

# **SAFEGUARDING VULNERABLE ADULTS AND CHILDREN POLICY**

**August 2018**

<b>Policy Title:</b>	PRS14 Safeguarding Vulnerable Adults and Children
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<b>Agreed by:</b>	HOST
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## **1. Our policy is...**

- 1.1 Ongo Partnership Ltd. (we) accepts the moral and legal obligation to ensure the duty of care for vulnerable adults and children across all of our services.
- 1.2 We believe that the welfare of vulnerable adults and children is of primary concern and that all vulnerable adults and children, whatever their age, culture, disability, gender, language, racial origin, social-economic status, religious belief and/or sexual identity have the right to live free from abuse.
- 1.3 We recognise we have a duty to safeguard children not only in places where they are known to live, or may live, but also where children may visit and in other places where customers may have access to children.
- 1.4 We seek to prevent and effectively deal with incidents of abuse by:
  - Operating a 'zero tolerance' approach towards abuse.
  - Making safeguarding personal and putting the victim at the heart of the process.
  - Raising awareness of the duty of care responsibilities relating to vulnerable adults and children throughout the company.
  - Promoting and implementing appropriate procedures to safeguard the well-being of vulnerable adults and children to protect them from harm.
  - Creating a safe and healthy environment within all our services, avoiding situations where abuse or allegations of abuse may occur.
  - Recruiting, training, supporting and supervising staff to adopt best practice to safeguard and protect vulnerable adults and children from abuse, and to minimise risk to themselves.
  - Responding promptly to any allegations of poor practice, misconduct or abuse of vulnerable adults or children in line with this policy as well as implementing, where appropriate, relevant disciplinary and appeals procedures.
  - Requiring staff to adopt and abide by the organisation's Safeguarding Vulnerable Adults and Children Policy and associated procedures.
  - Maintaining effective partnerships with other external agencies, including adult and children's social services teams and the Police across all Local Authority areas where we

work and working in line with multi-agency guidelines to ensure vulnerable adults and children are safeguarded against all types of abuse.

- 1.5 This policy clarifies our role and our staff's role in safeguarding vulnerable adults and children. It should be read alongside our safeguarding vulnerable adults procedure and our safeguarding children procedure which are two separate documents:

## **2. It applies to...**

- 2.1 All staff providing a service on our behalf, including agency workers, apprentices, fixed term workers, consultants, secondees, Board members and volunteers.
- 2.2 Potential staff and contractors who are aiming to provide a service on our behalf.

## **3. Because we want to...**

- 3.1 Have a transparent, fair and equitable policy for safeguarding vulnerable adults and children.

## **4. We will...**

### **4.1 Highlight key definitions specific to safeguarding**

#### Adults

The safeguarding duties apply to an adult who has needs for care and support (whether or not the LA is meeting any of those needs) and; is experiencing, or at risk of, abuse or 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.

#### Child

The Children Act 2004 defines a 'child' as a person under the age of 18, or a person aged 18, 19 or 20 who is being looked after by a local authority, or a person aged 18, 19 or 20 who has a learning disability.

## Safeguarding

The Local Safeguarding Children Board works to the definition of Safeguarding and promoting the welfare of children, which is:

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

*(Source: Working Together 2015)*

Safeguarding vulnerable adults and children is everyone's responsibility and effective safeguarding arrangements are underpinned by two key principles:

- Safeguarding is everyone's responsibility
- Effective safeguarding is person-centred

## Abuse

Abuse is behaviour towards another person that either deliberately or unknowingly causes them harm or endangers their life or human or civil rights. It may involve 'a single or repeated act, or omission occurring within a personal or closed relationship where there is an expectation of trust, which causes harm or distress to a person'.

Friends, strangers, family members, and professional staff can all be guilty of abuse. Abuse can include physical, psychological, sexual, financial, discriminatory abuse and acts of neglect.

(Dept of Health, *No Secrets* Guidance 2000).

### **4.2 Deal with concerns and allegations of abuse effectively and efficiently**

4.2.1 Our Safeguarding Vulnerable Adults and Safeguarding Children Procedures set out the detailed processes and practices that need to be followed to implement this policy. The procedures have been developed with reference to North Lincolnshire Council's (NLC) Safeguarding Adults Policy & Procedures (2014) and the Local Safeguarding Children's Board Policy & Procedures. However, it is acknowledged that Ongo also work with other Local Authorities and where procedures differ this will be taken into account.

