



# Jersey Softball Association

## Safeguarding Policy – Adults

### Introduction

Everyone has a right to live in a world free from abuse and neglect. We also all have the right to be treated fairly, with dignity and respect. The Jersey Softball Association is committed to creating and maintaining a safe and positive environment and we accept our responsibility to safeguard the welfare of all adults involved, in accordance with legislation. Our Safeguarding Adults Policy and procedures apply to all individuals involved in the organisation.

Safeguarding is everyone's responsibility. If you have concerns about an adult's safety and or wellbeing you must act on these. It is not your responsibility to decide whether or not an adult has been abused. It is however your responsibility to act on any concerns

### Principles

The guidance given in the policy is based on the following principles:

- All adults, regardless of age, ability or disability, gender, race, religion, ethnic origin, sexual orientation, marital or gender status have the right to be protected from abuse and poor practice and to participate in an enjoyable and safe environment.
- We will seek to ensure that our organisation is inclusive and make reasonable adjustments for any ability, disability or impairment, we will also commit to continuous development, monitoring and review.
- The rights, dignity and worth of all adults will always be respected.
- We recognise that ability and disability can change over time, such that some adults may be additionally vulnerable to abuse, in particular those adults with care and support needs.
- Safeguarding adults is everyone's responsibility. We all have a shared responsibility to ensure the safety and wellbeing of all adults and will act appropriately and report concerns whether these concerns arise within the Jersey Sports Commission or in the wider community.
- All allegations will be taken seriously and responded to quickly in line with our Safeguarding Adults Policy
- We recognise the role and responsibilities of the statutory agencies in safeguarding adults and are committed to complying with local safeguarding procedures.
- We recognise that it is the circumstances that adults find themselves in that makes them more vulnerable to abuse, expect adults to be central to the decision-making process and make the adult's welfare and wellbeing the primary consideration in any decision making.

### Making Safeguarding Personal

Making safeguarding personal keeps the person as the central focus to any required decisions and actions engages the person in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control, as well as improving quality of life, well-being and safety.

Wherever possible safeguarding concerns should be discussed with the adult to get their view of what they would like to happen, and they should be involved in the safeguarding process, giving their consent to share information outside of the organisation where necessary.

## **Types of Abuse and Neglect**

Abuse is a violation of an individual's human and civil rights by another person or persons.

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

### **Categories of Abuse / Harm**

- **Physical**

Includes hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.

- **Sexual**

Includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

- **Psychological/Emotional/Mental**

Includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks

- **Financial and material**

Includes theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits

- **Neglect and act of omission**

Includes ignoring medical or physical care needs, failure to provide access to appropriate health social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

- **Discriminatory**

Discrimination is abuse which centres on a difference or perceived difference particularly with respect to race, gender or disability or any of the protected characteristics of the Equality Act.

- **Organisational / Institutional**

Includes neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

- **Modern Day Slavery / Human Trafficking**

Encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment

- **Domestic Abuse and Coercive control**

Includes psychological, physical, sexual, financial and emotional abuse. It also includes so called 'honour' based violence. It can occur between any family members.

- **Self-Neglect**

This covers a wide range of behaviour: neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding

- **Exploitation**

Is the deliberate maltreatment, manipulation or abuse of power and control over another person; to take advantage of another person or situation usually, but not always, for personal gain from using them as a commodity. It may manifest itself in many forms including slavery, servitude, forced or compulsory labour, domestic violence and abuse, sexual violence and abuse, or human trafficking.

- **Hate crime**

Is any incident which constitutes a criminal offence perceived by the victim or any other person as being motivated by prejudice, discrimination or hate towards a person's actual or perceived race, religious belief, sexual orientation, disability, political opinion or gender identity.

