



GATWICK DETAINEES WELFARE GROUP

Registered Charity No. 1124328

A Company Limited by Guarantee registered in England and Wales No. 4911257

Policy title	Adult Safeguarding Policy & Procedures
Approved by	Louise Williamson
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1. Policy statement

Gatwick Detainees Welfare Group (GDWG) seeks at all times to promote the welfare, safety and protection of adults vulnerable to abuse or neglect. The nature of our work may bring us into contact with: vulnerable adults who are or who have been detained at Tinsley House and Brook House Immigration Removal Centres (IRCs) at Gatwick Airport; with vulnerable adults who are volunteers with the group; with vulnerable adults who attend meetings of the Group which are open to the public.

All immigration detainees are in some sense vulnerable, because they have been detained without criminal charge and without ready access to legal advice; they have little privacy or personal security; and the environment is usually culturally alien to them. Many do not speak or read English, and so are unable to understand the process they are undergoing. They may have suffered physical violence, torture or rape. They may have learning or physical disabilities or mental ill health. They may be suffering from post-traumatic stress syndrome (PTSD). The stresses and anxieties caused by the experience of detention, their memories of the past or fears for the future, can tip them over into an even greater state of vulnerability.

Should there be any concerns about the safety of a vulnerable adult being held under immigration powers, GDWG commits to taking all reasonable steps to assist that person and alert the appropriate authorities, as outlined in these guidelines. This commitment also applies to vulnerable adults who encounter the group as volunteers or members of the public.

We also commit to ensuring that all staff¹ and volunteers who come into contact with vulnerable adults during the course of their duties with GDWG have read this document, are committed to the principles which it outlines, and understand the responsibilities that it entails and will act promptly on them. All staff, trustees and volunteers will be required to sign GDWG's Code of Conduct confirming they have read and understood this policy in its entirety before they start their duties.

The Director will act as the Designated Safeguarding Person in the organisation, ensuring adherence to the policy and procedures, which will be in line with the Sussex Safeguarding Adults Policy & Procedures. An updated pdf version of this document is available on the homepage of the following website: <https://sussexsafeguardingadults.procedures.org.uk/>. The Director will draw the attention of staff, volunteers and trustees to this as appropriate. One of the trustees will have a lead on safeguarding, ensuring policies and procedures are compliant with the law and best practice.

2. Guiding principles and definitions

The Care Act 2014 and accompanying statutory guidance was a major step forward in safeguarding adults who are experiencing, or are at risk of, abuse or neglect, and who are unable to protect themselves. Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect. It is about working together to support people to make decisions about the risks they face in their own lives and protecting those who lack the mental capacity to make those decisions.

The Care Act safeguarding duties apply to an adult who:

- has needs for care and support
- is experiencing, or at risk of, abuse or neglect,
- 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.

While this clearly applies to certain groups of adults, e.g. those living in care homes, the Sussex Safeguarding Adults Policy & Procedures point out that the above is not an exhaustive list. In its definition of who should receive a safeguarding response, the Policy clarifies that legislation could also include people who are victims of sexual exploitation, trafficking and modern slavery, to give a few examples.

GDWG will always seek to promote the adult's wellbeing as part of safeguarding arrangements. People have many aspects to their lives and being safe may be only part of what is important to them. We seek to work with each adult to establish what being safe means to them and how that can best be achieved. All staff and volunteers working or having dealings with adults who are vulnerable to abuse or neglect have a duty to treat them with respect and care, to be sensitive to their particular needs and to protect them. They are required to make themselves fully aware of this policy and the guidelines within it. All allegations of abuse of a vulnerable adult must be treated seriously. All action taken under these guidelines must be carried out expeditiously and sensitively,

¹ "Staff" refers to GDWG staff throughout the document, unless otherwise specified.

taking account of such issues as race, culture and ethnicity, age, gender, religion, disability and sexuality.