4.2.2 The Safeguarding Vulnerable Adults and Safeguarding Children Procedures contain detailed guidance for staff to identify potential and actual abuse, raise alerts and manage individual cases. They also set out how allegations against members of staff will be dealt with.

4.2.3 It is the role of the Local Authority is to investigate and establish abuse. It is the role of all staff or anyone providing a service on our behalf, to report any suspicions or evidence of abuse or neglect and provide information as required to assist the LA in their investigations.

### **4.3 Acknowledge mental capacity when dealing with cases of abuse**

4.3.1 The Mental Capacity Act 2005 requires that any intervention is done while respecting the vulnerable adult's human rights.

4.3.2 Having mental capacity means being able to understand and retain information and to make a decision based on that information.

4.3.3 It is accepted that every adult has the right to make their own decisions, a person is assumed to have capacity to do so unless it is proved that they do not.

4.3.4 We recognise that vulnerable adults have the right to be supported in making their own decisions about how they wish to proceed in the event of abuse and will respect their wishes wherever possible. However in some circumstances, the vulnerable adult's wishes may be overridden where the safety of the individual or others may be at significant risk.

4.3.5 If there are concerns that the vulnerable adult lacks mental capacity, a Mental Capacity Assessment must be completed before any further action is taken using appropriate specialist support.

4.3.6 Where it has been deemed necessary to carry out a mental capacity assessment or the question of capacity has been raised and a decision taken not to carry out a mental capacity assessment – we will consult with Ongo legal services.

#### **4.4 The Care Act 2014**

- 4.4.1 Recognises that local authorities cannot safeguard individuals on their own; it can only be achieved by working together with the Police, NHS and other key organisations including housing providers and members of the public.
- 4.4.2 Explains the importance of sharing information related to abuse or neglect with SABs and that by not doing so could prevent them from being able to tackle problems quickly and learn lessons to prevent them happening again.

#### **4.5 Deprivation of Liberty**

- 4.5.1 Deprivation of Liberty came into force in England and Wales on 1 April 2009 under amendments to the *Mental Capacity Act 2005*. Those living in supported housing (and other housing settings) now fall under this definition.
- 4.5.2 We have a responsibility to protect our tenants by monitoring what is going on in our properties and identifying someone who appears to be deprived of their liberty.
- 4.5.3 If a person is to be deprived of their liberty in a community setting an application must be made to the Court of Protection by the adult services team within the relevant Local Authority area.

#### **4.6 Deal with allegations about a member of staff in a sensitive but professional way**

- 4.6.1 We will fully support and protect staff who, in good faith, report concerns about a colleague's practice or the possibility that a vulnerable adult or child may be being abused.
- 4.6.2 If a member of staff suspects that a colleague is involved in abuse or neglect they should report this immediately through the correct channels as detailed in the Safeguarding Procedures.

#### **4.7 We will use the most appropriate type of investigation when dealing with safeguarding allegations**

4.7.1 Where a member of staff is suspected of abuse or neglect, there may be three strands of investigation:

- a) Child/Vulnerable Adult Safeguarding investigation (led by the Local Authority Designated Officer LADO).
- b) Criminal investigation (led by the Police)
- c) A disciplinary or misconduct investigation (led by us)

4.7.2 As an employee, the usual terms and conditions for disciplinary investigations will apply, including consideration of suspension on full pay pending the outcome of the investigation.

4.7.3 We will assess each individual allegation on its own merits, taking into account the findings of any criminal investigation.

4.7.4 Depending on the outcome of the investigation, we will assess the appropriateness of the staff member returning to work in their previous environment.

#### **4.8 Make clear the professional boundaries**

4.8.1 In order to protect themselves from allegations of abuse or situations that could be misunderstood, staff members should maintain strong professional boundaries as detailed in the Code of Conduct and the Professional Boundaries Policy.

4.8.2 Ongo provide work based learning on professional boundaries to all staff

#### **4.9 Address safeguarding in all recruitment and selection processes**

4.9.1 We will make sure all reasonable steps are taken to prevent unsuitable people from working with vulnerable adults and/or children.

4.9.2 Staff, contractors and volunteers will be reference checked in accordance best practice and legislative requirements.

4.9.3 Where appropriate, staff must be registered with the Disclosure and Barring Service (DBS) as detailed within Ongo's DBS checks procedure.

