently blaming them for poor performance.

Abuse or neglect outside sport or physical activity 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.

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

Home Nation	Categories
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
Scotland (Adult Support and Protection Act 2007)	Physical Psychological Financial Sexual Neglect
Wales (Social Services and Well Being Act 2014)	Physical Sexual Psychological Neglect Financial
Northern Ireland (Adult Safeguarding Prevention and Protection in Partnership 2015)	Physical Sexual violence Psychological / emotional Financial Institutional Neglect Exploitation Domestic violence Human trafficking Hate crime

10 Signs and Indicators of Abuse and Neglect

An adult may confide to one of CIMSPA's People that they are experiencing abuse inside or outside of the organisation's setting. Similarly, others may suspect that this is the case.

There are many signs and indicators that may suggest someone is being abused or neglected. There may be other explanations, but they should not be ignored. The signs and symptoms include but are not limited to:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- Person has belongings or money going missing.
- Person is not attending / no longer enjoying their role (as an employee, volunteer, participant etc.).
- Someone losing or gaining weight / an unkempt appearance. This could be someone does not wear suitable clothing or there is a deterioration in hygiene.

- A change in the behaviour or confidence of a person. For example, someone may be looking quiet and withdrawn when in contact with a specific individual, whereas they greet other individuals with a smile.
- Self-harm.
- A fear of a particular group of people or individual.
- A parent/carer always speaks for the person and doesn't allow them to make their own choices.
- They may tell you or another person that they are being abused, i.e. a disclosure.

11 Wellbeing Principle

“The success of sport, in terms of helping people achieve their potential, making the most of existing talent, and attracting new people to sport relies on putting people – their safety, wellbeing and welfare – at the centre of what sport does.”

Duty of Care in Sport Independent Report to Government
Baroness Tanni Grey-Thompson DBE, DL.

The concept of 'wellbeing' is threaded throughout UK legislation and is part of the Law about how health and social care is provided. Our well-being includes our mental and physical health, our relationships, our connection with our communities and our contribution to society. Being able to live free from abuse and neglect is a key element of wellbeing.

The legislation recognises that statutory agencies have sometimes acted disproportionately in the past. For example, removing an adult at risk from their own home when there were other ways of preventing harm. In the words of Justice Mumby *'What good is it making someone safe when we merely make them miserable?'* What Price Dignity? (2010)

For that reason any actions taken to safeguard an adult must take their whole wellbeing into account and be proportionate to the risk of harm.

11.1 Person-Centred Safeguarding / Making Safeguarding Personal

Legislation recognises that adults make choices that may mean that one part of our well-being suffers at the expense of another – for example we move away from friends and family to take a better job. Similarly, adults can choose to risk their personal safety; for example, to provide care to a partner with dementia who becomes abusive when they are disorientated and anxious.

None of us can make these choices for another adult. If we are supporting someone to make choices about their own safety we need to understand 'what matters' to them and what outcomes they want to achieve from any actions agencies take to help them to protect themselves.

The concept of Person-Centred Safeguarding / Making Safeguarding Personal means engaging the person in a conversation about how best to respond to their situation in a way



that enhances their involvement, choice and control, as well as improving their quality of life, wellbeing and safety. Organisations work to support adults to achieve the outcomes they want for themselves. The adult's views, wishes, feelings and beliefs must be taken into account when decisions are made about how to support them to be safe. There may be many different ways to prevent further harm. Working with the person will mean that actions taken will help them to find the solution that is right for them. Treating people with respect, enhancing their dignity and supporting their ability to make decisions also helps promote people's sense of self-worth and supports recovery from abuse.

If someone has difficulty making their views and wishes known, then they can be supported or represented by an advocate. This might be a safe family member or friend of their choice or a professional advocate (usually from a third sector organisation).

