

SAFEGUARDING POLICY AND ROCEDURES

DOCUMENT CONFIGURATION CONTROL

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Author/Job Title	Jonathan Sutton / CEO
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05 Dec 2018	Minor changes following review by Trustees	Jonathan Sutton DDSO	v1.3

INTRODUCTION

1. Adult Safeguarding means protecting a person's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop the risks and experience of abuse or neglect, whilst also promoting well-being and choice.
2. We are all responsible for the protection of vulnerable people from harm. Anyone can witness or become aware of abuse and neglect, from a worried neighbour to a nurse on a ward. Understanding what to do and where to go locally to get help and advice is vital to professionals and the general public on behalf of those unable to protect themselves.
3. The Care Act 2014 sets out a clear legal framework for how local authorities and other parts of the system should protect adults at risk of abuse or neglect. It also raises important implications for the safer recruitment of staff. Local authorities have new safeguarding duties. They must:
 - a. Lead a multi-agency local adult safeguarding system that seeks to prevent abuse and neglect and stop it quickly when it happens.
 - b. Make enquiries, or request others to make them, when they think an adult with care and support needs may be at risk of abuse or neglect and they need to find out what action may be needed.
 - c. Establish Safeguarding Adults Boards, including the local authority, NHS and police, which will develop, share and implement a joint safeguarding strategy.
 - d. Carry out Safeguarding Adults Reviews when someone with care and support needs dies because of neglect or abuse and there is a concern that the local authority or its partners could have done more to protect them.
 - e. Arrange for an independent advocate to represent and support a person who is the subject of safeguarding enquiry or review, if required.
4. A person at risk or a vulnerable adult is described by 'The Adult Care Act 2014' as an individual over the age of 18 who has needs for care and support (whether or not the local authority 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."
5. The aims of Adult Safeguarding are to:
 - a. Stop abuse or neglect wherever possible;
 - b. Prevent harm and reduce the risk of abuse or neglect to adults with care and

support needs;

- c. Safeguard adults in a way that supports them in making choices and having control about how they want to live;
- d. Promote an approach that concentrates on improving life for the adults concerned;
- e. Raise public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect;
- f. Provide information and support in accessible ways to help adults understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult; and
- g. Address what has caused the abuse.

SAFEGUARDING POLICY STATEMENT

6. We are committed to the protection of adults at risk of harm and the safeguarding and promoting of the interests and well-being of such adults.
7. St Paul's Hostel will support and protect anyone who receives our services and we will report any abuse or suspicion of abuse in the organisations who come into contact with our services.
8. St Paul's will ensure as far as we can that residents will not encounter harm of any form while in our care, and that, if abuse is detected, the situation will be reported immediately to allow investigation by the appropriate statutory agencies.
9. St Paul's undertakes to ensure that it will protect all adults it works with from exploitative relationships. In such circumstances where it is found, an adult is at risk then we undertake to liaise with Worcestershire County Council, Social Care Services and any other appropriate Local Authority, to ensure that the adult continues to receive a service as agreed and as appropriate.
10. St Paul's will ensure that staff will be alert to the possibility that they may become aware of adults requiring support and protection who are not residents e.g. relatives, friends, visitors etc. In all cases, staff will report their concerns using our reporting procedures, as detailed in our safeguarding procedures.
11. St Paul's recognises that the protection of adults at risk of harm is placed above all other operating principles and supersedes the principle of confidentiality.
12. St Paul's will work in partnership with relevant other bodies to contribute to resident risk assessments, the development of safeguarding adults at risk plans and the implementation of these plans, including the regular review of outcomes for the resident.

RESPONSIBILITIES

ALL STAFF AND VOLUNTEERS

13. All staff must read the Safeguarding Policy during the induction period and each time amendments are made. The Safeguarding Policy is held on Breathe HR documents and Breathe HR notifies individuals when the document has been updated.
14. Volunteers in roles with one-to-one or lone working with residents are to read the Safeguarding Policy during induction and each time amendments are made.
15. All staff have a responsibility to take seriously any referrals of abuse, however it is reported and whether or not the person is in St Paul's services or not.

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16. Holding an up to date DBS Enhanced check is part of the contract of employment. It is therefore the responsibility of staff to keep an Enhanced DBS up to date. DBS Enhanced checks are to be renewed every 3 years.

17. All staff must report that an adult may be at risk of harm, whether in St Paul's service or not. In every case, even if the report is anonymous or suspected to be deliberate misinformation it is to be reported.

