

**Tax Help for Older People: Safeguarding Adults Policy**

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## Introduction

This policy aims to explain what adult abuse is and how we can recognise it; demonstrate how Tax Help for Older People will safeguard against adult abuse; and provide a range of procedures to guide staff and volunteers in the management of safeguarding matters.

Safeguarding adults from harm is a core duty of Tax Help for Older People. The nature of the services we provide mean it is likely that staff and volunteers will have contact with adults at risk of abuse or neglect. This policy provides guidance for staff and volunteers to ensure the principles of safeguarding adults are embedded in all aspects of the charities work.

Tax Help for Older People are committed to the aims of safeguarding under the Care Act 2014, which are both reactive and proactive as follows:

* Prevent harm and reduce the risk of abuse or neglect to adults with care and support needs.
* Stop abuse or neglect wherever possible.
* Safeguard adults in a way that supports them in making choices and having control over their lives.
* Promote an approach that concentrates on improving life for the adults concerned.
* Raise public awareness so that communities, alongside professionals, play their part in preventing abuse.
* Identify and respond to abuse and neglect.
* Provide information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult.
* Address what has caused the abuse or neglect.

To achieve these aims, we will:

* Ensure all staff and volunteers have access to, and are familiar with, this policy and procedures and their responsibilities.
* Ensure concerns or allegations of abuse are always taken seriously.
* Ensure the [Mental Capacity Act 2005](https://www.gov.uk/government/collections/mental-capacity-act-making-decisions) is used to inform any decision making on behalf of adults at risk who are unable to make particular decisions for themselves.
* Ensure all staff and volunteers receive training in relation to safeguarding adults at a level relevant to their role.
* Ensure our beneficiaries are aware of our Safeguarding procedures, and have access to information about how to report concerns or allegations of abuse.

## Scope

The policy and procedure outlined here will apply to all trustees, staff, contractors, volunteers, and beneficiaries of Tax Help for Older People.

## Principles of Adult Safeguarding

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| **Empowerment**  | Adults are encouraged to make their own decisions and are provided with support and information.  ‘I am consulted about the outcomes I want from the safeguarding process and these directly inform what happens.’  |
| **Prevent** | Strategies are developed to prevent abuse and neglect that promotes resilience and self- determination.  ‘I am provided with easily understood information about what abuse is, how to recognise the signs and what I can do to seek help.’  |
| **Proportionality** | A proportionate and least intrusive response is made balanced with the level of risk.  ‘I am confident that the professionals will work in my interest and only get involved as much as needed.’ |
| **Protection** | Adults are offered ways to protect themselves, and there is a coordinated response to adult safeguarding.  ‘I am provided with help and support to report abuse. I am supported to take part in the safeguarding process to the extent to which I want and to which I am able.’  |
| **Partnership** | Local solutions through services working together within their communities.  ‘I am confident that the information will be appropriately shared in a way that takes into account its personal and sensitive nature. I am confident that agencies will work together to find the most effective responses for my own situation.’ |
| **Accountable** | Accountability and transparency in delivering a safeguarding response.  ‘I am clear about the roles and responsibilities of all those involved in the solution to the problem.’ |

## Making Safeguarding Personal

Adult safeguarding work should be person-led and outcome-focused. It should engage the person in a conversation about how best to respond to their situation in a way that enhances their involvement, choice and control, as well as improving their quality of life, wellbeing and safety.

At Tax Help for Older People, we will meet the aims of Making Safeguarding Personal by:

* Keeping the person at the heart of the process.
* Striving to understand the outcomes they want to achieve from the safeguarding work and supporting them to achieve these outcomes.

## Who is an adult at risk?

The Safeguarding Adults policy applies to people who are aged 18 years or more, and:

* Have need for care and support (whether or not these are currently being met); and
* Are experiencing, or are at risk of, abuse or neglect; and
* Because of those needs, are unable to protect themselves against the abuse or neglect or the risk of it.

This includes adults with physical, sensory and mental impairments and learning disabilities, whether present from birth or due to advancing age, illness or injury. Also included are people with a mental illness, dementia or other memory impairments, and people who misuse substances or alcohol (where this has led to impaired physical, cognitive or mental health).

