

Adult Safeguarding Policy

2019-2022

1. Introduction

This policy applies to all staff, paid or unpaid and anyone working for or on behalf of Wolverhampton Homes. It should be noted that all staff and anyone working on behalf of Wolverhampton Homes paid or unpaid is in a position of trust a job and are expected to act correctly and honestly in relation to safeguarding requirements as outlined in this policy and accompanying procedure.

Wolverhampton Homes' Adult Safeguarding Policy reflects the commitment of the organisation to work with partner agencies to safeguard adults with care and support needs. Taking its lead from the West Midlands Adult Safeguarding Policy and Procedures, the policy seeks to:

- work with partners to prevent and protect adults with care needs from abuse
- empower and support people to make their own choices
- where required, participate in making enquiries and taking action about actual or suspected abuse and neglect
- support adults and provide a service to those who are experiencing, or who are at risk of, abuse and neglect
- share information in a timely way

<http://www.wolverhampton.gov.uk/article/2958/Policy-and-procedures-for-professionals>

2. The legal framework

The Care Act 2014

The Act sets out a clear legal framework for how local authorities and other statutory agencies should protect adults with care and support needs at risk of abuse or neglect. New duties include the Local Authority's duty to make enquiries or cause them to be made, to establish a Safeguarding Adults Board; statutory members are the local authority, Clinical Commissioning Groups and the police. Safeguarding Adults Board must arrange Safeguarding Adult Reviews (SARs) as per defined criteria, publish an annual report and strategic plan. All these initiatives are designed to ensure greater multi-agency collaboration as a means of transforming adult social care.

<https://www.legislation.gov.uk/ukpga/2014/23/contents>

Mental Capacity Act (Including Deprivation of Liberty) 2005

The Act, covering England and Wales, provides a statutory framework for people who lack capacity to make decisions for themselves, or who have capacity and want to make preparations for a time when they may lack capacity in the future. These

can be small decisions – such as what clothes to wear – or major decisions, such as where to live, what happens if abuse has occurred.

The Act sets out who can take decisions, in which situations, and how they should go about this. In some cases, people lack the capacity to consent to particular treatment or care that is recognised by others as being in their best interests, or which will protect them from harm. Where this care might involve depriving vulnerable people of their liberty in either a hospital or a care home, extra safeguards have been introduced in law – Deprivation of Liberty Safeguards, to protect their rights and ensure that the care or treatment they receive is in their best interests.

<https://www.legislation.gov.uk/ukpga/2005/9/contents>

Human Rights Act 1998

The Act applies to all public authorities (such as central government departments, local authorities and NHS Trusts) and other bodies performing public functions (such as private companies operating prisons). These organisations must comply with the Act – and individual's human rights – when providing a service or making decisions that have a decisive impact upon an individual's rights. The Care Act (2014) extends the scope of the Human Rights Act (1998).

Although the Act does not apply to private individuals or companies (except where they are performing public functions), sometimes a public authority has a duty to stop people or companies abusing an individual's human rights. For example, a public authority that knows a child is being abused by its parents has a duty to protect the child from inhuman or degrading treatment.

The Human Rights act covers everyone in the United Kingdom, regardless of citizenship or immigration status. Anyone who is in the UK for any reason is protected by the provisions in the Human Rights Act.

Wolverhampton Homes acknowledges that the Care Act 2014 places duties on us as a housing organisation. Staff working at Wolverhampton Homes may become aware of conditions that could have an adverse impact on vulnerable adults. Under Part 1 of the Housing Act 2004, Wolverhampton Homes must take account of the health and safety hazards in housing on vulnerable occupants, when deciding on the action to be taken to improve conditions. The company also has an important role to play in safeguarding adults, including those who are pregnant, leaving care or a secure establishment.