According to the Sussex Safeguarding Adults Policy & Procedures, the following six principles underpin all adult safeguarding work:

- Empowerment - presumption of person led 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.
- Accountability - accountability and transparency in delivering safeguarding.

GDWG seeks to reflect these principles in its work. We endeavour to ensure detainees have a voice in telling us what we do well and what we can do better in terms of keeping them safe.

In terms of the Counter-Terrorism and Security Act 2015 and the Prevent Duty, GDWG is not defined as a specified authority. However, a visitor may become aware that the detainee they visit has been or is in the process of being radicalised and may be a potential risk to other detainees/IRC staff/the wider community. There is a legal duty on us all to report any concerns of potential terrorist actions.

3. Categories of abuse

Categories of abuse include:

- Physical
- Sexual
- Financial
- Emotional or psychological (including radicalisation)
- Neglect and self-neglect
- Domestic violence
- Discriminatory or “hate crime”
- Modern slavery and/or trafficking
- Institutional

These are not mutually exclusive and many situations will combine a combination of different types of abuse.

In the context of detention, the abuser may be:

- A person visiting the detention centre (friend, family or volunteer)
- A person supporting the detainee but not necessarily visiting
- One of the staff at the detention centre
- One of the staff responsible for transporting a detainee

- Another detainee

For those who have been released from detention, or who are GDWG volunteers or staff, or who are members of the public attending GDWG events, the abuser may be:

- a family member, friend or neighbour
- a volunteer befriender
- a professional health, social, care or other worker
- a fellow volunteer or staff member
- the person they are befriending
- another vulnerable adult
- a stranger

4. Procedures in the case of suspected abuse

Responding

If the vulnerable adult is in immediate danger or in need of urgent medical attention, action must be taken to ensure their immediate safety and well-being. This may include calling the appropriate emergency service.

The following checklist provides guidance for staff and volunteers relating to responding:

- remain calm and try not to show shock or disbelief
- listen carefully
- reassure the person that they are being listened to and supported
- explain that you will need to share the information and who you will do this with

Do not:

- press the person for further details
- promise to keep secrets
- make promises you can't keep
- be judgemental
- ask leading questions

Raising a safeguarding concern

Anybody can raise a safeguarding concern for themselves or for another person. A 'safeguarding concern' is when any person has a reasonable cause to believe that:

- an adult has needs for care and support and,
- may be experiencing, or is at risk of abuse or neglect and,
- is unable to protect themselves from that abuse or neglect because of their care and support needs.

If on the basis of the presenting information available, it appears that these conditions are met then a safeguarding concern should always be raised with the West Sussex Adult Social Care. In an emergency, the emergency services should be contacted. Other agencies may need to be advised: in the case of a safeguarding concern about a detainee, this will be the detention centre management

company (currently Serco). If the GDWG Director has concerns that the IRCs safeguarding team has not taken the allegation sufficiently seriously they should contact the Independent Monitoring Board (IMB) and/or the Independent Chief Inspector of Borders and Immigration (ICIBI).

Where possible and safe to do so, the person raising a safeguarding concern would have had a conversation with the adult concerned regarding their consent, views and wishes. The exception to this could be if there is the possibility it would have increased the risk for the adult.

Remember!

- You may not be the only person who has noticed or experienced the abuse or neglect
- There could be lots of people who have 'low-level' concerns about the same thing but if you do not pass the information on it cannot be addressed
- Even if it has not affected you, or someone you know directly, it could be affecting someone else who may not be able, or in a position, to say something about it.
- Abuse and neglect does not just appear from nowhere. Sharing information before something becomes abuse or neglect is really important – do not think you are making a fuss about nothing!

Reporting procedures

The designated GDWG Adult Safeguarding Person is the Director. Under normal circumstances staff/volunteers are required to pass on promptly any concerns about possible abuse or neglect of an adult to the Director. However, should an urgent issue arise during a visit that requires immediate action, the staff member/volunteer should approach the Gatwick IRC's duty safeguarding team directly (see contact list at end). The staff member/volunteer should then endeavour to inform the Director as soon as possible.

