



## Safeguarding of Vulnerable Adults and Children Policy

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Amendments:

<b>Changes made</b>	<b>Sections</b>	<b>Date</b>	<b>By</b>	<b>Date approved by board</b>
Expanded to reflect safeguarding children responsibilities	Through out	10/11/2016	L Bell	1/2/2017
New section to reflect HHA responsibilities	Pg 6 section 9	10/11/2016	L Bell	1/2/2017
GDPR May 2018 and changes to Privacy Information policy	Page 7 Sharing Information	18/01/2019	L Bell	7/2/2019

## 1. Introduction

Highstone Housing Association is committed to ensuring the safeguarding of vulnerable adults and children in all areas of its operation. We operate a policy of zero tolerance of abuse and are committed to preventing and reducing the risk of harm to vulnerable adults and children from abuse and to keep them safe, whilst supporting individuals in maintaining control of their lives.

We also recognise and encourage the need for diversity and are committed to promoting this objective. Everyone has the right to live free from abuse and neglect regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation and we will not tolerate any form of abuse to anyone, not least a vulnerable person.

## 2. Aims of Safeguarding

### *2.1. Definition of a Vulnerable Adult*

The term vulnerable adult refers to people aged 18 years or over and who are or may be in need of community care services by reason of mental or other disability, age or illness and who are or may be unable to take care of themselves, or unable to protect themselves from significant harm or exploitation.

Adult safeguarding means protecting an adult's right to live safely, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure the adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding upon any action. We will work closely with our partners (care providers and local authorities in particular) to identify those at risk and take steps to protect them.

Whilst Highstone Housing Association does not provide care for children per se, there is a likelihood that a tenant (who could also be a vulnerable adult) could have full or part responsibility for a child.

In line with the Working Together to Safeguard Children 2013 act, HHA recognizes it has a role to play working alongside partners by helping to:

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

### *2.2. Definition of Abuse*

Abuse is a violation of an individual's human and civil rights by another person or persons and may result in significant harm to, or the exploitation of the person subjected to it.

- Abuse may consist of a single act or repeated acts;
- May be physical, verbal, psychological or emotional;
- May be an act of neglect or an omission to act;

- May occur when a person is persuaded to enter into a financial or sexual transaction to which they had not consented, or cannot consent;
- May be deliberate or unintentional or result from lack of knowledge.

### 2.3. Categories of Abuse

The main categories of abuse are:-

- Psychological
- Physical
- Sexual
- Financial or material
- Neglect and acts of omission
- Discriminatory

Institutional Abuse:

Institutional abuse is the mistreatment of people brought about by poor or inadequate care or support or systematic poor practice that can affect individuals and a whole group. It occurs when the individual's wishes and needs are sacrificed for the smooth running of a group, service or organisation.

Multiple forms of abuse:

Multiple forms of abuse may occur in an ongoing relationship or an abusive service setting to one person, or to more than one person at a time, making it important to look beyond single incidents or breaches in standards, to underlying dynamics and patterns of harm. Any or all of these types of abuse may be perpetrated as the result of deliberate intent and targeting of vulnerable people, negligence or ignorance.

### 2.4. Six Principles

The Care Act 2014 identifies the six principles that underpin adult safeguarding work:

1. **Empowerment** - Personalisation and the presumption of person-led decisions and informed consent.
2. **Prevention** - It is better to take action before harm occurs.
3. **Proportionality** - Proportionate and least intrusive response appropriate to the risk presented.
4. **Protection** – Support and representation for those in greatest need.
5. **Partnership** – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
6. **Accountability** – Accountability and transparency in delivering safeguarding

## 3. Policy

The core principles of HHA's response to this duty of care are:

- 3.1. Every vulnerable adult and children that lives in a Highstone Housing Association property has the right to live free from abuse and we are committed to working towards preventing abuse.
- 3.2. We will support tenants and their children to safeguard themselves from abuse and neglect and will keep their interests at the centre of any safeguarding activity and where appropriate we will work closely with key agencies.

- 3.3. We will make sure our tenants, their children and the people we support are aware of safeguarding policies and procedures and also their family and advocates, where appropriate.
- 3.4. We recognise that findings from Serious Case Reviews have sometimes stated that if professionals or other staff had acted upon their concerns, or sought more information, death or serious harm might have been prevented. Everyone at Highstone Housing Association has a responsibility to prevent, recognise and act on abuse and neglect. We will promote an organisational culture of openness so that staff, volunteers, residents and the people we support and carers can raise their concerns.
- 3.5. We will make sure that relevant staff and volunteers understand their role in relation to safeguarding vulnerable adults and children and are competent in recognising and acting on abuse and neglect. They will receive adequate awareness training on how to identify and report suspected cases.
- 3.6. This will be in line with recruitment checks, data protection policies/procedures, whistle blowing policies, the Mental Capacity Act 2005, the Care Act 2014 and confidentiality agreements to ensure we avoid and respond to actual or suspected abuse and acts of neglect or omission. We will take appropriate steps to ensure our services are provided in a way that complies with both the law and published best practice.
- 3.7. We are committed to multi agency working with all stakeholders and to ensuring that we adhere to the relevant requirements of Local Authorities.
- 3.8. We aim to recruit high quality staff, board members, volunteers and contractors following our recruitment and selection procedure.
- 3.9. There is no entitlement for HHA to request a DBS check for any of their staff or contractors. This is because any contact they may have with the tenants would be classed as incidental. Their role is not to have direct supervision or responsibility for the tenants.<sup>1</sup>

#### 4. Care and support services

Following the publication of the Francis report the Government is placing a statutory duty of candour on all organisations that provide care and support. This requires all board members, directors, managers, staff and volunteers to be open and honest when mistakes happen informing the people affected and reporting to the required regulators. Making a mistake will not in itself lead to the individual or the organisation facing action but failure to disclose the mistake could lead to criminal prosecution.