DESIGNATED SAFEGUARDING OFFICERS

18. St Paul's has a specific member of staff who is nominated as the Designated Safeguarding Officer (DSO) and a second person who is nominated as the Deputy Designated Safeguarding Officer (DDSO). The approach of having nominated people is good practice and the individuals are to have sufficient knowledge, expertise, and seniority to deal with any concerns raised. The names of DSO and DDSO are to be displayed clearly and prominently in the hostel and in all resettlement properties. In the event that the DSO is not available then the DDSO will stand in. The DSO and DDSO at St Paul's are:

Designated Safeguarding Officer	Ginette Sadler	Ginette.sadler@stpaulshostel.co.uk 01905 723729 Extension 2
Deputy Designated Safeguarding Officer	Jonathan Sutton	Jonathan.sutton@stpaulshostel.co.uk 01905 723729 Extension 4

19. The Designated and Deputy Safeguarding Officers have additional responsibilities. These are;

- a. To provide a central register and a point that allows a consistent response and to maintain an overview of reports from staff. This must include;
 - i. The date incident was raised
 - ii. The subsequent action taken.
 - iii. The impact of that action.
 - iv. Comments about a future review
- b. Monitor issues, detect trends and provide a Safeguarding report at least annually (early spring) to Trustees.
- c. Report instances to and liaise with Worcestershire County Council Adult Services (or in the case of children Children's Services) to take advice and guidance as necessary.
- d. Where allegations of abuse are substantiated to arrange corrective action to redress the abuse and implement preventative actions to ensure the abuse is not repeated.

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- e. When asked organise internal case reviews or if asked by Adult Safeguarding Board to take part in a Safeguarding Adult Reviews (SAR).
- f. Implement changes to organisational practice and procedures that might be necessary because of the internal review or SAR.

INFORMATION FOR RESIDENTS

- 20. A copy of the St Paul's policy statement, responsibilities and Designated Safeguarding Officers (pages 4-8 of this policy) will be displayed in all accommodation.

DISCLOSURE AND BARRING SERVICE

- 21. The Disclosure and Barring Service (DBS) is a tool to help St Paul's make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. It replaced the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).
- 22. *The policy of St Paul's is;*
 - a. *For all permanent or relief staff to have a new Enhanced Disclosure and Barring Service (DBS - Enhanced) check prior to undertaking any appointment.*
 - b. *Volunteers who have any unsupervised, one-to-one contact or are lone working with residents are to have a new DBS – Enhanced check prior to beginning the volunteering role.*
 - c. *Volunteers who work supervised, for example, those on the evening meal roster, do not need to have a DBS check but must wear a Visitor Badge at all times and cannot be left unsupervised or allowed in TV, quiet room, garden or bedrooms unsupervised.*
 - d. *All trustees must have Enhanced Disclosure and Barring Service but at the discretion of the Chair of Trustees could attend meetings of Trustees before the checks are completed.*
 - e. *If a DBS of a member of staff reaches 3 years old before it is renewed then the member of staff must not work until it is renewed¹.*

¹ There are three mechanisms to prevent DBS checks running over the 3-year limit. First, members of staff have DBS expiring dates on Breathe HR records. Breathe HR will trigger a reminder at least 3 months before the expiring date. Second, as part of the Performance Management cycle, it is the responsibility of the employee to check the date of their DBS and take action to renew. Third, as part of the annual Performance Management cycle the Line Manager is also to check DBS expiry of those they manage.

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- f. *Trustee or volunteer does not have an Enhanced DBS check, they are not allowed in any of our services without an escort from a member of staff with a DBS Enhanced Check.*
23. A DBS has no official expiry date. Any information included is accurate at the time the check was carried out. St Paul's policy is to carry out a new check even if the person has a DBS that is less than 3 years old.
24. St Paul's policy is DBS checks be renewed at least once every 3 years (or sooner if there has been a significant gap in employment) UNLESS the staff member/volunteer has subscribed to the DBS Update Service, in which case, St Paul's can check the update service regularly (with the applicant's permission) and will only need to ask for a new DBS check if the update service suggests that the individual's information has changed.
25. However applicants can subscribe to the DBS update service, which is kept up to date, has as a low annual cost of £13 per year and enables checks of the workers status to be carried out as and when required, without applying for a new CRB disclosure. St Paul's Hostel will refund this annual charge.
26. The person must always be asked for permission before a DBS update service check is carried out.
27. Note: it is illegal to engage someone to work with children or vulnerable adults if they are in the DBS 'barred list'.
28. The Safeguarding Vulnerable Groups Act 2006 (SVGA) places a legal duty on employers and personnel suppliers to refer any person who has:
- a. harmed or poses a risk of harm to a child or vulnerable adult;
 - b. satisfied the harm test; or
 - c. received a caution or conviction for a relevant offence.
29. Under the legal duties of the SVGA the DSO may have to submit a DBS *referral* to DBS. Advice from the Adult Safeguarding staff at Worcestershire County Council should be sought in the first instance.

RECRUITMENT, REFERENCES AND CHECKING

30. St Paul's is committed to a fair and consistent Recruitment and Selection procedure which attracts, recruits and retains the highest quality candidates and is free of discrimination, prejudice or bias on grounds of any protected characteristics. St Paul's has a Recruitment Policy that sets out the procedures for this.
31. No person can work or volunteer at St Paul's Hostel without an up to date DBS check. The DBS is to be renewed no later than 3 years after the date on the certificate.

32. At least two independent references are to be received for all new employees before they are given employment as either permanent or relief staff.

HIGHER LEVEL POLICY

Government Policy

33. The Government policy objective is to prevent and reduce the risk of harm to adults from abuse or other types of exploitation, whilst supporting individuals in maintaining control over their lives and in making informed choices without coercion.

34. The Government believes that safeguarding is everybody's business, with communities playing a part in preventing, identifying and reporting neglect, abuse, and measures need to be in place locally to protect adults with care and support needs.