11.2 The Principles of Adult Safeguarding in each home nation

Home Nation	The Act's Principles are:
England (Care Act 2014)	Empowerment - People being supported and encouraged to make their own decisions and informed consent. Prevention – It is better to take action before harm occurs. Proportionality – The least intrusive response appropriate to the risk presented. Protection – Support and representation for those in greatest need. Partnership – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse Accountability – Accountability and transparency in delivering safeguarding.
Scotland (Adult Support and Protection Act 2007)	The overarching principle underlying Part 1 of the Act is that any intervention in an individual's affairs should provide benefit to the individual and should be the least restrictive option of those that are available which will meet the purpose of the intervention. This is supported by a set of guiding principles which, together with the overarching principle, must be taken into account when performing functions under Part 1 of the Act. These are: • The wishes and feelings of the adult at risk (past and present); • The views of other significant individuals, such as the adult's nearest relative; their primary carer, guardian, or attorney; or any other person with an interest in the adult's well-being or property;

	• The importance of the adult taking an active part in the performance of the function under the Act; • Providing the adult with the relevant information and support to enable them to participate as fully as possible; • The importance of ensuring that the adult is not treated less favourably than another adult in a comparable situation; and • The adult's abilities, background and characteristics (including their age, sex, sexual orientation, gender, religious persuasion, racial origin, ethnic group and cultural and linguistic heritage).
Wales (Social Services and Well Being Act 2014)	Responsibility - Safeguarding is everyone's responsibility. Wellbeing - Any actions taken must safeguard the person's wellbeing. Person centred approach - Understand what outcomes the adult wishes to achieve and what matters to them. Voice and control - Expect people to know what is best for them and support them to be involved in decision making about their lives. Language - Make an active offer of use of the Welsh language and use professional interpreters where other languages are needed. Prevention - It is better to take action before harm occurs.
Northern Ireland (Adult Safeguarding Prevention and Protection in Partnership 2015)	A Rights Based Approach – To promote and respect an adult's right to be safe and secure; to freedom from harm and coercion; to equality of treatment; to the protection of the law; to privacy; to confidentiality; and freedom from discrimination. An Empowering Approach – To empower adults to make informed choices about their lives, to maximise their opportunities to participate in wider society, to keep themselves safe and free from harm and enabled to manage their own decisions in respect of exposure to risk. A Person Centred Approach – To promote and facilitate full participation of adults in all decisions affecting their lives taking full account of their views, wishes and feelings and, where appropriate, the views of others who have an interest safety and wellbeing. A Consent Driven Approach – To make a presumption that the adult has the ability to give or withhold consent; to make informed choices; to help inform choice through the provision of information, and the identification of options and alternatives; to have particular regard to the needs of

	individuals who require support with communication, advocacy or who lack the capacity to consent; and intervening in the life of an adult against his or her wishes only in particular circumstances, for very specific purposes and always in accordance with the law. A Collaborative Approach – To acknowledge that adult safeguarding will be most effective when it has the full support of the wider public and of safeguarding partners across the statutory, voluntary, community, independent and faith sectors working together and is delivered in a way where roles, responsibilities and lines of accountability are clearly defined and understood. Working in partnership and a person centred approach will work hand-in-hand.
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12 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, 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 to consider 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, and as follows:

- 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 support 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, we must do so in a way which poses as little restriction as possible to their freedom and rights.

Many potential difficulties with making decisions can be overcome with preparation. For example, a person needing support to help them make decisions whilst taking part in a sports activity 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 an 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.

13 How to report a concern

Full details of how to report a concern, and what happens after we receive a report, can be found in the Safeguarding Adult Procedures.

If an adult is in immediate danger, needs immediate medical attention or a serious crime is in progress or has been committed, dial 999 without delay.

Remember - It is not your responsibility to prove or decide whether an adult has been harmed or abused. It is, however, everyone's responsibility to report any concerns they have.

13.1 If you are a CIMSPA Member, Partner or member of the public

All safeguarding concerns must be submitted through the CIMSPA Safeguarding Report Form. To access the form and submit a concern please click [here](#). You will be asked to include all relevant information, so please make sure you provide as much detail as possible to enable CIMSPA to address the concern promptly.

CIMSPA will acknowledge receipt of the form within two working days and inform you of the next steps.