3. Our safeguarding policy, principles and values

Safeguarding is everybody's business, with everyone playing a part in preventing, identifying and reporting abuse and neglect. Wolverhampton Homes, as a Adult Safeguarding Board member, is committed to working collaboratively to improve the outcomes for adults with care and support needs who are being abused or neglected or are at risk of being abused and neglected.

Wolverhampton Homes recognises that safeguarding concerns will require a variety of responses, including investigations, disciplinary processes, the involvement of police, staff training and so on and will adhere to the six safeguarding principles identified within the Act. The Government policy objective is to prevent and reduce the risk of harm to adults from abuse or other types of exploitation, whilst supporting the individual in maintaining control over their lives and in making informed choices without coercion.

This policy applies to all staff and anyone working for or on behalf of Wolverhampton Homes paid or unpaid. We are committed to:

- training and supporting staff from across the workforce to be ‘Safeguarding Champions’ offering advice and support to all staff, paid or unpaid, and working for or on behalf of Wolverhampton Homes
- ensuring all staff, paid or unpaid and working for or on behalf of Wolverhampton Homes are familiar with policies and procedures relating to adult safeguarding, that they know how to recognise abuse, how to respond to it and how to report it. Ensuring its staff report promptly any concerns or suspicions they may have that an adult with care and support needs is being, or is at risk of being, abused or neglected
- taking action to protect the adult from abuse and doing so as a matter of priority
- having its own internal operational procedures which relate to adult safeguarding and also how it will deal with complaints from service users and by staff who raise adult safeguarding concerns about a colleague (i.e. whistle blowers)
- ensuring all staff and contractors are familiar with policies and procedures relating to adult safeguarding, that they know how to recognise abuse, how to respond to it and how to report it
- sharing information with partner organisations about individuals who may be at risk from abuse with due regard to confidentiality and information sharing protocols

We recognise that:

- all adults, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have a right to equal protection from all types of harm or abuse
- some adults are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues
- working in partnership with other agencies, is essential in promoting the welfare of vulnerable adults
- it is essential to identify relevant training needs for staff and anyone working on behalf of Wolverhampton Homes either paid or unpaid to make them safeguarding aware

- it is important to provide all staff and anyone working on behalf of Wolverhampton homes

We will seek to keep Adults safe by:

- adopting robust adult safeguarding practices through relevant procedures
- providing effective management for staff and others through 121's, support and training
- recruiting staff and others safely, ensuring all necessary checks are made
- sharing concerns with agencies
- to have Safeguarding Champions across the organisation
- to have a Designated Safeguarding Officer to be able to provide guidance and support to staff across the organisation

We accept that our responsibilities are to:

- be alert to potential indicators of abuse or neglect
- be alert to the risks which individual abusers, or potential abusers, may pose to vulnerable adults
- be alert to the impact on any vulnerable adult of any concerns of abuse or maltreatment and be able to gather and analyse information as part of an assessment of the adult's needs

Managers at all levels have a particular responsibility to ensure staff understand safeguarding, receive training and are encouraged and supported through the safeguarding process. All necessary steps must be taken at a team level by managers to ensure that they and staff they are responsible for are compliant with the requirements of this policy.

Principle	'I' statement
Empowerment – people being supported and encouraged to make their own decisions and informed consent	I am consulted about the outcomes I want from the safeguarding process and these directly inform what happens
Prevention – is it better to take action before harm occurs	I am provided with easily understood information about what abuse is, how to recognise the signs and what I can do to seek help
Proportionality – the least intrusive response appropriate to the risk presented	I am confident that the responses to risk will take into account my preferred or best interests
Protection – support and representation for those in greatest need	I am provided with help and support to report abuse. I am supported to take part in the

	safeguarding process to the extent to which I want to which I am able
Partnership – local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting abuse and neglect	I am confident that information will be appropriately shared in a way that takes into account its personal and sensitive nature. I am confident that agencies will work together to find the most effective responses for my own situation
Accountability	I am clear about the roles and responsibilities of all those involved in the solution to the problem

Making safeguarding personal

Making Safeguarding Personal (MSP) is a shift in culture and practice. It is about having conversations with people about how we might respond in safeguarding situations so they feel in control of the situation and that their involvement and the choices they make are being listened to. Wolverhampton Homes' adult safeguarding procedures are mindful of MSP.