#### **4.10 Provide staff with training**

4.10.1 All our staff will undertake safeguarding training at the level appropriate to their role to ensure that they are equipped to recognise abuse and deal with concerns in the appropriate manner.

4.10.2 Refresher training for front line staff must be undertaken every three years as a minimum to ensure that skills and knowledge are kept up to date in line with statutory guidance.

4.10.3 Safeguarding will be included in the staff induction programme for all new employees via e-learning.

#### **4.11 Make sure our contractors are up to date:**

4.11.1 We will make sure all partnering contractors or sub-contractors who are likely to come into contact with vulnerable adults or children have:

- their own equivalent Safeguarding Policy or failing this, comply with the terms of this policy;
- trained staff to deal with safeguarding issues.

4.11.2 We will take reasonable care to make sure that contractors doing work on our behalf are monitored appropriately.

#### **4.12 Take confidentiality seriously**

4.12.1 We will always treat any sensitive or personal information given to us as confidential in accordance with the General Data Protection Regulation (GDPR 2018).

4.12.2 Information will be handled and disseminated on a need to know basis only. We will not disclose information to other agencies without the prior consent of a victim of abuse except where:

- there is a risk of serious harm to the individual or someone involved in the situation,



- the victim is a child
- the individual has been assessed as incapable of making an informed decision;

#### **4.13 Work hard to safeguard against terrorism and terrorist-related activities**

4.13.1 Under the Counter-Terrorism and Security Act 2015, we will follow the Prevent Agenda Guidance for England and Wales. We will work with the Local Authority, the Police, statutory partners and the local community to safeguard children and adults from being drawn into committing terrorist-related activities; recognising that early interventions may help to protect and divert them away from these risks.

### **5. Making sure we do what we say...**

5.1 The Head of Customer & Support Services is responsible for:

- Ensuring the adoption of, and adherence to, this policy
- Representing Ongo Homes at the Safeguarding Adults Boards (if required) in the areas in which we work.
- Representing Ongo Homes on the Local Safeguarding Children's Board (if required) in the areas in which we work.
- Carrying out the role of Child Protection Coordinator and appointing a deputy in their absence;

5.2 The Support Services Manager is responsible for:

- Making the decision as to whether a vulnerable adult alert is to be referred to the Local Authority (where the decision is made **not to refer**, cases will be supported by us or signposted to specialist agencies);
- Overseeing and monitoring safeguarding cases concerning Ongo;
- Ensuring that Ongo is represented at safeguarding meetings for vulnerable adults and children.
- Providing advice, guidance and support to members of staff in regards to safeguarding vulnerable adults and children;
- Ensuring staff keep clear and accurate records in relation to safeguarding and child protection.
- Ensuring appropriate child protection referrals are made to the Local Authority
- Overseeing and monitoring child protection cases concerning Ongo

5.3 Service managers are responsible for ensuring that:

- Where relevant, the safeguarding of vulnerable adults and children is considered in strategies, plans and services;
- They and their staff understand the Safeguarding Vulnerable Adults and Children Policy and associated procedures and know how to use this in practice;
- They inform the relevant Designated Officer of any safeguarding or child protection issues raised to them by a member of staff;
- Ensure that staff reporting any safeguarding concerns are provided with appropriate support
- All staff have undertaken safeguarding e-learning training within one month of their employment with Ongo commencing.
- All customer facing staff must complete face to face safeguarding awareness training within six months of their employment with Ongo commencing.
- Each office/scheme location has copies of (or staff have access to) safeguarding procedures and multi-agency safeguarding referral/alert forms and contact details.

5.4 Staff working for Ongo Communities are responsible for ensuring that:

- If they have a safeguarding concern (for either an adult or child) living in an Ongo property they contact the Support Services Manager.
- If they have a safeguarding concern (for either an adult or child) who does not live in an Ongo property they contact the Local Authority direct.
- All safeguarding concerns are recorded on a spreadsheet for monitoring purposes.

5.5 Support Service/M25/Ongo Communities Team Leaders have a responsibility to:

- Ensure that contracts and support plans refer to the safeguarding of vulnerable adults;
- Ensure that services provide a safe environment for vulnerable adults;
- Understand and use whistleblowing and child protection policies where appropriate.

