



Derry City & Strabane  
District Council

Comhairle  
Chathair Dhoire &  
Cheantar an tSratha Báin

Derry Cittie & Stràbane  
Destrìck Cooncil

Derry City and Strabane and District Council

# **Safeguarding Adults Policy and Procedures**

Approved on :

Minute Reference:

# Safeguarding Adults Policy and Procedures

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# Safeguarding Adults Policy and Procedures

## 1. Preamble

### Purpose

- 1.1 The responsibility for enacting the procedures to protect adults from harm caused by abuse, neglect or exploitation is principally the responsibility of Health and Social Care Trusts (HSC Trusts) and, where a crime is suspected or alleged, the Police Service of Northern Ireland (PSNI). However, Council, as an organisation, also has a responsibility to ensure that it does everything within its power to prevent harm to adults and to take appropriate and proportionate action where concerns are identified.
- 1.2 The purpose of this policy is to safeguard the welfare of all adults who come into contact with our services through actively promoting awareness of our safeguarding duty, implementing good practice, and complying with robust procedures which outline what action Council staff should take when concerned about potential adult safeguarding concerns.

### Background

- 1.3 Safeguarding includes activity which prevents harm from occurring (preventative safeguarding) and activity which protects adults at risk where harm has occurred (protective safeguarding).
- 1.4 All adult safeguarding activity is defined by five underpinning principles as set out in 'Adult Safeguarding – Prevention and Protection in Partnership' (July 2015) which was jointly developed by the Department of Health, Social Services and Public Safety (DHSSPS) and the Department of Justice (DOJ) on behalf of the Northern Ireland Executive. These principles are set out below:

**A Rights-Based Approach:** To promote and respect an adult's right to be safe and secure; to freedom from harm and coercion; to equality of treatment; to the protection of the law; to privacy; to confidentiality; and freedom from discrimination.

**An Empowering Approach:** To empower adults to make informed choices about their lives, to maximise their opportunities to participate in wider society, to keep themselves safe and free from harm and enabled to manage their own decisions in respect of exposure to risk.

**A Person-Centred Approach:** To promote and facilitate full participation of adults in all decisions affecting their lives taking full account of their views, wishes and feelings and, where appropriate, the views of others who have an interest in his or her safety and well-being.

**A Consent-Driven Approach:** To make a presumption that the adult has the ability to give or withhold consent; to make informed choices; to help inform choice through the provision of information, and the identification of options and alternatives; to have particular regard to the needs of individuals who require support with communication, advocacy or who lack the capacity to consent; and intervening in the life of an adult against his or her wishes only in particular circumstances, for very specific purposes and always in accordance with the law.

**A Collaborative Approach:** To acknowledge that adult safeguarding will be most effective when it has the full support of the wider public and of safeguarding partners across the statutory, voluntary, community, independent and faith sectors working together and is delivered in a way where roles, responsibilities and lines of accountability are clearly defined and understood. Working in partnership and a person-centred approach will work hand-in-hand

## 2. Scope

- 2.1 This policy applies to Elected Members, staff of Derry City and Strabane District Council, contractors working on behalf of Council, Council-owned community-managed facilities, service users, hirers of Council facilities, all adults using Council services, and taking part in Council-organised events/programmes/activities on Council property.

## 3. Definitions

### 3.1 General

- 3.1.1 An **adult** is anyone aged 18 or over.

- 3.1.2 An **adult at risk of harm** is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their:

- a) Personal characteristics which may include, but are not limited to, age, disability, special educational needs, illness, mental or physical frailty or impairment of, or disturbance in, the functioning of the mind or brain; and/or
- b) Life circumstances which may include, but are not limited to, isolation, socio-economic factors and environmental living conditions.

3.1.3 An **adult in need of protection** is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their:

a) Personal characteristics  
and/or

b) Life circumstances  
and

c) Who is unable to protect their own well-being, property, assets, rights or other interests  
and

d) Where the action or inaction of another person or persons is causing, or is likely to cause, him or her to be harmed

In order to meet the definition of an 'adult in need of protection' either (a) or (b) must be present, in addition to both elements (c), and (d).

3.1.4 Adults with **additional support needs** are defined in Appendix 3 of this document; this definition includes, but is not limited to, people with a disability. Adults with additional support needs can, in some cases, meet the definition of an 'adult at risk'.

3.1.5 **Regulated activity with adults:** there are six categories of activity which are defined as 'regulated activity' with adults at risk. They are; providing health care; providing personal care; providing social work; helping with general household matters; helping with the conduct of a person's own affairs; and conveying. It is not anticipated that any activity or work undertaken by Council staff would normally meet the definition of 'regulated activity' with adults at risk (as defined by the Safeguarding Vulnerable Groups (NI) Order 2007 as amended by the Protection of Freedoms Act 2012, but for the avoidance of doubt where posts and activities are being risk-assessed, reference should be made to the full scope of 'regulated activity' available at the following link: [Regulated activity adults NI Factual Note](#).

3.1.6 **Standard Disclosure Check** discloses an individual's criminal record, giving spent and unspent convictions and informed warnings and other non-court disposals from the Police National Computer.

3.1.7 **Enhanced Disclosure Check** discloses an individual's full criminal record, giving spent and unspent convictions from the Police National Computer, cautions, informed warnings and other non-court disposals from the Police National Computer, information held by the Disclosure and Barring Service (for positions in regulated activity), and information held by the police that is relevant to the role applied for.

3.1.8 **Responsible Person** - All duty officers, line managers and other officers with responsibility for the management of Council facilities/services are defined as 'Responsible Persons' for the purposes of this policy. The Responsible

Person has the authority to report and take action on concerns and disclosures brought to them by staff. Although all staff have a duty to safeguard adults, the responsible person must ensure that action is taken. Staff must be made aware of their duty to safeguard and must know the correct reporting pathways along with the name and contact details of the responsible person. The Responsible Person will also undertake safeguarding risk assessments in advance of any activity or programming.

- 3.1.9 The **Public or Vital Interest** principle applies to cases in which it is necessary to process personal data to protect someone's life.

## 3.2 Forms of Abuse

The World Health Organisation defines abuse as '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 another individual or violates their human or civil rights'.

The Northern Ireland Adult Safeguarding Partnership (NIASP) sets out the main forms of abuse within 'Adult Safeguarding Operational Procedures 2016', and these are summarised as follows:

- 3.2.1 **Physical abuse** is the use of physical force or mistreatment of one person by another which may or may not result in actual physical injury. This may include hitting, pushing, rough handling, exposure to heat or cold, force feeding, improper administration of medication, denial of treatment, misuse or illegal use of restraint and deprivation of liberty. Female genital mutilation (FGM) is considered a form of physical AND sexual abuse.
- 3.2.2 **Sexual violence and abuse** is 'any behaviour (physical, psychological, verbal, virtual/online) perceived to be of a sexual nature which is controlling, coercive, exploitative, harmful, or unwanted that is inflicted on anyone (irrespective of age, ethnicity, religion, gender, gender identity, sexual orientation or any form of disability). Sexual violence and abuse can take many forms and may include non-contact sexual activities, such as indecent exposure, stalking, grooming, being made to look at or be involved in the production of sexually abusive material, or being made to watch sexual activities. It may involve physical contact, including but not limited to non-consensual penetrative sexual activities or non-penetrative sexual activities, such as intentional touching (known as groping). Sexual violence can be found across all sections of society, irrelevant of gender, age, ability, religion, race, ethnicity, personal circumstances, financial background or sexual orientation.
- 3.2.3 **Violence Against Women and Girls:** The Northern Ireland Strategic Framework 2024-31: 'End Violence Against Women and Girls' defines violence against women and girls as an umbrella term used to cover a range

of harm, abuse and violence against women and girls because of their gender and identifies a pyramid of gender-based violence which includes systemic inequalities and damaging culture, damaging attitudes and beliefs, unwanted behaviours and criminal offences.

- 3.2.4 **Psychological / Emotional Abuse** **Psychological / emotional abuse** is behaviour that is psychologically harmful or inflicts mental distress by threat, humiliation or other verbal/non-verbal conduct. This may include threats, humiliation or ridicule, provoking fear of violence, shouting, yelling and swearing, blaming, controlling, intimidation and coercion.
- 3.2.5 **Financial Abuse** is actual or attempted theft, fraud or burglary. It is the misappropriation or misuse of money, property, benefits, material goods or other asset transactions which the person did not or could not consent to, or which were invalidated by intimidation, coercion or deception. This may include exploitation, embezzlement, withholding pension or benefits or pressure exerted around wills, property or inheritance.
- 3.2.6 **Institutional Abuse** is the mistreatment or neglect of an adult by a regime or individuals in settings which adults who may be at risk reside in or use. This can occur in any organisation, within and outside Health and Social Care (HSC) provision. Institutional abuse may occur when the routines, systems and regimes result in poor standards of care, poor practice and behaviours, inflexible regimes and rigid routines which violate the dignity and human rights of the adults and place them at risk of harm. Institutional abuse may occur within a culture that denies, restricts or curtails privacy, dignity, choice and independence. It involves the collective failure of a service provider or an organisation to provide safe and appropriate services, and includes a failure to ensure that the necessary preventative and/or protective measures are in place.
- 3.2.7 **Neglect** occurs when a person deliberately withholds, or fails to provide, appropriate and adequate care and support which is required by another adult. It may be through a lack of knowledge or awareness, or through a failure to take reasonable action given the information and facts available to them at the time. It may include physical neglect to the extent that health or well-being is impaired, administering too much or too little medication, failure to provide access to appropriate health or social care, withholding the necessities of life, such as adequate nutrition, heating or clothing, or failure to intervene in situations that are dangerous to the person concerned or to others, particularly when the person lacks the capacity to assess risk.
- 3.2.8 **Exploitation** is the deliberate maltreatment, manipulation or abuse of power and control over another person; to take advantage of another person or situation usually, but not always, for personal gain from using them as a commodity. It may manifest itself in many forms including slavery, servitude, forced or compulsory labour, domestic violence and abuse, sexual violence and abuse, or human trafficking.

- 3.2.9 **Domestic violence and abuse** is ‘threatening, controlling, coercive behaviour, violence or abuse (psychological, virtual, physical, verbal, sexual, financial or emotional) inflicted on anyone (irrespective of age, ethnicity, religion, gender, gender identity, sexual orientation or any form of disability) by a current or former intimate partner or family member’. Domestic violence and abuse is essentially a pattern of behaviour which is characterised by the exercise of control and the misuse of power by one person over another. It is usually frequent and persistent. It can include violence by a son, daughter, mother, father, husband, wife, life partner or any other person who has a close relationship with the victim. It occurs right across society, regardless of age, gender, race, ethnic or religious group, sexual orientation, wealth, disability or geography.
- 3.2.10 **Human Trafficking/Modern Slavery** involves the acquisition and movement of people by improper means, such as force, threat or deception, for the purposes of exploiting them. It can take many forms, such as domestic servitude, forced criminality, forced labour, sexual exploitation and organ harvesting. Victims of human trafficking/ modern slavery can come from all walks of life; they can be male or female, children or adults, and they may come from migrant or indigenous communities. The response to adults at risk experiencing human trafficking/modern slavery will always be to report the incident to the Police Service.
- 3.2.11 **Hate Crime** is any incident which constitutes a criminal offence perceived by the victim or any other person as being motivated by prejudice, discrimination or hate towards a person’s actual or perceived race, religious belief, sexual orientation, disability, political opinion or gender identity. The response to adults at risk experiencing hate crime will usually be to report the incident to the Police Service.
- 3.2.12 **Mental Health** issues are not defined as abuse by a third party and are not, therefore, eligible for referral under the Gateway Referral System; however, mental health issues do prompt action under our duty of care principle. Whilst staff are not expected to counsel individuals when such situations arise they need to ensure they take the appropriate action by informing the relevant agency and in emergency cases, the PSNI.
- 3.2.13 **Self-harm and self-neglect** are not included within the definition of an ‘adult in need of protection’ in The Safeguarding Adults: Prevention and Protection in Partnership Policy. Please refer to Designated Safeguarding Officers.