If these designated people are not available the staff member/volunteer is required to contact the Chair of Trustees, or in extreme cases whilst in the detention centre, the staff member/volunteer can ask the nearest staff member to contact the Duty Operations Manager of the Day at Tinsley House or Brook House ("Oscar 1").

In circumstances away from the IRC where staff/volunteers believe there to be an urgent, serious and imminent threat to an adult's safety they must call 999 and report the matter to the police. The GDWG Director should then be informed straight away.

It is then the responsibility of the GDWG Director to contact West Sussex Adult Social Care department to discuss the concerns (see contact list at end) and agree what action is to be taken. This is a centralised number and the caller will need to ask to speak to someone stating clearly that it is regarding an adult safeguarding concern.

Remember do not:

- attempt to contact the alleged 'abuser' or alleged 'victim'
- talk to other staff, volunteers or service users about the information shared with you

Concerns about adults in the community known to detainees:

During the course of a visit to an adult in detention, a detainee may tell their GDWG visitor of a concern they have about an adult in their network living in the community, e.g. they fear a friend has been trafficked and can't escape, or is experiencing very serious domestic abuse. The staff

member/volunteer will need to explain that this is not something they can keep confidential and that the GDWG Director will need to be informed so they can take any appropriate action needed.

Former Detainees in the Community

GDWG's primary purpose is to assist detainees whilst they are being held at Tinsley House and Brook House. All volunteers are made aware of this fact upon joining the group. However, GDWG recognises that, on occasion, a volunteer may form a close friendship with the person they have been visiting and choose to stay in touch with them in their private capacity if they are released. All new volunteers are given guidelines which state that the relationship henceforth becomes a private arrangement and falls outside of the remit of GDWG. We advise any volunteer whilst acting from this position who is concerned about a vulnerable adult should seek the advice of the adult social care services or police of the area in which the former detainee lives and follow the course of action suggested.

5. Record keeping

It is essential that the GDWG member records what they have seen or heard that has led them to believe that a vulnerable adult's welfare or safety is at risk. This should be done as soon as is practical after it has come to their attention. The GDWG Director also needs to keep clear and concise records, made in a timely manner, as to the action taken and why.

Records should include the following details where possible and/or relevant:

- name and position of GDWG member (e.g. job title, volunteer)
- name of vulnerable adult
- name of person alleging abuse (if not the same as above)
- date, time and setting in which allegation was made or event witnessed
- names of other people present
- record of what happened using individual's own words
- whether there is any evidence such as bruising or change in behaviour
- who has been told about it, when and what action they took, if any
- the precise action, if any, that the staff member or volunteer has taken
- date and sign the record, ensuring it is legible

A standardised recording format is available for staff and volunteers' use. An electronic copy of the record will be securely stored in the password protected Management folder in Sharepoint on Office 365. The volunteer/staff member reporting abuse or flagging up a concern will also receive a copy of any record kept and must retain this record in a manner consistent with GDWG's data protection responsibilities.

When an incident/concern is reported it is paramount that the exact words that the adult has used (if known) are noted, distinguishing between verbatim quotation and summary. It is imperative that this information is recorded as soon as possible after the conversation.

Once the information is passed to West Sussex Adults' Social Care they will make a decision on whether the Police need to be informed and if there is a need for a joint investigation. In this case, the investigation team should keep GDWG updated with the progress of the investigation on a need

to know basis. Otherwise an investigation or enquiry may be carried out by Adults' Social Care or, if an allegation has been made about a member of staff or a volunteer, it may be carried out by GDWG at the request of Adults' Social Care.

In the event that a volunteer is called to attend a Police station to make a statement, the GDWG Director will also attend to provide support (or another GDWG member acting on his/her behalf).