We appreciate that you may wish to remain anonymous when reporting a concern, and we will accept anonymous reports. However, please bear in mind the following:

- If we believe an adult could be at risk, we have a duty to share the information you have given us with other agencies such as the police or Local Authority as appropriate.
- If you choose to report anonymously it will prevent us from contacting you for any additional information, which may make it harder for us to take appropriate action.



13.2 If you are one of CIMSPA's People

All safeguarding concerns should be reported to a Safeguarding Lead. Once reported, you may be asked to submit your concern on the Safeguarding Report Form. Details of the current Safeguarding Leads and the link to the form can be found on CIMSPA's intranet.

We recognise that it can be difficult to ask for help if you need it, or to know how to respond if a colleague discloses something to you regarding a potential or actual safeguarding concern. In all cases, we encourage staff to follow the above process so that we can provide appropriate support.

However, if you really feel that this isn't possible, please seek alternative support from somewhere, whether this is through contacting a safeguarding or mental health organisation or speaking to someone inside or outside of CIMSPA that you trust. CIMSPA's [Mental Health and Wellbeing Policy](#) provides additional information about what support is available to staff through CIMSPA, and it includes lots of suggestions on page 7 regarding 'what to do if you're struggling'. You can also get advice and support from any of the organisations listed in Appendix 4.

14 Information Recording and Sharing

All organisations must comply with the Data Protection Act (DPA) and the General Data Protection Regulations (GDPR).

Information about concerns of abuse includes personal data. It is therefore important to be clear as to the grounds for processing and sharing information about concerns of abuse.

Processing information includes record keeping. Records relating to safeguarding concerns must be accurate and relevant. They must be stored securely with access only to those with a need to know.

Sharing information, with the right people, is central to good practice in safeguarding adults. However, information sharing must only ever be with those with a 'need to know'. This does NOT automatically include the person's spouse, partner, parent, adult children, unpaid or paid carer. Information should only be shared with family and friends and/or carers with the consent of the adult or if the adult does not have capacity to make that decision and family/ friends/ carers need to know in order to help keep the person safe.

The purpose of Data Protection legislation is not to prevent information sharing but to ensure personal information is only shared appropriately. Data protection legislation allows information sharing within an organisation. This can ensure that:

- Anyone who has a concern about harm can make a report to an appropriate person within the same organisation.
- Case management meetings can take place to agree to co-ordinate actions by the organisation.

There are also many situations in which it is perfectly legal to share information about adult safeguarding concerns outside the organisation. Importantly personal information can be shared with the consent of the adult concerned. However, the adult may not always want information to be shared. This may be because they fear repercussions from the person causing harm or are scared that they will lose control of their situation to statutory bodies or because they feel stupid or embarrassed. Their wishes should be respected unless there are over-riding reasons for sharing information.

The circumstances when we need to share information without the adult's consent include those where:

- it is not safe to contact the adult to gain their consent – i.e. it might put them or the person making contact at further risk.
- we believe they or someone else is at risk, including children.
- we believe the adult is being coerced or is under duress.
- it is necessary to contact the police to prevent a crime, or to report that a serious crime has been committed.
- the adult does not have mental capacity to consent to information being shared about them.
- the person causing harm has care and support needs.
- the concerns are about an adult at risk living in Wales or Northern Ireland (where there is a duty to report to the Local Authority).

When information is shared without the consent of the adult this must be explained to them, when it is safe to do so, and any further actions should still fully include them.

If there is any doubt as to whether to share information, CIMSPA will seek advice e.g. seek legal advice and/or contact the Local Authority and explain the situation without giving personal details about the person at risk or the person causing harm.

Any decision to share or not to share information with an external person or organisation must be recorded together with the reasons to share or not share information.

15 Multi-Agency Working

Safeguarding adults legislation gives the lead role for adult safeguarding to the Local Authority. However, it is recognised that safeguarding can involve a wide range of organisations.