## 4. Policy Statement

- 4.1.1 Derry City and Strabane District Council is committed to safeguarding the welfare of adults who engage with Council services, make use of Council's facilities, or take part in council-organised activities. Council will endeavour to adopt preventative safeguarding approaches where appropriate; and will work with relevant partners e.g. WHSCT and PSNI to ensure the safeguarding of adults in need of protection.**

Council will endeavour to protect adults by:

- Nominating Designated Corporate Safeguarding Officers to implement the Safeguarding Policy and Procedures for Adults;
- Nominating Responsible Persons to ensure the policy is implemented appropriately at all Council venues and Council-run events;
- Ensuring that the Code of Conduct for Contractors is implemented at all times;
- Having rigorous recruitment procedures;
- Introducing guidance on the use of photography, filming equipment and other devices in Council facilities;
- Providing effective management for staff through supervision, support and training;
- Creating an open culture which ensures that adults are aware of how to raise safeguarding concerns i.e. through signage, Safeguarding Guides for Service Users and adopting an informed consent approach to participation; or to complain when necessary;
- Responding swiftly and appropriately to all concerns, suspicions allegations, and disclosures;
- Adopting guidelines for the protection of adults through a Safeguarding Code of Conduct for staff;
- Raising awareness of abuse and its effects;
- Being a member of Leisurewatch;
- Operating a Safeguarding Working Group;
- Including safeguarding within risk assessments;
- Giving consideration to adult safeguarding and safety when planning and designing projects, schemes and initiatives including capital projects;
- Working in partnership with other agencies and with other Councils i.e. via the Local Government Safeguarding Network to learn from best practice examples

### 4.1.2 Policy Objectives

The objectives of the policy are:

- To demonstrate a clear commitment to safeguarding the welfare of all adults who engage with our services;

- Promote a zero-tolerance culture in relation to the abuse, exploitation or neglect of all adults;
- To raise awareness within Council about the potential harm to adults and to adopt a continuous learning approach to adult safeguarding;
- To put in place clearly defined procedures for referring, reporting and dealing with incidents relating to adult safeguarding;
- To ensure effective selection, supervision and training of employees, contractors and subcontractors in relation to safeguarding issues;
- To put in place appropriate and timely referral and reporting arrangements with statutory and other agencies dealing directly with adult safeguarding issues;
- To ensure that safeguarding responsibilities are fully understood and that the safeguarding duty is complied with;
- To ensure that all those working for, or representing Council adhere to the appropriate Safeguarding Code of Conduct for Staff;
- To serve as a model of good practice to the wider community.
- To contribute towards a zero tolerance approach to violence against women and girls

## 4.2 Roles and Responsibilities

4.2.1 The **Chief Executive** has overall responsibility for the corporate implementation of the Safeguarding Adults Policy and Procedures and ensuring its objectives are met.

4.2.2 Each **Director** has responsibility for the implementation of the Safeguarding Adults Policy in their own area of work. All employees are expected to follow this policy and take appropriate action to meet the aims and objectives.

4.2.3 **Heads of Service/Lead Officers** will:

- Ensure that the Council's Safeguarding Adults Policy is adhered to and that employees follow the guidance and procedures
- Monitor and support employees' adherence to the Employees 'Code of Conduct for Staff'
- Gather information on reports of safeguarding incidents and referring these to the relevant Corporate Designated Safeguarding Officer
- Assist in conducting investigations of any incident for disciplinary purposes.
- Identify and resource training needs for their teams

4.2.4 **Responsible Person(s)\*** (includes Duty Officers/Line Managers) will:

- Be the first point of contact and support for staff in relation to adult safeguarding issues;

- Undertake appropriate training and ensure that all employees are fully trained in and understand adult safeguarding issues, identifying supplementary training support for their teams on the basis of identified need;
- Ensure that appropriate signage is in place at venues and facilities and that a register of 'regulated areas' is maintained and updated for each venue/facility within their purview;
- Ensure that adequate safeguarding risk assessments are undertaken in advance of all activity;
- Record the reporting of a disclosure of alleged abuse to a member of the Council's staff. The alleged abuse could involve either an external person or Council staff;
- Record Council staff's suspicion that an adult is at potential risk of harm or in need of protection and forward details to a Corporate Designated Safeguarding Officer;
- Discuss future action with the member of staff who made the report. Where appropriate, another member of staff may be included where he/she has observed possible signs of abuse or heard an adult disclosing details of potential harm or abuse.
- Ensure witness statements are included with Incident Report Form
- Establish contact with a senior member of WHSCT staff e.g. Adult Protection Team, District Adult Protection Officer, and/or PSNI and any other statutory agencies responsible for safeguarding in the event of an incident occurring on the premises for which they have responsibility;
- Record all action taken and advise the Corporate Designated Safeguarding Officer within 24 hours;
- Ensure copies of all reports of incidents are passed to the Corporate Designated Safeguarding Officer;
- Ensure that staff destroy any written or electronic records of incidents once a completed Incident Report Form and accompanying witness statements have been forwarded to Corporate Designated Safeguarding Officers;
- Compile any incidents/issues/actions log for the premises/events for which they have responsibility;
- Carry out investigations as required;
- Attend Safeguarding Working Group meetings;
- Consult Human Resources if the Incident Report Form concerns an employee of Derry City and Strabane District Council allegedly perpetrating abuse

4.2.5 **Lead Democratic Services and Improvement Officer** has responsibility for facilitating the corporate implementation of the Safeguarding Adults Policy and ensuring its objectives are met.

4.2.6 **Corporate Designated Safeguarding Officers** are responsible for acting as a source of guidance on adult safeguarding matters, for co-ordinating action within the organisation and for liaising with social services and other agencies about suspected or actual cases of harm in respect of adults. The role of the Corporate Designated Safeguarding Officer is to:

- Support the relevant Responsible Person in establishing contact with a senior member of the adult safeguarding team at the relevant WHSCT Adult Protection Gateway team, or PSNI in the event of an incident occurring during office hours.
- Provide information and advice on adult safeguarding within the Council
- Ensure that the Council's Safeguarding Adults Policy is followed and particularly to inform Social Services within the WHSCT of relevant concerns about adults
- Carry out investigations where appropriate
- Support the relevant Responsible Person to ensure that appropriate information is available at the time of referral and that the referral is also confirmed in writing and securely and confidentially filed/stored
- As appropriate, liaise with Social Services and other agencies within the Western Health and Social Care Trust
- Keep relevant people within the Council informed about any action taken and any further action required
- Ensure that an individual case record and learning log is maintained detailing the action taken by Council, any liaison with other agencies and the outcome
- Advise the Council of adult safeguarding training needs in liaison with the Council's Human Resources team and Responsible Person/Line Managers
- Co-ordinate and monitor the implementation of the Safeguarding Adults Policy
- Liaise with relevant officer(s) to ensure that external service providers, organisations that hire Council premises and grant aid recipients comply fully with the Safeguarding Adults Policy
- Gather information on reports of adult safeguarding incidents and refer these to the relevant Director and/or Head of Service.
- Share any significant information about employees' or others' behaviour deemed to be putting adults at risk of harm with HR or relevant statutory agencies, as appropriate
- Identify and share learning and promote best practice.
- Provide training on the Council's Safeguarding Adults Policy to line managers and other Responsible Persons which can in turn be cascaded to teams
- Attend regular meetings of the Local Government Safeguarding Network
- Facilitate regular meetings of the Safeguarding Working Group

#### 4.2.7 The **Lead Human Resources Officer** will:

- Assist Heads of Service/Line Managers on disciplinary matters arising from non-compliance with the Safeguarding Code of Conduct.
- Advise on the disciplinary procedure that may result from an investigation by management (or the Corporate Designated Safeguarding Officers)
- Ensure that all employees of Derry City and Strabane District Council who may have the potential to engage in regulated activity with adults have undergone an Access NI check
- Be responsible for ensuring Access NI Enhanced Disclosure Checks are made to determine the existence and content of any criminal record an applicant may have. This check will only be made on applicants who are recommended for appointment by an Interview Panel and have been made a

conditional offer of employment in a position which includes 'regulated activity' with adults

- Ensure adequate Access NI checks are in place for all posts involving regulated activity with adults including risk assessments for new posts as appropriate
- Ensure all information provided from the Access NI disclosure is treated as strictly confidential and is responsible for storing same in a locked cabinet until a final decision is made about the applicant. At this point all original information and copies will be destroyed immediately by shredding or permanently deleting.
- Assist in the identification and procurement of training where appropriate
- Ensure that the Safeguarding Adults Policy is included within the new employee induction briefing

#### 4.2.8 A **Nominated Officer** will:

- Be responsible for asking Access Northern Ireland (Access NI) to carry out Enhanced Disclosure Checks to determine the existence and content of any criminal record an applicant may have. This check will only be made on applicants who are recommended for appointment by an Interview Panel and have been made a conditional offer of employment in a position which includes 'regulated activity' with adults
- Receive any results provided by Access NI and consider as part of the recruitment process
- Treat all information provided from Access NI for the disclosure as strictly confidential and is responsible for storing same in a locked cabinet until a final decision is made about the applicant. At this point all original information and copies will be destroyed immediately by shredding or permanently deleting.

#### 4.2.9 **Elected Members** will be aware of, and comply with Council's policy and procedures in respect of safeguarding adults and will take effective action where appropriate

#### 4.2.10 **Employees** will:

- Report any concerns regarding the safeguarding of adults to their line manager or another appropriate Responsible Person
- Undertake relevant training in adult safeguarding and communicate any additional training requirements to their line manager
- Familiarise themselves with the policy requirements/procedures
- Mainstream the policy into everyday working practice e.g. Risk assessments when organising activities, Informed Consent, Use of Technology.
- Highlight any potential concerns with regard to gaps/failings in safeguarding policy/procedures to their line manager or another appropriate Responsible Person
- Comply with the Staff Code of Conduct

4.2.11 **Council Managed Volunteers.** Where an individual is carrying out 'regulated activity' with adults on behalf of Derry City and Strabane District Council, Council will ensure that an enhanced disclosure check is carried out, as is deemed appropriate by a risk assessment. In instances where a young person has been involved in activities e.g. youth participation work and turns 18 during that engagement period they can remain involved until their 19th birthday without an Access NI check. For young adults with learning/ developmental disabilities this age is 25. Any young person over the age of 18 or 25 with a learning/ developmental disability should have an Access NI completed.

