

## Safeguarding Children and Vulnerable Adults at Risk Policy

Title:	Safeguarding Children and Vulnerable Adults at Risk Policy
Person responsible:	Director of Customer Experience
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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.
3	22.06.21	To incorporate recommendations from Safeguarding Leads Training carried out in May 2021. <ul style="list-style-type: none"> <li>Title of policy to include “at risk” ‘<i>Safeguarding Children and Vulnerable Adults at Risk Policy</i>’.</li> <li>In section 2 Regulatory and Legislative Requirements added ‘<i>Modern Slavery Act 2015</i>’.</li> <li>In section 3.3 What is Abuse? added <i>Cuckooing and Mate Crime</i></li> </ul> In section 5 Roles and Responsibilities added to Safeguarding Leads the <i>Allocations Manager</i> .
4	25.08.22	To update job roles in section 5 following OD and note annual report to Board
5	01.08.23	Updated following external advice, language, definitions, clarity roles and responsibilities, including contractors and updated LA contacts.

## 1. Policy Statement

At South Lakes Housing (SLH) we believe every person has the right to live in safety, free from abuse and neglect. We safeguard whilst supporting individuals to maintain control over their lives and making informed choices without coercion.

The term safeguarding describes the action that is taken to promote the welfare of children, young people and adults at risk and protect them from harm.

Protection is part of safeguarding and promoting welfare. This refers to the activity that is undertaken to protect children, young people and adults at risk who are suffering, or are likely to suffer, significant harm.

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

The purpose of this policy is to:

- Demonstrate SLH's commitment to the protection of vulnerable 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, Human Rights Act 1998, Crime and Disorder Act 1998, Protection from Harassment Act 1997, Housing Acts 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, Data Protection Act 2018 (GDPR), and Modern Slavery Act 2015.

- 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 General Data Protection Regulations (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 and Definitions**

#### **3.1 Safeguarding Adults at Risk**

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 term ‘adult at risk’ is used in this policy to replace ‘vulnerable adult’. This is because the term ‘vulnerable adult’ may wrongly imply that some of the fault for the abuse lies with the victim of abuse.

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 always provide a person-centred approach and not process driven.

Best practices in the person-centred approach are when people, teams and organisations’ work together.

Working in this way makes sure people are listened to and are kept at the heart of all decision-making.

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, as defined by the Care Act 2014 are:

- **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.”*
- **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.”*
- **Accountability:** Accountability and transparency in delivering safeguarding. *“I understand the role of everyone involved in my life.”*
- **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.”*
- **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.”*
- **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.”*

### 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:

Physical Abuse	Includes: Assault, hitting, slapping, pushing, misuse of medication, restraint inappropriate physical sanctions.
Domestic abuse	Psychological, physical, sexual, economic, emotional abuse, honour based violence. <i>Victims are defined by being over the age of 16years</i>
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, sexual assault, sexual acts to which the adult has not consented or was pressured into consenting.
Psychological abuse	Emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation, unreasonable and unjustified withdrawal of services or supportive networks.
Economic Abuse (Financial or material)	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, the misuse or misappropriation of property, possessions or benefits.
Modern slavery	Slavery, human trafficking, forced labour and domestic servitude, traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.
Discriminatory abuse	Harassment, slurs or similar treatment because of race, gender and gender, identity, age, disability, sexual orientation; and religion.
Organisational abuse	Neglect and poor care 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.
Neglect and acts of omission	Ignoring medical, emotional or physical care needs; failure to provide access to appropriate health care and support or educational services; and the withholding of the necessities of life, such as medication, adequate nutrition and heating.
Self-neglect	This covers a range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. Safeguarding will depend on the adult'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.

### 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 they are unable to make a decision for themselves 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:

3.4.1 **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

3.4.2 **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 should 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 should adhere to the requirements set out in the Mental Capacity Act 2005 and will consider the 5 key principles during interactions with customers :

- ***A presumption of capacity*** – every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless it is proved otherwise
- ***Supporting individuals to make their own decisions*** – a person must be given all practicable help before anyone treats them as not being able to make their own decisions
- ***Unwise decisions*** – just because an individual makes what might be seen as an unwise decision, they should not be assumed to lack capacity to make that decision
- ***Best Interests*** – an act done, or decision made under the Act for or on behalf of a person who lacks capacity must be done in their best interests.
- ***Least restrictive option*** – anything done for or on behalf of a person who lacks capacity must consider whether it is possible to decide or act in a way that would interfere less with the person's rights and freedoms of action, or whether there is a need to decide or act at all.

