

Policy: Safeguarding

1. Purpose and Objectives

- 1.1 Purpose – to set out the organisation’s approach to safeguarding.
- 1.2 Objectives – to ensure all adults, particularly vulnerable adults, and children with whom we come into contact with as a business have their wellbeing and interests protected from harm, abuse or neglect and that colleagues are aware of their safeguarding responsibilities.

2. Scope

- 2.1 This policy applies to all colleagues including board members, involved customers, volunteers, contractors and others working on our behalf, collectively referred to as “colleagues” throughout this document.

3. Policy Statement

3.1 Safeguarding Principles

We will use the six principles of safeguarding set out in the Care Act 2014 in order to inform our safeguarding activities:

- 1) **Empowerment** - people are supported and encouraged to make their own decisions and provided with information and resources to enable them to do this.
- 2) **Prevention** - taking action to prevent abuse and neglect.
- 3) **Proportionate** - the least intrusive option is taken, balanced against the risk.
- 4) **Protection** - people are offered ways to protect themselves and are represented when they need it.
- 5) **Partnership** - working together to find solutions - with local services and the community when needed.
- 6) **Accountable** - those responsible for delivering a safeguarding response are open and honest, everyone is clear about their role and purpose.

- 3.2 As a provider of specialist supported housing, our organisation works with adults who may be vulnerable all or part of the time. There are a small number of service areas where the adults we work with may have children and whilst these may be few in number, it is nonetheless important that we have an appropriate framework in place to safeguard children as well as the adults we work with.

- 3.3 We will appoint a Safeguarding Lead who provides services directly to vulnerable customers. The Safeguarding Lead will be responsible for ensuring there is a reporting system in place for safeguarding issues and that colleagues are provided with training on how to identify and report safeguarding matters.

- 3.4 As housing providers we will comply with our legal duty to co-operate with Local Authorities to prevent abuse and neglect.

- 3.5 **All colleagues have both a legal and a moral duty to look out for and report any safeguarding concerns**

about anyone whom they come into contact with during their employment. We will ensure there is appropriate support, training and resources in place to ensure our colleagues feel confident in promptly identifying safeguarding issues and making safeguarding referrals to the relevant local authority.

- 3.6 We will inform an individual that a safeguarding referral is being made about them, unless having considered the risks we believe this would put either the individual or a colleague at risk of harm.
- 3.7 The requirement to make a safeguarding referral once becoming aware of an issue is absolute, the colleague has a legal requirement to make a referral and cannot be persuaded out of it.
- 3.8 Allegations against colleagues will be taken seriously and follow the disciplinary policy to be investigated and resolved. Consideration will be given to suspending the colleague from all or part of their duties whilst an investigation is carried out. Where a contractor is involved, we will defer to their disciplinary process but reserve the right to conduct our own investigation if we do not believe the matter has been resolved satisfactorily.
- 3.9 When requested, we will co-operate with local authorities and other statutory bodies in carrying out their safeguarding duties. This might include attending multi agency meetings, contributing to assessments and case reviews, carrying out enquiries to gather information and sharing information which is relevant to a safeguarding case.
- 3.10 We will carry out safe recruitment practices and comply with Disclosure & Barring Services (DBS) regulations, so that checks are carried out which help to prevent unsuitable people (paid and volunteers) from working with vulnerable adults and children.
- 3.11 The different types of abuse and signs to look out for are attached at **Appendix 1**. Some of these forms of abuse may constitute specific criminal offences.

3.12 Adult Safeguarding and Capacity to Make Decisions

We will comply with the Mental Capacity Act 2005 when considering whether an individual has capacity to act by:

- Presuming that an adult has the capacity to make decisions unless it is proved otherwise.
- Supporting an adult to make their own decisions, giving all practicable help, before they are treated as not being able to make their own decisions.
- Not assuming that an adult lacks capacity just because they make an unwise decision.
- Where we have evidence that an individual lacks capacity to make decisions for themselves, any act done or decision made on their behalf will be done in their best interests.
- Anything done on behalf of a person who lacks capacity will be the least restrictive option, so that it interferes with their rights and freedoms as little as possible.
- We will comply with the Liberty Protection Safeguards as assessed by the relevant Responsible Body (Local Authority or NHS Body).