4.2.12 A **Safeguarding Working Group** will:

- Facilitate and monitor the implementation of this policy
- Raise awareness of the policy internally and externally
- Maintain an anonymised log of incidents/issues/actions
- Share experiences and learning
- Hold a minimum of two working group meetings per year
- Monitor implementation of the policy and make recommendations for changes to the policy
- Produce procedures to support effective safeguarding
- Keep up to date with relevant legislative and policy changes in the field of safeguarding
- Suggest improvements to the safeguarding policy and practice

4.2.13 **Hirers of Council facilities** will assume full liability for safeguarding in advance of any booking being accepted. Hirers will also be required to state whether relevant due diligence checks such as Access NI Checks have been undertaken.

## 5. Legal and Policy Framework

This policy has been developed in line with the following legislation, guidance and good practice guidelines, current at the time of publication.

### 5.1 Legislation

- The Protection of Freedoms Act 2012
- Family Homes and Domestic Violence (NI) Order 1998
- The Sexual Offences Act 2003
- The Sexual Offences (Northern Ireland) Order 2008
- The Human Rights Act 1998
- General Data Protection Act 2018 (UK GDPR)
- The Disability Discrimination Act 1995
- Justice Act (Northern Ireland) 2015
- The Criminal Justice (NI) Order 2008
- Rehabilitation of Offenders Order (NI) 1978
- The Criminal Law Act 1967

- The Safeguarding Vulnerable Groups (NI) Order 2007 (as amended by the Protection of Freedoms Act 2012)
- The Safeguarding Board Act (NI) 2011
- The Mental Health (NI) Order 1986
- The Human Trafficking and Exploitation Act (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015
- Modern Slavery Act 2015 (application in Northern Ireland)
- Family Homes and Domestic Violence (NI) Order 1998

## **5.2 General Data Protection Regulations & Safeguarding**

5.2.1 While it is important that we work with partners to ensure the safety and welfare of adults, we must also be confident that the information which adults provide to us will only be disclosed where it is in their best interests to do so.

5.2.2 The UK General Data Protection Regulations set out seven key principles which should be central to an organisation's approach to processing personal data:

- Lawfulness, fairness and transparency; processed lawfully, fairly and in a transparent manner in relation to individuals ('lawfulness, fairness and transparency').
- Purpose limitation; collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes ('purpose limitation').
- Data minimization; accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy').
- Accuracy
- Storage limitation; kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals ('storage limitation').
- Integrity and confidentiality (security); (processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').
- Accountability; adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation').

5.2.3 Consent and Capacity: It is unlawful for public authorities to act in a manner which is incompatible with the rights and freedoms set out in the European Convention for the Protection of Human Rights and Fundamental Freedoms (Human Rights Act 1998) Act. Adults at risk of harm should be central to decisions regarding any actions to prevent or protect them from harm. When abuse is suspected or has already occurred, the wishes of the adult in need of protection are of paramount importance. Where a crime is suspected the issue of possible PSNI involvement should be discussed with the adult in need of protection. Public authorities can, however, interfere with an individual's rights providing it is lawful, proportionate and necessary in a democratic society.

- **Lawful** means 'prescribed by law' and the legal basis for any restriction on rights and freedoms must be established and identified. Reporting a relevant offence, as defined in the Criminal Law Northern Ireland Order (1967), is not only lawful but a legal requirement on public authorities.
- **Proportionate** means the proposed action is viewed by any reasonable person as fair, necessary and the least restrictive in order to benefit the individual.
- **Necessary** in a democratic society means (1) Does it fulfil a pressing social need? (2) Does it pursue a legitimate aim? And (3) Is the proposed action in the public interest taking into consideration whether other Adults at risk or children may be at risk of harm?

Designated Safeguarding Officers are not in the position to determine capacity of adults; if unsure if an adult is able to consent contact should be made the Western Health and Social Care Trust's Adult Safeguarding Team for advice and guidance. If an adult at risk does not consent to a referral being made to the HSC Trust or PSNI, the Designated Safeguarding Officer must contact the Adult Safeguarding Team for advice and guidance about whether or not to make a referral. These factors will influence whether or not a referral without consent should be made:

- Do they have capacity to make this decision?
- Have you given them full and accurate information in a way which they understand?
- Are they experiencing undue influence or coercion?
- Is the person causing harm a member of staff, a volunteer or someone who only has contact with the adult at risk because they both use the service?
- Is anyone else at risk from the person causing harm?

- Do you suspect a crime has been committed?

The WHSCT may determine that a referral without consent should be made and staff should follow their instructions for making the referral. If it is determined that the concern(s) do not meet the definition of an 'adult at risk' or an 'adult in need of protection' and a referral cannot be made without consent, the concerns raised must be recorded, including any action taken, and the reasons for not referring to WHSCT. In situations where the adult in need of protection is in imminent danger it may not be possible to discuss their wishes with them and obtaining a valid consent may not be possible. Under these circumstances, appropriate action should be taken to protect the adult at risk, including seeking medical and/or PSNI intervention. Further information in relation to Human Rights, Consent and Capacity is available in NIASP's Adult Safeguarding Operational Procedures (2016).

### **5.3 Good Practice Guidelines**

- Adult Safeguarding: Prevention and Protection in Partnership (2015)
- Adult Safeguarding Operational Procedures (2016)

## **6. Linkage to Corporate Plan**

Derry City and Strabane District Council's Corporate Plan sets out the corporate objective to 'Promote Healthy Communities'. Fundamental to this is the provision of quality and effective safeguarding procedures for all adults who engage with our services. Specifically, this policy aims to facilitate the prevention of safeguarding incidents and when incidents do occur that they are effectively managed by following the correct and appropriate reporting procedures.

## **7. Impact Assessment**

### **7.1 Screening and Equality Impact Assessment**

This policy has been subjected to the screening process and has been 'screened out' for equality impact assessment. A copy of the screening questionnaire can be obtained by emailing [equality@derrystrabane.com](mailto:equality@derrystrabane.com)

## **7.2 Impact on staff and financial resources**

This policy is envisaged to have a positive impact on staff as it provides a consistent framework for dealing with those safeguarding issues that members of staff may encounter across a range of Council functions. In the short term resources will be required to make staff aware of the new policy and in reviewing existing reporting processes and procedures. It is considered that these requirements can be met within existing resources. In the medium to longer term resources will be required to meet the ongoing training needs of staff.

## **7.3 Impact on Rural Needs, Improvement, Climate Change, and Data Protection**

This policy promotes safeguarding in all of Council facilities and events regardless of whether these are held in rural or urban areas. There is deemed to be no impact on climate change with this implementation of this policy. Data Protection is a key element of safeguarding as it involves the sharing of sensitive and personal information. This policy has included procedures to share information which is intended to enable Council to seek appropriate support, with consent and also without consent, where appropriate.

## **7.4 Sustainable development**

This policy is consistent with the guiding principle of ensuring a strong, healthy, just and equal society as set out in the NI Sustainable Development strategy.

## **7.5 Other impacts**

The adoption of a formal policy will facilitate a more robust standardised reporting procedure for safeguarding incidents/allegations.

# **8. Implementation**

Overall responsibility for the implementation of this policy lies with the Chief Executive. Operational implementation will be facilitated by the Lead Democratic Services and Improvement Officer and Corporate Designated Safeguarding Officers.

## **8.1 Training**

All employees will be provided with appropriate training. New employees will also be provided with information on this policy as part of their induction process. Line managers will be responsible for liaising with HR and relevant

training providers to identify and secure training appropriate to the needs of their staff and service.

## 8.2 Procedures, Guidance and Systems

In order to implement this policy Derry City and Strabane District Council has developed procedures, guidelines and systems to prevent and/or deal with allegations or instances of abuse.

These measures include:

- Disclosure
- Informed Consent Process
- Guidance on the use of photography and filming equipment
- Guidance for Hire of Facilities
- Supervision, support and training for staff
- Guidance for Contractors and Subcontractors
- Dealing with Disclosure or Suspected Abuse
- Dealing with Allegations made against a member of staff
- The associated procedures, guidelines and systems to prevent and/or deal with abuse will be kept under review and updated as necessary.
- Council will prepare guidance documents and training resources for staff and for service users outlining the key elements of this policy.

## 8.3 Communication Strategy

Responsibility for the communication of this policy lies with Heads of Service. Training will be arranged in conjunction with the Human Resources department and external agencies where necessary. The Designated Corporate Safeguarding Officer team will issue advice, guidance and relevant messaging via the Council's dedicated DCSDC Safeguarding email account [safeguarding@derrystrabane.com](mailto:safeguarding@derrystrabane.com). The approved policy will be made available on the Council's intranet site and on the Council's Safeguarding webpage. The policy can also be accessed by using the QR code featured below:

[www.derrystrabane.com/safeguarding](http://www.derrystrabane.com/safeguarding)



## 8.4 Risk Management

Failure to comply effectively with this policy may lead to the inefficient handling of safeguarding incidents/allegations. Safeguarding must be an

active consideration for all staff when organising events, initiatives and programmes which involve adults at risk.

## **9. Monitoring, Review and Evaluation**

Derry City and Strabane District Council is committed to ensuring that its measures in relation to the safeguarding of adults are monitored and evaluated appropriately. This will be done by:

- Ensuring all concerns, incidents, allegations of abuse and complaints are recorded and monitored accurately.
- Keeping a central log of queries that are received in relation to safeguarding issues, including who made the query, date, the nature of the query and how the query was dealt with. (The Designated Officer will record this information and forward all staff related queries to the Lead Human Resources Officer).
- Putting arrangements in place to monitor compliance with legislation in relation to adult safeguarding and recruitment and selection.
- Checking to see that personnel records are up to date, that job descriptions for new positions include reference to safeguarding (Human Resources Section).
- Checking to see that training has been undertaken (\* Line Managers and/or Responsible Person(s))

The Safeguarding Policy will, under normal circumstances, be formally reviewed every three years. The policy will also be subject to routine scrutiny and, from time to time, updates and re-issues will be circulated. The policy will be reviewed sooner in the event of any one or more of the following:

- A failure or weakness in the policy is highlighted
- Changes in legislative requirements
- Changes in Government/Council or other directives and requirements

<b>Document Number</b>	A unique identifier will be assigned to an approved policy.
<b>Responsible Officer</b>	Head of Democratic Services and Improvement Unit
<b>Contact Officer</b>	Name of Lead Officer Telephone: (028 71) 253 253 Ext ..... Email: .....@derrystrabane.com
<b>Approval</b>	Name of Council Committee which recommended approval of the policy and minute reference. Date of full Council meeting at which policy approval was ratified.
<b>Effective Date</b>	
<b>Modifications</b>	N/A
<b>Superseded Documents</b>	N/A
<b>Review Date</b>	To be reviewed in 3 years. However, the policy will be reviewed sooner in the event of any one or more of the following: <ul style="list-style-type: none"> <li>• Failure or weakness in the Strategy is highlighted</li> <li>• Changes in legislative requirements</li> <li>• Changes in Government/ Council or other directives and requirements.</li> </ul>
<b>File Number</b>	
<b>Associated Documents</b>	

This information is available upon request in a number of formats including large print, Braille, PDF, audio formats (CD, MP3, DAISY) and minority languages.