'Wellbeing' principle

The Care Act 2014 introduces a duty to promote wellbeing when carrying out any care and support function in respect of a person. Wellbeing is a broad concept, covering many areas, such as:

- personal dignity
- protection from abuse and neglect
- social and economic wellbeing
- domestic, family and personal relationships
- suitability of living accommodation
- the individual's contribution to society

4. Types of Abuse

Adult safeguarding duties under the Care Act 2014 apply to an adult, aged 18 or over who:

- has need for care and support (whether or not the local authority is meeting any of those needs), and
- is experiencing, or at risk of, abuse and 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

Abuse and neglect

Defining abuse or neglect is complex and rests on many factors. The term “abuse” can be subject to wide interpretation. It may be physical, verbal or psychological, it may be an act of neglect, or occur where a person is persuaded to enter into a financial or sexual transaction to which they have not, or cannot consent.

Patterns of abuse vary and include:

- serial abusing in which the perpetrator seeks out and ‘grooms’ individuals. sexual abuse sometimes falls into this pattern as do some forms of financial abuse long-term abuse in the context of an on-going family relationship such as domestic violence between spouses or generations or persistent psychological abuse; or
- opportunistic abuse such as theft occurring because money or jewellery has been left lying around

Incidents of abuse may be one-off or multiple, and affect one person or more. Professionals and others should look beyond single incidents or individuals to identify patterns of harm. Abuse or neglect may be the result of deliberate intent, negligence or ignorance. Exploitation can be a common theme in the experience of abuse or neglect. Whilst it is acknowledged that abuse or neglect can take different forms, the Care Act guidance identifies the following types of abuse or neglect:

Physical abuse

Includes assault, hitting, slapping, pushing, kicking, misuse of medication, being locked in a room, inappropriate sanctions or force-feeding, inappropriate methods of restraint, and unlawfully depriving a person of their liberty.

Domestic violence

Domestic abuse includes psychological, physical, sexual, financial, emotional abuse. This includes issues of concern to lack and minority ethnic (BME) communities, for example ‘honour based violence’, female genital mutilation (FGM) and forced marriage.

Sexual abuse

Includes 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

Includes 'emotional abuse' and takes the form of threats of harm or abandonment, deprivation of contact, humiliation, rejection, blaming, controlling, intimidation, coercion, indifference, harassment, verbal abuse (including shouting or swearing), cyber bullying, isolation or withdrawal from services or support networks.

Financial or material abuse

Includes 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

This encompasses slavery, human trafficking, forced and compulsory 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. Human trafficking involves an act of recruiting, transporting, transferring, harbouring or receiving a person through a use of force, coercion or other means, for the purpose of exploiting them. If an identified victim of human trafficking is also an adult with care and support needs, the response will be co-ordinated under the adult safeguarding process. The police are the lead agency in managing responses to adults who are the victims of human trafficking.

There is a national framework to assist in the formal identification and help to coordinate the referral of victims to appropriate services, known as the National Referral Mechanism <http://www.nationalcrimeagency.gov.uk/about-us/what-we-do/specialist-capabilities/uk-humantrafficking-centre/national-referral-mechanism>

Exploitation by radicalisers who promote violence

Individuals may be susceptible to recruitment into violent extremism by radicalisers. Violent extremists often use a persuasive rationale and charismatic individuals to attract people to their cause. The aim is to attract people to their reasoning, inspire new recruits, embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. The Home Office leads on the anti-terrorism strategy. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/97976/prevent-strategy-review.pdf

Discriminatory abuse

Includes discrimination on the grounds of race, faith or religion, age, disability, gender, sexual orientation and political views, along with racist, sexist, homophobic or ageist comments or jokes, or comments and jokes based on a person's disability or any other form of harassment, slur or similar treatment. Hate crime can be viewed

as a form of discriminatory abuse, although will often involve other types of abuse as well. It also includes not responding to dietary needs and not providing appropriate spiritual support. Excluding a person from activities on the basis they are 'not liked' is also discriminatory abuse.

