

# **Safeguarding Children and Adults at Risk Procedures**

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Procedure author/holder:	Director of Supported Housing
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Review date:	1 July 2022

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## **1 Key responsibilities**

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There is a responsibility for all colleagues to report any allegation or concern to the appropriate statutory organisation such as Children's or Adult's Social Care services and/or the Police. It is essential that all concerns are reported and discussed with a line manager as soon after the concerns are raised. The consequences of failing to report an allegation, suspicion or concern far outweigh the risk of being wrong.

There is a requirement to act 'reasonably', which means colleagues need to be clear about which people and agencies have responsibilities relating to the care, support and protection of customers receiving our services.

Under Health and Safety legislation the organisation's duty of care extends to the provision of a safe working environment for all employees, customers and visitors to its schemes. All colleagues have a legal duty to comply with procedures that our put in place to protect people in this way. Our occupancy agreements set out similar obligations on its customers.

In order to fulfil duty of care requirements, it is essential that all colleagues complete thorough risk assessments with relevant customers who identify they may be an adult at risk from abuse or neglect. The assessment must address how to protect them through a comprehensive risk management plan. These assessments and plans will need to undergo regular review and should be used as live documents. They will need to take into account situations where a customer's capacity to protect themselves may fluctuate for example where someone has an intermittent mental health problem or illness.

Colleagues should discuss concerns with the customer and where possible agree on the actions to take forward.

On the one hand, it is about protecting people even at the cost of confidentiality; on the other, it is about not excessively and unnecessarily interfering with people's private lives.

It is good practice to try to gain the person's consent to share information. As long as it does not increase risk, you should inform the person if we need to share their information without consent.

### **1.1 Local Authority Safeguarding Children Boards (LSCB)**

Under the Children Act 1989, all children under the age of 18 are subject to protection procedures that are supported locally by protocols drawn up by the Local Authority Safeguarding Children Board (LSCB).

### **1.2 Local Authority Safeguarding Adults Boards (SAB)**

The Care Act 2014 has placed safeguarding adult boards (SABs) on a statutory footing. All adults at risk that have care and support needs are subject to protection procedures that are supported locally by protocols drawn up by the Local Safeguarding Boards.

These are multi-agency groups that includes representatives from Health, Social Services, Police, Probation Services and other agencies.

The Local Safeguarding Boards are the key local sources of advice regarding abuse and neglect against adults at risk and children. They produce extensive local guidance covering roles and responsibilities of agencies involved in adult and child protection. All line managers should be acquainted with their local safeguarding boards and its guidance. The local safeguarding boards also produce information leaflets and digital resources where applicable, these should be available to our customers.

### **1.3 Other local agencies**

In addition to these there may be other local agencies with which health professionals might need to work in relation to children and adults at risk. These can include, but are not limited to:

- Mental Health teams
- Multi-Agency Safeguarding Hubs – (MASH) operate in some Local Authorities
- Multi-agency risk assessment conference (MARAC). MARACs main focus of concern is to identify individuals assessed as high risk of domestic violence and to reduce the risk to victims.
- Multi-agency public protection arrangements (MAPPA). MAPPA support the assessment and management of violent and sexual offenders.

our procedures and associated policy should be used in conjunction with Local Authority community safety procedures and should be included in training for all employees and volunteers.

It is the responsibility of the Safeguarding Lead to ensure that the Local Safeguarding Boards have up- to-date copies of our safeguarding policy and procedure.

Some supported housing schemes have house rules which must be explained and issues relating to childcare responsibilities, such as supervision and health and safety should be clarified. Foyer / scheme managers can use the residents' and clients' declaration form at their discretion, if they feel additional measures are needed to protect children and young people.

## 2. Code of behaviour for Adults working with Children

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This example code has been taken from the 'Safe Network' Are they safe? Guide and was originally adapted from policies developed by Leonard Cheshire Disability media project and NSPCC consultancy services.

Keeping children safe from abuse is everyone's responsibility. All employees and volunteers are expected to report any breaches of this code to their line manager, a safeguarding lead or follow our confidential reporting policy.

Employees and volunteers who breach this code of behaviour may be subject to disciplinary procedures. Any breach of this code involving a volunteer or employee from another agency may result in them being asked to leave.

Serious breaches may also result in a referral being made to a statutory agency such as the police, the local authority children's social care department and/or the disclosure and barring service.

### **When to use this code**

This code must be followed during all events and activities organised and/or hosted by LiveWest where children are involved. It must be read in conjunction with the most recent safeguarding policy and procedures.

Following this code will help to protect children from abuse and inappropriate behaviour from adults. It will also help employees and volunteers to maintain the standard of behaviour expected of them and will reduce the possibility of unfounded allegations of abuse being made against them.

