



LONG DISTANCE

LDWA

WALKERS ASSOCIATION

Safeguarding Adults at Risk

Policy

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Version	Author	Notes
V6 (October 2018)	Deirdre Flegg	
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Purpose

The purpose of this Policy is to describe the LDWA's responsibility with regard to safeguarding adults at risk of harm. It applies to all individuals involved in the LDWA.

The Long Distance Walkers Association acknowledges its duty of care as a National Governing Body, to ensure the safety of adults at risk of harm participating in their activities.

The LDWA values and encourages the involvement of all walkers in its activities. Through this Policy the LDWA is committed to promoting enjoyment of long distance walking and safeguarding the health, safety and general welfare of adults while in the company or care of LDWA volunteers or members.

The LDWA will support anyone who, in good faith, reports his or her concerns that an adult is at risk of being, or may actually be abused. All suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately, and handled with appropriate sensitivity.

This Policy is mandatory for all LDWA members, whether in a volunteer role or as ordinary members. It also applies to guests of the LDWA on social walks, challenge events or on social events

Background to the LDWA

The LDWA is an association of people with the common interest of walking long distances in rural, urban, mountainous or moorland areas. The LDWA allows like-minded long distance walkers to gain access to information on walking events and long distance routes across the UK. The LDWA comprises of 43 local groups across the UK who arrange social and challenge walk events. The LDWA is recognised as a national governing body (NGB) for rambling by Sport England, Sport Scotland and Sport Wales.

The National Executive Committee (NEC) is the governing body of the Long Distance Walking Association.

Policy Statement

The Long Distance Walkers Association is committed to creating and maintaining a safe and positive environment. We accept our responsibility to safeguard the welfare of all adults involved in long distance walking, in accordance with the Care Act 2014, Adult Support and Protection (Scotland) Act 2007, and Social Services and Well being [Wales] Act 2014, as updated November 2019.

Context

The circumstances in which members of the LDWA, acting on behalf of the LDWA, might come into contact with adults at risk of harm are limited. The LDWA is not a sporting body that coaches, teaches or otherwise cares for people in a sporting context, and none of the LDWA's volunteers take on such roles on behalf of the Association.

Adults at risk of harm may join a social walk, enter a challenge event, or volunteer as marshals on Local Group events, or take part in Group social events.

Other situations may occur from time to time, and this Policy applies in all cases.

It is impossible to say how many adults at risk of harm might take part in social events or challenge walks, as an entrant or volunteer, as there is no requirement for them to declare any disability (except, possibly, a relevant pre-existing medical condition) and any vulnerability may not be realised until a stressful situation occurs.

Principles and Values

The Care Act sets out the following principles that should underpin the safeguarding of adults:

- Empowerment - for example being supported and encouraged to make own decisions and to act with informed consent, particularly in relation to outcomes from any safeguarding process.
- Prevention - taking action before abuse occurs; knowing the signs and how to seek help.
- Proportionality - the least intrusive response 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.

The LDWA takes seriously its responsibility to protect and safeguard adults at risk of harm who take part in the activities organised by Local Groups on behalf of the LDWA. All adults, regardless of age, ability or disability, gender, gender reassignment, race, religion, ethnic origin, sexual orientation, or marital status have the right to be protected from abuse and poor practice and to participate in a safe and enjoyable environment.

Accordingly, the LDWA will:

- provide a friendly welcome and promote the general welfare of all involved in its activities;
- recognise the rights of those at risk of harm as individuals and treat them with dignity and respect;
- raise awareness of the dangers to which adults at risk may be susceptible; and
- develop appropriate procedures for responding to accidents, incidents and alleged or suspected harm.

Definitions

An adult at risk is a person aged 18 or over who has needs for care and support and is experiencing, or at risk of, abuse or neglect; and/or 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.

[In Scotland, note that the age range is from 16 upwards].

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

Adult safeguarding is protecting a person's right to live in safety, free from abuse and neglect.

Capacity refers to the ability to make a decision at a particular time, for example when under stress. The starting assumption must always be that the person has the capacity to make a decision unless it can be established that they lack capacity under the Mental Capacity Act 2005.

Prevention

Disclosure and Barring Service: members, whether acting as volunteers or participating in organised activities are not carrying out Regulated Activity and as such are not required to be checked.

LDWA members should:

- Bear in mind that some actions, no matter how well intentioned, may be misinterpreted and leave all parties vulnerable.
- Be alert to any potential harm or inappropriate behaviour.
- Respect rights to privacy.
- Provide access for adults at risk to discuss any concerns they may have.
- Speak to the LDWA's Designated Safeguarding Officer (the Risk Officer) if they have concerns about an individual's safety.
- Always work in an open environment (e.g. avoiding private or unobserved situations and encouraging everyone else to work in an open environment).
- Treat everyone with respect and dignity.
- Always put the welfare of an adult at risk first, before achieving goals.
- Give enthusiastic and constructive feedback rather than negative criticism.
- Recognise the capacity of adults at risk - avoiding excessive training and not pushing them against their will.
- Keep a written record of any injury that occurs, along with the details of any treatment given, in accordance with LDWA accident and injury procedures
- Exercise care when referring to adults at risk in any published material, either printed or on the internet. This includes event reports, newsletter articles, etc.
- Share concerns on any matter relating to actual or suspected abuse with the Chair of the Local Group where appropriate or the LDWA's Designated Safeguarding Officer.

