

Safeguarding Children and Vulnerable Adults Policy.

Title:	Safeguarding Children and Vulnerable Adults Policy
Person Responsible:	Director of Customers
Customer consultation arrangement:	Tenants' Committee
EIA required:	Yes
EIA Completed (date):	2 nd March 2021
Approved by:	Audit & Risk Committee
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Links to other Policies:	Anti-Social Behaviour, Dignity at Work, Domestic Abuse, Dignity at Work, Hate Crimes, Hoarding, Neighbourhood Management, Whistle Blowing.
Review Date:	Not later than April 2024

Document management		
Version	Date amended	Amendments
1		
2	06.04.21	To incorporate recommendations from Safeguarding and ASB Internal Audit carried out by BDO April 2020.

1. Policy Statement

At South Lakes Housing (SLH) we believe every person has the right to live in safety, free from abuse and neglect.

Safeguarding vulnerable adults and children is about protecting those at risk of harm from suffering abuse, neglect, or other forms of exploitation, whilst supporting individuals to maintain control over their lives and in making informed choices without coercion.

The nature of work carried out by SLH means some colleagues and contractors will work in close proximity to vulnerable adults and children as part of their daily duties. As such, we have a significant role to play in terms of safeguarding vulnerable adults and children living in our homes.

The purpose of this policy is to:

- Demonstrate SLH's commitment to the protection of adults at risk and all children.

- Detail the procedure for SLH's colleagues to follow when responding to and reporting a safeguarding concern and guidance on sharing information with other organisations in relation to a safeguarding concern.
- Provide training on the signs of abuse.
- This policy applies equally to our colleagues and contractors and we will offer the same protection and support to them.

2. Regulatory and Legislative Requirements

- This policy complies with UK safeguarding, criminal and related legislation. This includes: Working Together to Safeguard Children 2018, Children's Act 1989, Children's Act 2004, Children's and Families Act 2014, Education Act 2002, Children Leaving Care Act 2000, Safeguarding Vulnerable Groups Act 2006, Care Act 2014, Mental Capacity Act 2005 and Mental Capacity Act Code of practice 2007, Criminal Justice Act 2003, Data Protection Act 2018, Human Rights Act 1998, Crime and Disorder Act 1998, Protection from Harassment Act 1997, Housing Act 1985, 1988, 1996, 2004, Health Act 2006, Equality Act 2010, Domestic Violence Crime and Victims Act 2004, Sexual Offences Act 2003, Protection of Freedoms Act 2012, Protection of Freedoms Act 2012, Data Protection Act 2018 (GDPR), Human Rights Act 1998
- outlines the key principles for supporting adults who are or have been at risk of abuse, neglect
- provides a framework to empower people who lack capacity to make decisions for themselves
- governs the protection of personal data and complements the European Union's General Data Protection Regulation (GDPR).
- – includes a duty on public bodies to intervene proportionately to protect the rights of citizens
- Protection of Freedoms Act 2012 – established the Disclosure and Barring Service

3. General Principles

3.1 Safeguarding Vulnerable Adults

Adult safeguarding is the term used to describe the process and activity of protecting adults with care and support needs from neglect or abuse (adults at risk). However, the person does not have to be in receipt of care and support to be included.

The Care Act 2014 describes the scope of safeguarding as being where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there):

- Has needs for care and support (whether or not the authority is meeting any of those needs)
- Is experiencing, or is at risk of, abuse or neglect, and
- As a result of those needs is unable to protect themselves against the abuse or neglect or the risk of it.

An overriding principle in adult safeguarding is to ensure that we are at all times person centred and not process driven, it is about outcomes not just a tick box or form filling exercise. The Care Act (2014) states:

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

The six key principles for safeguarding adults, as defined by the Care Act 2014 are:

1. Empowerment:

Presumption of person led decisions and informed consent. *"I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens."*

2. Prevention:

It is better to take action before harm occurs. *"I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help."*

3. Proportionality:

Proportionate and least intrusive responses appropriate to the risk presented. *"I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as needed."*

4. Protection:

Support and representation for those in greatest need. *"I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want."*

5. Partnership

Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse. *"I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me."*

6. Accountability

Accountability and transparency in delivering safeguarding. *"I understand the role of everyone involved in my life."*

3.2 Safeguarding Children

A child is defined as anyone who has not yet reached their 18th birthday. We have a responsibility to safeguard children when we become aware of, or identify, a child at risk of harm.

