

**DOVEY YACHT CLUB ~ CLWB HWYLIO DYFI**

**Will always follow the latest RYA policy and guidelines on which this policy is based**

# Safeguarding Adults Policy and Guidelines

for RYA affiliated clubs, class associations and organisations and  
recognised training centres

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**This is the first page of the policy which is published on the website. For the avoidance of doubt if any member has a safeguarding concern about an adult at risk or a someone's behaviour to an adult at risk then please contact the DYC ~ CHD Designated Safeguarding Officer (DSO) or if unavailable a Club Officer.**

## **SAFEGUARDING ADULT at RISK POLICY**

Dovey Yacht Club ~ Clwb Hwyllo Dyfi (DYC ~ CHD) is committed to safeguarding adults at risk taking part in its activities from activities from physical, sexual, psychological, financial or discriminatory abuse or neglect. We recognise that everyone, irrespective of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, pregnancy and maternity, marriage or civil partnership or social status, has a right to protection from discrimination and abuse.

DYC ~ CHD takes all reasonable steps to ensure that, through safe recruitment, appropriate operating procedures and training, it offers a safe environment to adults at risk participating in its activities. All participants will be treated with dignity and respect.

All members and volunteers should be aware of the policy.

### **Adults at Risk**

This policy refers to anyone aged 18 or over who may be defined by the Social Services and Wellbeing (Wales) Act 2014 as an 'Adult at Risk', who is in need of care or support, and who because of those needs is unable to safeguard themselves at all times.

### **Inclusion**

DYC ~ CHD is an inclusive club and recognises that we may work with:

- people who have a physical disability, whether from birth or acquired through injury, illness or advancing age, ranging from those who can sail independently but need some assistance getting afloat, to those who depend on others for physical care and support
- people who are blind or visually impaired, who may need to be guided around the site and when getting on board, and sail with sighted crew
- people who are deaf or hearing impaired, whose needs are largely connected to communication and inclusion
- people who have learning disabilities or who for some other reason (e.g. brain injury, dementia) may not have the capacity (see Mental Capacity below) to make independent decisions or to assess risk
- people who are on the autism/Asperger spectrum
- people who are experiencing mental illness.

### **Mental Capacity and Consent**

Although many of the good practice guidelines and principles to be followed when safeguarding children also apply to adults, there is a key difference. In the case of a child, there is a clear duty to act if we suspect that the child has been harmed or is at risk of harm. In the case of an adult, the starting assumption must always be that they have the capacity to make a decision and have the right to do so.

- If there is an allegation or concern about an adult who has capacity, **their consent must be obtained** before any referral is made, unless others are at risk of harm. No information should be given to the adult's family or carers without their consent.
- If the adult does not have capacity and is unable to give consent, a referral may be made and their family or carers informed, provided that they are involved in the individual's life and are not implicated in the allegation.

Mental capacity refers to the ability to make a decision at a particular time. The term 'lacks capacity' means that a person is unable to make a particular decision or take a particular action for themselves at a particular point in time – although they may still be able to express an opinion or preference or take a less complex decision. Under the Mental Capacity Act 2005 a person lacks capacity to make a decision if they have an 'impairment of or disturbance in the function of their mind or brain' (either temporary or permanent), and as a result they cannot do **one or more** of the following:

- Understand the information relating to this particular decision (including its benefits and risks)
- Retain the information for long enough to make this decision
- Weigh up the information involved in making this decision
- Communicate their decision in any way.

### **Designated Safeguarding Officer (DSO)**

DYC ~ CHD has a Designated Safeguarding Officer (DSO), who can be contacted by any adult or child with any concerns. Their photo and contact details are on the club notice boards and on the website. Should the DSO not be available please contact any club officer.

## **SAFEGUARDING ADULTS' POLICY (CONTINUED)**

### **Staff and Volunteers**

All Club volunteers whose role brings them into regular contact with adults at risk will be asked to complete a self-disclosure form. The Designated Safeguarding Officer (DSO) and those instructing, coaching or supervising adults at risk will also be asked to apply for an Enhanced Criminal Records Disclosure. Those providing personal care will be asked to apply for an Enhanced Disclosure with Barred List check.

