

## Omnibus Safeguarding Adults at Risk Policy

### 1. General Policy Statement

1.1 Omnibus has a duty to ensure that it promotes the welfare and safeguarding of vulnerable adults.

1.2 The Trustees are committed to ensuring that the organisation:

- Provides a safe environment for vulnerable adults and young people
- Identifies vulnerable adults and young people who are victims of abuse
- Takes appropriate action to see that such vulnerable adults and young people are kept safe from harm

1.3 In pursuit of these aims, the trustees will approve and annually review policies and procedures with the aim of:

- Raising awareness of issues relating to the welfare of vulnerable adults and young people and the promotion of a safe environment for them.
- Providing procedures for reporting concerns.
- Establishing procedures for reporting and dealing with allegations of abuse against members of staff
- Ensuring that staff and volunteers are safely recruited

### Definition

Throughout these policies and procedures, reference is made to “vulnerable adults”. This term is used to mean those over the age of 18 who are in need of care and unable to protect themselves because of:

- a mental or learning disability.
- a physical disability.
- age or illness.
- Inability to protect him or herself against significant harm or exploitation'. (*Definition from 'No Secrets' March 2000 Department of Health*)

It may also include victims of domestic abuse, hate crime and anti-social abuse.

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More specifically The Protection of Freedoms Act 2012 notes that a person is not deemed vulnerable simply because of age or a disability and defines a vulnerable adult as a person aged 18 and over who is in receipt of any of the following services –

- health care from a regulated health care professional - provided by, or under the direction or supervision of a regulated health care professional
- Personal care for adults involving hands-on physical assistance - with washing and dressing, eating, drinking and toileting; prompting and supervising an adult with any of these tasks because of their age, illness or disability; or teaching someone to do one of these tasks
- Assistance with social care - provision by a social care worker of social work which is required in connection with any health services or social services
- Assistance with paying bills, shopping because of age, illness or disability arranged via 3<sup>rd</sup> party
- Help with conducting own affairs under a formal appointment
- Being conveyed for reasons of age, illness or disability to a place where they will receive health care, personal care or social work arranged by a third party

The governing body recognises that some children and young people are also vulnerable to abuse, accordingly, Omnibus has created a Safeguarding Child Protection Policy. However, this policy encompasses Omnibus' policies for safeguarding all vulnerable groups. The following procedures may be applied (with appropriate adaptations) to allegations of abuse.

## **2. Responsibilities**

2.1 Safeguarding Lead Person - The organisation has nominated Fiona Mactaggart, [fionamactaggart1997@gmail.com](mailto:fionamactaggart1997@gmail.com) as lead person with special responsibility for safeguarding issues. The member of staff on site to be contacted is Artistic Director Marie McCarthy, [marie.mccarthy@omnibus-clapham.org](mailto:marie.mccarthy@omnibus-clapham.org).

2.2 Training - Staff and volunteers working with vulnerable adults will receive adequate training to familiarise them with safeguarding issues and responsibilities and the organisation's procedures and policies, with refresher training at least every 3 years.

2.3 The governing body will receive from the designated senior member of staff with lead responsibility for safeguarding an annual report which reviews how the duties have been discharged.

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- 2.4 The designated senior member of staff with lead responsibility for safeguarding issues is Fiona Mactaggart, fionamactaggart1997@gmail.com. The member of staff on site to be contacted is Artistic Director Marie McCarthy, marie.mccarthy@omnibus-clapham.org.
- 2.5 She has a key duty for raising awareness within the organisation of issues relating to the welfare of vulnerable adults and the promotion of a safe environment for the vulnerable adults.
- 2.6 She is responsible for ensuring that exempted questions are asked on relevant volunteer and employment application forms in accordance with the Rehabilitation of Offenders Act 1974 and any other applicable legislation.
- 2.7 She has received appropriate training and should keep up to date with developments in safeguarding issues. He will also have responsibility for making new staff and volunteers aware of the existing safeguarding policies.
- 2.8 She will be the main contact point for safeguarding issues and will have contact details for relevant organisations available for employees and volunteers. This list will usually include contact details of relevant individuals and provisions such as LADO (Local Authority Designated Officer for Safeguarding) including the local police and the Disclosure and Barring Service referral unit.