35. The State's role in safeguarding is to provide the vision and direction and ensure that the legal framework, including powers and duties, is clear and proportionate, whilst maximizing local flexibility.

36. Local multi-agency partnerships should support and encourage communities to find local solutions. These solutions will be different in different places, reflecting, for example local population, environment and communities.

37. Adult safeguarding requires working collaboratively to improve outcome, rather than duplicating or superseding existing responsibilities for providing safe and effective care. The critical factor is providing care and support which leads to a positive experience for individuals.

38. Providers' core responsibility, across health and social care, is to provide safe, effective and high quality care. Safeguarding concerns will require a variety of responses including provider or other agency investigation, a disciplinary process and a clinical governance response from within or by external bodies, the involvement of policy, regulators, staff training or other activities.

The West Midlands Policy.

39. The West Midlands Policy for Adult Safeguarding is based upon a shared view across the region of the principles that underpin the Care Act 2014 thereby promoting wellbeing and putting the service user (the language of St Paul's is **resident**) at the centre of all adult safeguarding by making it personal to each individual.

PRINCIPLES AND VALUES OF SAFEGUARDING

Principles	"I" Statements
Empowerment – People being supported and encouraged to make their own decision and informed consent	I am consulted about the outcomes I want from the safeguarding process and these directly inform what happens
Prevention – It is better to take action before harm occurs	I am provided with easily understood information about what abuse is, how to recognize the signs and what I can do to seek help.
Proportionality – The least intrusive response appropriate to the risk presented	I am confident that the responses to risk will take into account my preferred outcomes or best interests.
Protection – Support and representation for those in greatest need.	I am provided with help and support to report abuse. I am supported to take part in the safeguarding process to the extent to which I want and to which I am able.
Partnership – Local solutions through services working within their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.	I am confident that information will be appropriately shared in a way that takes into account its personal and sensitive nature. I am confident that agencies will work together to find the most effective responses for my own situation.
Accountability – Accountability and transparency in delivering safeguarding	I am clear about the roles and responsibilities of all those involved in the solution to the problem.

TRAINING AND ROLE COMPETENCY

40. St Paul's align safeguarding competency with the Worcestershire Adults Safeguarding Board Multi-Agency Safeguarding Competency Framework². The rationale behind this is to support workforce development that is competent and effectively trained that are continuously improving. The framework can be found at Reference B. The policy in St Paul's in regard to job roles is set out below;

Job roles	Level of competency
In-house counsellor, administration officer, Company Secretary and Executive Finance Officer, Senior and Project Workers, Chef and Catering Manager all supervised volunteers and cleaning and domestic staff.	Level 1 = Competencies 1 to 5

² http://www.worcestershire.gov.uk/downloads/file/7001/multi-agency_adult_safeguarding_competency_framework

41. The competences for each level, set out in Reference B³ in detail. They are to be used by DSO to support the development of training sessions, assessment of competence and assurance visits by Trustees. **All staff and volunteers must be able to answer questions about these competencies.** For ease, these are at the end of this policy.

42. As an allegation of abuse can come to the notice of any member of staff at any time, all staff members will receive annual training in safeguarding as part of an initial induction or as part of an annual training programme.

43. Staff will be kept up to date about changes to national and local safeguarding arrangements principally through communications from DSO but if necessary at staff collective training events.

44. Staff and volunteers will be made aware of the existence of the Safeguarding Policy and Procedure and their responsibilities in relation to the Adult Protection process through the following steps:

- a. Provision of safeguarding training
- b. Issuing a copy of the policy to all new staff members
- c. Access to the policy (through Breathe HR or paper copy).

CONFIDENTIALITY

45. To ensure appropriate protective measures can be put in place, it is recognised that confidential information will need to be shared with other workers, managers and other agencies on a “need to know” basis.

46. All staff have a duty to report concerns about an adult thought to be at risk of harm.

47. Where an adult is seen to be at risk of harm, this will always override a professional or organisational requirement to keep information confidential, subject to the provisions of the Data Protection Act 2018. It is the responsibility of those employed to take appropriate action to ensure the adult deemed to be at risk is protected from harm.

GOVERNANCE AND ASSURANCE

48. Trustees are responsible for safeguarding policy. In order to assure themselves of the effectiveness of the policy they will undertake a visit to examine safeguarding policy and procedures. The assurance visit will check;

³ Found on Worcestershire County Council Safeguarding website

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- a. 100% of permanent and relief staff DBS checks.
- b. Records of staff training.
- c. Random checks of DBS records of volunteers who undertake 1-2-1 work or work alone with residents, up to 20%.
- d. Central record of safeguarding concerns held by DSO
- e. Staff knowledge and awareness of policies using the Worcestershire Adults Safeguarding Board Multi-Agency Safeguarding Competency Framework.