### **Good Practice: Changing rooms**

If it is essential, in an emergency situation, for a male to enter a female changing area or vice versa, it is advised that they are accompanied by another adult of the opposite sex.

### **Good Practice: First aid and medical treatment**

First aid, provided by an appropriately trained and qualified person, is part of an organisation's normal duty of care. If the individual lacks the capacity to give consent, and medication or medical treatment may be required in the absence of their carer, obtain prior consent from the carer

### **Good Practice: Individual responsibility and club liability**

DYC ~ CHD recognises as an organiser of training or coaching sessions that the club has a duty of care to our members and must ensure that on-water activities are conducted safely. Adults are normally responsible for their own safety, welfare and behaviour. In the case of a person who lacks the capacity to take responsibility for their own welfare, the club may require a carer or designated adult to be on site. It will be made clear at what point responsibility transfers from the instructor, coach or organiser to that person.

### **Good practice: Concerns**

Anyone who is concerned about the welfare of an adult, either outside the sport or within the Club, should inform the DYC ~ CHD Designated Safeguarding Officer (DSO) or a club official in their absence. They will follow the appropriate two flowchart procedures - Appendix 17 - concern about an adult at risk outside the sports environment and Appendix 18 - concern about the behaviour of someone at the club to an adult at risk.

### **Good practice: Compliance to the Safeguarding adults**

Any member of the Club failing to comply with the Safeguarding Adults at Risk policy or any relevant Codes of Conduct may be subject to disciplinary action.

### **Good practice: Relevant documents**

All members and especially those working with adults at risk should be mindful of all aspects and procedures relating to safeguarding contained in the five appendices below.

1. Appendix 1 Adults at Risk - Hand-out for Instructors, Coaches and Volunteers
2. Appendix 2 DYC ~ CHD Code of Conduct - Safeguarding Adults at Risk
3. Appendix 3 What is abuse of an Adult at Risk?
4. Appendix 4 Flowchart 1 - concern about an adult at risk outside the sports environment
5. Appendix 5 Flowchart 2 - concern about the behaviour of someone at the club to an adult at risk

## **Appendix 1: Safeguarding Adults at Risk - Good Practice Guide Handout For Instructors, Coaches And Volunteers**

You should also read the Dovey Yacht Club ~ Clwb Hwyllo Dyfi (DYC ~ CHD) Safeguarding Adults at Risk Policy and the Safety and Operating Procedures which are readily available.

- Always communicate clearly, in whatever way best suits the individual, and check their understanding and expectations
- Always try to work in an open environment in view of others
- Avoid spending any significant time working with adults at risk in isolation
- Do not take an adult at risk alone in a car, however short the journey, unless you are certain that the individual has the capacity to decide to accept a lift
- Do not take an adult at risk to your home as part of your organisation's activity
- Where any of these is unavoidable, ensure that it only occurs with the full knowledge and consent of someone in charge of the organisation or the person's carers
- Design training programmes that are within the ability of the individual
- If you need to help someone with a wetsuit or buoyancy aid or provide physical assistance or support, make sure you are in full view of others
- Take great care with communications via mobile phone, e-mail or social media that might be misunderstood or shared inappropriately. In general, only send group communications about organisational matters using these methods. If it's essential to send an individual message to a person who has a learning disability or other impairment that might affect their understanding, copy it to their carer.

### **You should never:**

- engage in rough, physical or sexually provocative games or activities
- allow or engage in inappropriate touching of any form
- use inappropriate language
- make sexually suggestive comments, even in fun
- fail to respond to an allegation made by an adult at risk; always act
- do things of a personal nature that the person can do for themselves.

It may sometimes be necessary to do things of a personal nature to help someone with a physical or learning disability. These tasks should only be carried out with the full understanding and consent of both the individual (where possible) and their carers.