## What is abuse?

Abuse can take many forms and the circumstances of the individual should always be considered. It may consist of a single act or repeated acts. The following are examples of issues that would be considered as abuse or neglect:

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| **Physical abuse** | Includes hitting, slapping, pushing, kicking, and misuse of medication, unlawful or inappropriate restraint, or inappropriate physical sanctions. |
| **Domestic Abuse** | Is an incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse by someone who is or has been an intimate partner or family member. Domestic violence and abuse may include psychological, physical, sexual, financial, emotional abuse; as well as so called ‘honour’ based violence, forced marriage and female genital mutilation. The [Domestic Abuse Act 2021](https://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-abuse-bill-2020-overarching-factsheet) applies. |
| **Sexual Abuse** | Includes rape and sexual assault or sexual acts to which the adult at risk has not consented, or could not consent to or was pressured into consenting. |
| **Psychological Abuse**  | Includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal from services or supportive networks. |
| **Financial Abuse** | Includes theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits. |
| **Modern Slavery** | Includes human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhuman treatment. |
| **Neglect and Acts of Omission** | Includes ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating. |
| **Discriminatory Abuse** | Includes abuse based on a person’s race, sex, gender, disability, faith, sexual orientation, or age; other forms of harassment, slurs or similar treatment or hate crime. |
| **Organisational Abuse** | Includes neglect and poor practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one’s own home. This may range from one-off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation. |
| **Self-neglect** | Covers a wide range of behaviours, such as neglecting to care for one’s personal hygiene, health or surroundings and includes behaviours such as hoarding. A safeguarding response in relation to self-neglect may be appropriate where a person is declining assistance in relation to their care and support needs, and the impact of their decision, has or is likely to have a substantial impact on their overall individual wellbeing. |
| **Radicalisation** | Radicalisation is comparable to other forms of exploitation, such as grooming and Child Sexual Exploitation. Prevent is part of the Government's counterterrorism strategy [CONTEST](https://www.gov.uk/government/collections/contest) and aims to provide support and re-direction to vulnerable individuals at risk of being groomed into terrorist activity before any crimes are committed. Vulnerable individuals are groomed directly or through social media to be persuaded of the legitimacy of a radical’s cause to inspire new recruits and have extreme views embedded. |

## What is an “adult safeguarding enquiry”?

Where a local authority in England or Wales believes an adult at risk is experiencing or at risk of experiencing abuse or neglect, it must make enquiries (this is not necessarily an investigation), or cause others to do so. This is a duty under [s.42 of The Care Act 2014](https://www.legislation.gov.uk/ukpga/2014/23/section/42/enacted).

An enquiry should establish whether any action needs to be taken to prevent or stop abuse or neglect, and if so, by whom.

The objectives of an adult safeguarding enquiry are to:

* Establish facts.
* Ascertain the adult’s views and wishes.
* Assess and address their need for protection and support, in accordance with the wishes of the adult.
* Make decisions as to what follow-up action should be taken.
* Enable the adult to achieve resolution and recovery.

## Historic Abuse

Abuse that took place when a person was under 18 years old is not an adult safeguarding issue but, dependant on the concern, could be a child safeguarding issue, irrespective of how old that person is now.

In certain cases, the relevant Children’s Social Care department may need to be informed, if for example, the person who caused harm, is considered as a continued risk to other children.

Adults who disclose historical childhood abuse can be advised that this is a crime and that they can still report this to the Police, if they want to do this.

## Whistleblowing

To fulfil its commitment to safeguarding, Tax Help for Older People has a Whistleblowing Policy, and a culture that enables issues about safeguarding and promoting welfare to be addressed in a facilitated way.

Tax Help for Older People are committed to the highest standards of openness, probity and accountability. In line with that commitment, Tax Help for Older People recognises that an important aspect of accountability and transparency is a mechanism to enable employees and volunteers to voice concerns about breaches or failures in a reasonable and effective manner.

There must be an awareness of the vulnerability of adults in the Tax Help for Older People setting and that whistleblowing applies in all contexts. In addition, to situations where there is a perceived risk, whistleblowing may be necessary to highlight more general problems with unacceptable practice, performance or behaviour.

Tax Help for Older People Whistleblowing Policy and procedures make clear how to raise a concern, which can be a matter about safeguarding.

[The Public Interest Disclosure Act 1998](https://www.gov.uk/government/publications/guidance-for-auditors-and-independent-examiners-of-charities/the-public-interest-disclosure-act--2) gives workers legal protection against being dismissed or penalised as a result of publicly disclosing certain serious concerns.

## Role and Responsibilities

These roles and responsibilities are relevant to Tax Help for Older People Safeguarding Policy and procedures.

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| --- | --- |
| **Trustees** | Trustees take reasonable steps to protect those connected with Tax Help for Older People from harm. This includes:* People who benefit from Tax Help for Older People work and services
* Staff
* Volunteers
* Other people connected to Tax Help for Older People activities

Tax Help for Older People Safeguarding Adults Policy and Procedures are approved by the Trustees. The Trustees delegate the day to day work for safeguarding within Tax Help for Older People to the Chief Executive but are ultimately responsible. Trustees are accountable to [The Charity Commission](https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees). |
| **Chief Executive** | The Chief Executive of Tax Help for Older People will ensure that safeguarding underpins all decisions made by the organisation by:* Maintaining a clear organisational and operational focus on safeguarding adults.
* Making sure relevant statutory requirements and other national standards are met.
* Acting as a source of support and advice for staff and volunteers on all safeguarding matters.
* Following through safeguarding policy and procedures regarding their responsibilities.

