

Policy	Safeguarding policy
Date adopted	July 2018
Date of next review	July 2019
Version	1
Responsible board	Housing Plus Group board
Responsible officer	Director of care and support

1. Aim

- 1.1. Safeguarding is about protecting a person's right to live in safety, free from abuse and neglect. It is also about doing as much as possible to prevent abuse happening by raising awareness and understanding. It's about working together to support people to make decisions about the risks they face in their lives, and protecting those who lack mental capacity to make these decisions including children, adolescents and adults with circumstances that put them at higher risk of abuse such as cognitive impairment, physical disability, learning disability or other emotional developmental, social or educational needs.
- 1.2. The policy also applies to safeguarding situations that may involve staff of any organisation within the Housing Plus Group (HPG), where there are concerns or evidence that a member of staff may be at risk of abuse, suffering harm or perpetrating abuse or neglect upon another person, whether or not that person is a customer or service user of HPG
- 1.3. This policy sets out HPG's commitment and framework to safeguarding both children and adults from abuse or neglect. This policy applies to a person under the age of 18, who for the purposes of safeguarding is regarded as a child and any adult who:
 - ◆ has care/support needs;
 - ◆ is experiencing, or is at risk of, abuse or neglect;
 - ◆ is unable to protect him/herself because of their care/support needs.
- 1.4. This is regardless of whether the person's care and support needs are being met via the Local Authority, via an informal arrangement or not at all. It is also irrelevant whether the Local Authority or the person funds any care and support services that are in place.
- 1.5. The value of housing's role as a key partner in safeguarding adults and children is widely acknowledged and society places an expectation on all public bodies and organisations accessing public funds to play an appropriate role in safeguarding individuals and communities.
- 1.6. HPG recognises that people can be at risk of abuse wherever they live whether they are housed in general needs or designated supported housing.
- 1.7. The Care Act 2014 explicitly acknowledges the role of housing and the valuable contribution that housing providers can make in helping to keep people safe. The Care Act's statutory guidance sets out responsibilities of housing providers to ensure that they play their part effectively.
- 1.8. This policy aims to ensure that responsibilities are understood and form part of HPG's framework to safeguarding people at risk including:
 - ◆ Leadership by a Director and senior members of staff;

- ◆ Clear policies and procedures in place, including information-sharing and joint working;
 - ◆ Ensuring links to other key policies and procedures;
 - ◆ All staff (and those who work for and with us) are observant, trained to identify signs of abuse and know how to respond to concerns appropriately;
 - ◆ Staff and managers responsible for making decisions about dealing with concerns of abuse receive support, guidance and supervision;
 - ◆ Effective mechanisms are in place to capture all concerns, analyse, monitor, review and share learning.
- 1.9. Linked to the policy there will be operational procedures for safeguarding adults and children. These will establish clear procedures on how HPG staff should respond to and deal with concerns and allegations of abuse and neglect.
- 1.10. This policy is intended to apply to all areas of the group and apply to all staff in customer facing and back office functions and is integral to other policies and procedures and should not be considered in isolation. It applies to our own direct staff and those providing services on our behalf such as contractors, service providers, agency staff and volunteers.
- 1.11. Other particularly relevant policies and procedures are listed at section 7 below, including Cause for Concern procedures, Whistleblowing, Code of Conduct, Disciplinary, Antifraud, Anti social behaviour.
- 1.12. Should any of the services require additional or different arrangement these will be accommodated through a variation, exception, addendum or appendix to the overriding group policy. The reason for any variation will be clearly stated, referenced to the specific requirement (e.g. legal or contractual requirement) and approved by the HPG board.

2. Policy statement

- 2.1. HPG fully recognises that safeguarding is everyone's responsibility which means:
- ◆ commitment from Group and subsidiary boards
 - ◆ a strong culture that we will embrace safeguarding as a key organisational duty and responsibility.
 - ◆ having robust accessible operational arrangements in place that are effectively implemented;
 - ◆ Board members and staff understand their individual contribution and responsibilities to safeguarding individuals and communities.
- 2.2. The primary objective of safeguarding is prevention of abuse and harm.
- 2.3. Where abuse or neglect is discovered, suspected or encountered we aim to achieve good outcomes for the person. The prime concern will be the best interests of the individuals at risk or being harmed. We recognise that people with mental capacity are entitled to take risks and people have the right to make decisions that may appear to be unwise or unacceptable to others..
- 2.4. Our policy and procedures are underpinned by the six principles of safeguarding, as enshrined in the Care Act and its statutory guidance:
- ◆ **Empowerment** – People should be supported to retain control of their own lives, with their wishes, feelings, values and beliefs should be fully considered. The role of HPG staff is to support the person to make informed decisions throughout the process.;
 - ◆ **Protection** – the safeguarding framework should support people to safeguard themselves from abuse, or be protected if they are unable to make their own decisions about their safety
 - ◆ **Prevention** – is the primary goal and includes increasing awareness and understanding and

supporting people to safeguard themselves. Arrangements should be in place to minimise the risk of abuse.