In an emergency situation which requires this type of help, if the individual lacks the capacity to give consent, carers should be fully informed. In such situations it is important to ensure that anyone present is sensitive to the individual and undertakes personal care tasks with the utmost discretion.

**(RYA revised April 2018)**

## **Appendix 2: Dovey Yacht Club ~ Clwb Hwyllo (DYC ~ CHD) Code of Conduct - Safeguarding Adults**

It is the policy of Dovey Yacht Club ~ Clwb Hwyllo Dyfi (DYC ~ CHD) that all participants, coaches, instructors, officials, parents and volunteers show respect and understanding for each other, treat everyone equally within the context of the sport and conduct themselves in a way that reflects the principles of the club. The aim is for all participants to enjoy their sport and to improve performance.

Abusive language, swearing, intimidation, aggressive behaviour or lack of respect for others and their property will not be tolerated and may lead to disciplinary action.

### **Participants**

- Listen to and accept what you are asked to do to improve your performance and keep you safe
- Respect other participants, coaches, instructors, officials and volunteers
- Abide by the rules and play fairly
- Do your best at all times
- Never bully others either in person, by phone, by text or online
- Take care of all property belonging to other participants, the club/organisation or its members

### **Carers**

- Accept that adult participants have a right to take risks and to take decisions about their welfare, unless they lack the capacity to do so as defined by the Mental Health Act 2005
- Support the participant's involvement and help them enjoy their sport
- Help the participant to recognise good performance, not just results
- Never force the participant to take part in sport
- Never punish or belittle the participant for losing or making mistakes
- Encourage and guide the participant to accept responsibility for their own conduct and performance
- Respect and support the instructor/coach
- Accept officials' judgements and recognise good performance by all participants
- Use established procedures where there is a genuine concern or dispute
- Inform the club or event organisers of relevant medical information
- Ensure that the participant wears suitable clothing and has appropriate food and drink
- Provide contact details and be available when required
- Take responsibility for the participant's safety and conduct in and around the clubhouse/event venue

### **Coaches, Instructors, Officials and Volunteers**

- Consider the welfare and safety of participants before the development of performance
- Encourage participants to value their performance and not just results
- Promote fair play and never condone cheating
- Ensure that all activities are appropriate to the age, ability and experience of those taking part
- Build relationships based on mutual trust and respect
- Work in an open environment
- Avoid unnecessary physical contact with young or vulnerable people
- Be an excellent role model and display consistently high standards of behaviour and appearance
- Do not drink alcohol or smoke when working directly with young people
- Communicate clearly with participants and carers
- Be aware of any relevant medical information
- Follow RYA and club/class guidelines and policies
- Holders of RYA Instructor and Coach qualifications must also comply with the RYA Code of Ethics and Conduct
- Holders of RYA Race Official appointments must also comply with the RYA Race Officials Code of Conduct.

**If you are concerned that someone is not following the Code of Conduct, you should inform the DYC ~ CHD Designated Safeguarding Officer (DS0), club official or the person in charge of the activity.**

(RYA revised January 2015)

### Appendix 3: Adults at Risk - What is abuse?

(Based on the statutory guidance supporting the implementation of the Social Services and Wellbeing (Wales) Act 2014)

Abuse is a violation of an individual's human and civil rights by another person or persons. Adults at risk may be abused by a wide range of people including family members, professional staff, care workers, volunteers, other service users, neighbours, friends, and individuals who deliberately exploit vulnerable people. Abuse may occur when an adult at risk lives alone or with a relative, within nursing, residential or day care settings, hospitals and other places assumed to be safe, or in public places.

The following is not intended to be an exhaustive list of types of abuse or exploitation but an illustrative guide as to the sort of behaviour which could give rise to a safeguarding concern:

**Physical abuse** - including assault, hitting, slapping, pushing, misuse of medication, restraint, or inappropriate physical sanctions.

**Domestic violence** – including psychological, physical, sexual, financial, emotional abuse; so called 'honour' based violence. This won't happen at a club/centre, but there could be concerns about a participant's home situation.