This includes:

- protecting children from maltreatment.
- preventing impairment of children's health or development.
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care.
- taking action to enable all children to have the best outcomes.

3.3 What is Abuse?

Abuse is defined as a violation of an individual's human and civil rights by another person or persons and may result in significant harm to, or the exploitation of the person subjected to it. Abuse may:

- consist of a single or repeated act.
- be physical, verbal, psychological or emotional.
- be an act of neglect or omission to act.
- occur when a person is persuaded to enter into a financial or sexual transaction to which they had not consented or cannot consent.
- be deliberate or unintentional or result from lack of knowledge.

Abuse can take place anywhere in any relationship. Anyone can be the perpetrator of abuse be it an individual, group or organisation.

Abuse can take many forms including:

1. Physical
2. Psychological
3. Sexual
4. Financial
5. Neglect and Acts of Omission
6. Self-Neglect
7. Domestic Abuse
8. Modern Slavery
9. Organisational abuse
10. Discriminatory
11. Hate Crime
12. Cuckooing¹
13. Mate Crime²

1: Cuckooing is when a vulnerable person is exploited by others who move into the property and then use it as a base for criminal behaviour.

2: Mate crime is when a vulnerable person is exploited by others who ask them to do certain things which could include storing stolen goods or illegal drugs.

Definitions and indicators of the above and other specific abuse for both children, young people and adults at risk can be found in the multi-agency guidelines via the links found in section 5 below

3.4 Mental capacity, consent, and best interests

What does 'lacking capacity' mean? Section 2 of the Mental Capacity Act 2005 says that "a person lacks capacity in relation to a matter if at the material time he is unable to make a decision for himself in relation to the matter because of an impairment of, or a disturbance in the functioning of, the mind or brain."

Lacking capacity includes where your ability to make decisions is affected:

- **permanently:** this is where your ability to make decisions is always affected. This might be because, for example, you have a form of dementia, a learning disability or brain injury. Or,
- **in the short term:** this means your ability to make decisions changes from day to day. This might be because, for example, you are confused because you're on medication or because of some mental health conditions, or you are unconscious.

Colleagues will assume that anyone over 16 years of age (as defined in the Mental Capacity Act 2005) has capacity to make their own decisions, and we will offer all practicable help before the person is considered not to be able to make their own decisions. Where a person's capacity to make a decision is in question colleagues will adhere to the 5 key principles outlined in the Mental Capacity Act 2005:

- Every person has the right to make their own decisions and must be assumed to have capacity to make them, unless it is proved otherwise.
- A person must be given all practicable help before anyone treats them as not being able to make their own decisions.
- Just because an individual makes what might be seen as an unwise decision, they should not be treated as lacking capacity to make that decision.
- Anything done, or any decision made on behalf of a person who lacks capacity must be done in their best interests.
- Anything done for or on behalf of a person who lacks capacity should be the least restrictive of their basic rights and freedoms.

4. Safeguarding Children and Vulnerable Adults

4.1 Our Approach

As a provider of services, we have a responsibility and duty to consider and follow a safeguarding policy in respect of both adults and children/young persons. We are required to keep confidential and secure records of all safeguarding issues.

Through the induction process and regular training, colleagues (and contractors) who come into contact with children and adults in their everyday work, including colleagues that may not perceive they have a specific duty to safeguard, will understand their duty to safeguard children and adults.

Through other policies, including the Allocations and Anti-Social Behaviour and Domestic Abuse Policies, South Lakes Housing will ensure that the welfare of children and adults is paramount.

As a service provider South Lakes Housing will be mindful of its role to safeguard children and adults in all its day to day activities:-

Whilst carrying out visits to our customer's homes, and when organising community-based activities, we will be mindful of our responsibility to safeguard vulnerable adults and children. Should we become aware of a safeguarding issue in one of customer's homes where we believe abuse is being carried out by a visitor(s) we will act in line of this policy.

We will engage with and contribute fully to multi-agency working that exists to promote the safeguarding of children and vulnerable adults. We will respond to requests for information from the Local Authority and Safeguarding Boards as part of a safeguarding children or vulnerable adult enquiry and will provide all relevant information required for Safeguarding Reports and Reviews. We will implement learning points from relevant reports, Serious Case Reviews and best practice.

4.2 Sharing Information

South Lakes Housing is committed to share the right information with the right people at the right time in accordance with our Privacy Policy and General Data Protection Regulations (GDPR 2018).