### **The role of employees and volunteers**

When working with children and young people, all employees and volunteers are acting in a position of trust. It is important that employees and volunteers are aware that they may be seen as role models by children and young people and must act in an appropriate manner at all times.

When working with children and young people, it is important to:

- Operate within our principles, values and guidance
- Follow our safeguarding policy and procedures at all times
- Listen to and respect children at all times
- Avoid favouritism
- Treat children and young people fairly and without prejudice or discrimination
- Value and take children's contributions seriously, actively involving children and young people in planning activities where possible
- Ensure any contact with children and young people is appropriate and in relation to the work of the project
- Always ensure language is appropriate and not offensive or discriminatory
- Always ensure equipment is used safely and for its intended purpose
- Provide examples of good conduct you wish children and young people to follow
- Challenge unacceptable behaviour and report all allegations or suspicions of abuse

- Ensure that whenever possible, there is more than one adult present during activities with children and young people or if this isn't possible, that you are within sight or hearing of other adults
- Be close to where others are working. If a child specifically asks for or needs some private time with you, ensure other colleagues know where you and the child are
- Respect a young person's right to personal privacy
- Encourage young people and adults to feel comfortable and caring enough to point out attitudes or behaviour they do not like
- Recognise that special caution is required when you are discussing sensitive issues with children or young people.

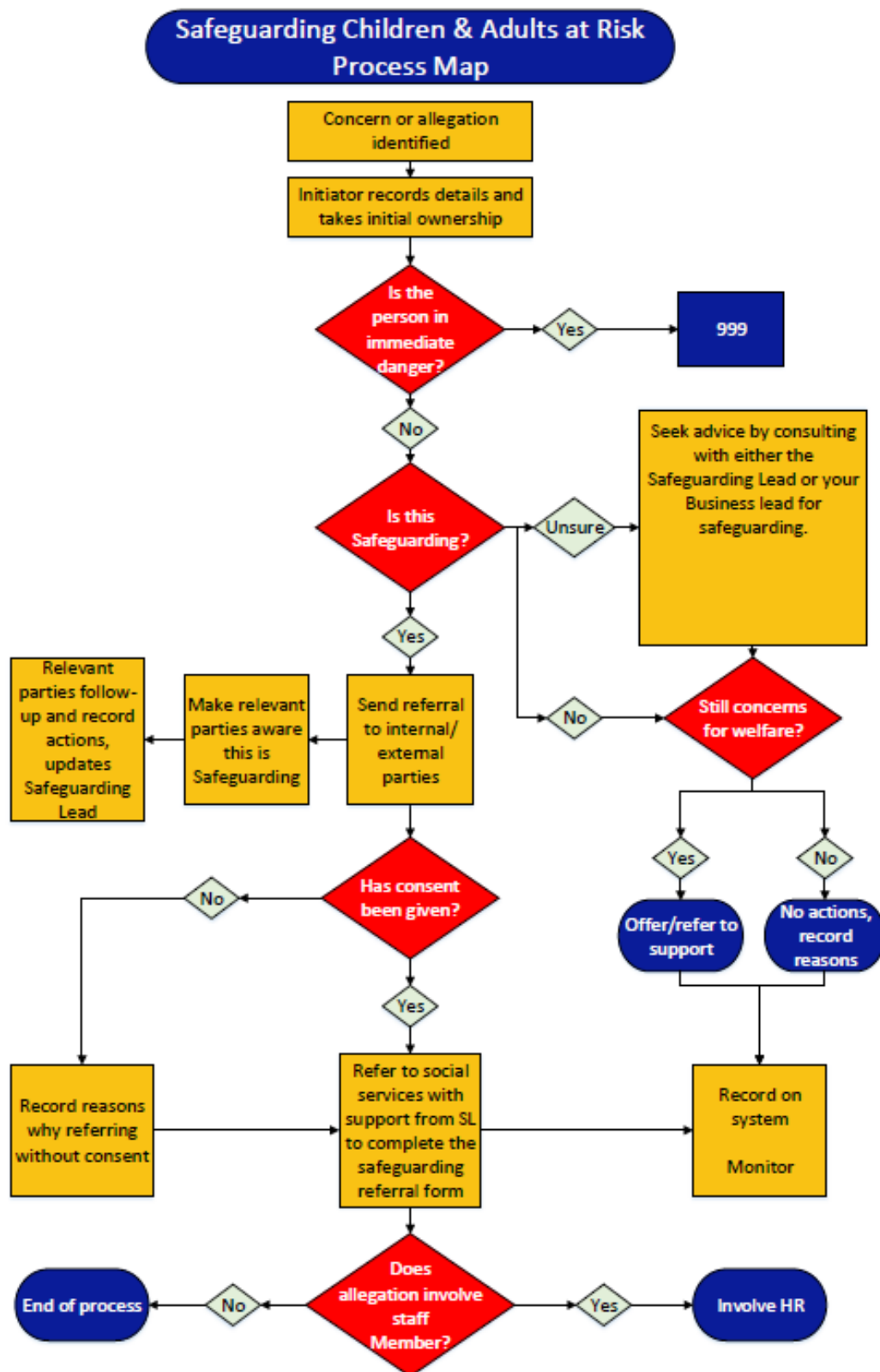
You must not:

- Patronise or treat children and young people as if they are silly
- Allow allegations to go unreported
- Develop inappropriate relations such as contact with children and young people that is not a part of the work or in agreement with the manager or leader
- Conduct a sexual relationship with a child or young person or indulge in any form of sexual contact with a child or young person. Any such behaviour between an adult employee or volunteer and a child or young person using the services of LiveWest represents a serious breach of trust on the part of the employee or volunteer and is not acceptable under any circumstances
- Let children and young people have your personal contact details (mobile number or address)
- Make sarcastic, insensitive, derogatory or sexually suggestive comments or gestures to or in front of children and young people
- Act in a way that can be perceived as threatening or intrusive
- Make inappropriate promises to children and young people, particularly in relation to confidentiality
- Jump to conclusions about others without checking facts
- Either exaggerate or trivialise child abuse issues
- Rely on your reputation or that of the organisation to protect you.

### **The role of parent and carers**

We welcome and encourages parental involvement. Parents and carers are regarded as valuable partners in promoting positive behaviour and will be involved as appropriate.

In the event of their child becoming the subject of behaviour sanctions, parents/carers will be informed and involved.



### 3 Reporting Concerns

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Sometimes a child or adult at risk will confide about abuse or allege abuse to a person they feel they can trust.

They may feel that they are betraying someone they love. It is not unusual for a child/vulnerable person to love the abuser but want the abuse to stop, especially when the abuser is a parent/relative or carer. The abuser may be someone, such as an employee who they feel may be able to influence decisions about their future. Either way, it takes great courage to talk about abuse, and your response can be crucial. If this happens, remember that they are doing so in the hope that you will act to stop it happening, even if they ask you not to do anything with the information.

If you have concerns about a child, young person or an adult at risk, you must report them without delay (at the very latest at the end of the next working day / shift) using the Safeguarding Portal on Assure. However, there are situations where it will not be practical to initiate the prescribed reporting procedures immediately:

#### **If the child/adult at risk needs urgent medical treatment**

Should the child/adult need urgent medical treatment, you should arrange this immediately through the emergency ambulance service or on-call GP service and inform the Children's or Adult's Social Care Duty Officer to whom you make the referral of the action taken.

#### **If the adult at risk lacks mental capacity and receives a service from the community mental health team**

Should the adult at risk show signs of deteriorating mental health and is considered to be at significant harm to themselves or others, you should contact the relevant team or the mental health crisis team immediately.

#### **Escalation**

If you consider you have received an inappropriate response following that contact, you should discuss with the Safeguarding lead. You should agree a course of action with them. This may include, invoking the Professional Differences procedure, making a further safeguarding referral following our escalation procedures or contacting the emergency services.

#### **Violent situations**

Where the situation concerns actual violence, aggression or threats to cause immediate harm, you should call the police and then raise a formal safeguarding via the Safeguarding Page on OurSpace, the respective safeguarding portals will always be current, include an internal safeguarding through Assure also.

**Concerns about children and vulnerable people who are not our customers:** Where we are providing housing and /or support services for a perpetrator when the victim(s) are not our customers, you should still report an alleged or suspected incident in line with the procedures set out here. The requirements of the Confidentiality Policy and continuing to offer care and support remain the same. Discussion should only take place with others on a need to know basis to ensure confidentiality of the situation.

You should follow the seven golden rules of Information Sharing (Appendix 3):

Ensure that the information you share is necessary, proportionate, relevant, accurate, timely and secure;

- necessary for the purpose for which you are sharing it
- shared only with those people who need to have it
- accurate and up-to-date
- adequate in content to support consideration
- shared in a timely fashion
- shared securely (see Appendix 3)

It is up to the discretion of the line manager and Safeguarding lead as to who else is to be informed of the situation, including incidents where an employee may be the alleged abuser.