For further information on alternative formats please contact

Tel 028 71 253253

e-mail [equality@derrystrabane.com](mailto:equality@derrystrabane.com)



Derry City & Strabane  
District Council

Comhairle  
Chathair Dhoire &  
Cheantar an tSratha Báin

Derry Cittie & Stràbane  
Destrìck Cooncil

# **Safeguarding Adults Policy and Procedures**

## **Appendices**

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## Appendix 1a:

### Form A – Safeguarding Adults Report Form

To be completed by a staff member or any individual who wishes to raise a concern, make a report about something they have witnessed or observed, or to report a disclosure.

Please also refer to Appendix 2 – Consent and Capacity.

#### Section 1

1	<b>Council Location (e.g. building name or outdoor venue)</b>	
2	<b>Area <i>within</i> location where incident/concern is reported to have occurred (e.g. changing rooms)</b>	
3	<b>Date/Time of Incident</b>	
4	<b>Detailed account of incident/concern/disclosure</b>  (Please continue on an additional sheet if necessary)	

#### 5. (a) Adult at risk (Required for formal referral)

Name	Age	Address	Contact Phone Number	E-mail

#### (b) Consent: Has the adult at risk named at (a) provided consent to the safeguarding referral?

Yes	
No*	

\* Ideally, a referral should be made with the adult's agreement and full participation except where there is **clear and immediate risk of harm** or a **crime is alleged or suspected**. Please state the basis for making a referral if consent was withheld. Staff should seek

advice from the Responsible Person/Line Manager in line with their organisations' policy before overriding the adult's decision, except in emergency situations.

**(c) Does the adult at risk have any particular needs? e.g. communication etc**

--

**(d) Has the adult at risk alleged that any particular person(s) is perpetrating the abuse? Please include details below (if known)**

Name	Age	Address	Contact Phone Number	E-mail

## **6. Witnesses to Incident (if any)**

Name	Address	Contact phone Number	Email Address

## **7. Staff Attending Incident**

Name of Staff Attending Incident	Designation

## **8. Report Completed By**

<b>Name:</b>	
<b>Job title:</b>	
<b>Date:</b>	

## Section 2

Responsible Person* Use Only					
(*includes all relevant officers with safeguarding responsibilities, including line managers, senior officers, duty officers etc.)					
Does report refer to a concern, a report/observation of abuse or a disclosure of abuse					
Date Report Received.  From: (Name and Designation)					
Date referred to WHSCT Adult Protection Gateway team  & Name of contact in WHSCT Adult Protection Gateway Team					
Date Referred to PSNI & Name of contact in PSNI					
Incident Number if reported to PSNI					
Is CCTV footage of the incident available?	<table border="1"> <tr><td>Yes</td></tr> <tr><td>No</td></tr> </table>	Yes	No		
Yes					
No					
Has authorisation been given for the CCTV to be viewed?	<table border="1"> <tr><td>Yes</td><td></td></tr> <tr><td>No</td><td></td></tr> </table>	Yes		No	
Yes					
No					
Authorisation approved by:	.....				

Position:	.....
Actions recommended/Decisions taken	
Leisurewatch Referral Made if applicable (Attach copy of referral form submitted)	
If incident was not referred to Adult Gateway team, PSNI or Leisurewatch, please state reasons why	
Date Director Informed if applicable e.g.	
Responsible Person Comments	

Signature of Duty Officer/Responsible Person:	.....
Print Name:	.....
Date:	.....
Name of Corporate Designated Safeguarding Officer (CDSO) report has been passed to:	.....
Date report sent to CDSO:	.....

## How to Fill in Safeguarding Incident Report Form A

### Section 1

This form is to be used by any member of staff who deals with an adult safeguarding issue. Where possible the person(s) who has witnessed the incident, has the concern or who is making the disclosure should fill out the reporting form themselves in their own words. This is to prevent miscommunication and may capture more specific details of the incident/concern/disclosure.

**1 - Council Location:** Record the name of the premises (or outdoor location) where the incident took place.

**2 - Area within Location:** Record the area where the incident took place, e.g. changing rooms, sports hall etc.

**3 - Date and Time of Incident:** Record the date and the time when you became aware of the incident or when it was reported to you.

**4 - Detailed account of incident/concern/individual:** Describe what allegedly happened as it was reported to you or as you witnessed it. If it was reported to you by another member of staff or a member of the public, record what was reported to you. If it was something you saw, describe it. If necessary, continue on a separate sheet of paper. You can also attach separate written statements from the person or persons who made the report to you or who witnessed the incident.

**5 - Adult involved**

Record the name of the adult involved. If you don't know the name, give as much of a description as you can and add any other helpful details (e.g. the person was with a named group or taking part in a specific activity). Please ensure that you have sought the person's consent where appropriate. Or if the concern meets the threshold for over-riding consent e.g. Public or Vital Interest Principle (where the person is/was in clear or immediate risk of harm or where a crime is taking/has taken place) please state the basis for making the referral. If the adult at risk has named an alleged perpetrator please include these details, and if known, note whether the perpetrator is also believed to be an adult at risk. Please seek guidance from the WHSCT Adult Safeguarding Team where necessary.

**6 - Witnesses to Incident:** Record the names, addresses and telephone numbers of any witnesses who have come forward **and attach their statements to the incident report form.**

**7 - Staff Attending Incident:** Record the names and titles of any staff who were involved with the incident.

**8 - Report completed by:** Fill in your name, job title and the date and pass the form to the Duty Officer\*/Responsible Person. They will take any necessary action, including reporting the incident to the police or social services.

## **Section 2:**

**Duty Officer\*/Responsible Person Section –** This section should be completed by the Duty Officer\*/Responsible Person as soon as possible after receiving notification of the incident.

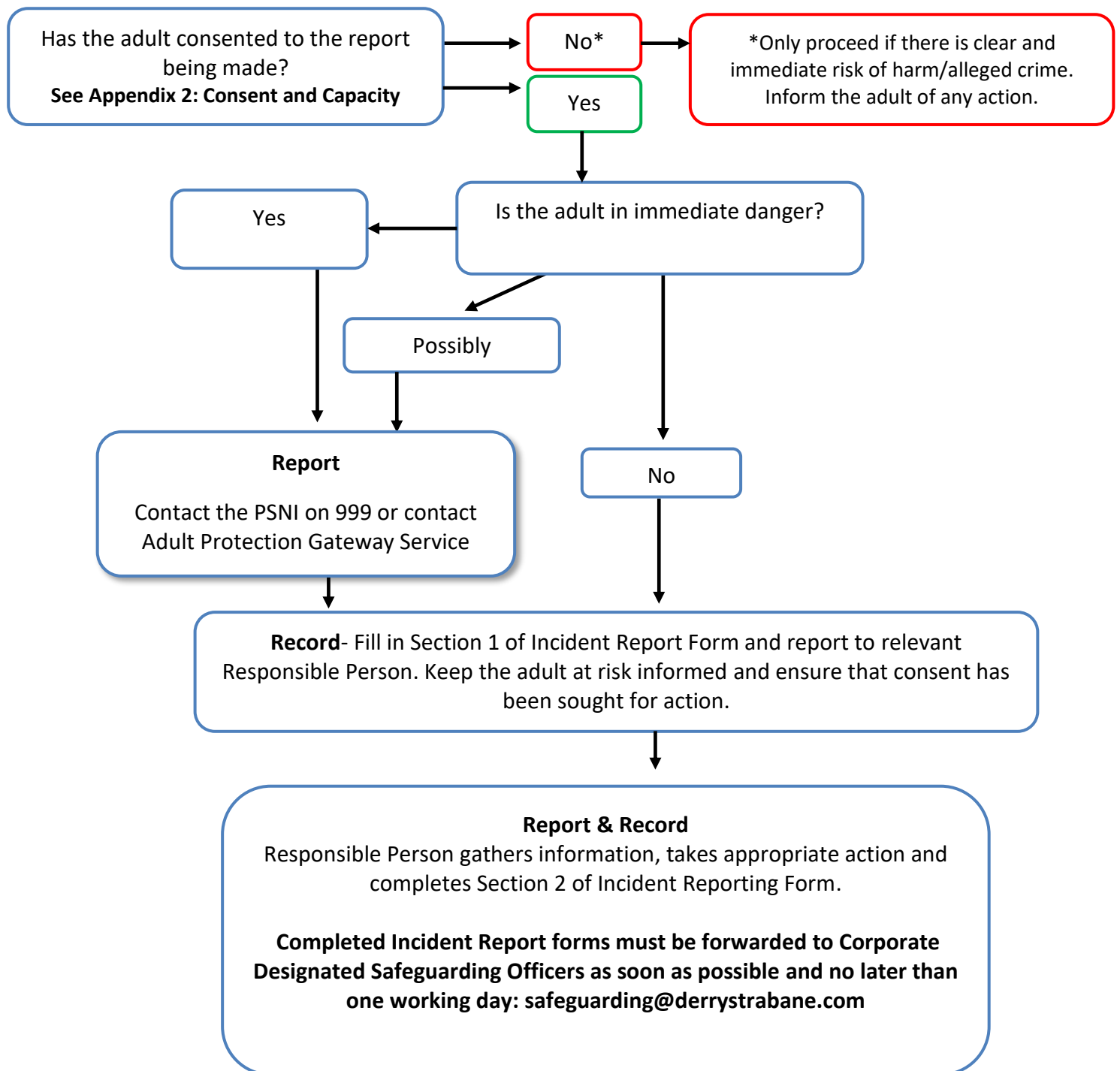
**IS CCTV footage of the alleged incident available?** Circle 'Yes' or 'No' as appropriate.

**Has authorisation been given for the CCTV to be viewed?** If the police are called about an alleged incident that has just happened, they may ask to see the CCTV footage of the relevant area. This authorisation can only be given by the head of service or other relevant responsible person. Only the responsible person and the police may view the footage, unless the police ask the victim or another witness to view it. Please refer to Council's CCTV policy where appropriate.

