



SAFEGUARDING ADULTS POLICY AND PROCEDURE

Introduction

Safeguarding Adults is about preventing and responding to allegations of abuse, harm or neglect of adults at risk.

It is every person's right to live a life free from abuse and neglect. Vulnerable adults and children should be treated in a way that respects and promotes the human rights of all citizens under the Human Rights Act 1998. The Care Act (2014) extends the scope of the Human Rights Act (1998). This incorporates registered care providers (residential and non-residential) providing care and support to an adult, or support to a carer, where the care and support is arranged or funded by the local authority (including Direct Payment situations (LGA, 2014)).

Actions taken to protect their interests will aim to respect their dignity, privacy and beliefs, whatever their race, religion, language, gender, disability, age or sexual orientation.

EnhanceAble is committed to preventing the abuse of adults who use our services. This procedure contains guidance for staff on preventing and responding to incidents of actual or suspected abuse.

A zero tolerance approach to abuse is expected from all employees at all times.

EnhanceAble recognises that safeguarding is everybody's business and will ensure, as far as possible, that adults who use its services are enabled to live and receive services in an environment which is free from prejudice and safe from abuse. EnhanceAble will take proportionate steps to ensure that children and adults who do not receive services are protected from abuse.

Policy Statement

EnhanceAble recognises that it is better to put in place preventative measures to reduce the likelihood of abuse happening than to react to abuse after it has taken place. We seek to prevent abuse by:

- Encouraging a culture and ethos which deters any sort of abuse
- Producing and regularly revise policies and procedures to combat abuse

- Operating personnel procedures which identify, appropriately deal with and, if necessary, exclude from practice potential or actual abusers.
- Operating recruitment policies which ensure that all potential staff and volunteers are rigorously checked, by the taking up of references and DBS checks.
- Providing appropriate and regular training for staff and volunteers in all aspects of abuse and protection and ensure that their knowledge is updated at least annually as a matter of course.
- Treating all reports of abuse seriously, and respond immediately to any suspicion or evidence of abuse or neglect (including whistle-blowing) to ensure the safety and protection of customers, including passing on concerns to Social Services, The Police and CQC in accordance with the Public Interest Disclosure Act 1998 and the Care Act 2014. Implement improvements to procedures if an investigation into abuse reveals deficiencies in the way in which the Enhance Group operates
- Collaborating with all other relevant agencies in combating abuse and improving the protection of customers.
- In operating this policy EnhanceAble will ensure an individual's communication needs will be considered at all times.
- Ensuring all staff and volunteers are fully conversant with our Whistle Blowing Policy
- Under Section 11 of the Children Act 2004 we are bound by statutory guidance to make arrangements to safeguard and promote the welfare of children and young people. The framework for safeguarding is set out in the statutory guidance "*Working together to safeguard children*" (2015). The guidance sets out how organisations such as schools, health services and the Police should work together to safeguard children.

The following Acts and regulations are key when considering our safeguarding procedures:

- Care Act 2014
- Children Act 1989
- Children Act 2004
- Health and Social Care Act 2014
- Human Rights Act 1998
- Mental Capacity Act 2005
- Working together to Safeguard Children 2015

Prevention of Abuse

It is the responsibility of every employee to prevent abuse within its services by applying EnhanceAble's policies consistently to ensure that the customer's rights are maintained. Staff are required to familiarise themselves with all policies and procedures and particularly those listed above. **(Appendix 1 – Types of Abuse)**

- EnhanceAble will carry out a range of checks as part of its recruitment process, including an enhanced Disclosure and Barring Service (DBS) check on all new employees. This will be the responsibility of the HR Manager. (cf: Recruitment policy)
- Where agency workers are employed, the Team Leader of the service will ensure that they have an appropriate enhanced DBS check in place prior to commencing work. This may take the form of a written agreement with the agency that all workers have this check and will not necessarily be required for each individual worker.
- Managers are responsible for ensuring that Support Workers receive a comprehensive induction in order to understand and fulfil their responsibilities.
- Safeguarding Adults training must be attended within six months of commencing employment and updated every three years.
- Staff will follow treat customers with dignity and respect at all times. Managers will ensure that there is a zero tolerance approach to abuse and will respond to failures in standards proportionate to that failure. This may be through supervision, extra training, extension of probation period, or use of disciplinary or capability procedures.

Staff responsibilities

These will be discussed at team meetings and supervision sessions to ensure that staff fully understand what constitutes safeguarding, how they can prevent abuse, how to report abuse and how to use the Confidential Reporting Policy.

- A risk assessment must be carried out if staff have any concerns about the potential for abuse. The risk assessment must be discussed with the Manager or Chief Executive within 24 hours of completion.
- This risk assessment will identify appropriate safety measures, implementation and information sharing with other professionals. It will be completed with input from the customer, including their views on the risk and measures to help them protect themselves. The capacity of the person and their right to make an unwise decision if they do have capacity will also be considered.

