

Safeguarding Policy

Kirkvoe Medical

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Policy Owner / Author:	Dr Zoe Shepherd

1. Reason for Policy / Purpose of Policy

Safeguarding adults is complex. The potential group is wide - it ranges from adults who are incapable of looking after any aspect of their lives to those going through a short period of illness or disability. More than one service can be involved, making it difficult to identify those with responsibility to act. It can involve adults who have decision-making capacity and those on whose behalf decisions must be made. A key question for doctors is whether the adult can best be safeguarded through ordinary health and social care routes, or whether the risks require dedicated multi-agency safeguarding processes.

Under the Adult Support and Protection Act (Scotland) 2007, the purpose of adult safeguarding is to protect and promote a person's right to live in safety and to ensure they are free from abuse and neglect. Safeguarding interventions should focus on:

- preventing harm and reducing the risk of abuse and neglect for adults with care and support needs
- responding to individuals in ways that support them in making their own choices
- promoting an outcomes approach
- focussing on what is best for adults with care and support needs and structuring the safeguarding response appropriately.

The priority in safeguarding is actively to promote the independence and wellbeing of individuals and therefore reduce the likelihood of abuse and neglect occurring.

2. Policy Statement and Aims

This policy outlines the steps to follow should a potential safeguarding concern be identified.

3. Procedure

Under the Care Act, safeguarding duties apply to any person aged 18 or over who:

- has care and support needs AND is experiencing or is at risk of abuse or neglect AND is unable to protect themselves because of their care and support needs.

Persons at risk include those with mental illness, learning disability, frailty, an unpaid carer, a person experiencing homelessness or a person misusing substances. This list is not exhaustive.

The Care Act includes victims of modern slavery, domestic abuse and sexual exploitation. These are largely criminal matters and would require police involvement. Should any instances arise where there are concerns in these areas Dr Shepherd will discuss them with her medical defence union for advice and the police if there is any evidence of criminality.

Kirkvoe Medical adopt a 7 step process to manage safeguarding:

1. Identify adults who may have safeguarding needs
 - a. Any safeguarding needs may become apparent during a consultation or other interaction with a patient or their representative
2. Respond to immediate risks
 - a. If a crime has been committed or suspected this will be discussed with local police through the 101 phone service.

- b. If no criminal activity suspected the issue will be raised with the adult social work department of Orkney Council on 01856 873535 ext 2643 or via the out of hours social worker at 01856 888000
- 3. Assess the individuals needs
 - a. What are their circumstances, any risk to others (children or other family members), what is important to them, what support do they have, are they known to services?
- 4. Assess capacity
 - a. Is the patient able to make decisions about what is best for them?
Remember adults with capacity are able to make decisions others may think “bad” or that expose them to risk
 - b. Assessing capacity is complex and outwith the scope of this document. For more information see the BMA guidance referenced below. Dr Zoe Shepherd has significant experience in dealing with patients with impaired decision making and will utilise this with current evidence based guidance and support from specialist services if capacity is in doubt. Formal assessments of capacity sit outwith the clinic’s offering of occupational medical services and patients will be referred to appropriately skilled clinicians.
- 5. Responding to harm or abuse - identifying appropriate support
 - a. Orkney council are responsible for adult safeguarding within Kirkvoe Medical’s location. Other services that may be useful are citizens advice, the MDDUS, or seafarers support services such as the Orkney Seafarers Centre or the Mission to Seafarers Scotland.
- 6. A consensual approach
 - a. Most adults with capacity accept the offer of support services. Where adults with capacity decline services, the reasons will be sensitively explored and alternatives offered where appropriate.
 - b. As far as possible Dr Shepherd will ensure they are aware of risks and the possible impact on their wellbeing, and encourage them to develop strategies to protect themselves. Ultimately, the decision to accept care and treatment rests with the competent adult. In some cases information may need to be shared without consent, where others are at risk of significant harm. Advice will be sought from the MDDUS in this circumstance
- 7. Review
 - a. Should a significant incident arise Dr Shepherd will participate in the local review process led by the appropriate body, likely Orkney Islands Council.

The nature of the work of Kirkvoe Medical means it is unlikely it will be dealing with individuals who lack capacity. Should this occur any treatment or assessment will be in keeping with the legislation stated within the Adults with Incapacity Act (Scotland) 2000.

3. *Responsibilities*

Dr Shepherd is responsible for this protocol and procedure.

4. *Enforcement / Compliance*

Non-compliance with this policy puts service users at risk and the practice at risk of enforcement action from Healthcare Improvement Scotland.

5. *Related information*

This policy is based upon the British Medical Association's resource on Adult Safeguarding <https://www.bma.org.uk/advice-and-support/ethics/safeguarding/adult-safeguarding-toolkit>

Orkney council safeguarding policy <https://www.orkney.gov.uk/Service-Directory/S/adult-support-and-protection.htm>

Adult Support and Protection Act (Scotland) 2007

<https://www.gov.scot/publications/adult-support-protection-scotland-act-2007-short-introduction-part-1-act/>

Adults With Incapacity (Scotland) Act 2000

<https://www.legislation.gov.uk/asp/2000/4/section/1>