We have a duty to refer staff for inclusion on the national Protection of Vulnerable Adults Scheme, List of Unsuitable Care Workers (or successor lists). This registers if a member of staff has placed a vulnerable person at risk of harm (whether or not in the course of their employment). This includes any situation where the worker has been dismissed on grounds of misconduct, which harmed or risked harm to a person we support, but also where a worker has:

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<sup>1</sup> E041600390-230714 Request to Check if Positions are Eligible for DBS Checks email 14/4/2016 refers

- resigned or retired before dismissal;
- transferred to other work;
- been suspended or provisionally transferred to other duties pending a final decision of (probation) the employer; and
- been made redundant in circumstances where the employer would otherwise have considered dismissal. This duty remains even if concerns or allegations of abuse come to light after the person has resigned, retired, been dismissed or been transferred to other duties.

## 5. Responding to Disclosure of Abuse

A person is more likely to disclose details or concerns about abuse to someone they trust and with whom they feel safe. The following points are a guide to help HHA staff respond appropriately should a similar situation arise.

### **Always:**

- Record exactly what has been said to you as soon as possible
- Remain sensitive and calm about what you are hearing
- Reassure the person that they:
  - Are safe
  - Were right to tell you
  - Are not to blame
  - Are being taken seriously
  - Let the person talk –Do not interview or prompt, listen & hear; you must give the person time to say what they need to tell you
- Try to create a positive experience
- Explain that you must tell, but that the information shared will remain confidential and on a need to know basis only.
- Tell the person what will happen next
- Reassure the person that they have done the right thing in telling and that it will be dealt with appropriately and as quickly as possible
- Involve appropriate individuals and/or partner organisations immediately

### **Never:**

- Question unless for clarification
- Make promises you cannot keep
- Rush into actions that may be inappropriate
- Make/pass a judgment on alleged abuser
- Say you don't believe them
- Take sole responsibility – you must consult the Housing Officer or Supported Housing Director

## 6. Raising a Concern

Where there is a concern, it is the responsibility of HHA staff or a representative to:

- Record and report any concerns regarding the safety and welfare of children, young people or vulnerable adults and to escalate the concern to Lucy Lloyd or Jane Easter, who will in turn report this to the appropriate agencies.
- Concerns that a vulnerable adult or child is suffering or may be at risk of suffering significant harm may require an urgent response, under these circumstances, follow the guidance below:

- If you suspect a serious criminal act has taken place telephone 999. Tell them if you think it might be adult abuse
- If the individual is injured seek immediate medical treatment. Tell the ambulance personnel or A&E staff that this is a potential adult abuse situation

## 7. Allegations Made Against Staff

### Initial Response to an Allegation or Concern

The member of staff who has received the allegation or who has a concern about a colleague or a member of staff from another organisation must immediately notify the Housing Officer or Supported Housing Director who will ensure that:

- The allegation is investigated using internal processes
- Depending on the outcome of the investigation, liaise with the Local Authority and/or Police as appropriate

## 8. Sharing Information

We commit to share the right information with the right people at the right time in accordance with our Privacy Information policy and General Data Protection Regulations (GDPR 2018).

## 9. Legal and Regulatory Framework

Safeguarding Vulnerable Groups Act 2006, Working Together to Safeguard Children 2013, Mental Health Act 2007, Mental Capacity Act 2005, Human Rights Act 1998, Health and Social Care Act 2012, Safeguarding/Adult Safeguarding (Local Authorities own policies and procedures), Care Quality Commission Essential Standards 2010, The Equality Act 2010 and The Care Act 2014, General Data Protection Regulation (GDPR) 2018.

## 10. Our Service Standards

- HHA has appointed Lucy Lloyd as the Safeguarding lead for all matters relating to vulnerable adults and children
- We will ensure all our staff are aware of and trained in the relevant policies i.e. Safeguarding vulnerable adults and children, Confidential reporting – Whistleblowing and Privacy Information (GDPR)
- We will ensure all new staff receive induction and awareness training about these policies
- All existing and new staff will be assessed against the BDS criteria
- All our staff will know when it is appropriate to escalate abuse or suspected abuse to HHA Safeguarding lead or directly to the police if they believe a serious crime has been committed.
- HHA Safeguarding lead will notify the relevant Local Authority Children’s safeguarding team or Adult Social care as appropriate.
- This policy will be reviewed three yearly, or sooner as legislation or events dictate. In any case, all safeguarding, or whistleblowing issues will be reported to and reviewed by the HHA board.