5. Roles and Responsibilities

- Safeguarding is everyone's responsibility.
- All colleagues must always maintain clear professional boundaries.
- Be vigilant as to what is happening around them – with both customers and colleagues – and be aware of the different types and indicators of abuse. Further information is available in the supporting process / guidance.
- Be familiar with this Safeguarding Policy, the supporting process / guidance and the reporting system.

- Undertake safeguarding awareness training as appropriate to their role.
- Raise any concerns they may have with their line manager or a Safeguarding Lead.
- Ensure they keep up to date factual records of any incident/concern and record these in a Safeguarding Case in Cx.
- We will ensure that all colleagues receive training in relation to safeguarding at a level needed for their role and will have clear methods of raising concerns about welfare. This will be delivered through a variety of formats. Awareness training will be refreshed at least every 3-years.

Additionally, all managers must ensure that:

- They contribute to developing a culture that does not tolerate abuse and which encourages people to raise concerns.
- They listen to and support colleagues raising concerns.
- Colleagues are familiar with SLH's agreed Safeguarding Policy and supporting processes and that they undertake necessary training.
- No unsanctioned investigations are conducted.

Specific responsibilities:

The Designated Safeguarding Officer (DSO) is the Director of Customers. This role has the following responsibilities:

- To own the Safeguarding Policy and the supporting procedures and guidance.
- To embed safeguarding practice across the organisation.
- To oversee induction and refresher training on safeguarding takes place which includes appropriate case studies.
- To ensure concerns of abuse and/or neglect are reported to the relevant Designated Safeguarding Lead and, where requested, to the relevant local authority Safeguarding HUB.
- To chair quarterly safeguarding meetings with the Safeguarding Leads to monitor referrals with a view to identifying trends and lessons to be learnt for the future, including recommendations for changes to policy, procedure and/or service delivery
- To report annually to the Audit & Risk Committee with the KPI's.

Safeguarding Leads the DSO will be supported in their role by the Safeguarding Leads who are the H&S Manager, Tenancy Manager, HR Manager, Repairs

Manager and Tenancy Management Coordinator (Independent Living) and Tenancy Management Coordinator (Complex Cases).

All frontline colleagues are responsible for:

- Familiarising themselves with the procedures and protocols used by the local authority Safeguarding Teams in the areas where they work.
- Receiving concerns in relation to the well-being of customers, including concerns of abuse or neglect, raised by colleagues, contractors, neighbours, or other organisations.
- Agreeing, together with their manager, an appropriate course of action accessing expert advice where necessary.
- Co-operating with social services and/or the police in any enquiry or investigation
- Keeping adequate and up to date records using a safeguarding case on CX.

Managers / Team Leaders are responsible for:

- Providing regular supervision and ensuring supported decision making
- Providing management oversight and ensuring high standards of practice
- Authorising and raising safeguarding alerts
- Supporting and advising on information-sharing practice
- Ensuring that adequate records are kept
- Monitoring all open Safeguarding cases in their area and authorising closure of cases
- Advising the Communications Team of potential media interest in a case.

The Communications Officer and Director of Business Assurance Quality and Performance will be responsible for handling any media interest in a safeguarding case.

The Head of Assets Commercial Services has responsibility for ensuring our contractors and subcontractors are aware of their responsibility, and the agreed process, to raise any concerns to South Lakes Housing. They are also responsible for ensuring that our procurement documentation and processes adequately reference our requirements regarding contractors, subcontractors and agents.

The HR Manager has the following specific functions:

- Recruitment: ensuring the necessary DBS (Disclosure and Barring Service) checks are undertaken when recruiting colleagues where appropriate
- Reviewing existing employment checks as required
- Sharing information on colleagues found to be unsuitable to work with children or adults at risk by referring their details to the DBS
- Ensuring compliance with the Code of Conduct
- Supporting and advising on relevant HR policies and procedures (e.g. whistle blowing policy, disciplinary procedures) Induction training / training / re-fresher training and maintaining up to date records.
- Supporting and advising on information-sharing practice in relation to HR issues.

6.0 PROCEDURE

6.1 In the event of a potential safeguarding incident talk to the individual and get as much information as possible about the situation and the people involved. In respect of an adult consent should be obtained to share information with the County Council or the police. If consent is refused this must be respected unless there is an imminent risk of the individual coming to further harm because of that information not being shared. If the individual is at immediate risk take the most appropriate steps to eliminate the risk which will including contacting the police on 999 if a crime has taken place.

6.2 Contact your line manager as soon as possible and explain to them what the situation is and what you have done so far.

