

Safeguarding

Original written: 2019 Jinty Keir

Authority: Trustees

Last reviewed: Summer 2023 by Jinty Keir

Next review due: Summer 2026 by Jinty Keir

Version	Date	Reviewed by	Changes made	Circulate to	Seen by all
1.0	2019		Written		
1.1	13/07/22	Rosie Weston	Cover sheet created	N/A	N/A
1.2	01/08/22	Jinty Keir	Updated for GDPR & FES no longer providing regulated activity	Trustees All staff	Y
1.3	30/8/23	Rosie Weston	Updated name of GDPR legislation; small typographical errors corrected; renumbered paragraphs	N/A	N/A

Safeguarding

1 Safeguarding Policy

1.1 *Statement of intent*

The Foundation believes that all persons have the right to live their lives in safety, free from abuse and neglect, and is committed to adult safeguarding. We recognise that safeguarding should be a key priority for all charities and supporting our beneficiaries' wellbeing is the guiding principle at the heart of all our safeguarding work.

We also understand, however, that just because a person has care and support needs this does not necessarily mean that they are at particular risk of abuse or neglect, but they may become so at any point due to physical or mental ill-health, acquired disability, advancing age, financial circumstances or social isolation.

The Foundation's policies and procedures aim to:

- reduce the risk of abuse/mistreatment of adults at risk;
- increase the awareness and recognition of safeguarding;
- take proportionate and timely action, when abuse/mistreatment is suspected, to safeguard adults from further harm or exploitation.

We will seek to ensure that:

- the needs and interests of adults are respected and upheld;
- individuals are enabled and empowered to express what they want to happen;
- we work effectively with other agencies;
- appropriate preventative action is undertaken.

All staff must be aware of the policy and their responsibilities within it.

1.2 *Scope*

This Policy applies to all staff, Trustees, as well as volunteers. All have a legal responsibility to take seriously any safeguarding concerns that come to their attention and follow the procedures given.

Contractors regularly working for the Foundation will also be informed of this policy and should deal with any concerns reported to them by contacting the designated person with responsibility for safeguarding.

The Policy primarily focuses on the Foundation's sheltered housing although recognises that reasonable steps must be taken to protect any beneficiaries of the Foundation's work which could also include grant applicants.

1.3 Context

The Care Act 2014 sets out the first ever statutory framework for adult safeguarding and identifies that the duty to safeguard adults applies to an adult who:

- has needs for care and support (whether or not the local authority is meeting any of those needs) and
- is experiencing, or at risk of, abuse or neglect and
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience, of abuse or neglect.

It stipulates local authorities' responsibilities, and those with whom they work, to protect adults at risk of abuse or neglect. Local authorities have the lead responsibility for safeguarding adults. Their role is to ensure that there is a local Safeguarding Adults Board (SAB), that they provide services to people who need care and support and that they respond to concerns about harm and abuse.

The police and criminal justice system take a lead where a crime is suspected. The police also have a key role in promoting community safety (working with Community Safety Partnerships). Police and Crime Commissioners act to ensure that their force is effectively offering protection and access to justice for adults in need of care and support. The police are also statutory members of the SAB.

1.4 Policy statement

The Foundation is not a statutory partner under the Care Act but has a duty to protect the rights of adults at risk to live in safety and free from abuse and neglect. We will adopt the six principles contained within the Statutory Guidance to underpin our approach to safeguarding and will seek to ensure safeguarding in the following ways:

Empowerment: supporting and encouraging people to make decisions with informed consent.

- Take steps to ensure our residents and staff are aware of how to report safeguarding concerns, and the support we can provide.
- Seek to ensure our response to safeguarding places the adult at risk at its heart, which means listening and taking seriously what we are told, and respecting their needs and views in how we respond to safeguarding concerns.

Prevention: taking action before harm occurs.

- Aim to hold up-to-date information on our residents' support needs and vulnerabilities. We will use this data to inform our approach to safeguarding.
- Have safe and effective recruitment practices including the undertaking of relevant disclosure and barring checks on employees, Trustees and other volunteers that have access to, or work with, adults at risk. Further information can be obtained at www.gov.uk/government/collections/dbs-eligibility-guidance.