**Sexual abuse** - including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjections 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 abuse** - including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or unreasonable and unjustified withdrawal from services or supportive networks. In a club context this might include excluding a member from social activities.

**Financial or material abuse** - including 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. People with learning disabilities or dementia are particularly vulnerable to this type of abuse. An example might be encouraging someone to book and pay for training courses that are inappropriate for their level of ability, or to purchase sailing clothing or equipment they don't need.

**Discriminatory abuse** - including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.

**Neglect and acts of omission** - including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating; or in a watersports context, failing to ensure that the person is adequately protected from the cold or sun or properly hydrated while on the water.

**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. Self-neglect might indicate that the person is not receiving adequate support or care, or could be an indication of a mental health issue such as depression.

**Organisational abuse** – including 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 slavery** – 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.

Not included in the Social Services and Wellbeing (Wales) Act 2014 but also relevant:

**Bullying** (including 'cyber bullying' by text, e-mail, social media etc) - may be seen as deliberately hurtful behaviour, usually repeated or sustained over a period of time, where it is difficult for those being bullied to defend themselves. The bully may be another vulnerable person. Although anyone can be the target of bullying, victims are typically shy, sensitive and perhaps anxious or insecure. Sometimes they are singled out for physical reasons – being overweight, physically small, having a disability - or for belonging to a different race, faith or culture.

## Appendix 3: Adults at Risk - What is abuse? (continued)

**Mate Crime** – a ‘mate crime’ as 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. There have been a number of serious cases relating to people with a learning disability who were seriously harmed by people who purported to be their friends.

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

### Recognising abuse

Patterns of abuse vary and include:

- Serial abusing in which the perpetrator seeks out and ‘grooms’ individuals. Sexual abuse sometimes falls into this pattern as do some forms of financial abuse
- Long-term abuse in the context of an ongoing family relationship such as domestic violence between spouses or generations or persistent psychological abuse; or
- Opportunistic abuse such as theft occurring because money or valuable items have been left lying around.

### Signs and indicators that may suggest someone is being abused or neglected include:

- Unexplained bruises or injuries – or lack of medical attention when an injury has occurred
- Someone losing or gaining weight, or an unkempt appearance
- A change in behaviour or confidence
- Self-harming
- A person’s belongings or money go missing
- The person is not attending, or no longer enjoying, their sessions
- A person has a fear of a particular group or individual
- A disclosure – someone tells you or another person that they are being abused.

### Concerns

If there are concerns about abuse taking place in the person’s home, talking to their carers might put them at greater risk. If you cannot talk to the carers, consult the DYC ~ CHD Dedicated Safeguarding Officer (DSO) or the person in charge. It is this person’s responsibility to make the decision to contact Adult Social Care Services. It is NOT their responsibility to decide if abuse is taking place, BUT it is their responsibility to act on your concerns.

Social care professionals involved in taking decisions about adults at risk must take all of the circumstances into account and act in the individual’s best interests. You are not expected to be able to take such decisions.

### The following six principles inform the way in which professionals and other staff in care and support services and other public services in England and Wales work with adults:

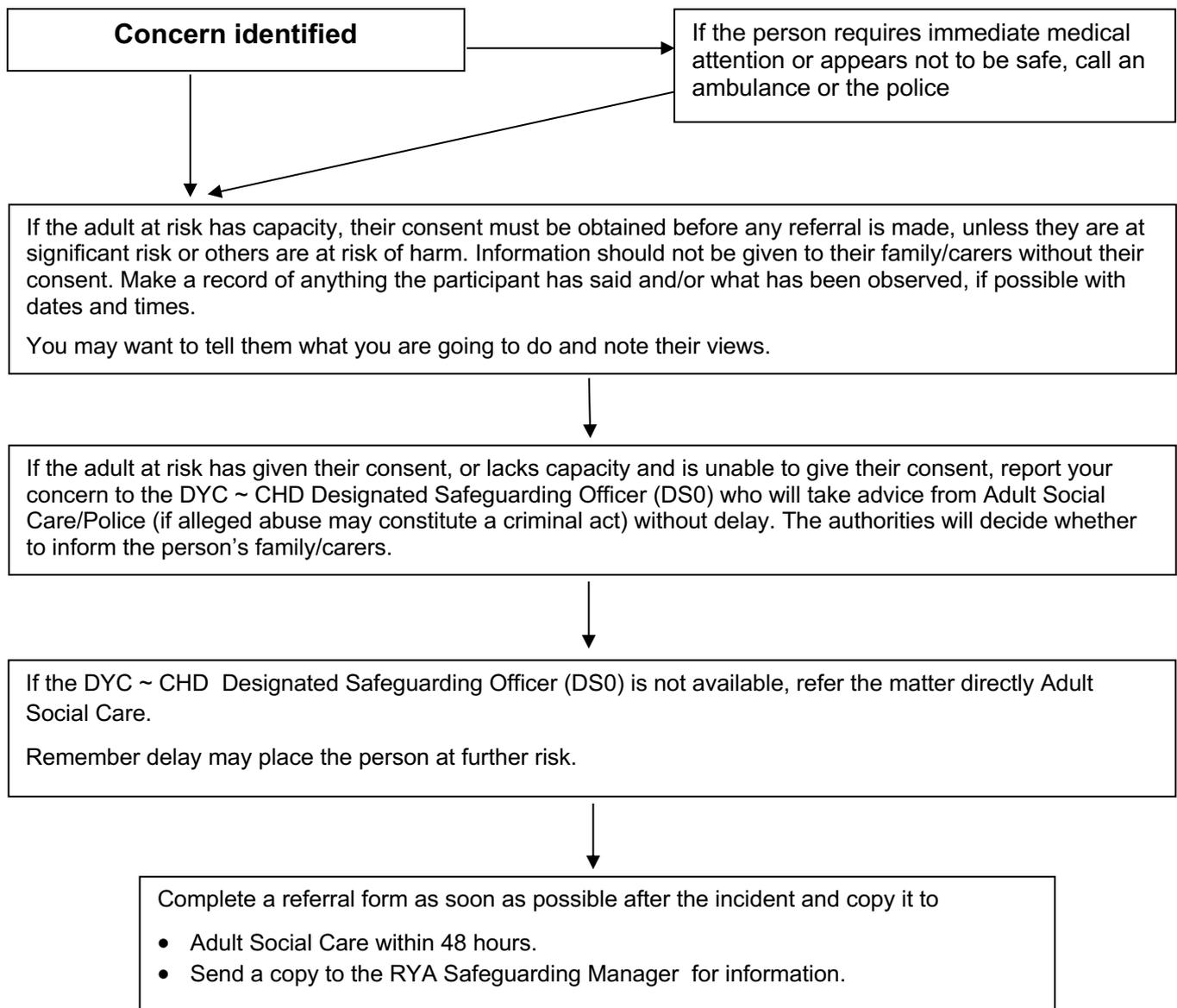
- **Empowerment** – People being supported and encouraged to make their own decisions and informed consent
- **Prevention** – It is better to take action before harm occurs
- **Proportionality** – The least intrusive response appropriate to the risk presented
- **Protection** – Support and representation 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.

Adult safeguarding should be person led and outcome focussed. The person should be engaged 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.

Some instances of abuse will constitute a criminal offence, for example assault, sexual assault and rape, fraud or other forms of financial exploitation and certain forms of discrimination. This type of abuse should be reported to the Police.