ASSURANCE VISITS

49. Trustees will undertake *at least one* assurance visit per year. The DSO will be responsible for administering the assurance visit. The following steps are to be followed;

- a. DDSO is to schedule a reminder in Breathe HR.
- b. DSO is to liaise with one trustee⁴ to undertake a visit.
- c. The DSO and trustee will agree a two-week window for the period of the assurance visit.
- d. The DSO is to provide a list of all volunteers who undertake 1-2-1 or other unsupervised work with residents. From this list the Trustee should check up to 20% of the DBS certificates are in date.
- e. The nominated Trustee is to give no more than 48-hour notice to the DSO before the assurance visit begins.
- f. The assurance visit is schedule for between 2-4 hours.
- g. Trustee will write an assurance report following the visit for the DSO.
- h. The DSO is to review the assurance report and this policy and make necessary changes.
- i. The DSO presents assurance visit reports to the Trustees annually.

50. Arrangements for any commissioned services will be subject to bespoke arrangements. These arrangements will be agreed and communicated if those circumstances arise.

DEFINITIONS

51. This section provides commonly and nationally used definitions and should be used to guide all adult safeguarding work.

52. **Adult(s) with care and support needs.** The adult safeguarding duties under the Care Act 2014 apply to an adult, aged 18 or over, who;

- a. **has** need for care and support (whether or not the local authority is meeting any of those needs) and;

⁴ At the meeting on 8 Feb 2018 Trustee directed this role is distributed across all members of the Board but agreed to leave it to the DSO to choose.

- b. **is** experiencing, or at risk of abuse or neglect; and
- c. **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.

53. Care and support is the mixture of practical, financial and emotional support for adults who need extra help to manage their lives and be independent – including older people, people with disability or long-term illness, people with mental health problems, and carers. Care and support includes assessments of people's needs, provision of services and the allocation of funds to enable a person to purchase their own care and support. It could include care home, home care, personal assistants, day services, or the provision of aids and adaptations.

54. **Significant harm** means not only ill treatment, but also the impairment of, or an avoidable deterioration in, physical or mental health; and the impairment of physical, intellectual, emotional, social, or behavioural development.

55. **Abuse.** Defining abuse is complex and rests on many factors. The term "abuse" can be subject to wide interpretation. However, abuse is defined in No Secrets as: "the violation of an individual's human and civil rights by any other person or persons".

56. Abuse may be physical, verbal or psychological, it may be an act of neglect, or occur where a vulnerable person is persuaded to enter into a financial or sexual transaction to which they have not, or cannot consent. Abuse may be perpetrated as the result of deliberate intent, negligence or ignorance.

57. Whilst it is acknowledged that abuse can take different forms, the risks to be alert to include;

- a. sexual harassment, abuse and exploitation
- b. negligent treatment
- c. physical or emotional abuse
- d. bullying or harassment
- e. health and safety
- f. commercial exploitation
- g. extremism and radicalisation
- h. forced marriage
- i. child trafficking
- j. female genital mutilation
- k. discrimination on any of the grounds in the Equality Act 2010
- l. people may target your charity
- m. a charity's culture may allow poor behaviour
- n. people may abuse a position of trust they hold within a charity

58. Multiple forms of abuse occurs in an ongoing relationship or service setting or to

more than one person at a time. It is important therefore to look not only at a single incident, but to also consider the underlying dynamics and patterns of harm.

59. Random Violence is an attack by a stranger on an adult defined as at risk is an assault. This this is a criminal matter and should be reported to the Police. However, where there is the possibility that the violence may be part of a pattern of victimisation in a community or neighbourhood, Protection procedures may also apply in respect of effective multi-agency intervention.

SAFEGUARDING PROCEDURES

INTRODUCTION

60. These procedures detail the action you should take on suspecting harm or poor practice.

DISCLOSURES

61. The possibility of abuse can come to light in various ways, for example;
- a. an active disclosure by the vulnerable adult.
 - b. a passive disclosure by the vulnerable adult.
 - c. a growing awareness that "something is not right"
 - d. an allegation of abuse by a third party
 - e. a complaint or concern raised by a vulnerable adult or a third party who doesn't perceive that it is abuse.

REPORTING AND RECORDING

REPORTING

62. At St Paul's the DSO (or in absence the DDSO) is the focus for every safeguarding issue and will be responsible for informed the Local Authority if necessary. **Unless there is a very good reason, no safeguarding concern, report, issue, worry, or alert should leave St Paul's without the DSO (or in the absence of DSO then the DDSO) being aware.**

There are two exceptions to this, explained in paragraphs 51 and 52.

63. In the event that staff or volunteers become aware that an adult may be at risk of harm or you are told directly by a resident that they are being or have been abused, you should be aware that the adult may be feeling vulnerable or upset when disclosing this information. You should be supportive and reassure the adult by listening carefully, but do not ask unnecessary questions. It is not your role to investigate.

64. Although it is recognised that a resident's privacy must be protected at all times, in situations where abuse is suspected, there must be free communication between participating agencies throughout the investigation. Under no circumstances will information on an adult be withheld from Adult Social Care Services because the holder of the

information thinks that it might compromise a third party.

65. If a staff member or volunteer is given information relating to adult abuse 'in confidence' they must make clear that any information relating to adult or child abuse must be passed on to Adult Social Care Services and / or Police for investigation.

66. Where you are concerned for the immediate safety and well-being of an individual, contact emergency services (ambulance and Police) immediately. Do not delay. You can contact your line manager and the DSO once you are satisfied that the person is safe.