- **Cyber Bullying**

occurs when someone repeatedly makes fun of another person online or repeatedly picks on another person through emails or text messages, or uses online forums with the intention of harming, damaging, humiliating or isolating another person. It can be used to carry out many different types of bullying (such as racist bullying, homophobic bullying, or bullying related to special educational needs and disabilities) but instead of the perpetrator carrying out the bullying face-to-face, they use technology as a means to do it.

- **Forced Marriage**

a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-social Behaviour, Crime and Policing Act 2014 makes it a criminal offence to force someone to marry. The forced marriage of adults with learning disabilities occurs when the adult does not have the capacity to consent to the marriage.

- **Mate Crime**

defined by the Safety Net Project is 'when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual. Mate Crime is carried out by someone the adult knows and often happens in private. In recent years there have been a number of Serious Case Reviews relating to people with a learning disability who were murdered or seriously harmed by people who purported to be their friend.

- **Radicalisation**

the aim of radicalisation is to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. This may be direct through a relationship or through social media.

## **Signs and indicators of abuse and neglect**

Abuse can take place in any context and by all manner of perpetrator. Abuse may be inflicted by anyone in the organisation who a participant comes into contact with or other participants, workers or volunteers may suspect that an adult is being abused or neglected outside of the organisation's setting. There are many signs and indicators that may suggest someone is being abused or neglected, these 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 sessions. You may notice that a participant in a team has been missing from practice sessions and is not responding to reminders from team members or coaches.
- Someone losing or gaining weight / an unkempt appearance. This could be a player whose appearance becomes unkempt, does not wear suitable sports kit and there is a deterioration in hygiene.
- A change in the behaviour or confidence of a person. For example, a participant may be looking quiet and withdrawn when their brother comes to collect them from sessions in contrast to their personal assistant whom they greet with a smile.
- They may self-harm.
- They may have a fear of a particular group of people or individual.
- They may tell you / another person they are being abused – i.e. a disclosure.
- Harassment of a participant because they are or are perceived to have protected characteristics
- Not meeting the needs of the participant. E.g. training without a necessary break.
- A coach intentionally striking an athlete.
- A participant who sends unwanted sexually explicit text messages to an adult with learning disabilities they are training alongside.
- A participant threatening another participant with physical harm and persistently blaming them for poor performance.

## **What to do if you have a concern or someone raises concerns with you**

It is not your responsibility to decide whether an adult has been abused. It is however everyone's responsibility to respond to and report concerns. If you are concerned someone is in immediate danger, contact the police on 999 straight away. Where you suspect that a crime is being committed, you must involve the police. If you have concerns and/or you are told about possible or alleged abuse, poor practice or wider welfare issues you must report this to the organisation's Safeguarding Officer, or, if the Safeguarding Officer is implicated then report it to the President.

When raising your concern with the Safeguarding Officer, remember to 'make safeguarding personal'. It is good practice to seek the adult's views on what they would like to happen next and to inform the adult of what actions you intend to take.

It is important when considering your concern that you also ensure that you keep the person informed about any decisions and action taken about them and always consider their needs and wishes.

