



MINDFUL MOVEMENTS
Physical and Cognitive Engagement

ADULTS AT RISK POLICY

Please ensure that you have the latest version of this policy. If you are in doubt, you can request an updated version by emailing us at policy@mindful-movements.org

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mindful-movements.org



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MINDFUL MOVEMENTS

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ADULTS AT RISK POLICY

Policy Statement

Mindful Movements Network CIC ("Mindful Movements") is committed to safeguarding and promoting the welfare of all involved in our activities. All people must be valued and treated with equality and fairness, regardless of their age, gender, race, colour, nationality, ethnic or national origin, ability, disability, religion or belief or sexual identity. Some adults may need additional safeguards and/or protection, known as Adults at Risk.

An Adult at Risk is any person who is aged 18 years or over and at risk of or experiencing abuse or neglect because of their needs for care and/or support and as a result of those needs is unable to protect themselves from the abuse or neglect or the risk thereof.¹

Safeguarding is everyone's responsibility. This policy applies to all involved in Mindful Movements.

This Policy was created in November 2023. It will be subject to full review every two years (or earlier if there is a change in national legislation) from the date of creation.

¹ See Care Act 2014

KEY SAFEGUARDING PRINCIPLES



Welfare and wellbeing:	Activities for all must be conducted in a safe environment and positive and encouraging atmosphere, free from abuse and poor practice. Proper regard must be had to aspect of a participant's physical, mental and emotional wellbeing.
Needs:	Every person is unique. Their experience should be tailored to their individual needs, to ensure they fulfil their individual potential. Some adults may need protecting from abuse, including those in need of care and support.
Respect and dignity:	Every person must be treated with respect and personal dignity.
Fair play:	Activities should be conducted according to the rules, with respect for other participants.
Policies and procedures:	This policy and related procedures will be widely promoted and are mandatory for everyone involved at Mindful Movements. All allegations of abuse and safeguarding issues will be treated seriously and investigated and pursued according to our safeguarding procedures.
Working in partnership:	Mindful Movements considers working in partnership with other organisations, namely the police, the Disclosure and Barring Service ('DBS'), Safeguarding Adults Boards and local authorities so they can carry out their statutory duties to safeguard and protect Adults at Risk.

In addition, The Care Act 2014 sets out six core principles that support the safeguarding of Adults at Risk. They are:

Empowerment, Prevention, Proportionality, Protection, Partnership and Accountability

SAFEGUARDING ISSUES

Safeguarding issues can arise in a myriad of ways, places and contextual settings. The starting point is that interactions with Mindful Movements must be enjoyable and safe. Abuse is the violation of an individual's rights by any other person or persons. Such behaviour may occur at home, at the location where our services are delivered, or while travelling to (or from) a designated location. It may be perpetrated by a friend, a family member or by a stranger, by an adult or child. It may involve direct contact or be online. It is impossible to compile an exhaustive list of behaviour, which gives rise to safeguarding concerns.

The Care Act 2014 identified the following conduct which may give rise to a safeguarding concern:

Physical abuse:	It may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child.
Sexual abuse:	May involve physical contact, including assault by penetration or non- penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact or online activities, such as involving looking at, or in the production of, sexual images, watching sexual activities, encouraging sexually inappropriate behaviour.
Psychological/emotional abuse:	Includes threats of harm or abandonment, humiliation, controlling, intimidation, coercion, harassment, verbal abuse, and withdrawal from services or support networks.
Financial abuse:	Such as theft, fraud and being put under pressure in relation to money or other property.

Neglect and self-neglect:	Includes ignoring medical or physical needs, failure to provide access to appropriate health social care or educational services, and the withholding medication, adequate nutrition and heating.
Discrimination:	Different treatment based on race, gender or disability or any protected characteristics.
Bullying:	Which may be physical, emotional, verbal or online.

Abuse behaviour can be assessed on a scale from poor practice to bad practice to abuse. Abuse cannot be easily measured as an action alone. Its severity will partly be defined by the

- Vulnerability of the adult and the power differential
- Nature and extent of the abuse
- Length of time it has been occurring
- Impact on the individual or group
- Risk of it being repeated or becoming increasingly serious

Adults at Risk may be vulnerable to extremism and 'mate crime' – a 'mate crime' where they are befriended by people who exploit and take advantage of them and/or abuse them in other ways.

Best practice guides can be located on the Safeguarding Policies and Procedures page of the Mindful Movements website.

Mental Capacity

An Adult at Risk may lack the mental capacity or ability to make a decision ('capacity').

The Mental Capacity Act 2005, covering England and Wales, provides a statutory framework for people who lack capacity to make decisions for themselves, or who have capacity and want to make preparations for a time when they may lack capacity in the future. It sets out who can take decisions, in which situations, and how they should go about this.