Confidentiality

Personal information may need to be disclosed in the best interests of the vulnerable adult. The following safeguards therefore need to be observed:

- information will only be shared on a need to know basis when it is in the best interests of the vulnerable adult
- informed consent should be obtained wherever possible
- it is inappropriate for staff, volunteers or agencies to give assurances of absolute confidentiality in cases where there are concerns about abuse
- vulnerable adults and their carers should be advised why, and with whom, information will be shared.

6. Recruitment and selection of staff, volunteers & trustees

GDWG is committed to "Safer Recruitment" practice as outlined in the "Staff Selection & Recruitment Policy". This includes the following measures to reduce the risk of abuse by staff members, volunteers and trustees:

- All potential volunteers and staff will be required to provide references, attend an interview, and agree to a Disclosure and Barring Service (DBS) check at the appropriate level. This will vary – either basic or enhanced – depending on their role.
- In the case of references for paid staff, past employers will be contacted directly. Original birth certificates, driving licenses or passports will be used to verify dates of birth for DBS checks, as there is risk of fraud and consequent evasion from detection if copies are accepted. All checks will need to be satisfactory before appointment. Staff will work for a probationary period before being confirmed in post.
- If staff, volunteers and trustees do not subscribe to the DBS updating service, a new check will be made once every 5 years following their appointment.
- By signing the Code of Conduct, staff and volunteers undertake to inform GDWG of any subsequent criminal charges, convictions or cautions, or any other safeguarding matters concerning them.

7. Allegations against a member of staff, trustee or volunteer

Gatwick Detainees Welfare Group assures all staff/volunteers that it will fully support and protect anyone, who in good faith reports his or her concern about a colleague's poor practice or that a colleague is, or may be, abusing a vulnerable person. Such concerns should be reported to the GDWG Director, or in her absence, the Chair of Trustees. If the person making the report considers their concerns are not being taken seriously, they should refer to the GDWG "Whistleblowing Policy" or may wish to use the Charity Commission's whistleblowing helpline. They may also wish to consult the GDWG "Bullying and Harassment Policy".

Where there is a complaint against a member of staff there may be three types of investigation:

- A criminal investigation carried out by the police
- A safeguarding investigation or enquiry carried out by West Sussex Adults' Social Care, or at their request, by GDWG
- A disciplinary or misconduct investigation carried out by GDWG.

The results of the police and adult safeguarding investigation may well influence the disciplinary investigation, but not necessarily.

Concerns about poor practice – action to be taken:

- If, following consideration by the GDWG Director, the allegation is clearly about poor practice; this will be dealt with as a training or misconduct issue as appropriate.
- If the allegation is about poor practice by the GDWG Director or if the matter has been handled inadequately and concerns remain, it should be reported to the Chair who will decide how to deal with the allegation and whether or not the organisation should initiate disciplinary proceedings.

Concerns about suspected abuse – action to be taken

- Any suspicion that a vulnerable person has been abused by either a member of staff or a volunteer should be reported to the GDWG Director who will take such steps as considered necessary to ensure the safety of the vulnerable person in question and any other vulnerable people who may be at risk.
- The GDWG Director will refer the allegation to the Adults' Social Care department who may involve the police, or if the matter is urgent and serious, s/he may go directly to the police.

If the GDWG Director is the subject of the concern/allegation, the report must be made to the Chair of Trustees who will refer the allegation to Adults' Social Care.

Any concerns or allegations about a member of staff, volunteer or trustee should be brought to the attention of GDWG's insurer immediately by the GDWG Director. It may also be a condition of some grant making trusts that they are informed promptly of any allegations made against staff or volunteers. Reporting requirements to the Charity Commission about serious incidents (defined as "adverse events, whether actual or alleged") relating to harm to beneficiaries or others, property, finance or reputation will be followed as required.² Trustees will review the handling of any serious safeguarding incident at the Board Meeting following the incident, or earlier if appropriate. We wish to be a learning organisation, and are committed to acknowledge and learn from our failures or poor practice.