3.13 Safeguarding Children

For children who have not reached their 18th birthday we will:

- Where a safeguarding risk has been identified, we will listen to what the child has to say and consult them about next steps, but not promise confidentiality where they could be at risk.
- Share information about them and their families/circumstances with the relevant local authority using their referral procedures. We will usually inform a parent or guardian that we are doing this unless we consider that this will increase the risk of them suffering harm/neglect.

- Not take photographs, videos or otherwise use their image unless the child has agreed (if capable) **and** we have the explicit permission of a parent / guardian.

3.14 We are responsible for reporting safeguarding incidents in their monthly Health and Safety Key Performance Indicators.

4. Procedures

4.1 The procedures for making a safeguarding report differ dependent on subsidiary and service area, they are therefore documented separately and not included here.

5. Responsibilities

5.1 These are the responsibilities associated with this policy.

Job Title	Responsibility
Managers	<ul style="list-style-type: none"> • Support team members to make safeguarding referrals to the correct local authority. • Ensure team members complete safeguarding training where required. • Carry out safe recruitment practices for roles working with vulnerable adults and children, requesting appropriate DBS checks and not allowing team members to work with clients until DBS has been received and cleared.
Colleagues, including employees, volunteers, engaged customers, contractors	<ul style="list-style-type: none"> • Comply with the safeguarding policy – be vigilant, identify safeguarding risks and ensure appropriate referrals are made.
Health & Safety Manager	<ul style="list-style-type: none"> • Include safeguarding incidents in the monthly Board slide.
Safeguarding Lead	<ul style="list-style-type: none"> • Ensure there are appropriate reporting arrangements in place to escalate safeguarding issues. • Ensure staff are appropriately trained on how to identify and report a safeguarding matter.

6. Definitions

Term	Definition
Safeguarding	Protecting people's health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect.
Adults	People aged 18 and above
Children	People who have not reached their 18 th birthday
Vulnerable Adults are described by The Regional Vulnerable Adult Protection Forum as adopted the Law Commission for England and Wales (1995) as:	A person aged 18 years or over who is, or may be, in need of community care services or is resident in a continuing care facility by reason of mental or other disability, age or illness or who is, or may be, unable to take care of him or herself or unable to protect him or herself against significant harm or exploitation.

7. Supporting Documents

- 7.1 The North West Safeguarding Board has approved a joint Safeguarding Policy which can be found [here](#). For colleagues who are involved in the care and support of vulnerable adults, they are advised to read this, very thorough, policy because it provides some additional context and the framework within which the local authorities in the North West work. For colleagues working in other areas of the country, they are advised to read the safeguarding policy issued by the local authority covering their area(s) of work.
- 7.2 Disciplinary policy

8. References

- 8.1 This list of picks up the key pieces of legislation which have informed the drafting of this policy. There is a myriad of legislation which cover different aspects of safeguarding, for further advice and guidance on the legal framework for safeguarding, please contact us.
- Care Act 2014
 - Mental Capacity Act 2005
 - Disclosure & Barring Service
 - Safeguarding Vulnerable Groups Act 2006
 - Data Protection Act 2018

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9. Document Change History

Version	Date	Change	Owner
1	24/10/2022	New document	David Baldwin

Appendix 1: Types of Abuse and Signs to Look Out For

(Source: North West Safeguarding Policy v48)

Types of abuse	Description or supporting guidance
Discriminatory abuse	<p>Discrimination on the grounds of race, faith or religion, age, disability, gender, sexual orientation and political views, along with racist, sexist, homophobic or ageist comments or jokes, or comments and jokes based on a person's disability or any other form of harassment, slur or similar treatment. Excluding a person from activities on the basis they are 'not liked' is also discriminatory abuse, for example, hate crime</p>
Domestic abuse	<p>The cross-government definition of domestic violence and abuse is: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between people aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass but it is not limited to:</p> <ul style="list-style-type: none"> • psychological • sexual (including female genital mutilation) • financial • emotional • forced marriage • honour-based violence. <p>A new offence of coercive and controlling behaviour in intimate and familial relationships was introduced in the Serious Crime Act 2015. Serious Crime Act 2015 - Legislation.gov.uk The offence imposes a maximum five years imprisonment. The offence closes the gap in the law around patterns of coercive and controlling behaviour during a relationship between intimate partners, former partners who still live together, or family members, sending a clear message that it is wrong to violate the trust of those closest to you, providing better protection to victims experiencing continuous abuse allowing for earlier identification, intervention and prevention.</p>
Neglect and acts of omission	<p>Ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, social care or educational services, and the withholding of the necessities of life such as medication, adequate nutrition and heating. Neglect also includes a failure to intervene in situations that are dangerous to the person concerned or to others, particularly when the person lacks the mental capacity to assess risk for themselves.</p>
Organisational abuse	<p>Is the mistreatment, abuse or neglect of an adult by a regime or people in a setting or service where the adult lives or that they use. Such abuse violates the person's dignity and represents a lack of respect for their human rights.</p>