The Mental Capacity Act 2005 affects people who can't make decisions for themselves, perhaps because of:

- a learning disability
- dementia
- a mental health problem
- a head injury or a stroke
- a drug, alcohol or substance addiction
- an acute illness, or the treatment for it

All major decisions where a person lacks mental capacity are covered by the Act, from how their finances are managed to whether or not they have medical treatment.

The 5 principles of the Mental Capacity Act 2005

1. A person must be assumed to have capacity unless it is established that they lack capacity.
2. A person is not to be treated as unable to make a decision unless all practicable steps to help him to do so have been taken without success.
3. A person is not to be treated as being incapable to make a decision merely because they make an unwise decision or one against their best interests. If they have capacity, they are free to make bad decisions.
4. An act done, or decision made, under this Act for or on behalf of a person who lacks capacity must be done, or made, in his best interests.
5. Before the act is done, or the decision is made, regard must be had to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive of the person's rights and freedom of action.

Decision making

If a person has been assessed as lacking capacity then any action taken, or any decision made for or on behalf of that person, must be made in his or her best interests (principle 4). The person who has to make the decision is known as the 'decision-maker' and normally will be the carer responsible for the day-to-day care, or a professional such as a doctor, nurse or social worker where decisions about treatment, care arrangements or accommodation need to be made)

Remember

You must not discriminate or make assumptions about someone's ability to make decisions, and you should not pre-empt a best-interests decision merely on the basis of a person's age, appearance, condition, or behaviour.

IMPLEMENTATION OF SAFEGUARDING POLICY AND PRINCIPLES

This policy and those overriding principles are implemented through and by application of the following six measures.

1 Recognise

Everyone in Mindful Movements must know how to recognise safeguarding issues and how to act correctly when there is concern. In one situation there may be obvious signs and symptoms of abuse (e.g. bruising or self-harm) but in others the indicators or signs of abuse may be more discrete and difficult to detect (e.g. missing belongings, absenteeism, deterioration in appearance). Combinations of factors which individually might not give cause for concern could be more so when considered together. The abuse may be committed by one individual against another or be institutional in that the whole organisation colludes in abusive practices through ignorance or choice.

2 Report

It is important that you do not investigate the concerns, but the following guidance should be followed.

- You have a duty to report a safeguarding concern and you do not need the adult's consent.
- If it is an emergency and the adult is in immediate risk of harm then you may not be able to obtain it, but you should still report.
- Where there is no emergency, you should establish the adult's wishes and who they would most like to talk to about the matter.
- The adult may need time to consider the options and if necessary, agree to meet again.
- Liaise with a staff member, preferably the welfare officer.
- Do not wait until you have all the information.
- Only tell people who need to know.

Make a note of what you have seen, has been disclosed to you and/or you have reported and complete the appropriate referral form available on the Mindful Movements website Safeguarding page. It is confidential and must be shared only with the safeguarding officers. The adult must be kept informed (unless it is an emergency). No referral should be made to an outside agency without the adult's consent unless that adult

- is in immediate harm or danger,
- poses an immediate harm or risk to others, or
- lacks capacity

The welfare officer has an important role. They should:

- Check that urgent action has been taken to ensure safety.
- Consider preservation of evidence and informing police.
- Gather all relevant information including written accounts where possible and check whether adult is known to lack capacity.
- Check whether consent has been obtained from the adult and refer the matter
- Consult with adult's key carer or equivalent or identify best person to speak to the adult to establish wishes in respect of referral.
- Either refer or record reasons for not referring.

3 Safeguarding Procedures

This policy and related procedures will be widely promoted and are mandatory for everyone involved in our programmes. Failure to comply with the policy and procedures will result appropriate action is taken in the event of incidents/concerns of abuse and support provided to the individual/s who raise or disclose the concern.

While it is not the responsibility of Mindful Movements staff or volunteers to decide whether or not abuse has taken place, it is their responsibility to pass on concerns to the appropriate authorities and liaise with them. Mindful Movements will investigate any safeguarding concern and the National Compliance Manager will assume management of the case. If it concerns an Adult at Risk, it will be dealt with as a safeguarding matter and pursuant to the procedures summarised in the flowchart on page 9 of this policy. Following a risk assessment if Mindful Movements is satisfied on the balance of probabilities that a member poses or may pose a risk of harm to an Adult at Risk a suspension may be imposed.