67. If you suspect that a criminal act has been committed, for example in cases of physical or sexual abuse, you should contact the Police immediately and steps should be taken to preserve evidence. You can then contact your line manager or DSO.

68. All other safeguarding concerns are to be reported, in the first instance, to their Line Manager as soon as possible. The Line Manager then has the responsibility to discuss with the DSO, or the DDSO, as soon as possible. At weekends or during silent hours the Duty Manager must be contacted. Reporting the incident to the Line Manager or Duty Manager does not absolve the staff member from checking on progress.

69. In addition, Safeguarding alerts, reports or concerns are a standard heading covered during the following internal meetings;

- a. At the daily shift handover, two times per day.
- b. At Leadership and Management Team (LMT) meetings.
- c. Quarterly staff training events.
- d. DSO submits reports to Board of Trustees at least quarterly.

70. Reports to Worcestershire County Council by the DSO or DDSO should contain the following information. More guidance can be found on the County Council safeguarding website;

- a. The date and time that contact was made. Where contact cannot immediately be made, the reason for this must be recorded. Details of all unsuccessful attempts to make contact must also be recorded.
- b. Name, address and full details of those contacted.
- c. Details of who should be contacted for future follow-up / agreed further action.
- d. In all cases of suspected adult abuse, it must be recognised that children involved in the situation might also be at risk and Child Protection Procedures might have to be invoked.

GOOD PRACTICE GUIDE – RESPONDING TO DISCLOSURES

<p>It is often difficult to believe that abuse or neglect can occur. Remember, it may have taken a great amount of courage for the person to tell you that something has happened and fear of not being believed can cause people not to tell.</p>
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<p>Accept what the person is saying – do not question the person or get them to justify what they are saying – reassure the person that you take what they have said seriously.</p>

<p>Don't 'interview' the person; just listen calmly to what they are saying. If the person wants to give you lots of information, let them. Try to remember what the person is saying in their own words so that you can record it later.</p>

<p>You can ask questions to establish the basic facts, but try to avoid asking the same questions more than once or asking the person to repeat what they have said – this can make them feel they are not being believed.</p>
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<p>Don't promise the person that you'll keep what they tell you confidential or "secret". Explain that you will need to tell another person but you'll only tell people who need to know so that they can help.</p>

71. You should advise the adult that the information will have to be passed on to your line manager or Designated Safeguarding Officer and that Adult Social Care Services may be required to investigate the matter further.

72. When you feel it is appropriate to leave the resident who is disclosing the abuse, the information given by the resident should be passed on immediately to your line manager / named person.

73. If a member of staff is unhappy with the response from their Line Manager then they should contact the DSO directly. If the member of staff is not happy with the response of the DSO (or DDSO) then they are to contact Adult Social Care Services and outline their concerns.

GOOD PRACTICE GUIDE – REPORTING

<p>As soon as possible on the same day, make a written record of what you have seen, been told or have concerns about. Try to make sure anyone else who saw or heard anything relating to the concern of abuse also makes a written report.</p>

<p>The report will need to include when the disclosure was made, or when you were told about/witnessed this incident/s, who was involved, any other witnesses including residents and other staff, exactly what happened or what you were told, person's own words, keeping it factual and not interpreting what you saw or were told, any other</p>
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relevant information, e.g. previous incidents that have caused you concern.

Remember to include as much detail as possible, make sure the written report is legible and of a quality that can be photocopied, make sure you have printed your name on the report and that it is signed and dated, keep the report/s confidential, storing them in a safe and secure place until it will be needed.

GOOD PRACTICE GUIDE – PRESERVING PHYSICAL EVIDENCE

What to do?

In cases of physical or sexual abuse, contact the Police immediately. Ask their advice about what to do to preserve physical evidence.

As a guide where possible leave things as and where they are. If anything has to be handled, keep this to an absolute minimum. Do not clean up. Do not touch anything you do not have to. Do not throw anything away which could be evidence. Do not wash anything or in any way remove fibres, blood, etc. Preserve the clothing and footwear of the victim. Preserve anything used to comfort or warm the victim, e.g. a blanket, Note in writing the state of the clothing of both the victim and alleged perpetrator. Note injuries in writing. As soon as possible, make full written notes on the conditions and attitudes of the people involved in the incident. Take steps to secure the room or area where the incident took place. Do not allow anyone to enter until the Police arrive.

In addition, in cases of sexual assault;

- Preserve bedding and clothing where appropriate, do not wash,
- Try not to have any personal or physical contact with either the victim or the alleged perpetrator.
- Offer reassurance and comfort as needed, but be aware that anyone touching the victim or alleged perpetrator can cross contaminate evidence

RECORDING

74. Staff should write down the nature of your concern and anything the person may have told you using, as far as possible, the words used by the person. This information will form the basis of the discussion with the Line Manager and will also be required if there is an investigation by the DSO or referral to Worcestershire County Council.

75. This information will be kept and securely stored. Your line manager will determine who this information can be shared with. The DSO will maintain an overview of reports from staff, monitor issues and detect trends as these occur.

WHISTLE BLOWING

76. You will be able to justify raising a genuine concern about the safety of residents or our standards if you do so honestly and reasonably, even if you are mistaken. You may want to get independent legal advice first, or contact your trade union or professional regulatory body. Free confidential advice from the whistleblowing charity, Public Concern at Work is

available on 020 7404 6690. St Paul's has a separate Whistleblowing Policy that provides necessary guidance.