Organisational abuse

Includes neglect and poor care practice within an institution or specific care setting such as a hospital or care home, or where care is provided within their 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.

Position of Trust/Whistleblowing and Designated Adult Safeguarding Manager (DASM)

For the purposes of this policy a person in a position of trust (PoT) is someone who works with for Wolverhampton Homes in a paid or voluntary capacity and about whom allegations of adult abuse or neglect are made. PoT are cases in which there is an allegation or suspicion that a person working with adults with care and support needs has:

- behaved in a way that has harmed or may have harmed an adult with care and support needs
- possibly committed a criminal offence against or related to an adult with care and support needs
- behaved towards an adult with care and support needs in a way that indicates she or he is unsuitable to work with such adults
- behaved in a way that has harmed children or may have harmed children which means their ability to provide a service to adults with care and support needs should be reviewed
- been subject to abuse themselves, and there is evidence that this impacts on their suitability to work with adults with care and support needs

Adults with care and support needs can be subjected to abuse by those who work with them in any setting. All allegations of abuse, neglect or maltreatment of adults with care and support needs by a PoT must be taken seriously and treated in accordance with consistent procedures. All adults with care and support needs are entitled to the same level and standard of protection from harm, regardless of whether they are receiving statutory or other services or if they are receiving none.

The Public Interests Disclosure Act 1998 provides a framework for whistleblowing across the private, public and voluntary sectors. Wolverhampton Homes Whistleblowing Policy (WHHR117) provides people within the organisation with protection from victimisation or detriment when genuine concerns have been raised about the behaviour of other staff.

The Care Act 2014 made provision for each member of the SAB to have a Designated Adult Safeguarding Manager (DASM) responsible for the management and oversight of individual complex cases and coordination where allegations are made or concerns raised about a person, whether an employee, volunteer or student, paid or unpaid. Wolverhampton Homes' DSAM is the Head of Human Resources.

Neglect and acts of omission

Includes ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, social care or educational services, and the withholding of the necessities of life such as medication, adequate nutrition and heating. Neglect also includes a failure to intervene in situations that are dangerous to the person concerned or to others, particularly when the person lacks the mental capacity to assess risk for themselves.

Neglect and poor professional practice may take the form of isolated incidents or pervasive ill treatment and gross misconduct. Neglect of this type may happen within an adult's own home or in an institution. Repeated instances of poor care may be an indication of more serious problems. Neglect can be intentional or unintentional

Self-neglect

Self-neglect covers a wide range of behaviour, neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. Self-neglect it is also defined as the inability (intentional or non-intentional) to maintain a socially and culturally accepted standard of self-care with the potential for serious consequences to the health and well-being of the individual and sometimes to their community.

Indicators of self-neglect may include living in very unclean, sometimes verminous, circumstances, poor self-care leading to a decline in personal hygiene, poor nutrition, poorly maintained clothing, long toenails, isolation, failure to take medication, hoarding large numbers of pets, neglecting household maintenance, portraying eccentric behaviour/lifestyles.

NOTE: Poor environments and personal hygiene may be a matter of personal or lifestyle choice or other issues such as insufficient income

Abuse by another adult with care and support needs

Where the potential source of risk is also an adult with care and support needs, the safety of the person who may have been abused is paramount. In this situation it is important that the needs of the adult who is the alleged victim are addressed separately from the needs of the potential source of risk.

The principles and responsibilities of reporting a crime apply regardless of whether this person is deemed to be an adult with care and support needs.