### **Direct reporting**

Professionals, employees, managers, helpers, carers and volunteers in all agencies must make a referral direct to either Children's or Adult Social Care if it is believed or suspected that:

- A child/adult is suffering or is likely to suffer Significant Harm
- A crime has been committed

All employees and agents should adhere to the following guidance:

#### **Do:**

- Avoid unobserved situations of one-to-one contact with a child. If it is unavoidable, always keep a door open and ensure you are within hearing distance and in sight of others.
- Develop a culture in which you feel comfortable enough to point out inappropriate attitudes and behaviours to each other.
- Respect the vulnerable person at all times, regardless of their age, gender, race, religion, disability, sexual identity, marital or maternity status.
- Develop a culture which makes allowances for issues relating to race, gender and age.
- Always report allegations a child or a vulnerable person makes, even if they are made against you.
- Use supervision to discuss issues relating to working with children or adults at risk to develop your own practice and identify training needs.
- Use supervision to review recent reports of concern and the actions taken.
- When engaging in external activities, ensure that there is an appropriate gender balance of employees.
- Enable colleagues and volunteers to feel confident to report concerns or worries about other colleagues.
- Inform your line manager (or another manager if line manager is unavailable) of all incidents at the earliest opportunity.
- Keep a written record of any injury that occurs to a child or adult at risk. The incident must be reported via our online system. Ensure that another colleague witnesses the record and that a senior colleague is informed.
- If a child touches a colleague in a sexual inappropriate way, you must report this via the Safeguarding Portal on Assure.
- Report to your Line Manager all incidents where a child, young person or adult at risk develops an inappropriate attachment to you or other colleagues/ customers.

**Don't:**

- Don't let allegations made by a child or an adult at risk go unrecorded or unaddressed, including any made against yourself.
- Don't engage in or tolerate any physical activity that involves children, which is not appropriate for their age.
- Don't enter a room where a child or adult may be changing their clothes or not be fully dressed, unless in an emergency situation.
- Don't make unnecessary physical contact with children or adults at risk. In cases where physical contact is unavoidable (for instance providing comfort / reassurance for a distressed child or physical support) this should only take place with the consent of the child/adult at risk.
- Don't take children alone in a car journey, however short.
- Don't meet with customers outside the organised activities. If for any reason this should be necessary, it should take place with the full knowledge and consent of your manager.
- Never enter a house when a child is on their own except where the child is the tenant. Where this occurs, you must take extra care to ensure your conduct does not cause any concern.
- Don't take customers to your home. Don't engage in or tolerate any bullying either by adults, young people or children
- Don't allow children to use inappropriate language.

#### **4 Complete a Safeguarding Alert Report**

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Once you have addressed any emergency needs or treatment for the child or adult at risk, you must record the basic information relating to the allegation or suspicion. To ensure the accuracy of what is recorded it is essential that you complete a safeguarding alert report and submit through the Assure safeguarding Portal at the same time as the decisions concerning what to do about it are made. At the very latest, it must be completed before the end of the working day.

The completed submission will be used as:

- A checklist in order to gather the minimum basic information required.
- A method to provide information to external agencies such as Social Services, mental health crisis team or the Police if a referral is made.
- A method to report via subsequent email chronology to a service manager, area of business Lead for Safeguarding and LiveWest Safeguarding Lead ensuring that they are aware of the incident, the action taken as a consequence, by whom, by when and the outcomes of actions through to conclusion of the case because protective factors have been put in place.

If a referral is made to the relevant statutory Safeguarding Team, send a copy to the Safeguarding Lead to attach to the Assure Case. The LA Safeguarding Team should send the Alerter a letter of acknowledgement of their referral, which will also set out in brief an explanation of the follow up process. You need to forward this to the Safeguarding lead to update Assure. If you do not receive correspondence after one week, make contact to find out the outcome. Record this in the customer contact on Cx by opening a Generic Safeguarding Case, making it "private to owner" and keeping accurate records of the tasks as they occur throughout the case management, through to closure of the case ensure you inform the Safeguarding Lead for each step.

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## 5 Dealing with allegations against a colleague

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You should be aware of the procedures that will be followed if an allegation of abuse is made against you; your right to representation; and the support that we can provide.

If you have concerns about any employee's conduct towards a vulnerable person which could be a safeguarding concern, you should speak to your line manager or follow the Confidential Reporting policy.

The disclosure and barring system will be notified of any safeguarding incident involving an employee even if they decide to resign from their employed post prior to a disciplinary meeting.

Principles of good practice for employees are provided within these procedures. You may become concerned because someone consistently ignores the advice given in these principles, such as continuously being alone in a room with a child with the door closed.

Alternatively, concerns may come from someone who has worked with a colleague in the past and knows that questions were raised as to the person's suitability to have contact with children.

Whatever the reason for concern, you must share it with your line manager and follow the procedures as outlined in the 'internal incident reporting flowchart'.