The Chief Executive is accountable to the Board of Trustees for safeguarding matters and must report on safeguarding concerns as a standing item at every Board meeting. |
| **Designated Safeguarding Lead** | The designated safeguarding lead (DSL) acts as the main source of support, advice and expertise for safeguarding.* Advise and support the senior management team in developing and establishing organisations approach to safeguarding.
* Maintain and review organisations plan for safeguarding.
* Coordinate the distribution of policies, procedures and safeguarding resources throughout organisation.
* Advise on training needs and development, providing training where appropriate.
* Provide safeguarding advice and support to staff and volunteers.
* Manage safeguarding concerns, allegations or incidents reported to your organisation.
* Manage referrals to key safeguarding agencies (e.g. social services or police) of any incidents or allegations of abuse and harm.
 |
| **All other staff and volunteers** | All staff and volunteers must be vigilant to potential safeguarding concerns and will raise these with the Designated Safeguarding lead in the very first instance, even if they are unsure whether the concern meets the safeguarding concern threshold:* A policy of, “**If in doubt, raise it anyway**”, **always applies.**

In the event of the Designated Safeguarding Lead’s absence, safeguarding concerns must be raised with the Deputy Designated Safeguarding Lead. |

***Appendix D. Safeguarding: Contact details*** provides contact details for the nominated Designated Safeguarding Lead, Deputy Designated Safeguarding Lead and Trustee Safeguarding Leads.

## Practical Considerations

Tax Help for Older People will develop effective working relationships with all other agencies involved in safeguarding vulnerable adults and ensure that all managers have received relevant training on safeguarding vulnerable adults and that all staff are briefed on what is required.

Tax Help for Older People selection and recruitment policy for staff and volunteers includes checks on suitability, in accordance with current legislation, including where required Disclosure and Barring Service checks at the relevant level. Induction training for staff and volunteers will cover safeguarding issues to ensure understanding of all types of abuse as described above. Tax Help for Older People will ensure that all members of staff and volunteers know how to respond appropriately to an adult who alleges abuse and is aware of the procedure to be followed.

Tax Help for Older People acknowledges the need for effective and appropriate communication between all members of staff and other agencies in relation to safeguarding vulnerable adults, in order to:

* Promote the wellbeing, security and safety of vulnerable people consistent with their rights, capacity and personal responsibility, and prevent abuse occurring wherever possible.
* Ensure that the process of reporting, investigation and subsequent action, is as effective as possible in achieving good outcomes for vulnerable people.
* Ensure that the processes of investigation, assessment and prevention of abuse do not constitute an abusive or harmful series of events for the vulnerable person.
* Ensure that the promotion of safeguarding adult work is integral to the development and delivery of our services.

If anyone has concern for a vulnerable adult they must report their concerns to the Designated Safeguarding Lead, or to the Deputy Designated Safeguarding Lead in his/her absence. See ***Appendix A. Reporting a Safeguarding Adult Concern***: The flowchart outlines the steps to be taken when a safeguarding concern arises. For example, reporting the concern to the appropriate person or authority. It also helps to provide support and protection to the individual at risk and helps to ensure that all staff and volunteers know the responsibilities they need to follow.

The Designated Safeguarding Lead (or Deputy Designated Safeguarding Lead) is responsible for:

* Alerting the Local Authority Social Care team of any instances of concern relating to an adult’s welfare, possible abuse or neglect.
* Ensuring that detailed and accurate written records of concerns about an adult are kept even if there is no need to make an immediate referral.
* Acting as a focal point for staff concerns and liaising with other agencies and professionals.

***Appendix D.*** ***Safeguarding: Contact details*** provides contact details for the nominated Designated Safeguarding Lead, Deputy Designated Safeguarding Lead and Trustee Safeguarding Leads.

## Vulnerable adults - Mental capacity and complex needs

Tax Help for Older People provides free, independent and expert help and advice for people on lower incomes, who cannot afford to pay for professional tax advice. These services can include in person support by Volunteer Advisers, in the beneficiary’s home, or a third party venue.

Tax Help for Older People primarily supports older people (close to 60 or older), which increases the risk of abuse and we therefore must be vigilant, on the lookout for any signs of a potential safeguarding issue(s).

Nonetheless, Tax Help for Older People operates on the understanding that the people whom we support have mental capacity such that they can readily engage with our services. Of course, we acknowledge that people’s cognitive abilities can decline with age. This policy sets out Tax Help for Older People’s position with respect to mental capacity and complex needs.