Financial or material abuse	<p>Theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.</p> <p>Internet scams, postal scams and doorstep crime are more often than not targeted at adults at risk and all forms of financial abuse. These scams are becoming ever more sophisticated and elaborate. For example: internet scammers can build very convincing websites people can be referred to a website to check the caller's legitimacy but this may be a copy of a legitimate website postal scams are mass-produced letters which are made to look like personal letters or important documents doorstep criminals call unannounced at the adult's home under the guise of legitimate business and offering to fix an often non-existent problem with their property. Sometimes they pose as police officers or someone in a position of authority</p> <p>In all cases this is financial abuse and the adult at risk can be persuaded to part with large sums of money and in some cases their life savings. These instances should always be reported to the local police service and local authority Trading Standards Services for investigation. The SAB will need to consider how to involve local Trading Standards in its work. These scams and crimes can seriously affect the health, including mental health, of an adult at risk. Agencies working together can better protect adults at risk. Failure to do so can result in an increased cost to the state, especially if the adult at risk loses their income and independence.</p>
Physical abuse	Assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.
Psychological abuse	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 of services or supportive networks.
Sexual abuse	Rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.
Self-neglect	This covers a wide range of behaviour concerning a person's personal hygiene, health or surroundings and includes behaviour such as hoarding. It should be noted that self-neglect may not prompt a section 42 enquiry. An assessment should be made on a case-by-case basis. A decision on whether a safeguarding response is needed will depend on the person's ability to protect themselves by controlling their own behaviour. There may come a point when they are no longer able to do this, without external support.

Modern slavery	<p>Slavery, servitude and forced or compulsory labour. A person commits an offence if:</p> <ul style="list-style-type: none"> • The person holds another person in slavery or servitude and the circumstances are such that the person knows or ought to know that the other person is held in slavery or servitude, or • The person requires another person to perform forced or compulsory labour and the circumstances are such that the person knows or ought to know that the other person is being required to perform forced or compulsory labour. <p>There are many different characteristics that distinguish slavery from other human rights violations, however only one needs to be present for slavery to exist. Someone is in slavery if they are:</p> <ul style="list-style-type: none"> • Forced to work – through mental or physical threat • Owned or controlled by an “employer”, usually through mental or physical abuse or the threat of abuse • Dehumanised, treated as a commodity or bought and sold as property • Physically constrained or has restrictions placed on his/her freedom of movement • Subject to human trafficking <p>Contemporary slavery takes various forms and affects people of all ages, gender and race. Adults who are enslaved are not always subject to human trafficking. Recent court cases have found homeless adults promised paid work opportunities enslaved and forced to work and live in dehumanising conditions, and adults with a learning difficulty restricted in their movements and threatened to hand over their finances and work for no gains. From 1 November 2015, specified public authorities have a duty to notify the Secretary of State of any person identified in England and Wales as a suspected victim of slavery or human trafficking, under Section 52 Modern Slavery Act 2015.</p>
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Radicalisation

Radicalisation is comparable to other forms of exploitation, such as grooming and child sexual exploitation. Radicalisation’s aim is to attract people to another way of reasoning, inspire new recruits and embed extreme views and persuade vulnerable people of another cause’s legitimacy. This may be through face-to-face encounters or through social media.

There are a number of factors that may make a person susceptible to exploitation by violent extremists. None of these factors should be considered in isolation but in conjunction with the individual circumstances.

Prevent is part of the government’s counter-terrorism strategy which, in full is referred to as CONTEST. Prevent has multiple aims including responding to the ideological challenge of terrorism and the threat from those who promote it, prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support and work with sectors and institutions where there are risks of radicalisation

Sections 36 to 41 of the [Counter-Terrorism and Security Act 2015](#) sets out the duty on local authorities and partners of local panels to provide support for people vulnerable to being drawn into terrorism. In England and Wales this duty is the **Channel** programme. The duties of **Channel** Panel members and partners are set out in the Home Office [Channel Duty Guidance](#)

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