- The Foundation will initially carry out these DBS checks prior to the commencement of employment and then subsequently at 3 yearly intervals.
- Trustees will receive a DBS check as part of their appointment process, and then sign an annual declaration.
- Ensure that all relevant staff, volunteers and Trustees receive suitable safeguarding training and understand their roles and responsibilities in safeguarding adults at risk.
- Provide easily understandable information about what abuse is, how to recognise it and what people should do to seek help.
- Strive to promote an organizational culture of fairness and openness.

Proportionality: proportionate and least intrusive response appropriate to risk presented.

- Act swiftly upon our safeguarding concerns and treat all reported concerns in good faith.
- Notify the local authority Safeguarding Team if abuse is identified or suspected.
- Take appropriate action against perpetrators of abuse. Where a crime has been committed, we will report this to the police.

Protection: support and representation for those in greatest need.

- Take reasonable steps, within our power to do so, to ensure the safety and wellbeing of adults at risk.
- Provide help and support to report abuse.
- Recognise that safeguarding is the responsibility of everyone who works for us or on our behalf. We will be vigilant to concerns for our beneficiaries' welfare, and indicators of abuse and neglect.
- Recognise that mental capacity and consent are key issues in safeguarding cases, and that every adult has the right to make their own decisions. A person is assumed to have mental capacity unless it is proved that they do not, and we will make a referral to the local Adult Social Care Team where we have concerns that a person being abused lacks mental capacity. This will ensure a Mental Capacity Assessment can be made.
- Ensure that our disclosures are compliant with the need for safeguarding and share information about concerns with agencies that need to know, such as multiagency public protection arrangements.
- Take opportunities to learn from incidents and case reviews, revising and improving work practices, induction, training, policy and procedure as appropriate.

Partnership: local solutions through services working with their communities.

- Co-operate with relevant safeguarding partners to investigate allegations of harm, abuse, and neglect to adults at risk, and take actions to safeguard that person. This includes:
 - Referring our safeguarding concerns to the relevant local authority, or if necessary, the police.

- Participating in Local Safeguarding Adults Boards if required, making enquiries to support Safeguarding Adult Reviews or Serious Case Reviews.
- Keeping accurate, confidential and secure records of all safeguarding concerns and associated actions.
- Sharing information with relevant safeguarding partners.

Accountability: transparency in delivering safeguarding.

- Have a safeguarding policy and procedure and ensure these are kept up-to-date and disseminated to all staff.
- Be clear about the roles and responsibilities of those involved.
- Appoint a 'Safeguarding Lead' within our Trustees (Mrs Ruth Bond, 2019) to help oversee our safeguarding arrangements and ensure they are a governance priority for the Foundation.
- Have a designated Safeguarding Officer within our staff team (Mrs Jinty Keir, Deputy Clerk) to co-ordinate our response to safeguarding concerns.
- Have a zero-tolerance approach towards abuse and take immediate action.

1.5 Abuse and neglect

Abuse and neglect take many forms and can be caused by single or repeated acts or a failure to act by any other person or persons, or in the case of self-neglect, the victim themselves. Guidance on the types of abuse and neglect are detailed in Appendix 1, although the circumstances of each individual case will be considered so as to not limit what constitutes abuse or neglect.

1.6 Training

All employees and volunteers should be aware of what action to take if they are concerned about the welfare of someone or are notified that someone is at risk. All employees and volunteers should receive appropriate guidance and training in safeguarding to ensure that they have the necessary knowledge and skills to recognise, respond to, report and record a safeguarding concern.

2 Safeguarding Procedure

2.1 Dealing with allegations of abuse or suspected abuse

There are a variety of behaviours, activities and circumstances that may put a beneficiary or other person at risk of harm. Some of these will be deliberate acts that are intended to cause harm, others may be well-intentioned acts that are harmful whilst others may be acts of omission (not doing something).

For the purposes of this policy, all acts that put the safety and welfare of someone at risk are referred to as abuse.

2.2 *The key principles if abuse is disclosed or suspected are:*

- An employee or volunteer's primary responsibility is to protect themselves and the adult at risk.
- Every employee or volunteer has a duty to take action.
- All suspicions or evidence of abuse or risk to safety must be reported.

2.3 *Recording and reporting concerns*

It is essential that employees and volunteers report concerns about the welfare of people they come into contact with. These may be about the Foundation's beneficiaries or may relate to the behaviour of other staff or volunteers or working practices in place. As representatives of the Foundation, employees and volunteers have a duty of care to our beneficiaries and a responsibility to take action and report any concerns about their safety.