Local Authority Safeguarding Policy

A copy of the relevant Local Authority contact details will be made available in each office location on a visible notice board, along with clear guidance on local reporting systems

It is the responsibility of the Manager to ensure that customers are aware of how to report abuse at the onset of service and at each subsequent support plan review.

The relevant Local Authority Safeguarding Adults leaflet will be distributed to each customer at the onset of service and at each subsequent support plan review. A copy must also be available in the office.

Staff will take every allegation of abuse seriously, providing those raising the concern with reassurance that they, or the person they are concerned about, will be supported to be safe.

Managers have overall responsibility for ensuring the consistent application of this guidance and the related policies and procedures.

Reporting Abuse

On suspicion of abuse having taken place, the first step should be to ensure the immediate safety of the service User. If a crime has been committed, or a person is in imminent danger, the police must be called. Medical attention should be sought if the person has suffered, or is suspected to have suffered, an injury.

- In the case of physical injury, a body map should be completed detailing injuries sustained, where it is appropriate to do so. If a body map is indicated but not completed, staff must record their reasons for not doing so. A printable body map can be found at **Appendix 4** of this document.
- The staff member must inform their line manager and the CEO as soon as possible. In the event of any of the above colleagues being the potential perpetrator of abuse, or being unavailable, the Chair of the trustees must be informed.
- The manager must report to the Safeguarding Adults Team within their Local Authority within one working day of the incident of potential abuse being reported to them. In the event of potential abuse being reported at the weekend or out of office hours, the Emergency Out of Hours Duty team will be informed.
- EnhanceAble recognises that Local Authorities have individual arrangements in place for reporting suspected abuse. Where this is the case Ability staff should adhere to the local authority guidance and ensure that evidence is available to demonstrate that they have done so.

- Where abuse has occurred within a residential care home or domiciliary care service, the Care Quality Commission (CQC) must also be informed.
- We will follow CQC requirements in reporting all notifiable issues to them, and will do so without delay. The Registered Manager, or a designated member of their team, will inform CQC, using the relevant notification forms.
- The Statutory Notification forms can be found here.
<http://www.cqc.org.uk/content/notifications>
- For incidents involving the Police Statutory Notification; Incidents reported to or investigated by the Police form should be submitted also.
- Consent should be sought from the adult who has been abuse or is at risk of abuse prior to concerns being shared. Their or their representative's, opinions and desired outcomes from the safeguarding process should be considered throughout and reviewed at the conclusion of any investigation.

Consent may be overridden if:

- the alleged victim has been assessed as not having mental capacity to make a decision about their own safety, but a decision has been made in their best interests to make a referral.
- a crime has been or may have been committed against an adult at risk without mental capacity to report a crime and a 'best interests' decision is made.
- the abuse or neglect is a serious crime and not proceeding would prejudice the detection or prevention of crime.
- the abuse or neglect has been caused by a member of staff or a volunteer and other adults (or children) are at risk from the person causing the harm.
- the concern is about institutional or systemic abuse.
- there is concern that the abuse or neglect may cause serious harm to the adult or others.
- there is a concern that a person is not able to freely consent because they have been threatened or coerced.
- Seeking consent would be too dangerous, putting either the adult or others at further risk of harm.

A flowchart demonstrating lines of reporting can be found in Appendix 3.

Recording

Once the safety of the customer is ensured, the member of staff making the initial report must record all details using EnhanceAble's Incident Report Form.

- If more than one member of staff is witness to the alleged incident, each person should complete a separate Incident Report Form.
- The Incident Report detailing the suspected abuse must be copied to the Manager and CEO and a printed copy kept in a secure place. This action will not be taken if any of these managers is the alleged perpetrator. In this case the information will be shared with the Chair of the trustees.

Investigation

- It will be the responsibility of the CEO to appoint a suitable colleague as the Safeguarding Lead to conduct the investigation. EnhanceAble will be led by the Local Authority Safeguarding Adults Team about how any investigation should proceed. An investigation must not commence without the recorded consent of the Local Safeguarding Adults Team.
- In cases of serious misconduct the CEO will convene a Safeguarding Panel which will make will make a decision based upon available information on what further action is necessary, e.g. immediate suspension of employee pending further investigation, notification to police, or no action due to insufficient evidence/inconclusive observation.
- The Safeguarding Panel will be chaired by the CEO and consist of the HR Manager, and at least one other manager.
- The safety and wellbeing of the customer will be paramount at all times during an investigation. If there is an allegation against a member of staff the Manager will take steps to ensure that the customer does not have to have contact with that member of staff. They will also ensure that the customer is not treated differently or discriminated against by other staff or customers.
- The manager must liaise with Local Authority Safeguarding Adults Team where required throughout the safeguarding process. Information will be shared on a proportionate level, with consideration given to the General Data Protection Regulation.
- EnhanceAble will never withhold information that may place any adult or child at risk of harm or abuse, or which may hinder the prevention or detection of a crime.