If the allegations concern the line manager, a report should be made to the next level of management or follow the Group's Confidential Reporting policy – see references section.

Where an allegation or suspicion of abuse is reported against an employee:

- The Director of People Services and the relevant Department Director will be informed of the situation immediately, so that our specific disciplinary process covering allegations of abuse of vulnerable groups may be followed in tandem with external investigations (the safeguarding procedures give further information on this process).
- The Local Authority Designated Officer (LADO) must be informed within one day of the allegation/suspicion coming to light.
- Where allegations involve agency workers, the relevant agency will be informed and involved where necessary.
- The employee concerned will be treated fairly and honestly and be supported throughout the process.
- They will be clearly informed of the process follow, the implications and outcome, as long as doing so does not prejudice the external investigation or the right to confidentiality of the victim or a concerned party.
- The employee will have the rights set out in our disciplinary procedures. If the employee chooses to resign, our safeguarding procedures will still be observed. This will include a referral to the DBS.

## 6 Induction and training

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These procedures should be used by Line Managers to train colleagues on policies, procedures and good practice to detect and report any instances of suspected or reported child or adult at risk abuse or neglect. The extent and depth of the training will vary according to the likelihood of a disclosure being made or abuse occurring in the context of the role of the colleague.

All employees who have a specific role and regular contact with vulnerable groups will only be employed subject to Disclosure and Barring Service (DBS) enhanced checks being carried out. This requirement will also apply to their direct line managers. Until these checks have been completed satisfactorily, the employee must not work alone with children or other vulnerable individuals but may work under the direct supervision of an existing colleague who has been checked.

A list of all posts that are subject to DBS checks, whether standard or enhanced, can be obtained from People Services. To ensure the list of posts remain appropriate, a review will be undertaken by People Services on an annual basis and upon job evaluation of new roles.

There is a similar process to follow to establish the level of safeguarding training required for specific posts. The induction and training should include:

- Attend any initial and subsequent training in regard to safeguarding.
- Basic awareness of the signs and indicators of abuse and an understanding of the employee's responsibility to act swiftly and sensitively when concerns arise.
- All employees need to be aware of the policies and procedures they need to follow in response to any concerns that they have.
- Line managers should ensure that the policy and associated procedures are read and understood by all new and existing employees
- Clarification of the job expectations, roles and responsibilities (e.g. through a formal or informal work programme / objectives).
- Completion of E- learning package within the first 2 weeks of employment.
- Safeguarding procedures explained including how to raise an alert through the Livewest reporting Portal on Assure and training needs established.

## **7 Use of contractors, employment agency workers and volunteers**

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All colleagues should undertake reasonable care that contractors, agency workers and volunteers doing work on behalf of LiveWest are monitored appropriately. Any contractor or sub-contractor, or employment agency worker engaged by us in areas where workers are likely to come into contact with children or adults at risk, should have their own equivalent safeguarding policy; or at the very least, conduct Disclosure Barring Service (DBS) checks on its employees.

**Volunteers:** Community volunteers have a duty to report any concerns to their supervisor who will ensure the progression of the report via Assure. It is the Line Manager's responsibility to read the report, obtain more information from the volunteer as necessary and raise the case for concern on Assure. This should be done on the day of the incident /report being logged.

**Employment agency workers:** Our People Services department hold a list of approved employment agencies, which are monitored by our Peoples Services Team to ensure the

agencies conduct DBS checks on all their workers. Line Managers with responsibility for recruiting employment agency workers must ensure they recruit from the approved list.

**Contractors:** Whilst we cannot insist that contractors sign-up to our own safeguarding policy, we can ensure this is a 'contractual' obligation and insist contractors undertake DBS checks on their employees; and individual contractors produce their own DBS checks, if they are to have unsupervised contact with our customers.

It is the responsibility of the manager who is using the services of the contractor to check that the correct DBS check has been satisfactorily completed and, to ensure the appropriate monitoring mechanisms are in place, in order to check contractual compliance.

## 8 Escalation Procedure for invoking Professional Differences

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This procedure should be used in the following situations:

- When the response from the LA safeguarding team is considered inappropriate to reduce the risk of harm to the customer and could mean that the customer and others are put in danger.
- When the response from the CMHT is considered inappropriate to reduce the risk of harm to the individual and could mean that they and/or others are put in danger.
- The response from the CMHT does not comply with the customer's Care Programme Approach (CPA) risk management /relapse plan.

### **Important:**

Call relevant emergency services as first action in the event of any immediate danger

The safety of the vulnerable person is the paramount consideration in any professional disagreement. Any unresolved issues should be addressed with due consideration to the risks that might exist for the vulnerable individual in line with the LA Professional Differences Policy.