5.6 The HR department is responsible for:

- Ensuring all staff working with vulnerable adults and children have employment checks appropriate to their role;
- Keeping up-to-date with safer recruitment policies, procedures and training;

5.7 The Procurement Manager is responsible for:

- Ensuring that safeguarding is considered within all contracts where contractors staff members come into direct contact with Ongo customers

5.8 The Contract Manager is responsible for:

- Ensuring that all contractors who have customer facing staff adhere to their own or adhere to our Safeguarding Policy;
- Identifying contractors that need safeguarding training.

5.9 All staff and persons working on our behalf, whether they work directly with, or come into contact with, vulnerable adults and children have a responsibility to:

- Report any suspicions or concerns regarding the welfare of vulnerable adults and children. This duty extends to the identification of abuse, poor practice and allegations brought to the attention of staff by a member of the public;
- Contribute to investigations of suspected abuse;
- Take part in safeguarding training relevant to their role;
- Keep clear and accurate records in relation to safeguarding
- Adequately inform customers of the Safeguarding Vulnerable Adults and Children policy and provide them with support to help them understand it.

5.10 We will collect the following performance information to make sure we are doing what we say we will do:

- Number of alerts (adults or children) received and their origin;
- Number of vulnerable adult cases passed to the Local Authority;
- Number of vulnerable adult cases accepted by the Local Authority;
- Number of safeguarding children referrals passed to the local Authority
- Number of safeguarding children referrals accepted by the Local Authority.

5.11 A report will be provided to the OH Board annually, to provide assurance to them in respect of our approach and management of Safeguarding Vulnerable Adults and Children across the group.

## **6. Other things to bear in mind**

6.1 This policy has been developed to comply with the legal framework and published guidance relating to the safeguarding of vulnerable adults and children:

### 6.1.1 General:

- [Crime and Disorder Act 1998](#)
- [Counter-Terrorism and Security Act 2015](#)
- [General Data Protection Regulation](#)
- [Domestic Violence, Crime and Victims Act 2004](#)
- [Equality Act 2010](#)
- [Human Rights Act 1998](#)
- [Police and Criminal Evidence Act 1984](#)
- [Public Concern at Work](#)
- [Public Interest Disclosure Act 1998](#)
- [Safeguarding Vulnerable Groups Act 2006](#)
- [Sex Offenders Act 1997](#)
- [Sexual Offenders Act 1956](#)
- [Sexual Offences Act 2003](#)

### 6.1.2 Safeguarding adults:

- [No Secrets Guidance \(Department of Health, 2000\)](#)
- [Forced Marriage \(Civil Protection\) Act 2007](#)
- [Mental Health Act 1983](#)
- [Mental Capacity Act 2005](#)
- [The Care Act 2014](#)
- [ADASS Guidance 2013](#)

### 6.1.3 Safeguarding Children:

- [Children and Young Persons Act 1933](#)
- [The Children Act 2004](#)
- [The Children Act 1989](#)
- [The Local Safeguarding Children Boards Regulations 2006](#)
- [Early Help Assessment Framework](#)
- [NSPCC](#)
- [Childline](#)
- [Working together to safeguard children: A Guide to inter-agency working to safeguard and promote the welfare of children \(March, 2015\)](#)

6.2 The Safeguarding Vulnerable Adults and Children Policy is not intended to be used in isolation but in conjunction with our other policies and procedures including:

- [Anti-Social Behaviour Policy](#)

- CBL Policy
- Code of Conduct
- Customer Charter
- Data Protection Policy
- Dignity and Respect Policy
- Disciplinary Procedures
- Domestic Violence Policy
- Equality and Diversity Policy
- Harassment Policy
- Money Handling Policy
- Professional Boundaries Policy
- Recruitment and Selection Policy
- Safeguarding Adults Procedure
- Safeguarding Children Procedure
- Vulnerable Person's Policy
- Whistleblowing Policy

6.3 We will also link to external local documents including:

- Local safeguarding Adult's Board Safeguarding Adults Board Policies & Procedures
- Local Safeguarding Children's Board Procedures and Guidance
- The Early Help Safeguarding Strategy
- Domestic Abuse Strategy
- Helping Children & Families (Threshold Document)
- Child Sexual Exploitation Strategy & Guidance
- LSCB Safer Recruitment Guidance
- SAB Risk Management Policy
- The Government's *Prevent Strategy* (Appendix 1)
- What to do if you're worried a child is being abused – advice for practitioners

