

B05a

Safeguarding adults policy (England)

This document is provided to Harrow Carers (now referred to as 'the organisation') as a Network Partner of Carers Trust.

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1.0 SCOPE

- 1.1 **Safeguarding adults is a fundamental responsibility of our organisation.** The following documents set out our approach to safeguarding adults aged 18 and over:
- policy (B05a)
 - procedure for managers (B05b)
 - guidance for staff (B05c)
 - guidance for volunteers (B05d)
 - abuse of adults; factors, types and indicators (B05e).
- 1.2 The intended aim of these documents is to protect adults at risk (Appendix 1) from experiencing abuse, harm or neglect, to promote their wellbeing and to respond promptly and effectively to any concerns, **ensuring their safety, dignity and rights are upheld.**
- 1.3 As staff who work primarily with adults may also encounter children and young people in the course of their work, they are required to read the safeguarding and child protection documents (C01) alongside the adults' suite. See 7.3 below.
- 1.4 Providers of both regulated and non-regulated services will read this policy alongside their organisation's documentation concerning:
- confidentiality and disclosure (providers of regulated services see D05)
 - whistleblowing
 - diversity and equality
 - code of conduct
 - compliments and complaints
 - professional boundaries.
- 1.5 Organisations that provide regulated services and have access to the care practice Operational Policy Framework will also read:
- positive behaviour (D03) - including use of restrictive practice
 - autonomy and independence (D04) – including consent, Mental Capacity Act, Deprivation of Liberty Safeguards (DoLS)/Liberty Protection Safeguards (LPS) ¹
 - financial protection (D07)
 - missing persons (model policy - AT18).
- Elite Specialist Care part of Harrow Carers, use QCS (quality compliance system) to access Safeguarding and other policies and procedures.**
- 1.6 In this policy:
- 'staff' refers to employees and volunteers² throughout the organisation
 - 'service user' refers to adults receiving care and support, and their carers.

¹ There is currently no implementation date for when DoLS will be replaced by LPS.

² The National Council for Voluntary Organisations states that 'volunteers give their time, carrying out activities that aim to benefit community or society. Volunteers are unpaid and choose how they wish to give their time'. Central to this definition is the fact that volunteering must be a choice freely made by each individual.

2.0 LEGISLATION

2.1 The organisation seeks to comply in all respects with:

- Human Rights Act 1998
- Mental Capacity Act and Code of Practice 2005
- Mental Capacity (Amendment) Act 2019
- Equality Act 2010
- Protection of Freedoms Act 2012
- Health and Social Care Act (2008) Regulations 2014
- Care Act 2014
- Counter-Terrorism and Security Act 2015
- General Data Protection Regulation (GDPR) 2018³
- Data Protection Act 2018
- Domestic Abuse Act 2021⁴

2.2 See also:

- [Care and support statutory guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/care-and-support-statutory-guidance)
- [National Council for Voluntary Organisations \(NCVO\) guidance on safeguarding](#)
- [The eight Caldicott principles of good information sharing](#)

3.0 POLICY STATEMENT

3.1 The organisation:

- endorses a person-centred approach to safeguarding adults and aims to provide a consistent approach to safeguarding practice and procedures across its services
- recognises that each person has a right to live in safety free from abuse or harm, regardless of their age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, or sexual reassignment⁵
- recognises that safeguarding adults at risk is everybody's responsibility, that everyone involved in service provision, (including front-line staff, managers, trustees and volunteers), has a role to play in protecting and promoting their welfare and that everything possible must be done to detect, prevent, report, and tackle abuse
- is committed to fostering an honest, open, transparent culture for staff at all levels, ensuring they feel empowered to raise concerns about potential or actual abuse, fully recognising that it can be carried out by friends, family or strangers and those providing services in a professional role
- is committed to preventing the development of a closed culture⁶ which is defined as a poor culture that can lead to harm, including human rights breaches such as abuse, which can be intentional or unintentional
- will ensure that concerns about safety are investigated thoroughly and lessons are learnt to keep people safe from harm.

³ The UK GDPR and Data Protection Act are not a barrier to sharing information in relation to safeguarding, but rather provide a framework to ensure that personal information about living persons is shared appropriately. See Social Care Institute of Excellence [Safeguarding adults: sharing information](#).

⁴ [Domestic Abuse Act statutory guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/domestic-abuse-act-statutory-guidance)

⁵ Known as [protected characteristics](#) under Equality Act 2010

⁶ [How CQC identifies and responds to closed cultures - Care Quality Commission](#)

- 3.2 The organisation also recognises that people who lack mental capacity are particularly vulnerable to abuse, harm and exploitation. In this context, it is committed to following the principles and practice guidance of the Mental Capacity Act 2005 and Mental Capacity (Amendment) Act 2019, including where appropriate, signposting to the advocacy support to which all service users are entitled.
- 3.3 The organisation seeks to comply with the six principles of safeguarding, as set out in the Care Act 2014, namely:
- **Empowerment:** supporting people to make their own decisions and give informed consent.
 - **Prevention:** taking proactive measures to prevent harm.
 - **Proportionality:** ensuring responses are balanced and appropriate.
 - **Protection:** taking necessary steps to protect people's health, wellbeing and human rights.
 - **Partnership:** working collaboratively with people to create a safe environment.
 - **Accountability:** ensuring people are held accountable for their actions.