- The Line Manager to agree immediate action with the Safeguarding Lead including specific timescales for invoking the Local Authority Professional Differences procedures.

## 10 Performance monitoring

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### **Supervision and Case Management**

All colleagues work more effectively when they are well informed, trained and supported. Line managers should be sensitive to any concerns about abuse, act on them at an early stage and offer support to those who report.

It is the responsibility of line managers to monitor good practice. This can be done in a number of ways:

- Direct observations of the activity or service.

- Mentoring and providing feedback on performance.
- Customer's feedback on the activities or services.

Line managers should use supervision and Case Management meetings to discuss any safeguarding forms submitted to make sure all appropriate actions have been completed. The case notes must be updated to evidence the actions carried out.

Relevant colleagues will attend case conferences where possible to provide information and make sure they are aware of the decisions made following an investigation.

## **11 Record keeping**

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You must record and report any incident of suspected or alleged abuse, neglect or harm against a child or adult at risk using the Safeguarding Reporting Portal on Assure and opening a Generic safeguarding Case on Cx. The record should be made without delay. At the very latest it must be completed before the end of the next working day /end of shift.

### **Escalation Record keeping**

- All details must be accurately recorded in writing within the secure customer record and also via the online reporting system.
- Where it has been decided that no further action is needed at any time in the safeguarding process, all relevant people and/or agencies should be informed of this decision, including the vulnerable person, family, carer/s and the person raising the concern.

## **12 Linked/associated policies and other references**

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### **Policies & Procedures:**

- Data Protection Policies
- Domestic Abuse Policy
- IT Usage Policy
- Anti-Social Behaviour Policy and Procedures
- Confidential Reporting Policy
- Equality, Diversity and Inclusion Policy
- Disciplinary Policies and Procedures
- Health and Safety Policy
- Code of Conduct for Employees
- Community Volunteering
- Internal Management Review
- Assure – LiveWest Reporting Portal

### **Other references:**

- [NSPCC online safety for children](#) help keep children safe when they're using the internet, social networks, apps, games and more
- [ChildLine](#) help and advice about a wide range of issues. Talk to a counsellor online or post on the message boards

- [Children England](#) a wide range of support to voluntary and community sector organisations working with children, young people and families
- [NSPCC \(Learning\)](#) Training and Resource info for organisations working with children
- [Gov.uk](#): Adult Safeguarding Statement of Government Policy
- [www.gov.uk](#) Guide for Parents or members of the public who are concerned about someone working with children or vulnerable adults
- Every child matters (DoE&S)CCPAS
- Children's Workforce Development council
- Local Authority safeguarding teams contacts
- [When to Suspect Child Maltreatment](#) Issued by the National Institute for Health and Clinical Excellence, Dec 2009 (updated 2013)
- Working together to safeguard children 2018 (Government Guidance)
- Disclosure and Barring Service (DBS)
- Deprivation of Liberty Safeguards (amendments to Mental Capacity Act)

### 13 Version control

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Version ref	Date of change	By whom	Reason
1	Nov 2018	Board	Approval
1.1	May 2019	Policy Officer on behalf of Safeguarding group.	Change from one safeguarding lead to a group of leads to receive alerts for specific service areas.
1.2	Jan 2020	Policy Officer on behalf of Safeguarding group.	Desktop review. Full review to take place once all on same system.
2	Dec 2020	Safeguarding Lead	Full review and change of process to the Safeguarding Assure Portal.  Inclusion of recommendations from Plymouth City Council – Adult Education.
3	July 2021	Director of Supported Housing	Following external review of safeguarding processes current policy and procedure separated. Further revisions to be incorporated as recommendations are reviewed.

## Definitions of Abuse

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### Adults

Abuse is a violation of an individual's human and civil rights by any other person or persons. Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when a person with care and support needs is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it.

The Care Act 2014 defines an adult at risk as someone:

- Over the age of 18 who has a need for care and support;
- Who is experiencing or is at risk of neglect or abuse; and who, as a result of the above needs, is unable to protect himself or herself against the abuse or neglect, or the risk of it.

A person at risk does not need to be in receipt of services for the Care Act requirements to apply, they just have to have a need for care and support. Adult safeguarding means protecting a person's right to live in safety, free from abuse and neglect.

### Children

Under the Children's Act 1989 and 2004 respectively a child is anyone who had not yet reached their 18<sup>th</sup> birthday.

Safeguarding the well-being and emotional health of children and young people is *everyone's business* and this depends on effective joint working between agencies.

In accordance with Working Together to Safeguard Children 2018 Safeguarding and promoting the welfare of children is defined as:

- Protecting children from maltreatment;
- Preventing impairment of children's health or development;
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes.