The Mental Capacity Act 2005 defines someone is lacking capacity, because of an illness or disability such as a mental health problem, dementia or a learning disability, who cannot do one or more of the following four things:

• Understand information given to them about a particular decision

• Retain that information long enough to be able to make the decision

• Weigh up the information available to make the decision

• Communicate their decision.

Refer to the [Mental Capacity Act Code of Practice](https://www.gov.uk/government/publications/mental-capacity-act-code-of-practice).

We must look after the wellbeing of our volunteers who deliver many of the services on our behalf. Where adults have a range of complex needs or disabilities we may, unfortunately, not be equipped to support them. Our priority is to ensure that the people whom we support are appropriately helped, and this may mean when we cannot provide the service required we may, if appropriate, direct them to other agencies to receive a service that best meets their needs and with which is best qualified to deal. This may be either by signposting or by referral.

* If you have any concerns about a particular individual or case, please speak with the Designated Safeguarding Lead. *See Appendix D: Safeguarding: Contact details.*

## Confidentiality

We recognise that all matters relating to safeguarding vulnerable adults are confidential. The designated person will not disclose confidential information to volunteers except on a strict need-to-know basis.

However, all staff and volunteers will be aware that they have a professional responsibility to share information with other agencies in order to safeguard vulnerable adults. Staff and volunteers must be aware that they cannot promise a beneficiary or any other informant to keep secrets which might compromise the beneficiaries/adult’s safety or wellbeing or that of another.

## Supporting staff

We recognise that staff or volunteers working at Tax Help for Older People who have become involved with an adult who has suffered harm or appears to be likely to suffer harm may find the situation stressful and upsetting. We will support staff and volunteers by providing an opportunity to talk through their anxieties and to seek further support. Tax Help for Older People understands that staff should have access to advice on the boundaries of appropriate behaviour.

All staff and volunteers should take care not to place themselves in a vulnerable position with an adult who has expressed a concern or reported abuse of any kind. It is always advisable for interviews or work with the individuals concerned to be conducted with another member of staff present.

Tax Help for Older People recognises that vulnerable adults cannot be expected to raise concerns in an environment where staff and volunteers fail to do so. All staff should be aware of their duty to raise concerns about the attitude or actions of colleagues.

## Charity Regulators: England, and Wales only

The Charity Commission requires charities to report serious incidents. If a serious incident takes place within Tax Help for Older People, it is important that there is prompt, [full and frank disclosure to the Commission](https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity). Tax Help for Older People will report what happened and, importantly, let the Commission know how Tax Help for Older People is dealing with it, even if Tax Help for Older People have also reported it to the police, LA or another regulator.

A serious incident is an adverse event, whether actual or alleged, which results in, or risks, significant:

* Harm to the Tax Help for Older People beneficiaries, staff, volunteers or others who come into contact with Tax Help for Older People through their work, or
* Harm to Tax Help for Older People work or reputation.

For the purposes of reporting a serious incident to The Charity Commission, “significant” means significant in the context of the charity, taking account of its staff, operations, finances and/or reputation.

Tax Help for Older People must report an actual or alleged incident promptly. This means as soon as is reasonably possible after it happens, or immediately after Tax Help for Older People becomes aware of it.

The responsibility for reporting serious safeguarding incidents rests with the charity’s Trustees. However, this is delegated to the Chief Executive and will be agreed with Trustees before any incident is reported to The Charity Commission.

## Policy review

The policy will be reviewed annually by the Chief Executive and approved by the Board of Directors. It will also be reviewed in response to changes in relevant legislation, contractual arrangements, good practice or in response to an identified failing in its effectiveness. All staff and people working within the charity will be made aware of the policy.

## Appendices: Safeguarding Process & Procedures

### Appendix A: Reporting a Safeguarding Adult Concern

### Appendix B: Recording Concerns

### Appendix C: Safeguarding Disclosure Form:

### Appendix D: Safeguarding: Contact details

Signature

Chief Executive

Reviewed: 11/02/2025

**Review Date:**

## Version control

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| --- | --- | --- | --- |
| **Version**  | **Date** | **Author** | **Changes** |
| 1.0 | August 2023 | Samantha Lah | Policy created |
| 1.1 | October 2023 | Samantha Lah | Update reporting pathway and minor edits |
| TH 1.0 | January 2024 | Samantha Lah | Independent Tax Help for Older People Policy created. MCA information added. |
| 1.1 | April 2024 | Samantha Lah | Updated text 11. Vulnerable adults - Mental capacity and complex needs, and minor text edits to in person delivery scope. |
| 1.2 | February 2025 | Samantha Lah | Updated Appendix, and role titles |