We will take the opportunity to try and confirm capacity when appropriate (eg.at tenancy sign up, review and termination; during arrears discussions, anti-social behaviour incidents and complaints).

## **4. Safeguarding Children and Vulnerable Adults at Risk**

### **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 at risk, children and young people. 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 at risk 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 at risk.

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

As a service provider South Lakes Housing will be mindful of its role to safeguard children and adults at risk 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 children, young people and adults at risk. Should we become aware of a safeguarding issue in one of customer's homes where we believe abuse is being carried out we will act in line of this policy.

## **4.2 Reporting to statutory agencies**

We will record and refer concerns, suspicions and allegations of abuse, harm or neglect to the lead statutory agency responsible for carrying out safeguarding assessments and enquiries. In most cases, this will be the local authority or Police.

We will record all decisions made not to refer a concern, and the reason why.

We will ensure that all safeguarding referrals that colleagues or customers have made are recorded appropriately, and we will also record any incidents where we refer onto another agency.

## **4.3 Liaising with other agencies**

We will engage with, and fully contribute to, multi-agency working in response to safeguarding concerns. This includes responding to requests for information from the local authority, Safeguarding Adult Boards, Safeguarding Children Boards, Child Protection Conferences and Serious Case Reviews, Domestic Incident reviews wherever appropriate.

## **4.4 Resolving Professional Disagreements/ Escalation**

Challenge is essential in effective safeguarding practice. When escalating a safeguarding concern to the Local Authority, SLH colleagues should utilise the escalation procedures provided by that service.

We will implement learning points from relevant reports, Serious Case Reviews and best practice.

## **4.5 Sharing Information**

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

## **4.6 Disclosure and Barring Scheme (DBS)**

SLH has a DBS Policy which set out the requirements for Disclosure and Barring Service (DBS) checks at SLH and to advise on the roles within SLH which require a DBS check.

## **5. Roles and Responsibilities**

5.1 Responsibility for the execution of this policy rests with all colleagues, volunteers and contractors working on behalf of SLH, whether that work is paid or voluntary. This includes:

- SLH employees/ colleagues
- Agency Staff
- Managing Agents
- Contract Staff – when working under contract for SLH e.g. contractors working in SLH owned or managed homes.
- Volunteers – when working by agreement for or on behalf of SLH e.g. providing assistance at social occasions or during consultation events.
- Third parties - this list is not exhaustive.

### **5.2 Safeguarding is everyone's responsibility.**

- Colleagues should maintain clear professional boundaries at all times.
- 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 procedure and guidance.
- Be familiar with this Safeguarding Policy, the supporting procedure, guidance and the reporting system.
- Undertake safeguarding awareness training as appropriate to their role as and when required.
- Raise any concerns they may have with their line manager or directly with a Safeguarding Lead.
- Ensure they keep up to date factual records of any incident/concern and record these in a Safeguarding Case in Cx.

### **5.3 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 South Lakes Housing's agreed Safeguarding Policy and supporting processes and that they undertake necessary training.
- No unsanctioned investigations are conducted.

### **5.4 Training**

SLH is committed to have arrangements in place to ensure effective training of all colleagues. Our aim is to ensure that all colleagues working with children and/or adults



are alert to the need to safeguard and promote the welfare of children and adults and are appropriately skilled and competent in carrying out their responsibilities for safeguarding appropriate to their role.

SLH expects all their colleagues to be trained in children and adult safeguarding. Depth of colleague training will be determined by proportionality and responsibilities set out in job descriptions/role functions.

## **5.5 SPECIFIC RESPONSIBILITIES:**

**The Designated Safeguarding Officer (DSO)** is the Director of Customer Experience. 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 Board with the KPI's.