- In the event of EnhanceAble being assigned to investigate any aspect of the abuse, guidance will be taken from the Safeguarding Adults Team on the scope of that investigation. EnhanceAble will liaise closely with all relevant agencies and provide full documentation of the investigation to the Safeguarding Adults Team.

Actions Resulting from Safeguarding

- If an employee who is subject to disciplinary procedures following a safeguarding concern resigns their position in the course of those procedures, the disciplinary procedures will be followed to their conclusion.
- Any employee who is prevented from working with customers (either because they have been dismissed or because they have resigned their position) because they caused harm or posed a risk of harm will be referred to the Disclosure and Barring Service.
- The Safeguarding panel will be responsible for ensuring that any actions or recommendations following a safeguarding episode are implemented fully, and that all necessary learning is taken from the episode in order to minimise the risk of a similar reoccurrence.

Child Protection

EnhanceAble has a comprehensive Safeguarding Children Policy and procedure. These documents should be read in conjunction with this policy/ procedure and be implemented in any situation where there is suspected abuse involving children.

Appendix 1

Types of Abuse

Physical Abuse includes: hitting, slapping, pushing, kicking, squeezing, shaking, pinching, misuse of any medication, undue restraint, or force feeding

Sexual Abuse includes: sexual assault, rape or other sexual acts, the inappropriate touching of the individual's sexual areas, or coercion into the viewing of pornographic materials.

Psychological Abuse includes: threats of harm, abandonment or withdrawal of social contact, humiliation, shouting, bullying, name calling, intimidation, harassment, or the denial of or withdrawal from required services, contacts and social or family networks.

Financial or Material Abuse includes: the withholding of money or possessions, intentional mismanagement of the person's finances or property, theft, fraud, embezzlement, misappropriation of finances or exploitation.

Neglect and Acts of Omission include: the failure to access appropriate services for recognised needs, avoidance of required health care, ignoring physical care needs, withholding of adequate nutrition, clothing or warmth, exposing the person to unacceptable risk, omitting to provide or ensure adequate supervision.

Discriminatory Abuse includes: any acts that use hurtful language, cause harassment or similar treatment of the individual because of their race, sex, age, disability, faith, culture or sexual orientation.

Hate Incidents are defined as *"Any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by prejudice or hate."* (Association of Chief Police Officers) If the incident constitutes a criminal offence, it is recorded by the police as a hate crime.

"Mate Crime" happens when someone 'makes friends' with a person and goes on to abuse or exploits that relationship. The relationship is likely to be of some duration and, if unchecked, may lead to a pattern of repeat and worsening abuse. There is no legal definition of mate crime. In many situations mate crime will be an example of disability hate crime.

Failing to adequately respond to disengagement from services may result in harm to a customer. Ability has a **Disengagement from Services Policy and Procedure**. This procedure aims to ensure that staff are aware of best practice when responding to and customer disengagement from support.

Domestic Abuse is defined as “Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality.

Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.”

Cultural Abuse is a violent crime or incident which may have been committed to protect or defend the honour of the family or community. It is often linked to family members or acquaintances who mistakenly believe someone has brought shame to their family or community by doing something that is not in keeping with the traditional beliefs of their culture. For example, honour based violence might be committed against people who:

- become involved with a boyfriend or girlfriend from a different culture or religion
- want to get out of an arranged marriage
- want to get out of a forced marriage
- wear clothes or take part in activities that might not be considered traditional within a particular culture

Institutional Abuse includes: the use of systems, routines, practice or care that neglect individual needs and create an imbalance and control within a managed setting services.

ICT (Information and Communication Technology) Abuse may involve “fixed and mobile devices that allow access to content and communications that could pose risks to personal safety and wellbeing. Examples are PCs, laptops, mobile phones and gaming consoles such as Xbox, Playstation and Wii.”

Local Authority Contact Details

Local Authority	Office hours	Out of hours	Email
Royal Borough of Kingston	020 8547 5005.	020 8770 5000	adult.safeguarding@kingston.gov.uk
Surrey County Council	0300 470 9100	01483 517898	ascmash@surreycc.gcsx.gov.uk
London Borough of Merton	0845 618 9762	0845 618 9762	safeguarding.adults@merton.gov.uk
Borough of Richmond	020 8891 7971	020 8744 2442	adultsocialservices@richmond.gov.uk
London Borough of Hounslow	020 8583 3100	020 8583 2222.	Safeguardingadults@hounslow.gov.uk

Procedures for Recording and Reporting Abuse