### 3. Abuse Definitions

The governing body recognises the following as definitions of abuse:

**a) Physical Abuse**

Physical abuse causes harm to a vulnerable adult's person. It may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning or suffocating. It may be done deliberately or recklessly or be the result of a deliberate failure to prevent injury occurring.

**b) Neglect**

Neglect is the persistent or severe failure to meet a vulnerable adult's basic physical and/or psychological needs. It will result in serious impairment of the vulnerable adult's health or development.

**c) Sexual Abuse**

Sexual abuse involves a vulnerable adult being forced or coerced into participating in or watching sexual activity. It is not necessary for the vulnerable adult to be aware that the activity is sexual and the apparent consent of the vulnerable adult is irrelevant.

**d) Emotional Abuse**

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Emotional abuse occurs where there is persistent emotional ill treatment or rejection. It causes severe and adverse effects on the vulnerable adult's behaviour and emotional state, resulting in low self-worth. Some level of emotional abuse is present in all forms of abuse.

## **4. Regulated Activity and eligibility for DBS Criminal Record checks**

- 4.1 Under the Safeguarding of Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012, an individual working unsupervised with vulnerable adults is considered to be engaged in regulated Activity and must have an enhanced Disclosure and Barring Service (DBS) check which will involve a check of the vulnerable adult's barred list, in order to perform their duties.
- 4.2 However, an individual working in a directly and permanently supervised position is not considered to be engaged in regulated activity but should still have an enhanced DBS disclosure check. However, because they are working in a supervised role the enhanced check will not include a check of the vulnerable adult's barred list.
- 4.3 Note that applications for a DBS enhanced check can only be submitted where the applicant is aged 16 or over at the time of making the application.

## **5. Duty to refer to the DBS (Now Disclosure and Barring Service (DBS))**

- 5.1 The Safeguarding of Vulnerable Groups Act 2006 and Protection of Freedoms Act 2012 both make it mandatory to refer anyone known to pose a threat of harm to a child or vulnerable people to the Disclosure and Barring Service (DBS). This means that the designated member of staff responsible for safeguarding must not knowingly employ anyone who poses a risk of harm to vulnerable adults, this includes anyone who is believed to have committed a relevant conduct while on the job or who has a record of such conduct.
- 5.2 The organisation has a legal duty to refer an employee or volunteer who poses a risk of harm to vulnerable adults to the DBS, failure to do so can result in a fine and/or up to 5 years imprisonment. There must be sufficient and solid evidence that the employee or volunteer poses a risk of harm before they can be referred to the DBS. The DBS will not consider evidence based on rumour or unsubstantiated reports. The employer should also inform the police and other relevant authorities if they believe a relevant conduct has occurred.
- 5.3 Referral forms can be downloaded from the DBS's website [www.gov.uk/dbs](http://www.gov.uk/dbs).

## **6. 'Relevant conduct' under the Safeguarding Vulnerable Groups Act 2006**

In addition, the governing body accepts the following definitions of relevant conduct under Schedule 3 of the Safeguarding of Vulnerable Groups Act 2006 in relation to the barring of those

who pose of a risk of harm to vulnerable adults. A relevant conduct is a conduct which must be referred to the DBS and which could lead to a barring decision. It includes any:

- conduct which endangers a vulnerable adult or is likely to endanger a vulnerable adult
- conduct which if repeated against or in relation to a vulnerable adult would endanger that vulnerable adult
- conduct involving sexual material relating to vulnerable adults (including possession of such material)
- conduct involving sexually explicit images depicting violence against human beings
- conduct of a sexual nature involving a vulnerable adult

## 7. The DBS's barring process

7.1 Whenever new relevant information (such as a conviction or caution) becomes known, the information will be sent to the DBS. The DBS will consider this information, together with other information known on the individual, and decide whether it indicates that the individual poses a risk of harm to vulnerable groups. If so, the DBS will commence its barring process and the DBS will issue a disclosure certificate to the applicant with the barring information.

7.2 The applicant should be advised by the designated member of staff to make a representation to the DBS regarding the barring information. The DBS will assess the barring information and representation and decide whether to bar the applicant. If there is sufficient barring evidence, the applicant will be placed on the **Vulnerable Adults Barred List** depending on the offence. The applicant must then be removed from regulated activity.