**Authorisation approved by:** Record the head of service name and position.

**Please note that ALL completed Incident Report Forms must be forwarded to the Corporate Designated Safeguarding Team as soon as possible, and no later than one working day for information and monitoring purposes. Please email: [safeguarding@derrystrabane.com](mailto:safeguarding@derrystrabane.com)**

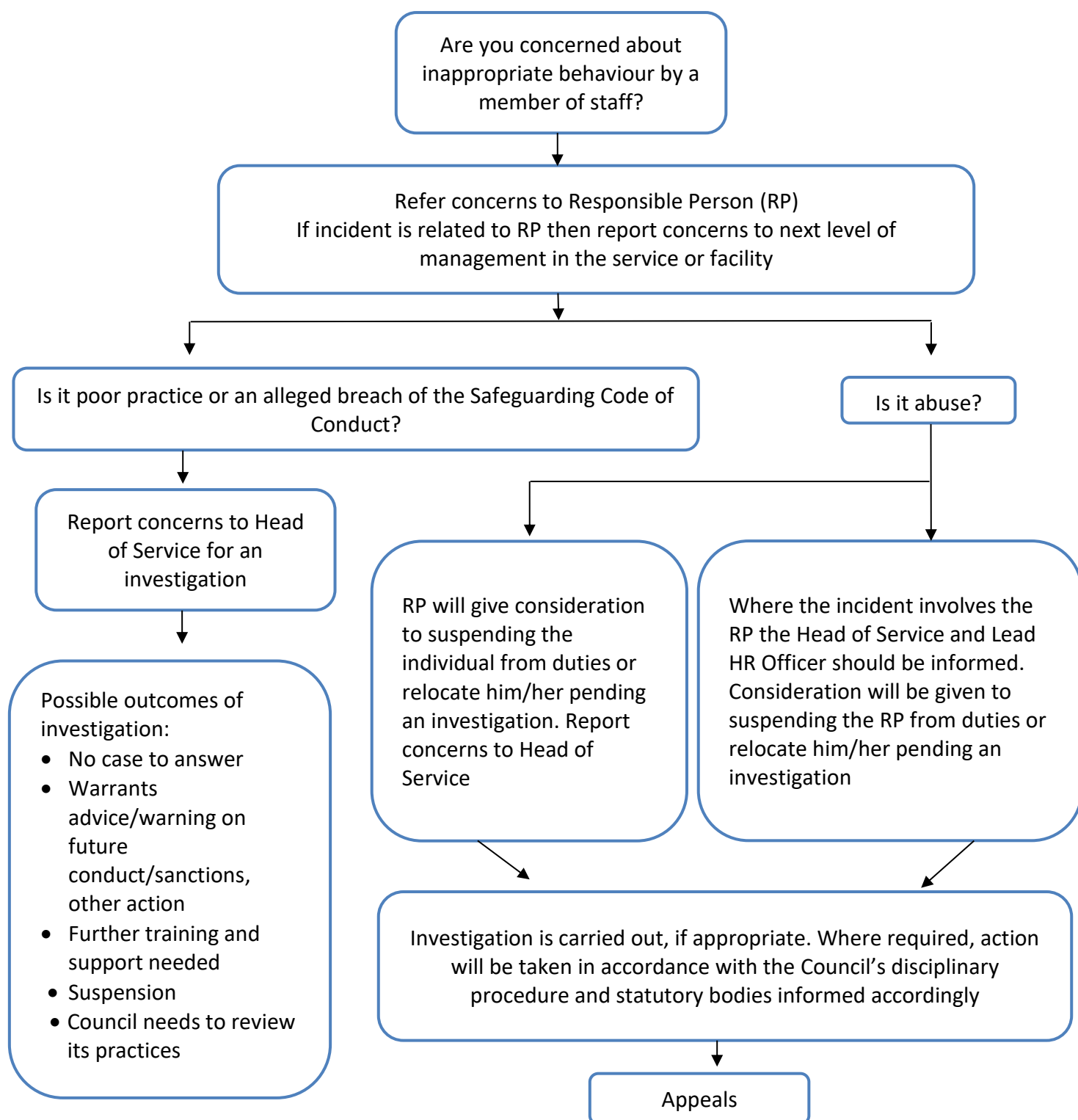
## Appendix 1b: Adult Safeguarding Reporting Procedure



Where possible the person who witnessed the incident, has the concern or who is making the disclosure should be encouraged to fill out the reporting form themselves in their own words. This is to prevent miscommunication and may capture more specific details of the incident/concern/disclosure. **Please destroy any electronic/written notes or records once they have been passed to and acknowledged by the Corporate Designated Safeguarding Officer.**

NB – For confidentiality reasons staff will not be made aware of any outcome of reporting incidents/concern(s). General feedback can be sought on request.

## Appendix 1c: Reporting Concerns Regarding a Member of Staff



**Once Informed the Responsible Person must take all necessary measures to ensure the safety of the adult at risk and others.**

**Completed Incident Reporting forms must be forwarded to Corporate Designated Safeguarding Officers as soon as possible no later than 1 working day – [safeguarding@derrystrabane.com](mailto:safeguarding@derrystrabane.com)**

## Appendix 2: Consent and Capacity

### Consent

Consent is central to adult safeguarding.

Consent is a clear indication of a willingness to participate in an activity or to accept a service, including a protection service. It may be signalled verbally, by gesture, by willing participation or in writing. No one can give, or withhold, consent on behalf of another adult unless special legal provision for particular purposes has been made for this.

For consent to be valid, it must be given voluntarily by an appropriately informed person who is able to consent to the intervention being proposed. In cases where the individual lacks capacity, decisions will usually be made on behalf of the individual in accordance with current legal provisions.

### Capacity

An adult will always be assumed to have capacity to make a decision unless it is suspected otherwise. Capacity can fluctuate, and is both issue and time specific, therefore it should be kept under regular review in connection with any safeguarding intervention.

There should always be a presumption of capacity to make decisions unless there is evidence to suggest otherwise. Staff, including Designated Safeguarding Officers, are **not expected** to determine the capacity of adults - if you are unsure about an adult's capacity to provide consent you should contact the WHSC Trust Adult Safeguarding Team for advice and guidance.

### Overriding Factors

Ideally, a referral should be made with the adult's agreement and full participation except where there is **clear and immediate risk of harm** or a **crime is alleged or suspected** – in these cases the matter should be referred directly to the PSNI or HSC Trust Adult Protection Gateway Service.

There may also be circumstances in which the person concerned about an adult at risk may not be best placed to seek their consent to a referral being made, or the adult at risk is clearly stating that they do not want a referral to be made. Whilst the wishes of the adult should always be the paramount consideration, it is important to remember that there will be circumstances when other factors may be overriding, for example, where undue influence or coercion is suspected to have influenced the adult's decision or other people may be at risk. The inability to obtain an adult's consent in these circumstances should not prevent or delay concerns about that adult being reported to adult protection services. A balance must also be struck between an individual's human rights and the need to intervene to protect them from harming themselves or others.

For guidance please contact the Western Health and Social Care Trust's Adult Protection Gateway Team on Tel. 028 7161 1366 (Monday to Friday 9.00am to 5.00pm) or The

Regional Emergency Social Work Service: Tel. 028 9504 9999 (5.00pm to 9.00am and Public Holidays) - <https://westerntrust.hscni.net/service/adult-safeguarding/>

Further information: Adult Safeguarding Prevention and Protection in Partnership (July 2015) - <https://www.health-ni.gov.uk/publications/adult-safeguarding-prevention-and-protection-partnership-key-documents>

## **Appendix 3: Adults with additional support needs**

An adult's personal characteristics e.g. disability, dementia, autism spectrum condition, can impact significantly on their risk of exposure to harm or abuse, and, potentially, on their ability to disclose abuse, should cognitive or communication difficulties be present. Adults with additional support needs can, in some cases, meet the definition of an 'adult at risk'.

The definition of an 'adult at risk' is a person whose personal characteristics may include, but are not limited to, age, disability, special educational needs, illness, mental or physical frailty or impairment of, or disturbance in, the functioning of the mind or brain etc.

### **Disability**

People with a disability are more vulnerable to harm and abuse than people without a disability.

Disability covers a spectrum of conditions including:

- Behavioural or emotional conditions
- Sensory impaired disorders
- Physical
- Developmental (including ADHD, cerebral palsy, autism, intellectual disability and learning disability)

Disabilities can be visible (e.g. Down Syndrome, Cerebral Palsy) or invisible (e.g. Asperger's, Diabetes, Chronic Illnesses).

Some people may have additional support needs without defining themselves as having a disability e.g. people who are deaf or have hearing loss may not identify as disabled. It is important to view everyone as an individual and to tailor the safeguarding response to respect a person's dignity.

### **Dementia**

International research shows that people living with dementia are at greater risk of abuse and neglect than those without dementia. People with dementia may have cognitive symptoms which make them more at risk of abuse or neglect. They may experience:

- Memory loss
- Difficulty concentrating
- Difficulty with daily tasks
- Communication difficulties such as aphasia
- Difficulties with orientation
- Confusion and mood changes

Organisations, including local Councils, can help to support people with dementia by becoming more dementia-aware e.g. through training and awareness-raising for staff and volunteers, and by becoming more dementia-friendly e.g. by considering the needs of

people with dementia when providing services and information, or when programming activities for people with additional support and communication needs; this includes undertaking pre-activity risk assessments, tailoring information appropriate to the needs of the audience, and knowing how to respond to concerns and issues should they arise.

## Autism

Autism is a lifelong developmental disability which affects how people perceive the world and interact with others. It is a spectrum condition, and studies have shown that people with learning disabilities and autism are more likely to experience e.g. domestic abuse than neurotypical individuals.

Organisations, including local Councils, can help to support people with autism spectrum disorders by creating autism-friendly public spaces, by raising awareness of autism among staff and volunteers, and by implementing autism-friendly actions under a range of headings such as:

- Reducing sensory overload;
- Inclusive and thoughtful design including autism-friendly signage, clear wayfinding and staff assistance (JAM scheme etc.)
- Promoting comfort and safety e.g. quiet spaces
- Encouraging participation e.g. risk-assessing activities, seeking informed consent, and ensuring audience-appropriate communication

## Consent and Capacity

If a safeguarding issue or concern arises, staff should follow the referral pathways for safeguarding concerns detailed within the policy. Every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless it is proved otherwise. This means that you cannot assume that someone cannot make a decision for themselves just because they have a particular medical condition or disability.

There should always be a presumption of capacity to make decisions unless there is evidence to suggest otherwise. Staff, including Designated Safeguarding Officers, are **not expected** to determine the capacity of adults - if you are unsure about an adult's capacity to provide consent you should contact the WHSC Trust Adult Safeguarding Team for advice and guidance.

For guidance please contact the Western Health and Social Care Trust's Adult Protection Gateway Team on Tel. 028 7161 1366 (Monday to Friday 9.00am to 5.00pm) or The Regional Emergency Social Work Service: Tel. 028 9504 9999 (5.00pm to 9.00am and Public Holidays) - <https://westerntrust.hscni.net/service/adult-safeguarding/>

Further information: Adult Safeguarding Prevention and Protection in Partnership (July 2015) - <https://www.health-ni.gov.uk/publications/adult-safeguarding-prevention-and-protection-partnership-key-documents>

## Appendix 4: – Relevant Contact Details & Support Services

What Are You Reporting?	Organisation to Report it to	Telephone/Email
A concern about an adult, aged 18 or over, who may be at risk of harm from abuse, exploitation or neglect and who also may not be able to protect themselves from the action or inaction of others.	The Western Trust Adult Protection Gateway Team: Tel. 028 7161 1366 (Monday to Friday 9.00am to 5.00pm)	028 7161 1366
	The Regional Emergency Social Work Service: Tel. 028 9504 9999 (5.00pm to 9.00am and Public Holidays)	028 9504 9999
Where person is in immediate danger or where a crime has been committed.	PSNI	999
Mental Health Services (you may ask an individual to self-refer to GP in first instance)	Out of Hours GP  Monday to Friday from 6pm, 24hrs during Saturday, Sunday and public holidays  Lifeline - 24hr support for those in distress or despair  Community Crisis Intervention Service (CCIS): For people in crisis and in need support or for people who have observed someone who is in distress and may come to significant harm through self-harm and suicidal behaviour. Thurs 8pm-Midnight • Fri 6pm-3am	028 7186 5195    0808 808 8000  028 7126 2300

	<p>• Sat 6pm-3qm • Sun 4pm-10pm</p> <p>Samaritans</p> <p>24hr Domestic and Sexual Abuse Helpline for Men and Women</p> <p>PAPYRUS Dedicated to preventing young suicide (under 35) 9am-midnight every day</p>	<p>116 123</p> <p>08088021414 <a href="mailto:help@dsahelpline.org">help@dsahelpline.org</a></p> <p>Call Free 08000684141 pat@papyrus.co.uk Free Text 07860039967 Chat <a href="http://www.papyrus-uk.org">http://www.papyrus-uk.org</a></p>
CRIS Card – Support for Mental Health in Your Area	<a href="https://westerntrust.hscni.net/download/750/mental-health/14878/cris-card-northern-sector_p.pdf">https://westerntrust.hscni.net/download/750/mental-health/14878/cris-card-northern-sector_p.pdf</a>	
Directory of services to improve mental health and wellbeing (Z Card)	<a href="https://www.publichealth.hscni.net/sites/default/files/2023-02/Western%20Area%20Card%2002.23%20final.pdf">https://www.publichealth.hscni.net/sites/default/files/2023-02/Western%20Area%20Card%2002.23%20final.pdf</a>	

## Appendix 5: - Dealing with Mental Health Challenges

A person experiencing a mental health crisis may present to Council staff in need of help. This can often be an urgent issue which needs immediate action.