In some cases, employees and volunteers may directly witness abuse or someone may report that they have been harmed or are worried about their safety. In other cases, employees and volunteers may have suspicions (but no evidence) of abuse or abuse may be alleged by a third party.

In all circumstances employees and volunteers should take the following action:

- Ensure their own safety – leave the situation if they are at risk of harm.
- Where there is clear evidence of harm or an imminent danger call the emergency services immediately.
- Treat all allegations of abuse seriously.
- Where abuse is witnessed or directly reported by a beneficiary, and it is safe to do so, offer support to the person and attempt to understand what action they wish to take.
- Make a record of the date, time and details on a Safeguarding Reporting Form – see Appendix 2 and send this to your manager.
- Report all concerns to a manager as soon as possible.

In some cases, an adult at risk may not wish information to be shared with anybody else. Consideration must however be given to the following:

- Are other people at risk?
- Has a serious crime been committed?
- Are staff or volunteers implicated?
- Is coercion involved?

In these circumstances the Care Act 2014 requires that concerns are shared with an appropriate person with or without the individual's consent.

Any safeguarding concerns that the Safeguarding Officer, or any individual, believes should be escalated to the Board of Trustees, should be addressed to the nominated Trustee (ruth.bond52@gmail.com).

Individual employees and volunteers must never investigate an allegation of abuse unless appointed to do so by the Safeguarding Officer.

A flowchart showing the steps to take is included in Appendix 3.

2.4 Self-harm or threats of suicide

Some beneficiaries may express thoughts of self-harm or even suicide. If this happens, or if an employee or volunteer believes that someone is considering serious self-harm, serious self-injury or suicide, then the actions set out above should still be followed.

2.5 Support for those who report abuse

All those making a complaint or allegation or expressing concern, whether they are staff, beneficiaries, relatives or members of the general public should be reassured that:

- they will be taken seriously.
- their comments will usually be treated confidentially, but their concerns may be shared if they or others are at significant risk.
- if beneficiaries, they will be given support and the allegation or concern will be acted on at the earliest possible opportunity.
- if staff or volunteers, they will be given support and afforded protection.
- we will contact emergency or other support services where we consider it is necessary or appropriate to do so.

2.6 Investigating allegations of abuse

Formally investigating allegations of abuse can be complex and requires great sensitivity and discretion. The Foundation cannot formally investigate allegations of abuse unless they involve an allegation against a Foundation employee or volunteer (see below) as we have no power to take any action and any investigation would need to be duplicated by other agencies if abuse is discovered.

Where the Safeguarding Officer decides that the allegations need to be investigated, the issue should be notified to the appropriate Local Authority. The Foundation has no control over what happens after the Local Authority are notified. All employees and volunteers are expected to cooperate as required with any external investigation.

2.7 Allegations of abuse made against the Foundation's employees and volunteers

Where a Foundation employee or volunteer is alleged to have abused someone this must be investigated by the Foundation.

The employee or volunteer's manager or supervisor must discuss the allegation with the Safeguarding Officer and make a decision about:

- whether the allegation needs to be reported to the police and if not
- whether the employee or volunteer is able to continue in their normal duties or whether adjustments should be made to their work to protect them and/or others.

Adjustments may include:

- changing their role to temporarily remove them from having direct contact with residents.
- if they work alone with residents, arranging for them to work with someone else rather than alone.
- temporarily suspending them from working.

Making an adjustment to a role does not in any way imply guilt. It is purely an action designed to allow an investigation to be carried out as quickly as possible while minimising risk.

All employees and volunteers who are alleged to have abused someone will be offered appropriate support until any investigation is concluded.

All allegations will be investigated, and as a minimum will involve an initial process to establish the facts and decide whether a formal investigation is warranted.

Any formal investigation will be carried out under the Foundation's disciplinary policy for employees, see *Chapter 12 – Disciplinary Procedure* in the *Staff Handbook*.

The Safeguarding Officer will advise on the investigative process and advise on an appropriate person to carry out any investigation.