Reporting to the Charity Commission

77. The Charity Commission require that Serious Incidents are reported to them by, or with the agreement of the Trustees. This link describes the requirement: [Reporting Serious Incidents](#)

ADDITIONAL GUIDANCE AND INFORMATION

THE MENTAL CAPACITY ACT 2005

78. This aspect of safeguarding is often difficult to understand and will nearly always require advice from Worcestershire County Council safeguarding officers.

79. The "No Secrets" guidance stresses the right for each person to be allowed and supported to make his / her own decisions and choices wherever possible. What this means is any safeguarding decision must take account of the ability of the person to give informed consent in order to comply with the Mental Capacity Act.

80. The Mental Capacity Act 2005 and associated Codes of Guidance came into force on 1st October 2007. The Act is based on the premise that a person has capacity to make a decision unless it is established that he / she lacks capacity. The fact that a person has dementia, a learning disability or is detained under the Mental Health Act 1983 does not affect this presumption.

81. The Act provides expressly that a person is not to be treated as lacking capacity simply because the decision being made is unwise. It is therefore an absolute prerequisite when investigating a case of suspected abuse and where there is a question as to mental capacity, that an assessment is made which is specific to the decision under consideration.

82. The Act provides that everything that is done for a person who lacks capacity must be in that person's best interests. Where a person is providing care or treatment for someone who lacks capacity, then as long as there is an assessment that this is in the best interests of the person, there is no legal liability resulting from that care. However, the Act does not sanction the deprivation of liberty which must be authorised in accordance with the Deprivation of Liberty Safeguards (DOLS).

83. Whilst the Mental Capacity Act 2005 does not directly deal with adult abuse cases, its principles and provisions are applicable in many situations that will be dealt with through these procedures.

COURT OF PROTECTION AND OFFICE OF THE PUBLIC GUARDIAN

84. The Act established a new Court of Protection which has a major role in protecting adults from abuse. It also established a Public Guardian (IMCA) who oversees the work of Court appointed deputies and those who have been granted Lasting Powers of Attorney. There is clearly a very significant role for the Public Guardian in cases of abuse, particularly cases of suspected financial abuse.

85. The new Court of Protection not only has the power to make “best interests” orders in the financial sphere but can also, where there is disagreement, make orders in person welfare cases.

86. So in a case of suspected abuse by a relative for instance, it may be possible for another relative or the Local Authority to seek orders as to where someone should live and / or what contact they should have with the person being investigated. The Court of Protection will also be able to rule on the legality of authorizations under the DOLS provision.

87. The possibility of making application to the Court of Protection for “best interests” orders presents a major extension in the powers available to protect vulnerable adults from abuse. It is likely to be one of the options considered in cases involving people who lack capacity who may have been subjected to abuse.

88. It should be noted that application may be made by the incapacitated person, a relative, the Local Authority, health bodies or anyone else with sufficient interest.

89. Section 44 of the Mental Capacity Act 2005 creates the criminal offence of ill treatment or willful neglect of an incapacitated person.

90. The new criminal offence will apply to anyone caring for a person (of any age) who lacks capacity to make decisions for themselves. This includes family carers, healthcare and social care staff in hospitals and care homes and those providing care in a person's home. The new offence carries a range of penalties from a fine to a prison sentence of up to five years.

91. The Home will, if allowed by legislation, only request authorisation under the Mental Capacity Act 2005 Deprivation of Liberty Safeguards, when it is in the best interests of the person who uses services and that person lacks capacity. The home will implement and review any subsequent authorisation in line with guidance.

FACTORS WHICH MAY INDICATE HARMFUL BEHAVIOUR TOWARDS AND ADULT AT RISK

92. These can include one or a combination of the following actions. The following indicators must, however, be used only as a guide.

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93. Harm can be a single or repeated act or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to an adult. It can take the form of physical, sexual, emotional, psychological or domestic abuse, acts of neglect or omission, financial and material abuse and the withholding of information. The abuse can be multiple, involving some or all of the above.

94. Harm can occur in any setting: when an adult lives alone or with a relative; within nursing, residential, hostel, supported living or day care settings; in hospitals, custodial situations, support services in people's own homes and other places previously assumed safe, or in public places

95. Staff will be aware that adults might have come to the service because they have been subject to harm.

- a. In their own home
- b. In the community
- c. Having been abused by a relative, friend or acquaintance.
- d. Alternatively, adults might be at risk of harm after they come to the service, for example from someone who is not a resident coming into the service from outside, another resident
- e. Or a member of staff.

96. There is an expectation where the perpetrator of abuse is a member of staff that an internal investigation will not take precedence over reporting concerns to allow an investigation by Social Work Services and / or Police. The procedure outlined in Appendix 1 sets out the reporting guidelines.

LOCATION OF ABUSE

97. Abuse can take place in any context. It may occur when a vulnerable adult lives alone or with a relative. It may occur in nursing, residential, hostel or day care settings, in hospitals, custodial situations, support services into people's own homes and other places previously assumed safe, or in public places.

