

THE THIRD AGE TRUST



THE UNIVERSITY OF THE THIRD AGE

Safeguarding

Keeping it Legal

Learning Outcomes

- Understand what is meant by the term 'safeguarding'
- Identify the responsibilities of U3A committee members
- Understand what to do if you are concerned about a person at risk
- Understand your own and others' duty to report a concern or incident that you are aware of

Question

What do you understand by the term 'Adult Safeguarding'?

How might it be relevant to a volunteer-led organisation like U3A?

Defining Safeguarding

Safeguarding means protecting people's health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect. It's fundamental to high-quality health and social care.

Ref: Care Quality Commission



Defining Safeguarding

Safeguarding adults includes:

- Protecting their rights to live in safety, free from abuse and neglect.
- People and organisations working together to prevent the risk of abuse or neglect, and to stop them from happening.
- Making sure people's wellbeing is promoted, taking their views, wishes, feelings and beliefs into account.

Ref: Care Quality Commission

Safeguarding Adults

“Adult safeguarding is a complex issue to deal with as adults have the right to self determination as well as the ‘right to a private and family life’”.
(Human Rights Act).

We also have to consider an individual's mental capacity to make "informed choices". Does the person adequately understand the situation they are in and are they aware of the potential consequences to their own wellbeing?

Within your U3A what, if any, are the main safeguarding issues that you have encountered?



Case Study

You have a member who has been running one of the groups for several years. Over time this group leader seems to be becoming a little unreliable and forgetful. Several group members have approached the committee to express concerns that this group leader may have early onset dementia. What responsibility does a U3A committee have in responding to this?

Legal Terms and Definitions

Vulnerable Adults

A person who is 18 years of age or over, and who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or serious exploitation.

Ref: No Secrets - Department of Health

Types of Abuse

The Care Act 2014 definition of abuse & neglect

- Abuse may be physical, psychological, emotional, sexual or financial (and includes abuse taking place in any setting whether a private dwelling, an institution or any other place).

The Dept of Health definition of abuse & neglect

- Abuse is a violation of an individual's human and civil rights by any other person or persons
- Abuse may be perpetrated as the result of deliberate intent, negligence or ignorance

Neglect and Harm

Neglect

- The failure to meet a person's basic physical, emotional, social or psychological needs which is likely to result in an impairment of a person's wellbeing (eg; an impairment of the person's health.)

Harm

The abuse or the impairment of:

- Physical or mental health
- Intellectual, emotional, social or behavioural development

Elder Abuse

"a single, or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person".

(World Health Organisation).

Elder abuse can take various forms such as physical, psychological or emotional, sexual and financial abuse. It can also be the result of intentional or unintentional neglect. 65 years of age is taken as the point beyond which abuse may be considered to be elder abuse.

Wellbeing

Statutory guidance defines it as relating to 9 areas including:

- Personal dignity (including treatment of the individual with respect)
- Physical and mental health and emotional wellbeing
- Participation in education or recreation
- Social and economic wellbeing
- Domestic, family and personal relationships
- The individual's contribution to society

Promoting Wellbeing

What role does the U3A play in promoting wellbeing?



Safeguarding and the U3A

- Safeguarding is everybody's business
- U3As have a duty of care to their membership
- We all have a duty to safeguard people at risk
- Committee members need to be aware of the law and guidance for safeguarding



Trustees

responsibilities

Charity trustees are responsible for ensuring that those benefiting from, or working with, their charity, are not harmed in any way through contact with it. They have a legal duty to act prudently and this means that they must take all reasonable steps within their power to ensure that this does not happen.

Steps to take



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- Adopt a safeguarding policy
- Consider the U3As approach to and role in respect of wellbeing
- Groups Coordinator to talk to group leaders about safeguarding being a shared responsibility
- Discuss any identified concerns within the committee and agree actions
- Dementia friends training
- Investigate any safeguarding issues following your complaints/grievance/disciplinary procedures
- Report safeguarding concerns to National Office/local authority



Questions and Queries?

Case Study

One of the female members makes an allegation against one of the male group leaders. She alleges that the male group leader has made some unwanted advances to her. This has resulted in her leaving the group and being scared to return. She is worried about pursuing the matter formally as she is a relatively new member and the group leader is long standing and popular. What do you think a U3A committee should do to respond to this?