These could include, but are not limited to:

- Statutory organisations – the Police and / or Adult Social Care Services



- The Disclosure and Barring Service
- Any other organisations (such as the National Governing Body or employer of any individual suspected of abuse)

The Safeguarding Leads will also identify who within the organisation needs to be informed / involved.

CIMSPA may need to cooperate with the Local Authority and the Police, for example to:

- Provide more information about the concern that has been raised.
- Provide a safe venue for the adult to meet with other professionals e.g. Police/Social Workers/Advocates.
- Attend safeguarding meetings.
- Coordinate internal investigations (e.g. complaints, disciplinary) with investigations by the police or other agencies.
- Share information about the outcomes of internal investigations.
- Provide a safe environment for the adult to continue their activity / their role in the organisation.

16 Review

The Safeguarding Adults Policy and the related Procedures will be reviewed by the Board of Trustees in July 26, unless changes in legislation, government guidance, CIMSPA policy, governance or other circumstances require a review prior to this date. It will then be reviewed at least annually in accordance with the Board's annual plan.

Appendix 1 - Role Description:

Safeguarding Lead

The designated Safeguarding Lead(s) within CIMSPA have primary responsibility for putting into place safeguarding procedures and for managing concerns about potential or actual abuse or neglect.

Duties and responsibilities include:

- Working with others within CIMSPA to create a positive inclusive environment within the organisation.
- Playing a lead role in developing and establishing CIMSPA's approach to safeguarding and in maintaining and reviewing CIMSPA's implementation plan for safeguarding in line with current legislation and best practice.
- Coordinating the dissemination of the Safeguarding Policies, Procedures and resources throughout CIMSPA.
- Contributing to ensuring other policies and procedures are consistent with CIMSPA's commitment to safeguarding.
- Advising on CIMSPA's training needs and the development of its safeguarding training strategy.
- Receiving reports of, and managing cases of, poor practice and abuse reported to CIMSPA – including an appropriate recording system.
- Supporting the Chair of the Case Management Group to co-ordinate the case management process.
- Managing liaison with and referrals to external agencies, for example social care services and the police.
- Creating a central point of contact for internal and external individuals and agencies concerned about the safety of an individual from a safeguarding perspective.
- Representing CIMSPA at external meetings related to safeguarding.

Appendix 2 – Role and Responsibilities: Board Welfare and Safety Lead

Introduction

The Board of Trustees will nominate or recruit a member of the Board to fulfil the role of Board Welfare and Safety Lead. The Board as a collective are responsible for the welfare and safety of CIMSPA's People (including but not limited to employees, Board trustees, sub-committee members, contractors, quality assurance assessors, internal verifiers, consultants and volunteers). However, the Board Welfare and Safety Lead will undertake the additional responsibilities of ensuring that CIMSPA realises its commitments to its People, and also to its Partners and Members, ensuring that welfare and safety is considered in all decision-making processes, and that risks in this area are recorded and mitigated.

Role of the Board Welfare and Safety Lead

The Board Welfare and Safety Lead will act as an advocate for CIMSPA's responsibilities relating to welfare and safety, both physiologically and psychologically, including but not limited to; health and safety, safeguarding, mental health and wellbeing and employee engagement. The Welfare and Safety lead will support CIMSPA's Board of Trustees to establish a culture in which welfare and safety is paramount, and constructive challenge is encouraged to ensure this remains a key consideration during decision making and risk monitoring. The responsibilities highlighted below are in addition to the those outlined in the Board Trustee Role and Responsibilities.

Board Welfare and Safety Lead Responsibilities

The Board Welfare and Safety Lead will:

- Promote understanding amongst the CIMSPA Board of Trustees of the welfare and safety issues that CIMSPA may encounter, leading and engaging others in discussions in these areas.
- Advocate the incorporation of a culture founded on welfare and safety that underpins effective decision making informed by feedback.
- Check and challenge the Board and CIMSPA executive on decisions that affect welfare and safety across CIMSPA's work, ensuring that the implications are understood and considered.
- Maintain regular contact with the executive Safeguarding Leads so as to provide support and keep up-to-date with progress
- Work collaboratively with CIMSPA's executive team to understand the welfare and safety requirements of CIMSPA's People and to ensure that actions to provide support in this area are identified and implemented.