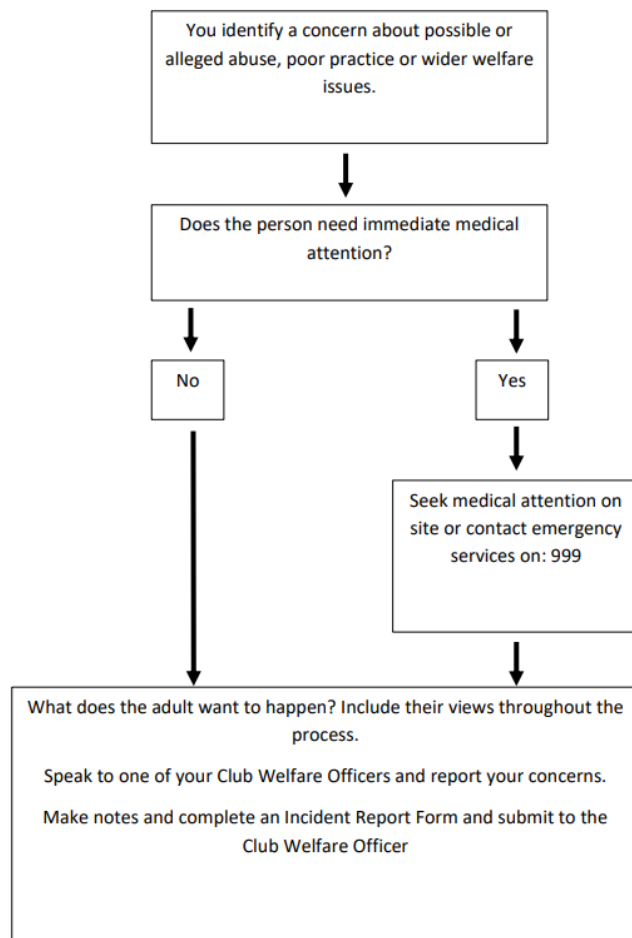
### **How to respond to a concern**

- ✓ Make a note of your concerns.
- ✓ Make a note of what the person has said using his or her own words as soon as practicable.
- ✓ Complete an Incident Form and submit to the organisation's Safeguarding Officer
- ✓ Discuss your safeguarding concerns with the adult, obtain their view of what they would like to happen, but inform them it's your duty to pass on your concerns to the safeguarding officer.
- ✓ Describe the circumstances in which the disclosure came about. Take care to distinguish between fact, observation, allegation and opinion. It is important that the information you have is accurate.
- ✓ Be mindful of the need to be confidential at all times, this information must only be shared with your Safeguarding Officer and others on a need to know basis.

**If the matter is urgent and relates to the immediate safety of an adult at risk then contact the emergency services immediately.**

# Safeguarding Adults Flowchart

## *Dealing with Concerns, Suspicions or Disclosure*



***Remember to involve the adult at risk throughout the process wherever possible and gain consent for any referrals to social care***

# **Roles and responsibilities of those within The Jersey Softball Association (JSA)**

The JSA is committed to having the following in place:

- ✓ A Safeguarding Officer to work with the committee to produce and disseminate guidance and resources to support this policy and procedure.
- ✓ A clear line of accountability within the organisation for work on promoting the welfare of all adults.
- ✓ Procedures for dealing with allegations of abuse or poor practice against members of the JSA.
- ✓ A Case Management Group can be formed to effectively deal with issues, manage concerns and refer to a disciplinary panel where necessary i.e. where concerns arise about the behaviour of someone within the organisation.
- ✓ A Disciplinary Panel that is formed as required for a given incident if appropriate and should a threshold be met.
- ✓ Arrangements to work effectively with other organisations to safeguard and promote the welfare of adults, including arrangements for sharing information.
- ✓ An open and inclusive culture that enables safeguarding and equality and diversity issues to be addressed.
- ✓ Clear codes of conduct for coaches, participants, officials, spectators and other relevant individuals.

## **Good practice, poor practice and abuse**

It can be difficult to distinguish poor practice from abuse, whether intentional or accidental. It is not the responsibility of any individual involved in the organisation to make judgements regarding whether or not abuse is taking place, however, all our personnel have the responsibility to recognise and identify poor practice and potential abuse, and act on this if they have concerns.

We expect that our coaches of adult participants:

- ✓ Adopt and endorse the organisation's Code of Conduct.
- ✓ Have completed a course in basic awareness in working with and safeguarding adults.

Everyone should:

- ✓ Aim to make the experience of the organisation fun and enjoyable
- ✓ Promote fairness and playing by the rules
- ✓ Not tolerate the use of prohibited or illegal substances
- ✓ Treat all adults equally and preserve their dignity; this includes giving more and less talented members of a group similar attention, time and respect.

## **Relevant Jersey Law**

Whilst we do not have specific legislation for adult safeguarding in Jersey, we have drawn on research, and follow best practice as described in the UK Care Act 2014.