### Examples of types of abuse:

You should not limit your view to what is abuse or neglect. The specific circumstances of an individual case must always be considered. The following represents examples of the types of abuse/neglect:

- **Discriminatory** – includes forms of harassment, slurs or similar treatment due to a person's race, gender, age, disability, sexual orientation or religion.
- **Psychological** – includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation, unreasonable and unjustified withdrawal of services or supportive networks.

- **Financial or material** – includes theft, fraud, internet scamming; misuse or misappropriation of property, possessions or benefits; coercion in relation to an adult's financial affairs or arrangements in connection with wills, property, inheritance or financial transactions.
- **Organisational** – includes neglect and poor professional practice.
- **Neglect and acts of omission** – includes ignoring medical, emotional or physical care needs, failure to provide access to appropriate services and withholding the necessities of life such as medication, nutrition and heating.
- **Physical abuse** – includes assault, hitting, slapping, pushing, misuse of medication, restraint.
- **Sexual abuse** – includes rape, indecent exposure, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography, witnessing sexual acts, indecent exposure and sexual assault or sexual acts for which the person has not consented or was pressured into.
- **Domestic abuse** – includes psychological abuse, physical abuse, sexual abuse, financial abuse, emotional abuse, so called 'honour' based violence.
- **Modern slavery** – includes slavery, human trafficking, forced labour and domestic servitude.
- **Hate Crime** - can be used to describe a range of criminal behaviour where the perpetrator is motivated by hostility or demonstrates hostility towards the victim's disability, race, religion, sexual orientation or transgender identity.
- **Mate Crime** - happens when someone 'makes friends' with a person and goes on to abuse or exploit that relationship. The founding intention of the relationship, from the point of view of the perpetrator, is likely to be criminal. The relationship is likely to be of some duration and, if unchecked, may lead to a pattern of repeat and worsening abuse
- **Self-neglect** – covers a wide range of behaviour neglecting to care for own personal hygiene, health or surroundings and can include behaviour such as hoarding.
- **Child sexual exploitation (CSE)** – a type of abuse where children are sexually exploited for money, power or status. CSE doesn't always involve physical contact; it can also occur through the use of technology.
- **Female genital mutilation (FGM)** – is the partial or total removal of external female genitalia for non-medical reasons.
- **Body Mutilation** – the removal of external body parts for non-medical reasons.
- **Honour based abuse** - is a collection of practices used to control behaviour within families in order to protect perceived cultural and religious beliefs and/or honour. Violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code.
- **Forced marriage** - is when you face physical pressure to marry (for example, threats, physical violence or sexual violence) or emotional and psychological pressure (eg if you're made to feel like you're bringing shame on your family).

Any individual may suffer or be at risk from more than one type of abuse.

## **Prevent – Preventing radicalisation to extremism**

Prevent is one of the four elements of CONTEST, the government's counter-terrorism strategy. It aims to stop people becoming terrorists or supporting terrorism. The Home Office works with local authorities and a wide range of government departments, and community organisations to deliver the Prevent Strategy.

- Individuals: preventing people from being drawn into terrorism and make sure they are given appropriate advice and support.
- Institutions: working with schools, colleges, community centres and places of worship where people may be affected by radicalisation.

<https://www.gov.uk/government/publications/prevent-strategy-2011>



## Appendix 2

### Reported Allegations

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#### Remember!

Employees must take action on all reported allegations, even if subsequently they are proved to be unfounded. Adults with mental capacity may decide they don't want us to proceed with external reporting and if there is no significant risk to them or others and no crime committed, the action may be just to record it and monitor the situation.

If you are in any doubt, speak to your line manager, safeguarding lead or contact the relevant Social Care team for advice (you can ask for advice from the Social Care team without giving the name of the vulnerable person).

Your response can be crucial and the following points are a guide to help you respond appropriately.

Do	Don't
<ul style="list-style-type: none"><li>• Stay calm</li><li>• Listen carefully to what is said without interrupting</li><li>• Find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others</li><li>• Allow the person to continue at their own pace</li><li>• Ask questions for clarification only, and at all times <b>avoid asking leading questions</b> that suggest a particular answer</li><li>• Make it clear you take the child/adult seriously and acknowledge their courage in telling you</li><li>• Explain what you have to do and who you have to tell</li><li>• Seek advice where required</li><li>• Ensure the adult and/or children are immediately safe.</li></ul>	<ul style="list-style-type: none"><li>• Do not appear shocked or angry</li><li>• Do not stop the person when they are recalling significant events</li><li>• Do not promise to keep secrets</li><li>• Do not question the child/adult directly or probe for more information</li><li>• Do not contact the alleged abuser</li><li>• Do not pass comment or judgement</li></ul>

Investigating abuse is a highly specialised area of work that Social Services have a statutory duty to undertake. In order to assist the process colleagues should:

- Record the words of the child or adult at risk on the safeguarding alert report.
- Explain to the child/adult at risk what they will be doing with the information that they have been told.
- Follow the reporting procedures. See section 'dealing with actual or suspected abuse'.