Allegations against carers who are relatives or friends

There is a clear difference between unintentional harm caused inadvertently and a deliberate act of either abuse or omission, however contact must be made with the police if a crime has been or may be committed.

In cases where unintentional harm has occurred this may be due to lack of knowledge or due to the fact that the carer's own physical or mental health needs make them unable to care adequately for the adult with care and support needs. The carer may also be an adult with care and support needs. In this situation the aim of adult safeguarding work will be to address risk and determine how the adult with care and support needs feels about any risks. It may be appropriate to help the carer to provide support and make changes in their behaviour in order to decrease the risk of further harm to the person they are caring for.

Abuse by children

If a child or children is or are causing harm to an adult with care and support needs, this should be dealt with under the adult safeguarding policy and procedures, but will also need to involve the local authority children's services.

5. Procedure

This policy is delivered through an internal procedure which is available on Wolverhampton Homes' Management System (WHMS). The accompanying procedure includes the weblinks for the necessary forms that require completion before submitting to the Multi Agency Safeguarding Hub (MASH) There is also guidance on completion and how documentation is to be stored.

6. Training

Starting with prioritising safeguarding at induction stage for new recruits to the company, Wolverhampton Homes provide training and regular updates on safeguarding and will focus attention on:

- identifying safeguarding concerns, the duty of care and what it means in practice
- making robust referrals when concern arises
- the rules around confidentiality and information-sharing
- how we must work with other agencies in order to protect adults with care and support needs
- the key elements of a robust safeguarding policy, the roles of staff, managers and leaders within the company
- regularly briefing staff on the safeguarding policies and procedures via the website, through social media and training events

- safeguarding will be a standard agenda item at all meetings

7. Wolverhampton Safeguarding Together

Wolverhampton Safeguarding Together (WST) convenes safeguarding partners, West Midlands Police, Clinical Commissioning Group and Local Authority, alongside Education and the Voluntary sector to work in close collaboration to safeguard and promote the welfare of all children, young people and adults with care and support needs in Wolverhampton.

Reporting to the WST Executive Board, Wolverhampton Homes is represented on the Scrutiny and Assurance Coordination Group which has the responsibility to ensure positive safeguarding outcomes for children and adults are informed by performance information, quality assurance activity and challenge. The group will evaluate the performance and impact of safeguarding activity to make a difference to the lives of children and adults in the city.

For more information please

visit <https://www.wolverhamptonsafeguarding.org.uk>

Adult safeguarding enquiries

Wolverhampton Homes, in its role as a member of the Safeguarding Board, is committed to conducting and contributing to safeguarding enquiries where necessary. The focus of any enquiry will be on the impact and current and future well-being of the adult.

MARAC (Multi Agency Risk Assessment Conference)

See Domestic Violence and Abuse Policy

Domestic Homicide Reviews (DHRs)

See Domestic Violence and Abuse Policy

Multi-agency public protection arrangements

The purpose of the multi-agency public protection arrangements (MAPPA) framework is to reduce the risks posed by sexual and violent offenders in order to protect the public, including previous victims, from serious harm. The responsible authorities in respect of MAPPA are the Police, Prison and Probation Services who have a duty to ensure that MAPPA is established in each of their geographic areas and to undertake the risk assessment and management of all identified MAPPA offenders (primarily violent offenders on licence or mental health orders and all registered sex offenders). The Police, Prison and Probation Services have a clear statutory duty to share information for MAPPA purposes.

Other organisations have a duty to co-operate with the responsible authority, including the sharing of information. These include:

- local authority children, family and adult social care services
- NHS CCG's, other health trusts and the National Health Service Executive
- Jobcentre Plus
- youth offender teams
- housing providers with accommodation for MAPPA offenders

Child protection

The Children Act (CA) 1989 provides the legislative framework for agencies to take decisions on behalf of children and to take action to protect them from abuse and neglect.