- Review and provide advice to the CIMSPA executive on practices and documentation that will influence the welfare and safety of CIMSPA's People and members, and that will support CIMSPA's members and partners to implement their own appropriate welfare and safety practices. Ensure that appropriate standards are set and maintained in this area and that documentation is brought to the Board of Trustees for approval where appropriate.
- Advocate CIMSPA's work in the area of welfare and safety across CIMSPA's wider stakeholder network, and understand how CIMSPA can influence stakeholder welfare and safety practices.
- Develop personal knowledge and skills in relation to welfare and safety by undertaking training where appropriate and support other Board members in developing their own knowledge and skills. Provide advice and counsel to the CIMSPA Board and executive in the event of a welfare and safety issue.
- Ensure risks associated with the welfare and safety of CIMSPA's People, members, partners and the wider public are identified, assessed and recorded, and appropriate mitigating actions are implemented in line with CIMSPA's risk management processes.
- Ensure that CIMSPA maintains compliance with relevant legislation, including but not limited to; the Equality Act 2010, the Health and Safety at Work etc. Act 1974 and the Safeguarding Vulnerable Groups Act (SVGA) 2006 in its operations.

Board Welfare and Safety Lead Duties

The Board Welfare and Safety Lead must:

- Ensure that reporting by the executive to the Board on welfare and safety issues and employee engagement, including reporting on patterns, trends and performance, is appropriate and sufficient to enable the Board to make informed decisions.
- Attend CIMSPA sub-committee meetings where appropriate.
- Act as an alternative independent contact for CIMSPA's People wishing to raise welfare and safety concerns, ensuring that any such concerns are addressed in line with CIMSPA's policies and procedures.
- Support CIMSPA's Wellbeing Lead & People & Culture team with the development of OKRs aligned to the People & Culture strategy that support the welfare and safety of its People.
- Prepare and present an annual update to the Board of Trustees on progress against CIMSPA's People & Culture OKRs.
- Raise any concerns regarding welfare and safety at CIMSPA board meetings, or to the Chair of the Board and Chief Executive Officer in the event there is not an upcoming meeting.
- Advocate CIMSPA's values of teamwork, quality and respect in support of CIMSPA's People's welfare, and challenge in instances when this is not demonstrated.

Appendix 3 - Case Management Group

CIMSPA will utilise a Case Management Group when the need arises. This will normally be in cases of potential or actual abuse, although cases of serious poor practice may also require a Case Management Group meeting.

Where it is determined that a Case Management Group is required for a particular case, the Case Management Group will be formed immediately and the initial meeting will be convened as soon as possible.

The Case Management Group's role includes:

- to ratify any actions already taken by Safeguarding Lead Officer(s).
- to initially assess and agree the immediate response to a safeguarding case, including agreeing whether there appears to be a case to answer
- to identify the appropriate 'route' for each case (e.g. internal / disciplinary / complaints policy action alone or referral to statutory agencies plus internal / disciplinary action).
- to decide the level at which the organisation will deal with the concern.
- to consider the need for temporary / interim suspension.
- to review progress of case(s).
- to identify / communicate learning from cases.

Where a safeguarding concern also falls within the boundaries of CIMSPA's complaints policy and processes and it is determined that a Case Management Group meeting is required, the Case Management Group will convene to agree the immediate response and to determine at what point, if appropriate, the safeguarding concern will be addressed through CIMSPA's complaints process.

Case Management Group membership

The Case Management Group will comprise a number of individuals with identified and relevant skills, knowledge, experience and/or status within and beyond the organisation, and include at least one member with safeguarding adult expertise. The membership of the group is flexible and will be determined based on the exact nature of each case. However, the group may include the following:

- A designated Chair identified from one of the members below
- A secretary (one of the designated Safeguarding Leads).
- A member of the Senior Leadership Team (normally the Chief Operating Officer)
- Managers from relevant parts of the organisation as appropriate to the case e.g. People and Culture, Memberships, Head of the relevant department
- Co-opted independent safeguarding expertise e.g. from an NGB or relevant profession such as the Police or Local Authority adult social care (flexible, dependent on the nature of the case)

A full record of any Case Management Group meetings will be made and kept. The Senior Leadership Team and Board of Trustees will receive regular reports from the Case Management Group summarising the cases that have been addressed and their outcomes, as well as any issues that require action by CIMSPA e.g. changes to policy or procedures.