Whilst this is not defined as 'abuse' by a third party which is dealt with through the Gateway Referral System, it does prompt action under our duty of care principle.

Staff are not expected to counsel individuals when this occurs but they need to ensure they take the right action informing the relevant agency, seeking consent from the adult at risk, unless the person is an adult in need of protection who is in imminent danger.

Depending on the circumstances, staff may wish to encourage the individual to self-refer to their own GP in the first instance, but where emergency intervention is necessary then staff should make contact with **Lifeline** on **0808 808 8000** - Lifeline is a crisis response helpline service operating 24 hours a day, seven days a week where the individual can talk to an experienced counsellor in confidence. The local **Samaritans group** are also available round the clock and can be contacted on **0330 094 5717 or 116 123 (Freephone)**.

If a member of staff encounters a member of the public in crisis at the weekend they should contact the Community Crisis Intervention Service (CCIS) - The pilot CCIS, is a community-led initiative, which responds to individuals who are observed to be in distress and potentially vulnerable, and who may be at risk of suicidal behaviour over the weekend period.

The service is currently being provided by **Extern** and is a timely (within approx. 30mins), non-clinical, community response to individuals experiencing social, emotional or situational crisis over a timeframe of 8pm on Thursdays through to 8am on Sundays. They can be contacted **on 028 7126 2300**. The service will provide support and offer a short-term solution to manage immediate crisis, which will include risk assessment, de-escalation, and identification of personal support options (friends/family) and other appropriate support and treatment services. <https://www.extern.org/community-crisis-intervention-service-ccis>

## Appendix 6: – Safeguarding Code of Conduct for Staff

This Safeguarding Code of Conduct sets out the standards expected from all staff so that they can fulfil their roles in Council.

### Do

- Stay calm;
- Listen attentively;
- Express concern and acknowledge what is being said;
- Reassure the person – tell the person that s/he did the right thing in telling you;
- Let the person know that the information will be taken seriously and provide details about what will happen next, including the limits and boundaries of confidentiality;
- If urgent medical/police help is required, call the emergency services;
- Ensure the immediate safety of the person;
- If you think a crime has occurred be aware that medical and forensic evidence might be needed. Consider the need for a timely referral to the police service and make sure nothing you do will contaminate it;
- Let the person know that they will be kept involved at every stage;
- Record in writing (date and sign your report) and report to the Line Manager/person in charge/Adult Safeguarding Champion at the earliest possible time;
- Act without delay.

### Do not

- Stop someone disclosing to you;
- Promise to keep secrets;
- Press the person for more details or make them repeat the story;
- Gossip about the disclosure or pass on the information to anyone who does not have a legitimate need to know;
- Contact the alleged person to have caused the harm;
- Attempt to investigate yourself;
- Leave details of your concerns on a voicemail or by email;
- Delay.

### Implications for Staff

Staff who breach any of the above Safeguarding Codes of Conduct will face our disciplinary procedure. If an allegation is made against a member of staff, Council will investigate the matter in line with its procedure for **Dealing with Allegations Made Against a Member of Staff**.

## Appendix 7: Photography and Technology Guidance

### Photography related activities in Council facilities

Digital cameras, smart mobile phones, and other recording devices now present significant opportunities for misuse, particularly with their ability to capture both photos and videos. The advanced magnification and manipulation capabilities of today's digital images, coupled with the fact that no third party is required to develop or print these images, have raised concerns. Furthermore, images or videos captured on mobile devices can be shared across the internet within seconds, amplifying the risks of misuse. As this is a rapidly evolving area, the Council will continuously monitor and review this section of the policy to ensure its relevance and effectiveness.

Derry City and Strabane District Council recognises the potential risks associated with the misuse of digital images and has implemented appropriate safeguards to mitigate these risks.

### Regulated Areas

A regulated area is defined as an area where photography is strictly prohibited within Council leisure and other relevant facilities e.g. toilets, changing areas.

Spectators (including parents/guardians, relatives or carers) **will not** be permitted to use photographic/film/video equipment, or any electronic devices for the purposes of photography, in regulated areas within **Council leisure facilities**. Examples of regulated areas include, but are not restricted to: changing rooms, toilet areas and other designated areas.

Each Council leisure centre, venue, visitor attraction, and Council-run community centre will identify which zones and/or areas within their venues are classified as 'regulated areas' and will provide public signage to this effect.

The Council will produce a Safeguarding Signage Toolkit to ensure a consistent approach to the design and placement of signage across Council venues and to provide reassurance to service users that the same high standards of scrutiny and surveillance will be observed in every Council venue, irrespective of location.

The Council will retain on record a schedule of regulated areas in each Council-owned facility to allow for appropriate inspection and checks as may be required. This record will be shared with the Corporate Designated Safeguarding Officer Team. Responsible Persons will be responsible for the management of regulated areas and for reporting any concerns and issues which arise. Council signage will be displayed either in association with existing Leisurewatch signage or will include the Leisurewatch branding as appropriate.

### Publicity Photography for Council Activities

The Council's activities may involve photographing or filming adults and other individuals to highlight events, promotions, or other activities. These photographs or videos may be used in press releases, social media, leaflets, or on the Council's website.

When staff plan to take photographs or film at an event, it is considered best practice to inform all individuals present. Signed consent should be obtained from those who wish to participate, ensuring they are aware of how the images or footage will be used.

Staff must follow the procedures outlined below to ensure the utmost care in protecting all participants who may be involved in photography or filming:

- **Prepare an Information Sheet:**

Staff should create an information sheet in an appropriate format that provides the following details:

- Nature of the activity (including location, dates, and times)
- Contact details for the employee in charge of the event/activity
- Aims of the activity
- What is involved for participants, such as where the photographs/videos will be used
- How participants' information will be kept safe and confidential

- **Obtain Consent:** Written informed consent must be obtained before an individual can take part.

- **Consent for specific use of images of people with care and support needs:** If you are providing specific activities targeted at people with care and support needs e.g. dementia-friendly events you must consider the following: Adults must be able to consent to their image being used; Legally, the only person who can offer consent for the use of their image is the adult themselves. Family members such as adult children, parents, spouses or siblings and support workers/ personal assistants should not be approached to sign consent forms for adults. Information about how the images will be used should be provided to an adult in an accessible format, using for example, easy-read language or pictures. If you have any concerns that an adult does not have the capacity to give consent to photography or filming, or understand that photographs or films are being taken during an activity, you must discuss this with them, including if appropriate, any support person or personal assistant for the adult. If after this conversation you feel that the adult still cannot give consent then do not use their photo.

Further information: <https://www.anncrafttrust.org/resources/photography-guidance-for-adults/>

- **Group Photography of Adults:** When an adult is part of a larger group, Council staff must ensure that group leaders have obtained written consent from participants. A signed copy of the consent form must be provided to the Council for record-keeping purposes.
- **Managing Non-Consenting Individuals:** If consent is not provided, individuals must be separated from the group before any photography or filming takes place to ensure their image is not captured. Staff may wish to consider the use of lanyards or stickers to identify participants who have/have not consented to having their image taken.
- **Photographer/Videographer Requirements:** Photographers/videographers will be given a briefing document outlining the Council's requirements for the project.

Photography and videography contractors will have signed the Safeguarding Policy and Contractor/Subcontractor Code of Conduct in advance of any projects commencing, ensuring compliance with safeguarding standards as outlined in the Council's policy for Safeguarding Adults at Risk. Staff managing Council-contracted photographers/videographers will be required to ensure that contractors are provided with annual safeguarding refresher training and that appropriate records are maintained.

If a member of Council staff is taking the photograph/video then that individual must have received the safeguarding induction training and have signed the Safeguarding Code of Conduct. (set out in Appendix 14b). The staff member will be required to wear a lanyard or bib to identify them to participants.

Where there is sufficient reason for a member of Council staff to doubt the motive of the photographer, Derry City and Strabane District Council will reserve the right to prevent access to the event by that person.

Should this fail, Derry City and Strabane District Council maintain the right to contact the venue management where it is not a Council facility and, where necessary, the police.

- **Ownership of Photographic Materials:** All photographic materials, including original digital photographs, files, or slides, will be the exclusive property of Derry City and Strabane District Council. The Council will retain copyright and use the images for promotional and public relations purposes.
- **Storage and Annotation of Photographs:** Photographs held by Council must be annotated with the date on which they were taken and stored securely. They should not be used for purposes other than their original intent without obtaining further permission from the individuals pictured/captured.
- **Retention of Photography/Videography Footage:** Consent can be revoked at any time by contacting the Council via email at [marketing@derrystrabane.com](mailto:marketing@derrystrabane.com) or by contacting the Press Office on [media@derrystrabane.com](mailto:media@derrystrabane.com)
- **Media Identification:** Photographers and videographers working on behalf of the Council must be issued a media bib or lanyard for each event or assignment. This bib/lanyard must be returned after the assignment is completed.
- **Management of Photographers/Videographers:** A dedicated Council staff member must be assigned to manage photographers/videographers for the duration of the assignment.
- **Notification of Copyright Ownership:** Participants should be informed that when group photographs are taken by commercial photographers or press/media, the copyright of the photograph belongs to the photographer. Contact details for the photographer must be provided to anyone whose image is captured.
- **Use of Drones for Photography and Videography:** When drones are used for capturing photographs or videos, staff must ensure that drone operators comply with all relevant regulations and safety guidelines. Information should be included within

the briefing document outlining specific details on drone usage, such as flight areas, safety precautions, and how privacy will be protected.

### **Hirers of Council facilities and filming/photography**

Where a group has hired a Council facility and wishes to film or photograph activities which involve adults at risk within their group they will assume responsibility for all safeguarding considerations associated with their event/activity. The facility/venue hire form will require the hiring party to assume full liability for safeguarding in advance of accepting any booking.

Hirers will be asked to sign a Photographic/Video Image Confirmation of receipt of Consent Form which asks that they confirm they have received appropriate consent from adults taking part for their image to be taken and that they are also satisfied with the appropriateness of the person who is carrying out the photography/videoing.