Internal Enquiries and Suspension

- The GDWG Director will contact the West Sussex Adult Social Care to inform them of the allegation, and seek their advice as to whether any individual accused of abuse should be suspended pending any police and Adults' Social Care inquiries or an internal investigation if requested by Adults' Social Care.
- Should allegations be made against a staff member, they should be made aware of their rights under employment legislation and of the GDWG internal disciplinary procedure. Any investigation will be carried out in a timely manner.

² See <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>

- Following the outcome of any investigation, the organisation will assess all individual cases to decide whether a member of staff or volunteer can be reinstated and how this can be sensitively handled. This may be a difficult decision, particularly where there is insufficient evidence to justify any action by the police. In such cases, the organisation must reach a decision with the assistance and advice of West Sussex Adult Social Care. This will be based upon the available information and the balance of probability. The welfare of the vulnerable adult should remain of paramount importance throughout.

Employers and managers of volunteers working with people in regulated activity have a legal duty to make referrals to the Disclosure and Barring Service in circumstances where they have permanently dismissed a person from the organisation (or would have if the person had not left, resigned, retired or been made redundant) because the person has:

- been cautioned, arrested or convicted for a relevant offence, or,
- engaged in misconduct in relation to children or adults at risk – i.e. that an action or inaction (neglect) has harmed a child or adult or put them at risk of harm, or,
- satisfied the ‘Harm Test’ in relation to children or adults at risk – i.e. that there has been no relevant misconduct but a risk of harm to a child or adult still exists.

8. Contacts and telephone numbers

Please contact the GDWG office in the first instance unless it is an emergency. We will follow up on all concerns as appropriate, speaking to Brook House or Tinsley House management as needed.

GDWG Office number: 01293 657070

Out of hours or if above not answered, please contact the GDWG Director, Anna Pincus – 07804 903157

If Anna is unavailable, please contact Marie Dewson (Chair of Trustees) – 07801 950306

Brook House and Tinsley House:

Duty Safeguarding Team Gatwick IRCs (concerns can be raised anonymously) - 01293 566537/ 07725 577925

Email - Safercommunitygatwick@gmail.com.

West Sussex Adults’ Care Point: 01243 642 121

Email: adults.carepoint@westsussex.gov.uk

Online <https://www.westsussex.gov.uk/social-care-and-health/social-caresupport/adults/safeguarding-adults-raise-your-concerns/>

GDWG insurers - Ecclesiastical Insurance: 0345 777 3322

Email: information@ecclesiastical.com

Charity Commission:

<https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>

Independent Monitoring Board (IMB): www.imb.org.uk

Email: IMB@justice.gov.uk

Independent Chief Inspector of Borders and Immigration (ICIBI): 020 3513 0487

Email: chiefinspector@icibi.gov.uk

9. Related policies and resources

- Bullying and harassment policy
- Guidelines for visiting detainees who pose a safety risk
- Guidelines for visiting suicidal detaineesSafer recruitment policyHealth & Safety policy
- Walk With Us policy
- Whistleblowing policy
- Visitors' Code of Conduct
- Leaflet about visiting for detainees

Charity Commission:

- <https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees>
- https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/756636/10_safeguarding_actions_for_charity_trustees_infographic.pdf

WSCC:

- WSCC leaflet "Safeguarding Adults: What to do if you think someone is being abused, neglected or exploited"
- WSCC leaflet "Safeguarding children: What do you do if you're worried a child is being abused?"
- Pan Sussex Adult Safeguarding Procedures agreed by West Sussex Safeguarding Adults Board: <https://sussexsafeguardingadults.procedures.org.uk/>
- Pan Sussex Child Safeguarding Procedures agreed by West Sussex Safeguarding Children Board: <https://sussexchildprotection.procedures.org.uk/>