4.0 RESPONSIBILITIES OF TRUSTEES

- 4.1 Safeguarding is a key governance concern for all charities. The Charity Commission states that trustees must put safeguards in place to protect those who come into contact with their charity. The Charity Commission publication: [Safeguarding and protecting people for charities and trustees](#)⁷ (updated June 2022) provides details.
- 4.2 Trustees have a responsibility to promptly disclose to the chair of the board or, if the chair is involved, to the vice-chair or other designated trustee if they have been involved in a safeguarding concern outside of their role as trustee, including, but not limited to, any safeguarding allegations, investigations or incidents.
- 4.3 The organisation's trustees have a personal responsibility to familiarise themselves with the content of this policy and to be aware of the associated procedure and guidance documents. Responsibility for having detailed knowledge of the procedure and guidance and monitoring compliance may be carried out by a nominated board member or delegated to a senior member of the management team.
- 4.4 Trustees are responsible for ensuring managers have effective systems in place whereby staff at all levels of the organisation:
- work according to the adults' safeguarding policy documents
 - receive safeguarding training relevant to and at a suitable level for their role, to be updated once every two years

⁷ The publication includes a section on managing safeguarding risks when operating online. It also updates some terminology and links to other sources of support.

- are clear about their responsibilities and accountability in relation to preventing, identifying and reporting abuse
- know how to escalate safeguarding concerns
- receive appropriate supervision and support, including following a safeguarding incident.

4.5 Specifically, trustees have a responsibility to:

- promote a culture of openness and candour at all levels of the organisation
- ensure senior managers are fully committed to safeguarding adults at risk
- ensure their organisation operates zero tolerance to all forms of abuse, including unlawful discrimination, degrading or inhuman treatment, excessive or inappropriate use of restraint or restrictions on movement and activities
- ensure robust systems of scrutiny and internal inspection are in place to monitor and review safeguarding practice on an ongoing basis across the organisation, to inform continued development, quality assurance and improvement
- ensure any required improvements are openly shared and understood by all staff who have a responsibility to embed them
- oversee performance and risk in relation to safeguarding adults
- ensure adequate support for staff who raise concerns (whistleblowers).

4.6 In addition, trustees will ensure managers establish and operate robust systems to:

- engage with the relevant Safeguarding Adults Boards (SABs) within the geographical area/s in which they operate, working in accordance with the local safeguarding arrangements as set out by them
- implement local authority inter-agency agreements, including information sharing⁸ protocols that support the supply/exchange of information with SABs
- work co-operatively and in an integrated manner with other agencies in the statutory, voluntary and independent sectors
- select/ recruit/ vet staff in compliance with legal requirements and good practice
- make checks against the [Disclosure and Barring Service \(DBS\)](#)⁹
- make referrals to the DBS once a safeguarding concern has been concluded
- deal with allegations against, and concerns about, staff who may have harmed an adult at risk or behaved in a way that indicates they may pose a risk of harm, in line with local authority protocols (see also 6.0 below)
- follow reporting requirements of safeguarding incidents as set out in the accompanying procedure (B05b).

4.7 Trustees are responsible for ensuring that:

- a senior staff member (suitably trained and competent to handle safeguarding issues) is appointed as the organisation's designated safeguarding adults officer
- the designated person maintains an up-to-date knowledge of national changes and developments, including any changes in adults' safeguarding policy and disseminates this information across the organisation in a format that is relevant to the intended audience, as appropriate.

⁸ Organisations must be transparent and accountable in relation to information shared and must also record all decisions about whether they are sharing information, what they are sharing, with whom and why.

⁹ [DBS checks: detailed guidance - GOV.UK \(www.gov.uk\)](#)

- 4.8 It is recommended good practice to appoint to the organisation's board of trustees a person who is suitably trained/experienced in safeguarding to act as adults' safeguarding lead. The appointed trustee will:
- work with the designated safeguarding adults officer, ensuring all necessary safeguarding protocols are in place
 - bring to the board's attention any safeguarding protocols that need revision following any issue/incident that identifies weaknesses or has policy implications.

In the absence of such an appointment, these duties will fall by default to the chair of the organisation's board of trustees, who will receive appropriate safeguarding training and access to ongoing support to carry out the role.