## **Appendix 8 – Safer Events and Activities**

### **Risk Assessment**

Safeguarding is a broad continuum of activity. It ranges from the empowerment and strengthening of communities, through prevention and early intervention, to risk assessment and management, including investigation and protective intervention. Risk assessment is not about being risk averse, nor simply about eliminating risk; adult safeguarding is about empowering and supporting people to make decisions that balance acceptable levels of risk in their lives. This may mean that individuals choose to live with risks or to take risks.

### **Risk Assessing Events, Programmes and Activities**

The key questions, which need to be addressed within the Risk Assessment process include:

#### **Step 1 – Identify Risks**

- What/how/why can participants be harmed?
- What are the dangers?
- What could go wrong?

#### **Step 2 – Rank the risks (in terms of low, medium or high risk)**

- What/how bad would the consequences be?
- How likely are they to occur?

#### **Step 3 – Decide on next steps:**

- Do nothing (no action needed – low risk and benefits outweigh risks)
- Monitor more closely for a set period in order to make a more informed decision. (Low risk)
- Change activities/policies/plans/procedures to reduce risk. (Medium to high risk)
- Stop doing the activity or procedure (this may include transferring an activity to another organisation that is better equipped to undertake it, or stopping altogether). (Medium to high risk).

In order to create a safe environment in Council facilities it is essential that staff correctly identify risks and take steps to minimise them.

## Section A - About the Activity

(To be completed by the Responsible Person or Activity Lead within Council who is organising the event or activity. This person should be identified in advance of the event or activity taking place.)

### Information Sheet for Participants

**Please Note:** this is a template which can be adapted to seek informed consent from participants to reflect the activity to which the consent relates. The information sheet should be kept separate to the informed consent form, so that participants can retain a copy for their records. Depending on the age of the child/young person, you will need to make adjustments to the information sheet to support their understanding. This includes, but is not limited to, easy read language and the use of images etc.

#### Project Details

Name of Project/Initiative:

Date and Time:

Location:

#### Responsible Person/Activity Lead

Name:

Job Title/Role:

Direct phone number:

In the event you need to speak to someone independent from the Responsible Officer/Activity Lead, the Corporate Designated Safeguarding Team can be contacted at T: 028 71 253 253, email: [safeguarding@derrystrabane.com](mailto:safeguarding@derrystrabane.com).

**About this activity:**

Use this section of the form to explain to participants what the aims and objectives of the event or activity are. Include details about what participants can expect in terms of the format and duration of the activity.

**Your Involvement**

Participation is voluntary and therefore you can choose to withdraw your consent to participate at any time. To do this, contact the Responsible Person.

If you wish to participate you would be expected to e.g.

- Attend the whole session
- Help to develop the group shared agreement
- Allow Council to use the work you created or data you collated as part of this project with the understanding that your comment/input will be anonymised

**Data and Privacy**

This section can include advice about how privacy will be respected during the activity e.g. participants will be reminded at the start of each session that photography and filming are not permitted

1. Data that will be captured, and why:

2. How it will be stored and for how long:

Link to Data Protection Policy : <https://www.derrystrabane.com/Footer/Privacy-Policy>

**Other Information**

You may ask the participants for contact information for another person so that they can be contacted in the event of an emergency.

You may also wish to ask if the participants have additional needs or, e.g., medical conditions, allergies, access requirements etc.

**Further Questions**

If you have any questions about the activity, please do not hesitate to contact the activity lead using contact details above.

## **Section B – Terms and Conditions**

### **Photographic / video consent form for appearance in Derry City and Strabane District Council promotional and marketing material**

Derry City and Strabane District Council would like permission to use your image / the image of your child to help publicise and promote the City and District, our services and / or our events. If you are happy to have your / their photo taken or to be filmed, to comply with the United Kingdom General Data Protection Regulations (UK GDPR), Derry City and Strabane District Council requires your permission in writing.

#### **Please read before completing the consent form**

1. For photos or film of children and young people aged under 16, consent must be obtained from their parent / carer or other adult with parental responsibility.
2. Consent applies for two years from the date you sign this form after which consent automatically expires and your photo will no longer be used in any new printed material. You can withdraw from this at any stage but writing to the Council's marketing department or emailing [marketing@derrystrabane.com](mailto:marketing@derrystrabane.com).
3. Derry City and Strabane District Council will store images and film according to the principles of the Data Protection Act 2018 and UK GDPR.
4. The image(s) / film will remain the property of Derry City and Strabane District Council and will only be used in the way(s) you have consented.
5. We may reference your full name alongside your image. We will never, without your prior consent, share or publish your photo, email, postal address, or telephone number. Your details will only be used for the purpose of managing and maintaining a record of consent.
6. Please note that once published on social media such as Facebook and Twitter or our website [www.derrystrabane.com](http://www.derrystrabane.com), Derry City and Strabane District Council does not have control of the storage or use of images which may be seen all over the world.
7. If images are taken by local press/media, or parents/guests, at a public event, Derry City and Strabane District Council will not have control of the storage or use of these images.
8. You may request the Council to stop using your images in new material, however removal of your image from existing published material may not be possible. Please contact [marketing@derrystrabane.com](mailto:marketing@derrystrabane.com) for further information.

## Section C - Consent

By ticking all relevant boxes and signing below, I confirm the following:

### Participants aged 16 and over

- ☐ I agree to take part in the activity described in the information sheet (Section A)
- ☐ I agree to my views and contributions being used in the way described in the information sheet
- ☐ I give permission to be photographed during the activity and for the images to be used and stored in the way described in the information sheet
- ☐ I agree to [organisation name] keeping a record of this form in the way described in the information sheet

Name of Participant:

☐ I confirm that I am aged 16 or over

Signature:

Date:

**Please return consent form to..... by .....**

## Section D – Group Consent

### Photographic/Video Image Confirmation of Receipt of Consent

**Event Title:** .....

**Date:** .....

**Name of participating group:** .....

We, [insert organisation's name], confirm that we have sought and received permission from participants for photographs and filming at the above named event. We would also confirm that we are satisfied that the photographers/videographers have undergone appropriate

checks and are suitable to work with the participants in accordance with safeguarding requirements.

**Signed:**

**Date:**

**Position in organisation:**

**Witnessed by:**

**Date:**

**Position in organisation:**

## **Appendix 9: Guidance for External Service Providers, Grant Aid Recipients, Hirers of Council Facilities and Community Managers of Council Owned Community Managed Facilities**

### **General Requirements**

Derry City and Strabane District Council aims to ensure that our service users are safe and protected from harm while using or visiting any of its facilities. Hirers have the primary responsibility for the welfare of participants in their group at all times.

**External Service Providers (inc. for community managed Council facilities), Grant Aid Recipients and Hirers of Council facilities** should have their own Safeguarding Policies or indicate on the venue booking form that they have read, understand and comply with Council's Safeguarding Policy (Adults at Risk). This requirement will be a condition of contractual arrangements with Derry City and Strabane District Council and will be inserted into management agreements. The following obligations are contained within the Council's booking form for external hire:

- In cases where the hire may involve adults at risk, the Hirer should have in place a relevant safeguarding policy, which the Council may request sight of. If the Hirer does not have a relevant safeguarding policy, they must, as a minimum requirement, adhere to Derry City and Strabane District Council's safeguarding policy and procedures [www.derrystrabane.com/safeguarding](http://www.derrystrabane.com/safeguarding).
- The Hirer must ensure that all of their relevant staff/volunteers have attended safeguarding training, undertaken the necessary Access NI checks and will provide the appropriate ratio of staff/volunteer supervision.
- Hirers must seek and receive consent from participants for any photographs and filming, and must be able to confirm that they are satisfied that photographers/film crew have undergone appropriate checks and are suitable to work with the participants in accordance with safeguarding requirements.

All groups or hirers who wish to use Council Facilities on a one off/regular basis will be required to comply with Council's Hire Policy. A full copy of the Hire Policy is available on request.

## Appendix 10: Recruitment, Selection and Vetting

### Staff Working in a Regulated Activity

It is a requirement of the Council that all employees or agency staff, who are working on behalf of the Council in a 'regulated activity' are subject to an Enhanced Disclosure Check.

### Recruitment and Selection

Council will determine if the postholder will engage in 'regulated activity'\*, as defined in the Safeguarding Vulnerable Groups Order 2007 (SVGO) as amended by the Protection of Freedoms Act 2012 (PoFA), by reviewing the job description and decide at this stage if the new recruit will need to be subject to a Disclosure Check.

This will be carried out by a member of the Human Resource Section together with the Line Manager for the position concerned and will identify if there is the potential for contact with adults at risk.

#### \*Regulated Activity

Regulated Activity in relation to adults, is defined and set out in the Safeguarding Vulnerable Groups Order 2007 (SVGO) as amended by the Protection of Freedoms Act 2012 (PoFA). The full description of the scope is available at: <https://www.health-ni.gov.uk/sites/default/files/publications/dhssps/regulated-activity-adults.pdf>

It is not anticipated that Council roles will fall within the definition of regulated activity for adults as defined in the Order, however, **all new and revised posts should still be risk assessed against the criteria in the guidance as part of our commitment to safer recruitment.**

### Prevention and Disclosure - Application Forms/Job Details

When a candidate is successful, we will also ask for at least two referees who are not related to them. The first referee should be their current/most recent employer and be in a direct supervisory/managerial capacity. The second referee where possible, should be a previous employer.

### New Posts

Before a position is advertised, Council will determine if the post falls under guidance of 'regulated activity' by reviewing the job description. It will be decided at this stage if new recruits to that position need to undergo an enhanced disclosure check.

The signatory or counter-signatory from the Human Resource Section, who is authorised to request and receive disclosure information, will ask the successful applicant to complete a disclosure application form online and provide proof of identity. Once the online form has been completed and the identity verified by the signatory or counter-signatory the form will be processed by Access NI.

Access NI will do a check against various databases and disqualification lists and advise the signatory or counter-signatory if there is a trace or not. If there is a trace the signatory or counter-signatory will contact the candidate to request a copy of the disclosure certificate. Derry City and Strabane District Council will only seek to request a disclosure check after a candidate has been recommended for appointment.

An individual will not be appointed to any position until the outcome of the Disclosure Certificate has been received.

### **Existing Staff**

Existing employees, who work within 'regulated positions', on behalf of Council, will be subject to an enhanced disclosure check as part of their employment with Derry City and Strabane District Council. Existing staff are also encouraged to voluntarily disclose any relevant information of offences that occur once they are in employment. This is in line with Local Government's Code of Conduct for staff which promotes openness, honesty, integrity and selflessness amongst other requirements of local government employees.

### **Casual List for 'Regulated Positions'**

In order for successful candidates to be placed on Derry City and Strabane District Council's casual list to carry out work in a 'regulated position' they must undergo an enhanced disclosure check.

### **Student Placements**

Students, who undertake a course in college that involves a work placement where they will work in a 'regulated position', will be required to have a satisfactory enhanced disclosure certificate prior to commencing their placement which Council will carry out.

### **Work Experience Students**

Before all work experience students from post-primary schools and colleges who are 16 years or over are placed in a 'regulated position' within Council, they will be subjected to an enhanced disclosure check.

### **Agency Staff**

Agency staff who are working on behalf of the Council in a 'regulated position' are subject to an enhanced disclosure check in accordance with Council policy. The need for an enhanced disclosure check will be determined by Council. It is the responsibility of the employment agency to ensure that all agency staff have a satisfactory disclosure certificate prior to taking up employment with Derry City and Strabane District Council.