98. Intervention will partly be determined by the environment or the context in which the alleged abuse has occurred. Assessment of the environment or context is relevant as it may be important for the vulnerable adult to be interviewed away from the sphere of influence of the alleged perpetrator or the setting in order to be able to make a free choice as to how to proceed.

ALLEGATIONS INVOLVING STAFF

99. If you have evidence of Staff acting in a way that has caused you to be concerned you should contact your line manager or the named person outlining your concerns and the basis for them. They will take your concerns seriously, make appropriate enquires into them

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and thereafter decide on the appropriate course of action.

100. If your concerns are about your line manager / named person, then you should inform CEO. If your concerns are about the CEO then contact the Chair of Trustees. You can also contact Adult Social Care Services directly to pass on your concerns and seek further advice.

101. In situations where the alleged abuser is a member of staff, St Paul's Investigatory and Disciplinary Procedures should be followed but will not supersede an adult protection referral to and an investigation by statutory agencies. In other words, care must be taken to ensure that implementation of any internal procedures (for example, fact finding) does not undermine or impede any investigation by statutory agencies. Advice should be sought from Adult Social Care Services before proceeding.

FREQUENT COMPLAINTS WITHOUT FOUNDATION

102. A situation where a resident makes frequent complaints alleging abuse, which after full investigation are found to be vexatious, cannot be ignored. In such cases, it is good practice to always follow the reporting procedures. The allegation must be reported and the pattern of allegations must be reviewed regularly in case abuse is taking place.

WHAT HAPPENS NEXT?

103. Once Adult Social Care Services have received a referral, it is the duty of Worcestershire County Council to make enquiries and to investigate matters of concern in relation to the protection of an adult deemed to be at risk of harm as defined by the legislation. Where it is alleged that a crime has been committed against the adult, investigation is likely to be progressed jointly in consultation with the Police.

104. The investigating officers may need to speak to the staff member from whom the concerns originated. Managers and staff of St Paul's will co-operate fully with any Police or Adult Social Care Services' enquiries, and managers will ensure that members of staff are facilitated in this.

105. The Manager must consider and take required actions under employment vetting schemes and follow Disclosure and Barring Services' guidelines.

SUPPORTING THE ADULT AT RISK OF HARM

106. It is important that all employees and those involved directly with the adult seen to be at risk of harm act throughout in a facilitating and supportive manner. Staff should avoid being judgmental and should not introduce personal or third party experiences of harm. Every effort should be made to enable the adult to express their wishes and to make decisions to the best of their ability where appropriate, but, within a duty of care, the overriding concern is the protection of the adult from harm.

LINKED POLICIES

107. It is imperative that these policies and procedures are understood within the context of St Paul's. Local Authority guidance and contact phone numbers are found on Worcestershire County Council safeguarding website.

108. If you or the individual is in immediate danger, need medical attention or if a crime has been committed, call the emergency services on 999.

109. In a non-emergency situation call West Mercia Police Service on 101

110. If the abuse is also a crime such as assault, racial harassment, rape or theft you should involve the police to prevent someone else from being abused. If you are worried about contacting the police you can always contact the Adult Help Desk to talk things over first.

111. If you think that the abuse is happening because of:

- a. Race.
- b. Ethnic origin.
- c. Nationality or national origins.
- d. Religion.
- e. Sexual orientation.
- f. Cultural differences
- g. Disability

112. The Hate Crime help number is Freephone 0800 138 1625 or see www.report-it.org.uk/what_is_hate_crime or use the online reporting tool on report-it.org

113. A copy of this policy is held on St Paul's online employee HR service, Breathe HR. This software captures electronically whether an employee has read the document. Employees are expected to ask questions of their line manager, informally or during formal 1-2-1 Performance Management discussions if they do not understand the policy or procedures

THE PREVENT AGENDA - EXTREMISM AND RADICALISATION

114. Individuals at Risk are potentially open to radicalization or to exploitation by others who may play upon their vulnerabilities to cause them to behave in a way that causes a threat to themselves or others. This is a Safeguarding issue.

- Extremism is the holding of extreme political, social or religious views.
- Radicalisation is a process by which an individual or group comes to adopt

increasingly extreme political, social or religious ideals and aspirations that reject or undermine the status quo or undermine contemporary ideas and expressions of freedom of choice.

- Terrorism is the unlawful use of violence and intimidation, especially against civilians, in the pursuit of political aims.

115. Channel is an early intervention multi-agency process designed to safeguard people from violent extremism and/or terrorism. Channel works in a similar way to other safeguarding partnerships, such as case conferences for children in need.

116. Channel is a pre-criminal process designed to support individuals at the earliest possible opportunity, before they become involved in illegal, or extreme, activity. It is a voluntary process allowing the individual to withdraw from the programme at any time.

117. Channel is aimed at individuals of any age at risk of exploitation by individuals with extremist or terrorist views. Early intervention can prevent individuals being drawn into terrorist-related activity in a similar way to preventing them from getting involved in criminal activity such as drugs, knives or gangs.

118. Involvement in the Channel programme is both voluntary and confidential. Individuals may opt out of the intervention process should they wish to. If the individual receives support through Channel, it will not give them a criminal record.