LDWA members should not:

- Permit abusive behaviour by others or engage in it themselves.
- Be alone for substantial periods of time with adults at risk. If this is unavoidable through emergency or other event, then this should be with the knowledge of another LDWA member.
- Allow or engage in suggestive remarks, gestures or touching of a kind which may be misunderstood or unwelcome.
- Use language which may be regarded as hurtful or disrespectful.
- Let any allegations made by an adult at risk go un-investigated, unrecorded or otherwise not acted upon.

Designated Persons

At Local Group level, the local safeguarding representative is the Chair of the Local Group, or in the absence of the Chair, the Risk Officer on NEC.

The Risk Officer, on the National Executive Committee is the LDWA Designated Safeguarding Officer.

Designated Safeguarding Officer: Responsibilities

- Review and maintenance of this Safeguarding Policy;
- providing advice and guidance to Local Groups on Safeguarding issues;
- monitoring any incidents that are reported by Local Groups; and
- ultimately ensuring that appropriate action has been taken by the LDWA on any reported incidents of abuse.

Local Safeguarding Representative: Responsibilities

The local safeguarding representative (or the Designated Safeguarding Officer, if appropriate) must inform and liaise with the relevant authorities (Social Services Adult Safeguarding, or Police) for the area in which the adult at risk lives.

Review

On an annual basis, the National Executive Committee will review the number of recorded incidents, allegations or complaints, and make changes to the Policy and Procedures where relevant.

This policy and related procedures will be reviewed and approved by the National Executive Committee annually, published to Local Group Chair and Secretaries (who will be asked to confirm acceptance) and published to all members.

Appendix A - Relevant legislation

The Care Act 2014

The Care Act introduced new responsibilities for local authorities. It also has major implications for adult care and support providers, people who use services, carers and advocates. It replaced 'No Secrets' and puts adult safeguarding on a statutory footing.

www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation

Adult Support and Protection (Scotland) Act 2007

The Act defines adults at risk as those of 16 or over who are unable to safeguard their own wellbeing, property, rights or other interests; are at risk of harm and because they are affected by disability, mental disorder, illness or physical or mental infirmity; and are more vulnerable to being harmed than adults who are not so affected.

In Scotland, the Protecting Vulnerable Groups (PVG) membership scheme is managed and delivered by Disclosure Scotland. It helps make sure people whose behaviour makes them unsuitable to work with children and/or protected adults, can't do 'regulated work' with these vulnerable groups.

Social Services and Wellbeing (Wales) Act 2014

Part 7 of the Act deals with safeguarding both adults and children. Safeguarding Procedures were launched in November 2019

Protection of Freedoms Act 2012

Established the Disclosure and Barring service and amended some of the provisions relating to vulnerable groups, changed scope of 'regulated' activity and abolished 'controlled' activity.

Domestic Violence, Crime and Victims (Amendment) Act 2012

Created new offence of causing or allowing the death of a child or vulnerable adult

Equality Act 2010

Replaced all existing anti discrimination legislation such as sex and race discrimination and disability discrimination

Safeguarding Vulnerable Groups Act 2006

Introduced the new Vetting and Barring Scheme and the role of the Independent Safeguarding Authority. The Act places a statutory duty on all those working with vulnerable groups to register and undergo an advanced vetting process with criminal sanctions for non-compliance.

<http://www.legislation.gov.uk/ukpga/2006/47/contents>

Mental Capacity Act 2005 (applies England and Wales)

Its general principle is that everybody has capacity unless it is proved otherwise, that they should be supported to make their own decisions, that anything done for or on behalf of people without capacity must be in their best interests and should be the least restrictive intervention.

<http://www.legislation.gov.uk/ukpga/2005/9/contents>

Sexual Offences Act 2003

The Sexual Offences Act introduced a number of new offences concerning adults at risk and children.

<http://www.legislation.gov.uk/ukpga/2003/42/contents>

Crime Act 2015

Introduced new offence of controlling or coercive behaviour in intimate or familial relationships

Appendix B: Types of Abuse [drawn from Care and support: statutory guidance as updated 24 June 2020]

Physical abuse including: assault, hitting, slapping, pushing, misuse of medication, restraint inappropriate physical sanctions

Domestic violence including: psychological, physical, sexual, financial, emotional abuse, so called 'honour' based violence

Sexual abuse including: rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure, sexual assault, 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, cyber bullying, isolation, unreasonable and unjustified withdrawal of services or supportive networks

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, the misuse or misappropriation of property, possessions or benefits

Modern slavery encompasses: slavery, human trafficking, forced labour and domestic servitude, traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment

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

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

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.

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

Domestic abuse: The cross-government definition of domestic violence and abuse is: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to: psychological, sexual, financial, emotional abuse.

A new offence of coercive and controlling behaviour in intimate and familial relationships was introduced into the Serious Crime Act 2015.

Also relevant:

Forced marriage: term used to describe a marriage in which one or both parties are married without their consent or against their will. [ref. Antisocial Behaviour, Crime and Policing Act 2014]

Radicalisation: attracting people to own reasoning, inspiring new recruits and embedding extreme views; persuading vulnerable individuals of the legitimacy of their cause, either directly or through social media.

Signs and indicators of abuse and neglect

Abuse can take place in any context and by all manner of perpetrator. Individuals may be abused by someone within the organisation, or group members and other volunteers may become aware that abuse or neglect is happening outside the setting of the LDWA.

There are many signs that 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.
- Belongings or money going missing.
- Losing or gaining weight and/or an unkempt appearance.
- Change in behaviour or apparent confidence.
- Self-harm.
- Fear of a person or group.
- Telling another that they are being abused (disclosure).