## **Appendix 11: Handling Enhanced Disclosure information**

As an organisation using Access Northern Ireland to help assess the suitability of applicants for positions of trust, Derry City and Strabane District Council complies fully with Access NI's Code of Practice regarding the correct handling, use, storage retention and disposal of Disclosure Applications and Disclosure information. Council also comply fully with its obligations under the Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, storage, retention and disposal of Disclosure information.

### **Storage and Access**

Disclosure information is to be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

### **Handling**

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. Records of all those to whom Disclosures or Disclosure information has been revealed will be maintained and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

### **Usage**

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

### **Retention**

Once a recruitment decision has been taken, Council do not keep Disclosure information for any longer than is necessary. Information will not be retained but destroyed once a decision, recruitment or otherwise has been made.

### **Disposal**

Once the retention period has elapsed, Council will ensure that any Disclosure information is immediately destroyed by secure means i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any unsecured receptacle (e.g. waste-bin or confidential sack). Council will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure or any other relevant non-conviction information supplied by police but not included on the Disclosure. However, despite the above, Council may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the Access NI unique reference number of the Disclosure Certificate and the details of the recruitment decision taken.

However, it should be remembered that most known perpetrators have not been convicted in a court of law, so there may be no record for the Access NI to check. The service, therefore, has limitations and is no substitute for good practice in terms of management and supervision of staff after appointment.

## **Appendix 12: United Kingdom General Data Protection Regulations & Safeguarding**

### **The General Data Protection Regulation (GDPR)**

The General Data Protection Regulation (GDPR) came into force on 25 May 2018. It is an EU law that sets out guidelines for the collection and processing of personal information and aims to give individuals more rights over how their data is used. GDPR is incorporated into the UK's Data Protection Act (2018).

Information associated with adult safeguarding is likely to be of a personal and sensitive nature and its use is governed by the common law duty of confidentiality. At all times 'personal data' and 'sensitive personal data' must be managed in accordance with the law, primarily the Data Protection Act 1998 (DPA) and the Human Rights Act 1998 which, among other things, gives individuals the right to respect for private and family life, home and correspondence.

The principles of the DPA state that personal data must be:

- processed fairly and lawfully and only for purposes compatible with the reason(s) for which the information was originally obtained;
- adequate, relevant and not excessive for the purposes for which it is processed;
- accurate and kept up to date;
- not kept for longer than is necessary;
- processed in line with the rights of the data subject;
- held securely; and
- not transferred to other countries outside the EEA without adequate protection.

Personal data may be shared when:

- the adult has given his or her valid consent (which in the case of sensitive personal data must be explicit); or
- where information sharing is necessary for matters of life or death or for the prevention of serious harm to the individual; or
- where sharing is necessary for the purposes of the administration of justice;
- where sharing information is for public or statutory duties.

Please see associated Data Protection Impact Assessment.

## **Appendix 13: Training**

All staff are required to be familiar with Derry City and Strabane District Council's Safeguarding Adults Policy and Procedures and the Safeguarding Code of Conduct.

### **Training**

Council recognises the importance of continual training and development. It is management's responsibility to identify both the individual and common training needs of staff.

Training should be an ongoing process, and relevant to the roles that people play in Derry City and Strabane District Council. All staff who work with adults will be required to undergo training appropriate to their work and in line with the guidance set out in the Northern Ireland Adult Safeguarding Partnership Training Strategy 2013.

### **Training Schedule:**

#### **Level 0 - Awareness**

- Induction for new staff to cover Safeguarding.
- All staff required to comply with Safeguarding Code of Conduct for Staff

#### **Level 1 Training**

- Staff in general: Mandatory Skill Gate Safeguarding e-learning tutorial

#### **Level 2 Training**

- Policy Awareness Training for Line Managers, delivered by Corporate Designated Safeguarding Officer(s) which must then be cascaded to teams
- Supplementary training from external providers

#### **Level 3 Training**

- Comprehensive training for Corporate Designated Safeguarding Officers and where appropriate adult safeguarding champion training.

## **Appendix 14: Guidance for Contractors and Subcontractors**

### **Conditions of Contract**

Derry City and Strabane District Council provides a wide range of services and facilities which are widely used by all sectors of the community. Council is committed to ensuring that these services are safe and of a high quality.

Council considers it extremely important that organisations providing or seeking to provide services for the Council or on behalf of Council must comply with the following Clause:

"The Contractor/subcontractor shall at all times comply with Derry City and Strabane District Council's Safeguarding Adults Policy and contractors/sub-contractors will ensure that:

- Their staff have a clear commitment to abide by the Safeguarding Adults Policy when carrying out their work.
- Their staff are subject to appropriate employment checks when carrying out work in Council facilities or in relation to Council activities where they may come into contact with the public, including adults at risk, e.g. leisure facilities, museums, events and festivals. Contractors should establish whether their staff will require a Disclosure Check.

Failure to comply with any part of this Clause will be deemed a Breach of the Contract and Council reserves the right to suspend or terminate the contract."

A safeguarding clause will be included with all relevant tender documentation. Contractors and subcontractors must confirm that they accept this clause by signing an agreement.

### **Code of Conduct for Contractors/Sub-Contractors**

Where a contractor/sub-contractor applies to be on a select list to carry out work on behalf of Council they will be asked to sign off that they have read and understood Council's Safeguarding Adults Policy before being accepted onto that list. Once accepted the contractor/subcontractor will be advised about the Council's Safeguarding Policy and Procedures by the Responsible Person commissioning the services of the contractor. Thereafter they will be asked to sign an agreement to comply with the safeguarding policy and code of conduct for each project they are asked to work on.

### **Supervision of Contractors/Subcontractors**

Where contractors/subcontractors are employed to carry out work on behalf of Council in facilities then relevant Council officers who have commissioned the work must ensure that the contractors/subcontractors are supervised at all times.

# Contractor and Subcontractor Code of Conduct

## Declaration

**It is not practical to provide definitive instructions that would apply to every situation when contractors/subcontractors come into contact with adults/adults at risk. However, this Code of Conduct sets out the standards expected from all contractors/sub-contractors (including consultants, trainers, photographers/videographers) where they may have contact with the public during the course of their work for Derry City and Strabane District Council.**

I, \_\_\_\_\_ have read and understood Derry City and Strabane District Council's Safeguarding Adults Policy and agree to adhere to the policy. In particular, I will:

- Treat everyone with respect
- Plan activities so that they involve more than one other person being present, or at least in sight or hearing of others
- Respect everyone's right to personal privacy
- Seek consent when contact is necessary so that my actions are not misinterpreted.
- Not have inappropriate physical contact with anyone during the course of my work on behalf of Council.
- Not use language or behaviour that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Not make suggestive remarks or gestures or tell jokes or stories of a 'smutty' nature.
- Not engage any individual in any form of sexual activity or acts.
- Ensure that appropriate consent has been sought from individuals by Council to be included in photography/videography.
- Ensure photography/videography present people in a dignified and respectful way to meet the needs of the project.
- Make it clear that if, during the photography/videography session, an adult withdraws consent for their image to be used then it will be deleted.

I understand that the onus is on me, as a person engaged by Derry City and Strabane District Council to avoid actions or behaviours that could be construed as having the potential to cause harm or abuse. I recognise that Council may suspend or terminate the contract should I fail to comply with this Code of Conduct.

Signed: .....

Date: .....

## Appendix 15: Officer Contact Details

Contact details for the relevant officers are set out in the Table below:

<b>Designated Safeguarding Officers</b>		
<b>Location</b>	<b>Job Title</b>	<b>Officer Names and Contact Details</b>
<b>Strabane</b> Council Offices, Derry Road	Policy Officer (Performance)	Rachel McCay Tel: 028 71 253253, Ext 4266 E-mail: <a href="mailto:rachel.mccay@derrystrabane.com">rachel.mccay@derrystrabane.com</a> or <a href="mailto:safeguarding@derrystrabane.com">safeguarding@derrystrabane.com</a>
<b>Derry</b> Harbour House	Policy Officer (Equality)	Hollie Carroll Tel: 028 71 253253 Ext 6705 E-mail: <a href="mailto:hollie.carroll@derrystrabane.com">hollie.carroll@derrystrabane.com</a> or <a href="mailto:safeguarding@derrystrabane.com">safeguarding@derrystrabane.com</a>
	Policy Officer (Irish Language)	Pól Ó Frighil Tel: 028 71 253253 Ext 6706 E-mail: <a href="mailto:pol.ofrighil@derrystrabane.com">pol.ofrighil@derrystrabane.com</a> or <a href="mailto:safeguarding@derrystrabane.com">safeguarding@derrystrabane.com</a>
<b>NB: If any officer is not available, contact the others.</b>		

<b>Duty Officers*/Responsible Persons (includes other relevant officers with safeguarding responsibilities)</b>		
<b>Location(s)</b>	<b>Job Title</b>	<b>Officer Names and Contact Details</b>
Riversdale LC, Derg Valley LC and Melvin SC	Leisure Area Manager	James Moore Tel. 02871 253253 Ext 3222 E-mail: <a href="mailto:james.moore@derrystrabane.com">james.moore@derrystrabane.com</a> Mob: 07925891724
Alley Arts & Conference Centre	Arts and Culture Manager	John Kerr Tel. 02871 253253 Ext. 4225 E-mail: <a href="mailto:john.kerr@derrystrabane.com">john.kerr@derrystrabane.com</a> Mob: 07872814642
Templemore SC, City Baths, Brooke Park LC, Bishops Field	Leisure Area Manager	Cathy Farren Tel: 02871 376585 Email: <a href="mailto:cathy.farren@derrystrabane.com">cathy.farren@derrystrabane.com</a> Mob: 07709457703
Foyle Arena, RMB Brandywell Stadium, WSV	Leisure Area Manager	Sean Doherty Tel 02871 376555 Email: <a href="mailto:sean.doherty@derrystrabane.com">sean.doherty@derrystrabane.com</a>
Strahan's Road Recycling Centre	Refuse Manager	Gary McWha Tel: 02871 253253 Ext 6825 Email: <a href="mailto:gary.mcwha@derrystrabane.com">gary.mcwha@derrystrabane.com</a> Mob:

Skeoge Recycling Centre	Streetscape Manager	John Quinn Tel: 02871 253253 Ext 8018 Email: <a href="mailto:john.quinn@derrystrobane.com">john.quinn@derrystrobane.com</a>
Guildhall/Harbour House	Operational Manager	Alison Morris Tel: 02871 253253 Ext 8303 Email: <a href="mailto:alison.morris@derrystrobane.com">alison.morris@derrystrobane.com</a>
Carnivals	Arts Development Off	Sharon Meenan Tel: 02871 253253 Ext 6931 Email: <a href="mailto:sharon.meenan@derrystrobane.com">sharon.meenan@derrystrobane.com</a>
Festivals and Events	Festivals and Events Manager	Jacqueline Whoriskey Tel: 02871 253253 - 6926 Email: <a href="mailto:Jacqueline.whoriskey@derrystrobane.com">Jacqueline.whoriskey@derrystrobane.com</a>
Human Resources	Nominated Officer	Suzanne Callen Tel: 02871 253253 – 6644 <a href="mailto:Suzanne.callen@derrystrobane.com">Suzanne.callen@derrystrobane.com</a>