- ◆ **Proportionality** – responses to concerns must be proportional to the assessed risk and the nature of the concern. Where a person lacks mental capacity, any decisions made on their behalf must be made in their “best interest” and be least restrictive to their rights and freedoms in Accordance with the Mental Capacity Act.
- ◆ **Partnerships** – working collaboratively to prevent and respond effectively to concerns of abuse. This includes with the person, other partners, statutory agencies, relatives, friends, informal carers and advocates to achieve good outcomes.
- ◆ **Accountability** – decisions made should be transparent, recorded and defensible. There should be good governance of safeguarding including review and learning. The Board and staff need to understand what is expected of them, fulfil their responsibilities and work collaboratively with others.

- 2.5. Taking action without consent should only be done if there is a clear justification to act contrary to the person’s wishes.
- 2.6. Our safeguarding arrangements will be compliant with the Care Act 2014 with the Mental Capacity Act 2005 (MCA), its principles and associated Code of Practice to ensure that any decisions made on behalf of those who lack capacity are always made in the person’s best interests and as least restrictive as possible. The policy will be adopted to take account of any changes in relevant legislation, which always takes precedence over HPG policy if there is any incompatibility or conflict. We also recognise that there could be overlaps with deprivation of liberty issues and safeguarding.
- 2.7. The procedures which support this policy aim to ensure that staff, managers and Human Resources know what to do when any concerns come to light, including where a member of staff may be implicated. Our procedures have been formulated in accordance with Local Authority multi-agency procedures and include requirements for recording of information, informationsharing, assessing risk and assessments in relation to a person’s mental capacity.
- 2.8. HPG intends that safeguarding is embedded in all of our activities raising awareness with our customers and communities and working together with them and other agencies to provide effective support ensuring staff have the confidence to deal with concerns and where necessary, “blow the whistle”.
- 2.9. Safeguarding is fundamentally about prevention, wherever possible. By ensuring our staff are observant means that we can make a real difference through early and positive interventions.
- 2.10. Our approach emphasises the need for a balance between risk avoidance and risk appraisal, taking into account a person’s preferences, circumstances and tolerance of acceptable risks.
- 2.11. Key to our procedures is that all operational managers take responsibility for managing any and all concerns that come to light in their service area. All staff have responsibility for reporting safeguarding issues and managers have responsibility for recording and reporting. A consistent Group wide reporting system will be put in place to allow easy reporting of safeguarding incidents.
- 2.12. This policy also ensures that our own housing support services comply with safeguarding standards as set out in Local Authority contracts. Compliance with Local Authority procedures is a common requirement of service contracts with Local Authority commissioners. The policy provides for precedence of Local Authority procedures where contracts include this requirement. HPG will assess Local Authority requirements to ensure they are acceptable before submitting binding tenders or application to join service frameworks.

3. Definition of neglect and abuse

- 3.1. Abuse is defined as “the violation of an individual’s human and civil rights by another person or persons”.
- 3.2. It can take many forms, including physical, sexual, emotional/psychological, financial, neglect, discrimination and organisational abuse. It may also include self-neglect, modern slavery and domestic abuse (which includes “honour-based” violence, forced marriages and female genital mutilation and cuckooingi).
- 3.3. It is behaviour that either deliberately or unknowingly causes harm, endangers life or infringes on rights. It may be a single or repeated act. It may be deliberate neglect or lack of appropriate action. It can also be where a person is persuaded, coerced or pressurised to do something to which s/he has not freely consented or cannot consent.
- 3.4. Abuse often involves a criminal act. For example, assault, rape, theft, fraud, domestic abuse, harassment/ discrimination, anti social behaviour, hate crime, wilful neglect or mistreatment.
- 3.5. Abuse may be open and explicit committee (overt) or more subtle, hidden or covered up involving control of an individual (covert).

4. Neglect

- 4.1. Neglect means a failure to meet a person’s basic physical, emotional, social or psychological needs, which is likely to result in an impairment of the person’s well-being, which in the case of a child would include an impairment of the child’s development.
- 4.2. Self neglect
- 4.3. Self-neglect is a condition in which an individual fails to attend to their basic needs such as personal hygiene, appropriate clothing, feeding, or tending appropriately to any medical conditions to an extent that causes, or is reasonably likely to cause within a short period of time, serious physical, mental or emotional harm or substantial damage to or loss of assets. Extreme self-neglect can be known as Diogenes syndrome.

5. Who does safeguarding apply to?

- 5.1. Safeguarding duties apply to any child or an adult with care and support needs who is experiencing or is at risk of abuse and is unable to protect themselves because of their care and support needs. An adult with care and support needs may be:
 - ◆ • an older person
 - ◆ • a person with a physical disability, a learning disability or a sensory impairment
 - ◆ • someone with a mental health condition, including dementia or a personality disorder
 - ◆ • a person with a long term health condition
 - ◆ • someone who is dependent on others to maintain their quality of life
 - ◆ • someone who misuses alcohol or substances to the extent that it affects their ability to manage day-to-day living
- 5.2. This list in 5.1 is not an exhaustive list. The statutory guidance also recognises people who are victims of sexual exploitation, domestic abuse and modern slavery. It also recognises that unpaid carers e.g. a family member will sometimes have care and support needs of their own and may be experiencing intentional or unintentional harm from the adult they are trying to support.
- 5.3. People with care and support needs are not inherently vulnerable but may come to be at risk of abuse or neglect at any point due to ill health, disability, getting older, cognitive impairment, limited support networks or being socially isolated.