Everyone must be aware that in situations where there is a concern that an adult with care and support needs is or could be being abused or neglected and there are children in the same household, they too could be at risk. Reference should be made to the Wolverhampton Homes Safeguarding Children Procedure.

8. Information sharing and confidentiality

Sharing the right information, at the right time, with the right people, is fundamental to good practice in adult safeguarding. The Mental Capacity Act is also relevant as all those coming into contact with adults with care and support needs should be able to assess whether someone has the mental capacity to make a decision concerning risk, safety or sharing information. The law does not prevent the sharing of sensitive, personal information within organisations. If the information is confidential, but there is a safeguarding concern, sharing it may be justified. In addition the law does not prevent the sharing of sensitive, personal information between organisations where the public interest served outweighs the public interest served by protecting confidentiality – for example, where a serious crime may be prevented.

Wolverhampton Homes will share Adults safeguarding information on a need to know basis, recognising its duty to share information where that information will help to inform Adult social care and /or Police enquiries.

9. Consent

It is always essential in adult safeguarding to consider whether the adult is capable of giving informed consent in all aspects of life. If they are able, their consent should be sought. If, after discussion with the adult who has mental capacity, they refuse any intervention, their wishes will be respected unless:

- there is an aspect of public interest (e.g. not acting will put other adults or children at risk)

- there is a duty of care on a particular agency to intervene (e.g. the police if a crime has been or may be committed)

10. Record keeping

Good record-keeping is an essential part of the accountability of organisations to those who use their services. Maintaining proper records is vital to an individual's care and safety. If records are inaccurate, future decisions may be wrong and harm may be caused to the individual. Where an allegation of abuse is made all agencies have a responsibility to keep clear and accurate records. It is fundamental to ensure that evidence is protected and to show what action has been taken and what decisions have been made and why.

It is equally important to record when actions have not been taken and why e.g. an adult with care and support needs with mental capacity may choose to make decisions professionals consider to be unwise. Wolverhampton Homes' adult safeguarding procedure gives clear direction as to what information should be recorded and in what format.

11. Reporting and dealing with allegations of abuse against members of staff

Wolverhampton Homes is committed to responding appropriately to concerns about anyone who works for, or on behalf of, Wolverhampton Homes in any capacity in relation to their behaviour and conduct towards vulnerable adults (in any setting, not just in the workplace). If concerns are raised, Wolverhampton Homes will deal with the matter internally using existing HR policy and practice which will not be confused with any statutory investigations which may be required and carried out by Adult Social Care and the Police. Wolverhampton Homes will, at all times, seek the advice and assistance of the Local Authority Designated Officer (LADO) in managing any such case.

12. Safer recruitment

Wolverhampton Homes is fully committed to the principles of safer recruitment, ensuring that safeguarding and promoting the welfare of vulnerable adults is central to any recruitment process. The company's selection processes are based on good practice in selecting the best candidate for the job and ensuring equality of opportunity for all applicants while deterring, or rejecting those who may be unsuitable to work with our service users. We expect candidates to understand their duties and responsibilities in relation to safeguarding vulnerable adults as it applies to the post for which they have applied.

Wolverhampton Homes recognises it is a criminal offence to offer employment for certain posts involving working with children, defined as regulated activities, without checking the appropriate barred list. Other roles, with less responsibility for

vulnerable groups will require a Disclosure and Barring Service (DBS) criminal record check only.

Related policies, procedures and documents

Wolverhampton Homes has in place a range of policies and procedures which outline how the company will respond to safeguarding specifically and the care and wellbeing of its customers generally.

The relevant procedures/policies are:

- Adult Safeguarding Procedure
- Allocations Policy
- ASB & Hate Crime Procedure
- Domestic Violence and Abuse Policy and procedure
- Prevent
- Safeguarding Children Policy and Procedure
- Vulnerable Persons strategy
- Whistleblowing Policy & Procedure
- General Data Protection Regulations (2018)