7.3 The applicant has the right of appeal to a tribunal and must be advised of this right. Serious offences committed against vulnerable people will lead to automatic barring and the applicant will have no right to make representations or to appeal against a barring decision.

## 7. Dealing with Disclosure of Abuse and Procedure for Reporting Concerns

7.1 If a vulnerable adult tells a member of staff about possible abuse:

- Listen carefully and stay calm.
- Do not interview the vulnerable adult, but question normally and without pressure, in order to be sure that you understand what they are telling you.
- Do not put words into the vulnerable adult's mouth.
- Reassure the vulnerable adult that by telling you, they have done the right thing.
- Inform the vulnerable adult that you must pass the information on, but that only those that need to know about it will be told. Inform them of to whom you will report the matter.
- Note the main points carefully.

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- Make a detailed note of the date, time, place, what the vulnerable adult said, did and your questions etc.
- Staff should not investigate concerns or allegations themselves but should report them immediately to the Designated Person.

## **8. Reporting and Dealing with Allegations of Abuse against Members of Staff.**

The procedures apply to all staff, whether trustees, administrative, management or support, as well as to volunteers. The word “staff” is used for ease of description.

8.1 The Organisation recognises that the welfare of the vulnerable adult is of paramount concern. It is also recognised that hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual’s reputation, confidence and career. Therefore, those dealing with such allegations within the organisation will do so with sensitivity and will act in a careful, measured way.

8.2 If an allegation is made by a vulnerable adult against a member of staff about possible abuse

- Follow the procedure outlined in 7.1 above
- In the event of an allegation being made against the Designated Senior Member of Staff, it should be reported to the Chairperson of the Trustees who in conjunction with the staff member will make further records and notes about the issue using the incident Record Form.
- The Designated Senior Member will normally suspend the person against to whom the allegation has been made with immediate effect in such a manner as not to disclose its reason, pending further advice, decisions and actions by the appropriate authorities.
- For the avoidance of doubt the person is to be told that they are suspended pending investigation

## **10. Safer Recruitment and Selection Procedure**

Omnibus will follow safer recruitment and selection procedures (detailed in the Recruitment Policy). These should be reviewed regularly in order to ensure that they take account of the following:

- They should apply to staff and volunteers who may work with vulnerable adults.
- The post or role should be clearly defined.
- The key selection criteria for the post or role should be identified.
- Vacancies should be advertised widely in order to ensure a diversity of applicants.
- Obtain professional and character references.
- Verify previous employment history.
- Disclosure and Barring Service disclosure/List 99 checks (maintain sensitive and confidential use of the applicant’s disclosure).
- Use a variety of selection techniques (e.g., qualifications, previous experience, interview,

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reference checks).

Omnibus Theatre is a multi-award-winning independent theatre in Clapham, South London. Finalist in the Fringe Theatre of the Year 2020 and 2023 The Stage Awards, Off-West End Award winner 2018 and 2020, and recipient of the Peter Brook/Royal Court Theatre Support Award in 2016. The heart of the organisation's ambitious programme lies in classics re-imagined, modern revivals and new writing. Omnibus Theatre also provides a platform for LGBTQ+ work and aims to give voice to the underrepresented and challenge perceptions. Since opening in 2013 notable in-house productions include Woyzeck (2013), Macbeth (2014), Colour (2015), Mule (2016), Spring Offensive (2017), Zeraffa Giraffa (2017), Queens of Sheba (2019), The Little Prince (2019), RICE! (2021), The Human Connection (2021), The Girl Who Was Very Good At Lying (2021), FIJI (2022), SAD (2022), DRUM (2022), The Woman Who Turned into a Tree (2023) and Compositor E (2023).

Omnibus Theatre is led by Artistic Director Marie McCarthy and Executive Director Bridget Kalloushi. Patrons include Dame Judi Dench, Sir Lord Michael Cashman, Paulette Randall MBE and Rikki Beadle- Blair MBE

Omnibus-Clapham is a registered Charity (number 1143709) and a company limited by guarantee (number 07032543).

Ratified: 29 January 2025