The Care Act introduces new responsibilities for local authorities. It also has major implications for adult care and support providers, people who use services, carers and advocates.

Please [click here](#) to read our Privacy Policy

## **Appendix 1 - Consent and Information Sharing**

Although we want to make safeguarding personal there are some circumstances when we need to take action without an adult's consent. Sometimes an adult at risk may not want you to act on your concerns or their disclosure. This may be because they are scared or fearful of the repercussions from you taking action. It may also be because they are not aware abuse is taking place or have the mental capacity to make an informed decision and understand to remain in their current situation is unsafe.

Sharing information with the right people, is central to good practice in safeguarding adults. You should not keep safeguarding concerns about adults at risk to yourself. Explain to the adult that you must pass the concern on to your safeguarding officer, as you have a duty of care. You should reassure the adult that they will be fully included on what happens.

It is appropriate to report concerns without an adult's consent when:

- You have reason to believe the adult's health and or wellbeing will be adversely affected by ongoing harm.
- Other people are, or may be, at risk from the person causing harm, including children.
- It is necessary to prevent a crime, or a serious crime has been committed.
- Sharing the information could prevent a crime and help to stop abuse
- The adult may be under duress or being coerced
- The alleged abuser has care and support needs and may also be at risk.

Workers and volunteers within sports and physical activity organisations should always share safeguarding concerns in line with their organisation's policy, usually with their safeguarding officer in the first instance, except in emergency situations. If it does not increase the risk to the individual, the worker or volunteer should explain to them that it is their duty to share their concern with their safeguarding officer.

The safeguarding officer will then consider the situation and plan the actions that need to be taken, in conjunction with the adult at risk and in line with the organisation's policy and procedures and local safeguarding adults board policy and procedures.

To make an adult safeguarding referral you need to call the local safeguarding adults' team (see listed in Appendix 2). A conversation can be had with the safeguarding adult's team without disclosing the identity of the person in the first instance. If it is thought that a referral needs to be made to the safeguarding adult's team, consent should be sought where possible from the adult at risk.

Individuals may not give their consent to the sharing of safeguarding information with the safeguarding adult's team for a number of reasons. Reassurance, appropriate support and revisiting the issues at another time may help to change their view on whether it is best to share information.

If someone does not want you to share information outside of the organisation or you do not have consent to share the information, ask yourself the following questions:

- *Is the adult placing themselves at further risk of harm?*
- *Is someone else likely to get hurt?*
- *Has a criminal offence occurred? This includes theft or burglary of items, physical abuse, sexual abuse, forced to give extra money for lessons (financial abuse) or harassment.*
- *Is there suspicion that a crime has occurred?*

If the answer to any of the questions above is 'yes' - then you can share without consent and need to share the information.

When sharing information there are seven Golden Rules that should always be followed.

1. Seek advice if in any doubt
2. Be transparent - GDPR is not a barrier to sharing information but to ensure that personal information is shared appropriately; except in circumstances whereby doing so places the person at significant risk of harm.
3. Consider the public interest - Base all decisions to share information on the safety and well-being of that person or others who may be affected by their actions.
4. Share with consent where appropriate - Where possible, respond to the wishes of those who do not consent to share confidential information. You may still share information without consent, if this is in the public interest.
5. Keep a record - Record your decision and reasons to share or not share information.
6. Accurate, necessary, proportionate, relevant and secure - Ensure all information shared is accurate, up-to-date, necessary and share with only those who need to have it.

## ***Appendix 2 - Useful contacts***

JSA Adult Safeguarding Officer - Hayley Farrell - [Safeguarding@Jerseysoftball.com](mailto:Safeguarding@Jerseysoftball.com)

Safeguarding Agency Board - <https://safeguarding.je/safeguarding-adults/>

Single Point of Referral (SPOR) for Adult Social Services - 01534 444440 / [spor@health.gov.je](mailto:spor@health.gov.je)