(RYA sections revised April 2018 and February 2020)

## Appendix 4: Flow chart 1 - concern about an Adult at Risk outside the sports environment



### **If you are uncertain what to do at any stage, contact**

#### **RYA Cymru Wales,**

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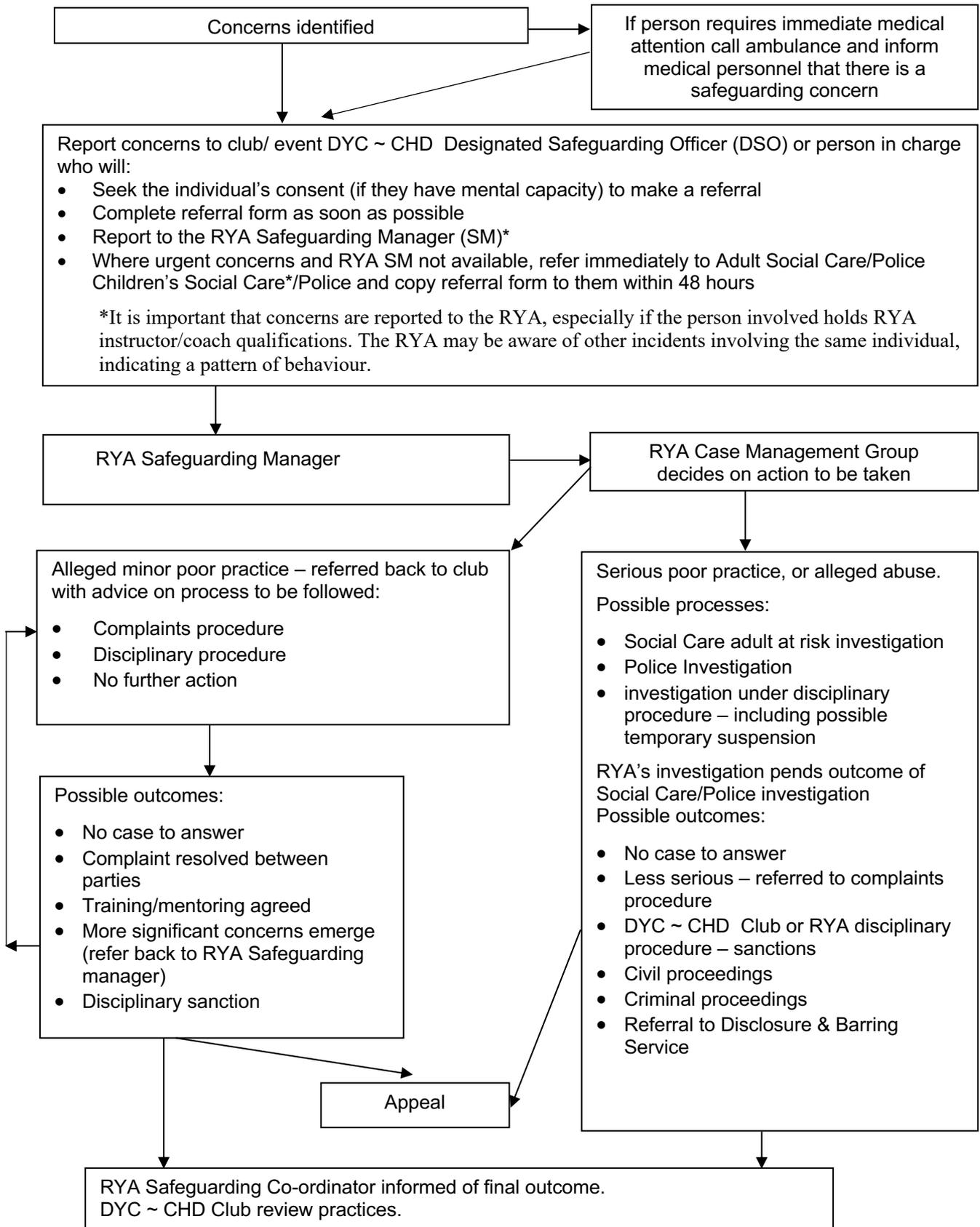
#### **Royal Yachting Association,**

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**Social Care Services** - Your local phone book or the website for your County Council or unitary local authority will list numbers for Adult Services, generally with separate numbers for Adult Social Care and for the Emergency Duty Team (out of hours service).

RYA revised March 2015

**Appendix 5 Flowchart 2 - Concern About The Behaviour of Someone at The Club to an Adult At Risk**



RYA revised March 2015