6.3 Check against historical or existing safeguarding case – reflect back on previous outcomes.

Immediately a CRM case should be created on Cx and the person notifying the safeguarding concern should complete the form built within the case using as much detail as known. If they do not have access to Cx then their line manager should complete the form. If a contractor has reported a concern an appropriate colleague should complete the form. The case will be auto assigned to one of the organisations Safeguarding Leads listed at 5.5 and the DSO.

6.4 The Safeguarding Lead will then assign the case to the appropriate colleague and will work alongside them. The Safeguarding Lead should assess the case and agree further actions required. A safeguarding alert should be created on Cx.

6.5 It should be determined within one working day if the individual has a social worker, and a call with them will be required to identify anything which may have a bearing on the situation. This conversation must be recorded on the case.

6.6 The Safeguarding Lead will decide if a formal safeguarding concern needs to be raised with the relevant County Council. Once a decision has been made the referral will be recorded on the case.

6.7 The initial review must be completed within 2 weeks. The outcome of that review to be recorded on the case. If required, the overall case will remain open longer as it will link to a multi-agency approach or a complex case.

6.8 Accurate record keeping, and communication are vital throughout process. All records must be dated and contain factual information only, not opinion or assumptions. Inter-agency meetings may be required, and you may well have tasks assigned to you as a result of these meetings.

6.9 The case should be regularly reviewed by the Tenancy Management Coordinator (Complex Cases).

6.10 A Safeguarding Lead must make the final decision to close the case.

6.11 The notifying person will be informed of the outcome of the case and offered support if needed.

7.0 GUIDANCE

Guidance for safeguarding for adults can be found at:

<https://www.cumbriasab.org.uk/people/people.asp>

<https://www.lancashire.gov.uk/health-and-social-care/adult-social-care/safeguarding-adults/>

Guidance for safeguarding of a child or young person can be found at:

<https://www.cumbriaspfchildren.co.uk/>

<https://www.northyorks.gov.uk/safeguarding>

<https://www.lancashiresafeguarding.org.uk/>

8.0 CONTACTS

SLH Safeguarding Leads are:

Health & Safety Manager, 01539 769987,
Tenancy Manager, 01539 717704,
HR Manager, 01539 717702,
Tenancy Management Coordinator (Complex cases) 01539 769971,
Tenancy Management Coordinator (Independent Living) 01539 717729
Repairs Manager 01539 769994

Cumbria County Councils Adult Social Care: department in Kendal telephone number is 0300 303 2704. Option 2 is for Safeguarding Adults. Their web address is: <https://www.cumbriasab.org.uk/>

Cumbria Local Safeguarding Children Board (Cumbria LSCB): Concerns that a child or young person is in an emergency situation you should contact the police urgently on 999, however in cases where there is significant concerns about a child please contact the Cumbria Safeguarding Hub, phone 0333 240 1727 or complete a [Cumbria Safeguarding Hub Single Contact Form](#)

Lancashire Safeguarding Adults: Concerns about an adult can either telephone 0300 123 6721 or online via https://lancashire-self.achieveservice.com/service/Lancashire_Safeguarding_Adults_Public_Alert

Lancashire Safeguarding children: Concerns for a child telephone office hour 0300 123 6720 out of hours 0300 123 6722. Advice via the following link <https://www.lancashire.gov.uk/children-education-families/keeping-children-safe/tell-us-if-you-are-worried-about-a-child/>

North Yorkshire Safeguarding Adults for concerns about an adult advice can be found at <https://www.northyorks.gov.uk/safeguarding-vulnerable-adults>
tel:01609 780780

Concerns about a child advice can be sought via
<https://www.northyorks.gov.uk/safeguarding-children>

Tel: 01609 780780

9 Performance Management KPI's

9.1 The success of this policy will be assessed through reporting against the following key performance indicators:

KPI 1 No of cases of abuse or neglect referred by SLH this reporting year.

KPI 2 Breakdown by: Adults, nature of abuse and number and Children, nature of abuse and number.

KPI 3 No of repeat referrals in the last 12 months.

KPI 4 Time taken to review the concern and to take action (should be within 2 weeks).

Commented [FH1]: Review felt this was a KPI worth having

10. Monitoring & Review

10.1 This policy will be reviewed at least every three years or more frequently where there have been significant changes to regulation or legislation to warrant a further policy review. The policy may also be reviewed sooner where there is a need to

address operational issues or where best practice has evolved and there is a need to incorporate this.

10.2 Our performance is reported to Audit & Risk Committee on an annual basis and through regular performance reports to the management teams.