6. Quality assurance and performance reporting

- 6.1. Safeguarding is embedded into our corporate framework including making links with other policies, our values, competency framework and training programmes.
- 6.2. HPG's Risk Register includes reference to safeguarding from a governance perspective, with the Audit and Risk Committee, which is a subgroup of HPG's Board receiving reports on significant cases and annual overview.
- 6.3. The Executive Team and Senior Managers have responsibility for ensuring this policy and associated procedures are effectively implemented and to support managers and staff in dealing with all concerns. This includes cascading lessons learned and/or areas for improvement from individual serious/significant incidents (including "near misses") via Senior Management Team and reported to RMAC. The Care and Support Director will be the lead Director for Safeguarding in HPG.
- 6.4. Senior managers must also ensure that all serious incidents, including any significant near misses and ALL incidents that involve a member of staff are reported to the Local Authority in line with each Local Authority's procedures for reporting serious incidents. All concerns where a member of staff is implicated must also be reported to the Human Resources Manager (either alleged, suspected or actual). HR and Senior Managers will also decide if a referral needs to be made the Disclosure and Barring service (DBS) by the Senior manager.
- 6.5. Service Managers are responsible for managing safeguarding concerns. This includes supporting Coordinators/team leaders and staff to decide what actions should be taken. Service Managers must ensure procedures are followed properly and competently and for developing the understanding and confidence of their staff. Arrangements are in place to ensure that no member of staff raising a concern or indeed, any manager, has to shoulder this burden on their own. Support and guidance will always be given.
- 6.6. A group-wide record will be maintained on a group wide system. This enables data on all concerns to be collated and key trends identified. Learning from serious cases, including significant "near misses" (both areas for improvement and positive practice) are sensitively cascaded via Senior Management Team and the group Board.
- 6.7. Part of our preventative approach includes regular training of staff from basic awareness to advanced level training for senior managers and key front line staff. Training includes the links to Local Authority multiagency procedures as well as to other key procedures. E-learning is available for new starters and locally-based training via Local Authorities is utilised also. Awareness-raising with customers is undertaken through a variety of mechanisms, including information leaflets, articles in tenant magazines, websites and discussions with customers in supported housing as part of support planning and tenancy reviews .
- 6.8. HPG also recognises that it could be expected to make enquires for a Local Authority in line with their duties under Section 42 of the Care Act. This could be where a Local Authority considers that another Organisation is better placed to make such enquiries on its behalf, to help it to decide what action to take to support and protect an individual. HPG's procedures reflect Local Authority procedures and thus provide a robust framework to undertake such enquires if required.
- 6.9. HPG is also committed to cooperating and participating fully in any Safeguarding Reviews. Such a review would be instigated by a local Safeguarding Boards in the instance where death or serious harm has occurred from suspected

7. Associated policies and procedures

- 7.1. Safeguarding is not a stand-alone policy or a separate activity. It is very much part of our wider policy and operational frameworks. There are a variety of interlinking policies and procedures

in place to ensure that we fulfil our safeguarding responsibilities. In particular policies and procedures that relate to:

- ◆ Safeguarding
- ◆ Code of Conduct
- ◆ Whistleblowing
- ◆ Professional Boundaries and Lone Working
- ◆ Domestic Abuse
- ◆ Anti Social Behaviour
- ◆ Hate crime
- ◆ Disciplinary
- ◆ Confidentiality and Data Protection
- ◆ Recruitment
- ◆ Disclosure and Barring
- ◆ Anti Fraud, Anti-Bribery, Anti Money-Laundering
- ◆ Hoarding
- ◆ Equality and diversity

8. Equality and diversity

- 8.1. It is every person's human right to live a life free from abuse or neglect. Every adult and child who has care and support needs has an equal right to support and protection, irrespective of their individual differences or circumstances. This policy and its associated procedures applies equally to all adults and children at risk and all forms of abuse. It also seeks to ensure that those who could be at risk of abuse due to care and support needs are positively supported.
- 8.2. Through implementation of this policy, we will not discriminate on the grounds of any protected characteristic and due regard will be given to individual differences including age, disability, gender, gender reassignment, disability, race and ethnicity, religion or belief, sexual orientation, caring responsibilities, culture, language, marital or civil partnership status.
- 8.3. This policy reflects responsibilities expected to be taken by housing providers as set out in the Care Act's statutory guidance. It also accords with Local Authorities' multiagency procedures. It supports those who lack capacity in accordance with the Mental Capacity Act (2005), its associated principles and Code of Practice.

9. Policy review

- 9.1. This policy and the associated procedures will be reviewed every three years, or more frequently if required to accommodate amendments to legislation or good working practice.

Review date: Oct 2018

*Cuckooing – cuckooing is typically where criminal gangs set up shop in the home of a vulnerable person and use the home as a base from which to conduct criminal activities



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