Appendix 4 - Sources of Information and Support

Action on Elder Abuse

A national organisation based in London. It aims to prevent the abuse of older people by raising awareness, encouraging education, promoting research and collecting and disseminating information.

Tel: 020 8765 7000

Email: enquiries@elderabuse.org.uk

www.elderabuse.org.uk

Ann Craft Trust (ACT)

A national organisation providing information and advice about adult safeguarding. ACT have a specialist Safeguarding Adults in Sport and Activity team to support the sector

Tel: 0115 951 5400

Email: Ann-Craft-Trust@nottingham.ac.uk

www.anncrafttrust.org

Galop - National LGBT+ Domestic Abuse Helpline

Tel: 0800 999 5428

www.galop.org.uk

National 24 Hour Freephone Domestic Abuse Helplines

Home Nation	Contact Details
England	Tel: 0808 2000 247 www.nationaldahelpline.org.uk/Contact-us
Scotland	Tel: 0800 027 1234 Email: helpline@sdafmh.org.uk Web chat: sdafmh.org.uk
Wales	Llinell Gymorth Byw HebOfn/ Live free from fear helpline Tel: 0808 8010 800 Type Talk: 18001 0808 801 0800 Text: 078600 77 333
Northern Ireland	Tel: 0808 802 1414 www.dsahelpline.org Twitter: www.twitter.com/dsahelpline Facebook: www.facebook.com/dsahelpline

Rape Crisis Federation of England and Wales

Rape Crisis was launched in 1996 and exists to provide a range of facilities and resources to enable the continuance and development of Rape Crisis Groups throughout Wales and England.

Email: info@rapecrisis.co.uk

www.rapecrisis.co.uk

Refuge

Refuge is the largest domestic abuse organisation in the UK. On any given day their services support thousands of women and their children, helping them to overcome the physical, emotional, financial and logistical impacts of abuse and rebuild their lives — free from fear.

Tel: 0808 2000 247 or 020 7395 7700

Email: supportercare@refuge.org.uk

www.refuge.org.uk

Respect - Men's Advice Line

For male domestic abuse survivors

Tel: 0808 801 0327

www.mensadvice.org.uk

Respond

Respond provides a range of services to victims and perpetrators of sexual abuse who have learning disabilities, and training and support to those working with them.

Tel: 020 7383 0700 or

0808 808 0700 (Helpline)

Email: services@respond.org.uk

www.respond.org.uk

Stop Hate Crime

Works to challenge all forms of Hate Crime and discrimination, based on any aspect of an individual's identity. Stop Hate UK provides independent, confidential and accessible reporting and support for victims, witnesses and third parties.

24 hours service:

Telephone: 0800 138 1625

Web Chat: www.stophateuk.org/talk-to-us/

Email: talk@stophateuk.org

Text: 07717 989 025

Text relay: 18001 0800 138 1625

By post: PO Box 851, Leeds LS1 9QS

Susy Lamplugh Trust

The Trust is a leading authority on personal safety. Its role is to minimise the damage caused to individuals and to society by aggression in all its forms – physical, verbal and psychological.

Tel: 020 83921839

Fax: 020 8392 1830 Email: info@suzylamplugh.org

www.suzylamplugh.org

Victim Support

Provides practical advice and help, emotional support and reassurance to those who have suffered the effects of a crime.

Tel: 0808 168 9111

www.victimsupport.com

Women's Aid Federation of England and Wales

Women's Aid is a national domestic violence charity. It also runs a domestic violence online help service.

www.womensaid.org.uk/information-support





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