

## SAFEGUARDING ADULTS AT RISK POLICY

### Introduction

YMPST is committed to being an open and inclusive organisations were everybody is treated with dignity and respect. YMPST recognises that to achieve that goal it needs to have in place policies and procedures to protect the rights and interests of those who are potentially at risk of harm. There are two legal categories of people who YMPST have a duty of care to protect from risk-“young people” and “vulnerable adults”. This policy addresses the issue of “vulnerable adults” and compliments YMPST’s existing “young people” policy.

### Who are “vulnerable adults”?

Recently there has been a shift away from using the term “vulnerable”, which can be perceived as a disempowering term, of those who are potentially at risk of harm or abuse. The term “Adult at Risk” is used in the Care Act 2014 and applies to people aged 18 or over who are in need of care or support, regardless of whether they are receiving such assistance, and who because of those needs are unable to protect themselves against abuse or neglect. Anybody could be at risk or vulnerable at certain times in their life, for example when undergoing medical treatment or experiencing a period of mental ill-health.

In terms of YMPST productions and events adults at risk include

1. people who have a physical disability who may depend on others for physical care and support;
2. people who are blind or visually impaired who may need to be guided around a range of locations;
3. people who are deaf or hearing impaired who may need help with communications;
4. people who have learning disabilities or who have for some reason (e.g. brain injury) may not have capacity to make independent decisions or assess risk (see “Mental Capacity” below);
5. people on the autism/Asperger spectrum;
6. 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 applies 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 action is taken unless others are at risk of harm. 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 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 a 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:

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

The Act also states that:

1. A person is not to be treated as unable to make a decision unless all practical steps to help him/her to do so have been taken without success;
2. A person is not to be treated as unable to make a decision merely because he/she makes an unwise decision;
3. An act carried out or a decision made for or on behalf of a person who lacks capacity must be undertaken or made in their best interests;
4. Before the act is carried out or the decision is made regard must be paid to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive or a person’s rights and freedom of action.

YMPST is committed to safeguarding adults at risk taking part in its activities from physical, sexual, psychological, emotional or financial harm 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. YMPST will take all reasonable steps to ensure that it offers a safe environment to adults at risk participating in productions and events. All participants will be treated with dignity and respect.

YMPST has ‘Safeguarding Adults at Risk Procedures’ which accompany this policy.

YMPST has a Designated Safeguarding Officer (DSO) who is responsible for ensuring that the Safeguarding Adults at Risk Policy and Safeguarding Adults at Risk Procedures are adhered to. The current DSO is MAURICE CRICHTON and he can be contacted on 07753 606 546 or by email [maurice.crichton@ympst.co.uk](mailto:maurice.crichton@ympst.co.uk) or at 53 Lindley Street, York YO24 4JG.

This policy will be regularly monitored by the YMPST Committee and will be subject to annual review.

Signed: *Linda Terry*

(Chair)

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