119. An online learning and description of the process and how to recognise concerns is available from the Home Office:
<https://www.elearning.prevent.homeoffice.gov.uk/screen2>

120. If you concerned about how an individual is behaving:

- In the first instance it is sensible, where possible, to triangulate your concerns by discussing with a colleague the behaviours you may be seeing.
- If these continue to concern you, you should raise the concerns with the DSO/ DDSO. They can further consider the individual's behaviours and, if appropriate, complete a safeguarding referral flagged in the text as a concern for PREVENT.
- In the case of an adult, this should then be passed to the on-duty adult safeguarding team via the current safeguarding referral process

STAFF SAFEGUARDING COMPETANCIES

	Level 1 = Competencies 1 to 5	Evidence of Competency
1	Understand what safeguarding is and their role in adult safeguarding work	<p>Clear understanding of role in identifying and reporting concerns regarding the abuse or neglect of an adult with care and support needs</p> <p>Outline where to find organizational policy and procedures</p> <p>Treats reports seriously</p> <p>Describe the limit of confidentiality</p> <p>Describe 6 principles of safeguarding adults</p> <p>Describe the justification for sharing information when working with adults with care and support needs.</p>
2	Recognise an adult potentially in need of safeguarding and take action	<p>Clear understanding of the meaning of adult with care and support needs and the requirement of S42 of the Care Act 2014</p> <p>Understanding of what constitutes abuse</p> <p>Outline the different forms of abuse and how to recognize the indicators / signs of abuse – should be able to give clear description of symptoms</p> <p>How to report concerns at St Paul's</p> <p>Demonstrate how to ensure the person is safe if in imminent danger</p>
3	Understand the procedures for reporting a safeguarding concern	<p>Show an understanding of St Paul's policy and procedures</p> <p>Know how to ensure the individual is safe when the risk of abuse is high</p> <p>Know who to contact</p> <p>Know how to report a safeguarding concern</p> <p>Work in a manner to reduce the risk of abuse</p> <p>Demonstrate an understanding of consent and capacity</p>
4	Understand dignity and respect when working with individuals	<p>Value individuality and be non-judgmental</p> <p>Recognise the individual's right to live in an abuse free environment</p> <p>Be aware of how your values and attitudes influence your understanding of a situation</p>

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		<p>Listen to individuals and allow time to communicate any preferences and wishes</p> <p>Demonstrate an understanding of discuss what outcome the adult wants from the safeguarding process</p>
5	Have knowledge of policy, procedures and legislation that support adult safeguarding activity	<p>Demonstrate knowledge of national and local policies / legislation that support safeguarding activity including duties under the Care Act 2014</p> <p>Outline the key elements of the Mental Capacity Act & Deprivation of Liberty Safeguards</p> <p>Highlight the importance of the Human Rights Act</p> <p>Demonstrate an awareness of the Adult Safeguarding Board; Multi-Agency Policy & Procedures for the protection of Adults with Care and Support Needs in the West Midlands</p>

	Level 2 = Competencies 6 to 10	INTERNAL Evidence of Competency
6	Have knowledge of policy, procedures and legislation that supports Adult Safeguarding Activity	Describe local and national policies and procedures underpinning safeguarding activity. Such as Care Act 2014, Mental Capacity Act, Deprivation of Liberty Safeguards, Mental Health Act Understand how to 'whistle blow' and know where to find St Paul's whistle blowing policy Demonstrate a clear understanding of when an incident requires a safeguarding concern to be reported and alternative actions Demonstrate an understanding of responsibilities in relation to safeguarding children Know when and how to seek specialist advice
7	Show an understanding of how to support staff to fully understand and implement their role in adult safeguarding	Consider the role of Performance Management and Clinical Supervision in the provision of safeguarding practice in the staff you manage and supervise Demonstrate how you monitor the practice of staff Show how you would manage issues of poor safeguarding practice Show how you ensure all staff are competent, remain up to date and have the appropriate knowledge
8	Show an understanding of the role of supporting staff / a team during an enquiry	Demonstrate an understanding the potential impact of the abuse of an adult with care and support needs on staff who are / were providing support Demonstrate how this stress can impact on the service delivered and thus on users Show an understanding of how to minimize negative impact on service users
9	Demonstrate an understanding of their specific professional role in ensuring the prevention of abuse	Show an understanding of professional standards and accountability Show an understanding of the needs for safer recruitment as an integral part of safeguarding people from being abused Demonstrate an understanding of pre-abuse indicators or warnings signs Show how you ensure all staff demonstrate an absolute commitment to the dignity and respect for

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		all people and understanding of basic human rights and total identity. Demonstrate an understanding of professional boundaries
10	Demonstrate skills and knowledge to contribute effectively to the safeguarding process	Work to local and national safeguarding guidance Respond to incidents in a timely manner Demonstrate an understanding of and discuss what outcome the adult wants from the safeguarding process Identify and reduce potential and actual risks after disclosure of allegation Practice effective multi-agency partnership working Demonstrate an understanding of information sharing in relation to adult safeguarding Develop protective strategies or make appropriate onward referrals for those that decline services
11	Demonstrate an understanding of extremism and radicalisation	Complete the online home office e-learning https://www.elearning.prevent.homeoffice.gov.uk/screen2

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