## The use of confidential information

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Personal information held on file should not normally be disclosed without consent. However, the law permits the disclosure of confidential information if this is necessary to safeguard a child or adult at risk. Disclosure should be justifiable in each case. Reasons for disclosure must be clearly stated on the safeguarding alert form. If there is any uncertainty, legal advice should be sought.

### Information sharing protocols

Where other agencies are identified as working with the customer in either a support or care provision, an information sharing protocol should be drafted (jointly if possible) to allow the safe sharing of certain information. The lead professional is ideally the organisation to make sure such protocol is in place.

### The Data Protection Act 1998

The Data Protection Act 1998 requires that personal information is obtained and processed fairly and lawfully; that it is accurate, relevant and not held longer than necessary; that it is kept securely and is only disclosed in appropriate circumstances. Personal information may be disclosed without the consent of the subject in order to prevent or detect a crime, to apprehend or prosecute an offender or where failure to disclose could prejudice such action. Reasons for disclosure must be clearly stated on the safeguarding alert form.

**Seven golden rules for information sharing** (taken from Information Sharing: Guidance for practitioners and managers published by HM Government):

1. Remember that the data protection act is not a barrier to sharing information but provides a framework to ensure that personal information about living persons is shared appropriately.
2. Be open and honest with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. Seek advice if you are in any doubt, without disclosing the identity of the person where possible.
4. Share with consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, that lack of consent can be overridden in the public interest. You will need to base your judgement on the facts of the case.
5. Consider safety and well-being: base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.
6. Necessary, proportionate, relevant, accurate, timely and secure: ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
7. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

## Article 8 of the European Convention on Human Rights

States that everyone has the right to respect for his private and family life, their home and their correspondence. Disclosure of such information might give rise to an issue under Article 8, but it is permissible for the prevention of crime or disorder, for the protections of health or morals, or for the protection of the rights and freedom of others. The disclosure of information to protect children and adults at risk could come under any of these headings, but disclosure should be justifiable, appropriate for the purpose and only to the extent needed to achieve that purpose. Reasons for disclosure must be clearly stated on the safeguarding alert form.

### **Important Rule – Confidentiality**

Employees should never indicate to a vulnerable person that they would keep secrets. A feature of sexual abuse in particular is the secrecy that exists between perpetrator and a vulnerable person. Employees can find themselves pulled into this relationship in a destructive way. Consequently, Employees should discuss such cases fully with their line manager and not work in isolation. The line manager will take the decision if this has to be shared with other colleagues.

The adult at risk will be central to decision-making in the safeguarding process, and will be supported to make their own choices wherever possible.

## Mental Capacity

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There is a presumption that adults have mental capacity to make informed decisions about their lives. When considering an individual's mental capacity we will apply the five key principles of the Mental Capacity Act:

- A presumption of capacity - every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless it is proved otherwise;
- The right for individuals to be supported to make their own decisions - people must be given all appropriate help before anyone concludes that they cannot make their own decisions;
- That individuals must retain the right to make what might be seen as eccentric or unwise decisions;
- Best interests – anything done for or on behalf of people without capacity must be in their best interests; and
- Least restrictive intervention – anything done for or on behalf of people without capacity should be the least restrictive of their basic rights and freedoms

Adults at risk should be given information, advice and support in a form that they can understand and have their views included in all forums that are making decisions about their lives. All decisions taken by professionals about a person's life should be timely, reasonable, justified, proportionate and ethical.

Whilst working to safeguard adults at risk colleagues should make the dignity, safety and well-being of the individual a priority in their actions.

### **Establishing a vulnerable adult's capacity to consent and right to choose**

Most adult residents/clients will have both the right to consent to be abused by other people, and the right to decide whether or not they want to pursue with the Police or Adult Social Care Services, a complaint about abuse committed against them.

The local authority will have set out in its procedures for protecting those who fall into the statutory definition of adults at risk in its Adult Protection Policy. Their procedures will be designed to protect people who may lack the capacity to consent to abuse. Where the person who may have been abused is a customer and is defined as adult at risk for statutory purposes, managers will need to be clear about local procedures for reporting before making a decision about whether to report abuse allegations against the wishes of the adult concerned.