## **7. We'll look at this again...**

7.1 This policy will be health-checked annually by the Support Services Manager.

## 8. What do we mean...?

Reference	Explanation
Abuse	<p>'Abuse is a violation of an individual's human and civil rights by any other person or persons'. It may involve <i>'a single or repeated act, or omission occurring within a personal or closed relationship where there is an expectation of trust, which causes harm or distress to a person'</i>.</p> <p>Friends, strangers, family members, and professional staff can all be guilty of abuse. Abuse can include physical, psychological, sexual, financial, discriminatory abuse and acts of neglect (Dept of Health, <i>No Secrets</i> Guidance 2000).</p>
Alerter	Member of staff who sees abuse taking place, is told about abuse or suspects abuse is occurring.
Child	The Children Act 2004 defines a 'child' as, a person under the age of 18, or a person aged 18, 19 or 20 who is being looked after by a local authority, or a person aged 18, 19 or 20 who has a learning disability.
Child Abuse	Child abuse occurs when a child or young person suffers a violation of their human and civil rights.
Child Protection	<p>Child protection is a part of safeguarding and promoting welfare. This refers to the activity that is undertaken to protect specific children who are suffering, or are at risk of suffering significant harm.</p> <p>Effective child protection is essential as part of the wider work to safeguard and promote the welfare of children. However, all agencies and individuals should aim to proactively safeguard and promote the welfare of children so that the need for action to protect children from harm is reduced. (Source: Working Together to Safeguard Children).</p>
Customer	This includes tenants, residents, clients and anyone who is receiving a service from us.
Designated Officer	<p>The Support Services Manager has responsibility for managing Safeguarding Vulnerable Adult Referrals.</p> <p>The Child Protection Co-ordinator (Head of Housing Management) has responsibility for managing Child Protection Referrals.</p>
Mental Capacity	<p>Mental Capacity refers to the ability of a person to make decisions about their own life. Some people have difficulties in making such decisions. This is called 'lacking capacity'. This is applicable to people aged 16+.</p> <p>Under the Mental Capacity Act (MCA) there are laws governing who can make decisions on someone else's behalf, which help to safeguard vulnerable people</p>
Parent	The term 'parent' is used as a generic term to represent parent, carers and guardians.
Perpetrator	A perpetrator is a person, group or organisation that is suspected of, or has carried out, abuse. The perpetrator may or may not understand that they are carrying out abuse.
Staff	For the purpose of this policy, 'staff' relates to anyone employed by Ongo, including agency workers, apprentices, fixed term workers, consultants, secondees, Board members and volunteers who work on behalf of us.

<b>Vulnerable Adult</b>	'Someone who is aged 18 or over and who is or may be in need of community care services by reason of mental health or other disability; age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'. (No Secrets, Dept of Health 2000)
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# Prevent Strategy

## Safeguarding Individuals and Protecting the Public

**Prevent** is one part of the Government's strategy for countering terrorism and extremism in the UK. Terrorism and extremism is not restricted to violent Islamism and those groups associated with Al Qa'ida, although this remains the greatest threat to the UK. There are also risks from the Extreme Right Wing, Northern Ireland related terrorism and other single causes.

The Prevent strategy has 3 main objectives which are;

- **Ideology** – To respond to the ideological challenge of terrorism and the threat we face from those who promote it.
- **Institutions** – Work with a wide range of sectors, in particular education, faith groups, healthcare providers, criminal justice and the internet, where there are risks of radicalisation.
- **Individuals** – Prevent people from being drawn into terrorism and protect those who are at risk of radicalisation, ensuring that they are given appropriate advice and support.

**The Channel process** is a key element of the *Prevent* strategy. It is a multi-agency approach to identifying and supporting those **individuals** who are vulnerable and at risk from radicalisation. **Channel** is about safeguarding children and adults from being drawn into committing terrorist-related activity. It is about early intervention to protect and divert people away from the risk they face before illegality occurs. Channel uses existing collaboration between local authorities, the Police, statutory partners and the local community to:

- identify individuals at risk of being drawn into terrorism;
- assess the nature and extent of that risk; and
- develop the most appropriate support plan for the individuals concerned.

**How to report your concerns;** Anyone can report or refer an individual who they feel is vulnerable to radicalisation. The information will be dealt with in confidence and in line with current legislation. The emphasis is on **safeguarding individuals** and **protecting the public**.

You can refer individuals directly to the Channel process or report Prevent related information [through Prevent@humberside.pnn.police.uk](mailto:Prevent@humberside.pnn.police.uk)

**For all suspicious activity which requires an immediate response** contact Humberside Police on 101 or 999 in an emergency.