4 Confidentiality and information Sharing

There is a flowchart summarising the correct approach in Appendix 2. Mindful Movements recognises that information sharing is essential for effective safeguarding. It is sometime necessary or appropriate to share information. However, Mindful Movements ensures that confidential, detailed and accurate records of all safeguarding concerns are

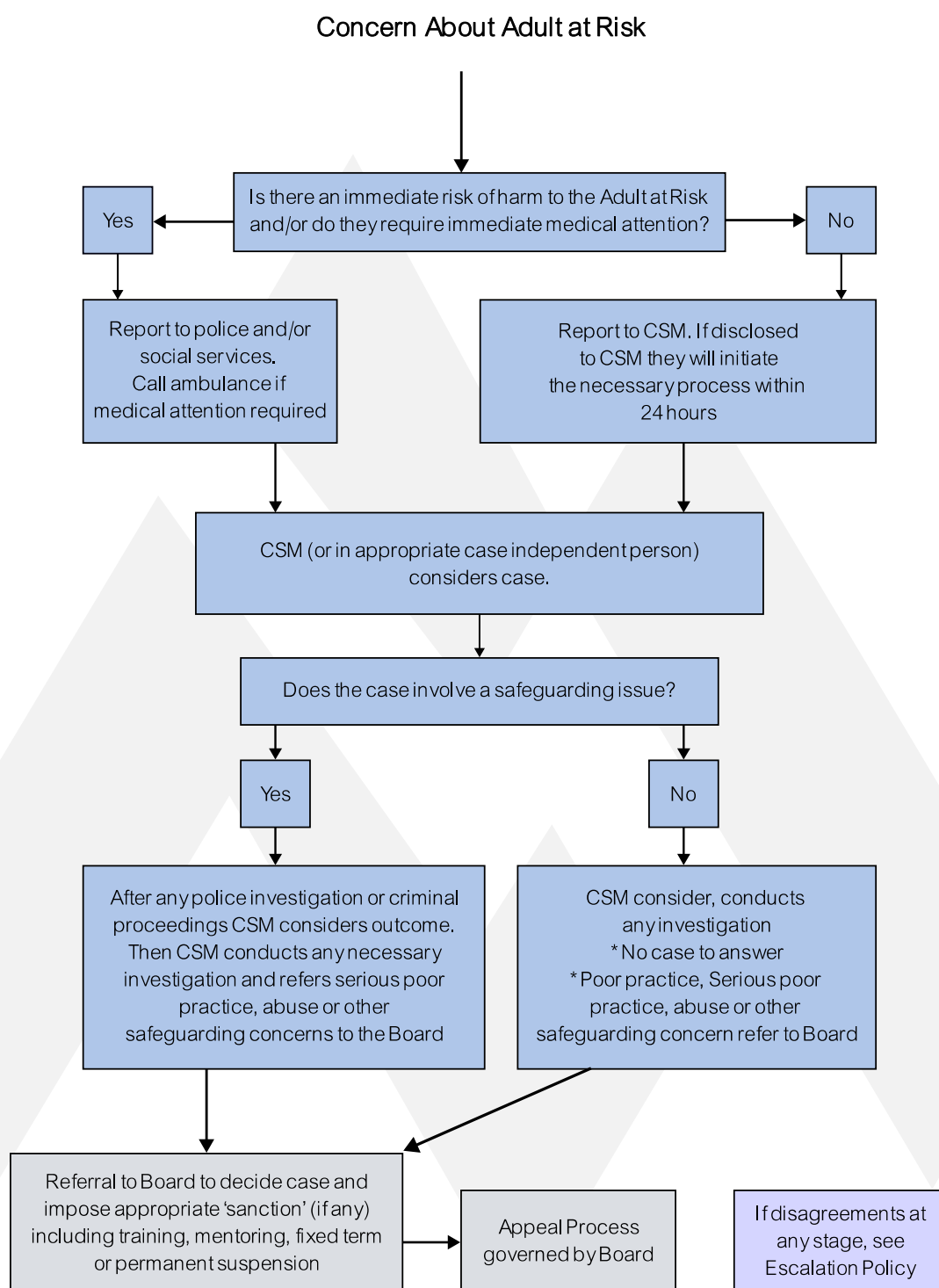
- Maintained and securely stored.
- Accessed and processed securely.
- Shared securely and appropriately.

5 Education and Training

Mindful Movements will ensure everyone understands their roles and responsibilities in respect of safeguarding and is provided with appropriate learning opportunities to recognise, identify and respond to signs of abuse, neglect and other safeguarding concerns relating to Adults at Risk. Mindful Movements educates its employees, athletes, coaches, officials, officers, members and volunteers about the importance of safeguarding. This policy is accessible to all through its online publication. Adherence to this policy, these principles and Mindful Movements' safeguarding procedures is mandatory for all staff, coaches, officials, officers, members and volunteers within Mindful Movements. Codes of Conduct should be signed by recipients and individual copies kept.

Mindful Movements provides training for our coaches, members and volunteers. All coaches, welfare officers, members and volunteers working with Adults at Risk must undertake appropriate safeguarding training.

REPORTING PROCEDURE

NOTE

This reporting procedure applies to all, including staff, coaches and volunteers. It concerns both recent and non-recent abuse or mistreatment of an Adult at Risk.