5.0 RECOGNISING ABUSE AND RAISING SAFEGUARDING CONCERNS

- 5.1 Abuse may be prevented or diminished by good staff vigilance at all levels, from a staff team that is open to raising an alert in all potential as well as actual risk situations to best protect their service users. Staff will be trained to recognise the early signs of abuse (B05e) and to understand the importance of taking speedy action to prevent problems escalating.
- 5.2 The organisation's employees, volunteers and trustees each have a responsibility to ensure safeguarding concerns are identified and reported in line with the structured reporting process it operates to protect adults at risk of harm, as set out in the accompanying procedure (B05b).

6.0 ALLEGATIONS OF ABUSE AGAINST STAFF

- 6.1 Allegations of staff abusing service users will be listened to, taken seriously, dealt with promptly in line with local protocols and reported to the relevant authorities as necessary. The accompanying procedure (B05b) provides further details.

7.0 LEARNING AND DEVELOPMENT

- 7.1 Managers will assess the roles undertaken by:
- employees **not** involved in providing care and support services
 - volunteers
- to determine the level of training/induction/briefing they need in safeguarding adults.
- 7.2 The learning and development policy documents (E13) provide general learning and development requirements relating to safeguarding adults for employees who provide regulated care and support services.
- 7.3 Employees who only provide services to adults may still encounter children or young people in the course of their work. Therefore, all employees involved in planning or providing care and support services to adults will also receive training in the safeguarding and protection of children¹⁰. In addition, the local authority has a statutory duty to consider the needs of any children and young people in a household with identified adult

¹⁰ As well as being good practice, this is an insurance requirement for those organisations insured by a company brokered through Gallaghers.

safeguarding issues and this will be highlighted in both adults' and children's safeguarding training. Both adults and children's safeguarding training is required to be renewed once every two years. Those staff working directly with children are required to undertake yearly refresher training.

8.0 MONITORING AND COMPLIANCE

- 8.1 The organisation is committed to ensuring that its safeguarding policies and procedures remain effective, up to date and responsive to emerging risk and best practice.
- 8.2 Its board of trustees will request for audits to be carried out to assess compliance with the safeguarding policies and procedures it operates.
- 8.3 The organisation recognises it is essential that where abuse has occurred, they understand what went wrong and what action is needed to ensure it never happens again.

9.0 ADOPTION

- 9.1 To formally adopt this policy, the organisation's board of trustees will document in the minutes of the appropriate board meeting its name, reference number and the date it was adopted. The chair of the trustees will sign the minutes on behalf of the board.

APPENDIX 1 – DEFINITIONS

Safeguarding

'Safeguarding' means protecting an adult's right to live in safety, 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 that the adult's wellbeing is promoted, including where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action. This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances ([Care and support statutory guidance](#)).

Adult at risk (Care Act 2014, section 42)

An adult at risk is a person aged 18 or over who:

- a) has care and support needs (whether or not the authority is meeting any of those needs)
- b) AND
- c) is experiencing or is at risk of, abuse or neglect
- d) AND
- e) as a result of those needs, is unable to protect themselves against abuse or neglect or the risk of it.

Abuse

Abuse is a violation of an individual's human and civil rights by any other person or persons. It can happen anywhere that people interact with other people, in any relationship and may result in significant harm to, or exploitation of, the person subjected to it. Abuse can be intentional or unintentional. There are many forms of abuse, and incidents can involve several categories. The different types of abuse are covered in detail in B05e (abuse of adults: factors, types and indicators)

Harm

"Harm includes ill treatment (including sexual abuse, exploitation and forms of ill treatment that are not physical); the impairment of health (physical or mental) or development (physical, intellectual, emotional, social or behavioural); self-harm and neglect; unlawful conduct which adversely affects a person's property, rights or interests (for example financial abuse)." Care Certificate Framework (2015). Harm may also include the intentional misuse of medication and unlawful restraint.

Abuser

Abuse can be carried out by any of a wide range of people, and no-one can be excluded. Examples of potential abusers include:

- relatives, family members, friends, neighbours
- those in a person's social network
- professional paid staff/volunteers (including befrienders¹¹) in an institutional or community setting, including a person's own home
- other service users
- someone known to the person or strangers.

Exploitation

'Exploitation' is the act of using someone unfairly to another's advantage. There is often an unequal exchange (money, sex, work) with an adult at risk, in return for basic necessities, such as food, shelter or protection; where an individual has felt frightened of the consequences if they refuse (coercion); where the exploiter gains financially or socially.

¹¹ Befrienders are usually volunteers from a variety of organisations or mental health charities who provide support and companionship to lonely, or emotionally distressed people.

Safeguarding Adults Policy	Date Adopted and Signed	Ref	Name	Signed	Position
		SAP25	Geoff Broomhead		Chair of Trustees Harrow Carers
		SAP25	Dr. Janice Howkins OBE		Trustee responsible for safeguarding
		SAP25	Colin Powell		C.E.O Harrow Carers
		SAP25	Karen Gilchrist		Head of Adult Services Harrow Carers