**Safeguarding Leads** the DSO will be supported in their role by the Safeguarding Leads who are the:

- Head of Neighbourhoods
- Neighbourhood Team Leader
- Head of People and Culture
- Tenancy Specialist
- Independent Living Lead
- Repairs Manager
- Lettings and Voids Manager
- Income Partner
- Customer Hub Team Leader

**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 and Marketing Partner and Director of Business**

**Improvement** will be responsible for handling any media interest in a safeguarding case.

**Contractors**

All contractors carrying out works to any SLH properties will be requested to provide their company Safeguarding Policy/Statement. This due diligence will provide evidence that all our contractors are aware of Safeguarding Legislation and responsibilities. All contractors will be requested to adopt SLH safeguarding policies and procedures whilst working on our contracts.

**The Head of Assets and Building Safety and Head of Property Services**, have 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 Head of People and Culture** 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 require
- 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. 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 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 include 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.
- 6.4 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 in section 5 above and the DSO.
- 6.5 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.
- 6.6 It should be determined within two working days 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.
- 6.7 The Safeguarding Lead will decide if a formal safeguarding concern needs to be raised with the relevant Council. Once a decision has been made the referral will be recorded on the case.
- 6.8 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.
- 6.9 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.
- 6.10 The case should be regularly reviewed by the Tenancy Specialist.
- 6.11 A Safeguarding Lead must make the final decision to close the case.
- 6.12 The notifying person will be informed of the outcome of the case and offered support if needed.

## **7. Guidance**

### **7.1 Guidance for safeguarding for adults at risk can be found at:**

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

<https://safeguardingadults.co.uk/>

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

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

<https://www.cumbriasafeguardingchildren.co.uk/> <https://www.safeguardingchildren.co.uk/>

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

## **8. Contacts**

**8.1 SLH Safeguarding Leads are:**

- Head of Neighbourhoods – 01539 769982
- Neighbourhood Team Leader - 01539 769973
- Head of People and Culture – 01539 717702
- Tenancy Specialist - 01539 769971
- Independent Living Lead - 01539 717729
- Repairs Manager - 01539 769994
- Lettings and Voids Manager - 01539 717704
- Income Partner - 01539 886094
- Customer Hub Team Leader - 01539 769967

**8.2 Local Authority Contacts**

**Westmorland and Furness: Safeguarding Adult Concerns:** is 0300 303 3589, out of hours 01228 526690.

<https://www.westmorlandandfurness.gov.uk/health-and-social-care/concerns-about-adult>

**Westmorland and Furness Safeguarding Children Concerns:** 0300 303 3589,  
<https://www.westmorlandandfurness.gov.uk/health-and-social-care/children-and-families/concerns-about-child>

**Lancashire Safeguarding Adults:** Concerns about an adult can either telephone 0300 123 6720, out of hours 0300 123 6722 or online via

[https://www.lancashire.gov.uk/health-and-social-care/adult-social-care/safeguarding-adults/?utm\\_source=Redirect&utm\\_medium=Shorturl&utm\\_campaign=Shorturl](https://www.lancashire.gov.uk/health-and-social-care/adult-social-care/safeguarding-adults/?utm_source=Redirect&utm_medium=Shorturl&utm_campaign=Shorturl)

**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://safeguardingadults.co.uk/working-with-adults/raising-a-concern/#:~:text=If%20you%20or%20the%20person,on%200300%20131%202%2013>  
telephone: 0300 131 2 131.

**North Yorkshire Safeguarding Children** concerns about a child advice can be sought via <https://www.safeguardingchildren.co.uk/> telephone: **01609 780780**.

**In an emergency, please contact the Police on 999.**

## **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 working days).

We will also introduce KPI's to monitor the completion of colleague training.

## **10. Equality, Diversity and Inclusion**

- 10.1 SLH is committed to equality, diversity and inclusion and we will endeavour to provide a service that seeks to meet the needs of a particular individual or household and ensure no-one is disadvantaged in accessing our services. We recognise that some of our customers may have permanent or transitory vulnerabilities and where customers require additional support, we will endeavour to make reasonable adjustments. We will also take vulnerability into account when carrying out case risk assessments.

## **11. Monitoring and Review**

- 11.1 This policy will be reviewed every three years, or where there has been significant changes to regulation, legislation, operations or best practice to warrant a further policy review.
- 11.2 Our performance is reported to Board on an annual basis and through regular performance reports to the safeguarding leads.