2.8 *Sharing Personal Details*

Employees and volunteers should avoid sharing personal information such as personal mobile numbers, addresses, Facebook or other social media details with beneficiaries. This helps to maintain professional boundaries whilst providing the support required. Further training or advice can be provided in relation to this.

2.9 *Confidentiality*

All documentation relating to incidents or allegations of people being harmed, or placed at risk of harm, will be kept and treated confidentially and in accordance with the *UK General Data Protection Regulations (UK GDPR)*. This includes information from Safeguarding Reporting Forms and details of all investigations and their outcomes. Only those people who need to know about an incident will be informed.

It is the responsibility of the Clerk to ensure that any information relating to actual or suspected abuse is kept confidential.

2.10 *Complaints*

Any complaint about the way the Foundation has handled a particular safeguarding issue will be logged through our *Complaints Policy* and addressed by the relevant manager in accordance with the *Complaints Policy*. If the complaint concerns sensitive or confidential information, or information which is the subject of an ongoing investigation, it may be referred to the Safeguarding Officer who will discuss with the relevant people on a 'need to

know' basis and respond to the complaint as appropriate having established the facts and bearing in mind the competing interests that may be at stake.

2.11 Whistleblowing

Where there is a failure to respond appropriately to allegations of abuse, or where staff have concerns that a colleague or superior is responsible for the abuse, staff must follow the Foundation's *Whistleblowing Policy* which can be found in Chapter 21 of the *Staff Handbook*.

The Public Interest Disclosure Act (1998) protects workers from detrimental treatment or victimisation from their employer if they blow the whistle on wrongdoing. Staff who whistle blow can remain anonymous. However, this cannot necessarily be guaranteed if it results in a criminal investigation.

Appendix 1: Types & signs of abuse

Types of abuse

Physical abuse – including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.

Domestic violence – including psychological, physical, sexual, financial, emotional abuse; so called ‘honour’ based violence.

Sexual abuse – including 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.

Psychological abuse – including 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.

Financial or material abuse – including 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.

Modern slavery – encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Discriminatory abuse – including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.

Organisational abuse – including 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. 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.

Neglect and acts of omission – including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Self-neglect – this covers a wide range of behaviour neglecting to care for one’s personal hygiene, health or surroundings and includes behaviour such as hoarding.

Possible Signs of Abuse

The following are possible signs that abuse may be occurring although there may be other explanations for them. The list is not exhaustive and the presence of one or more of them does not confirm that abuse has happened:

- Denial that anything is amiss, with an accompanying emphasis that things 'have never been better'.
- Resignation, emotional indifference, and sometimes, an acceptance of incidents as being part of being old/vulnerable.
- Unexplained bruising or non-accidental injuries.
- Seeking attention/protection, often from numerous sources.
- The adult appears to be withdrawn or agitated and anxious.
- Mobility is restricted due to absence of suitable mobility aids.
- They may be excluded from outside social contacts.
- They are overly subservient or anxious to please.
- Professional and other visitors may have difficulty gaining access to the adult or may find that the adult is not able to answer for themselves or confidentially.
- Lack of eye contact – looking at the floor during discussions or looking to others to answer questions even when directed at the individual.
- Dramatic changes in behaviour or personality, depression or confusion, for which no medical explanation can be offered.
- Refusal to allow person into respite or permanent care.
- Poor conditions, lack of clothing, lack of access to own money.
- Reluctance to return home.
- Over sexualised behaviour.

Appendix 2: Safeguarding Reporting Form

Part A – to be completed by the employee or volunteer reporting the safeguarding concern and sent to the Line Manager.

Please complete all sections as fully as possible.

Name of employee or volunteer reporting concern.	
Name of individual suspected of being at risk.	
What did you witness / what was disclosed to you? Please give as much detail as possible.	
What did you do / say? Try and write down the exact words and phrases.	
What would the individual at risk like to happen now?	
Names of anyone else present.	
Name of carer where relevant	
Any other observations? for example: Nonverbal cues / body language. Behaviour changes. Physical marks.	
Signature	
Date	

Part B – to be completed by the line manager or Safeguarding Officer.

Name	
Job title	
Date	
Please give details of any action taken or advice given and explain the reasons why?	

Please ensure that you have contacted the employee or volunteer who raised the concern to check how they are and to provide them with a progress report of your actions (in so far as you can without breaching confidentiality).

Appendix 3: Flowchart of responsibilities & actions