APPENDIX 1 – USEFUL CONTACT INFORMATION

The following non-exhaustive list of websites and contact telephone numbers which may be useful:

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Mindful Movements: Compliance & Safeguarding Manager
Joseph Icarangal
Tel: 07936 775 770

Ann Craft Trust
A principal Expert on Safeguarding Adults at Risk
<https://www.anncrafttrust.org/>

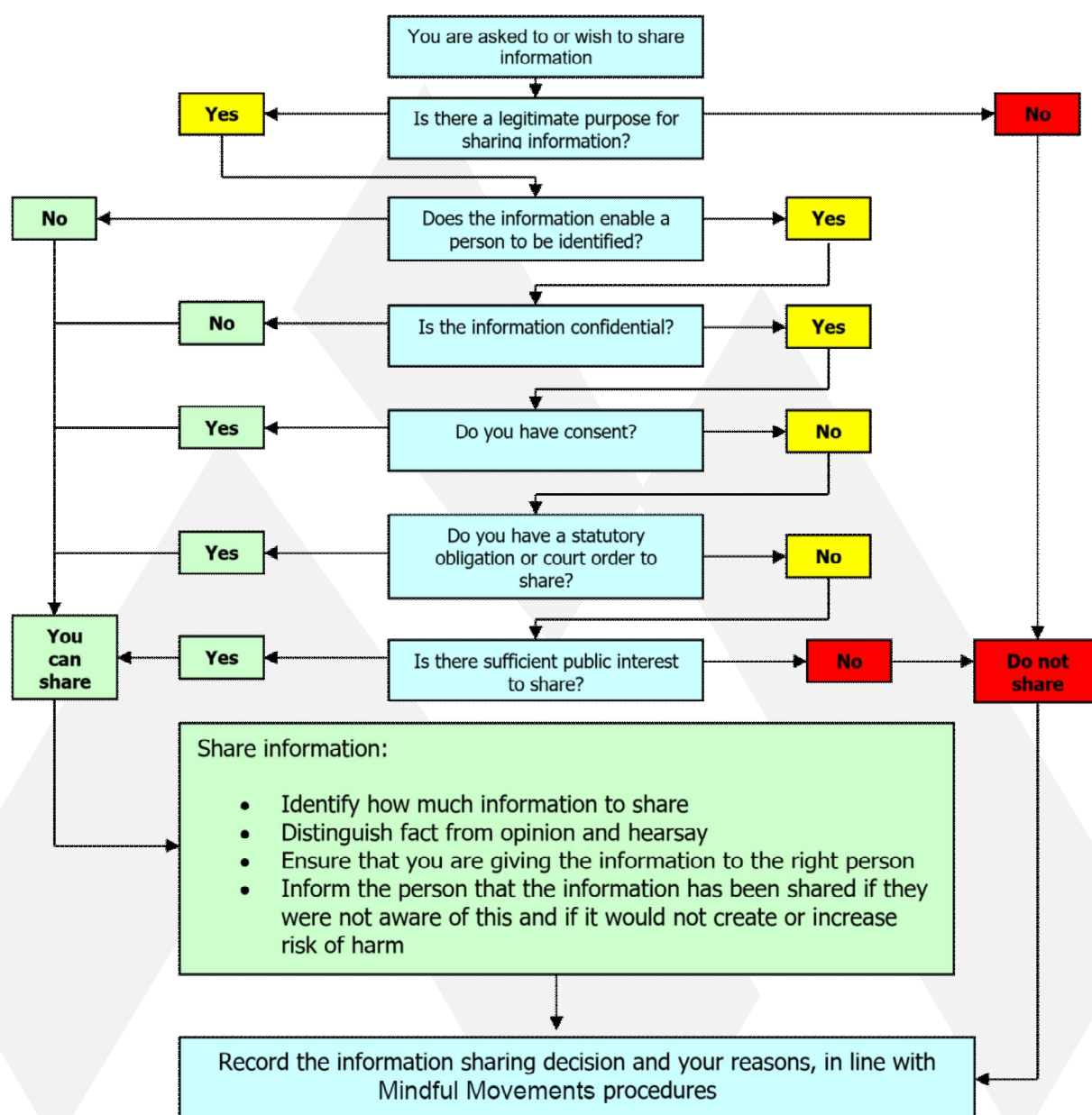
LEGISLATION

The content of this policy is based on the principles contained within the UK legislation and Government Guidance. They take the following into consideration:

- Human Rights Act 1998
- Data Protection Act 1998
- Mental Capacity Act 2005
- Safeguarding Vulnerable Groups Act 2006
- Equality Act 2010
- Protection of Freedoms Act 2012
- Care Act 2014

APPENDIX 2

Principles for Information Sharing



Always seek advice from the Mindful Movements Compliance & Safeguarding Manager if you are not sure what to do at any stage and ensure that the outcome of any discussion is recorded.



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