

Bespoke Supportive Tenancies Ltd

Safeguarding of Vulnerable Adults and Children at Risk

Version: v1.1

Review

Date of this review	Date of last review	Policy author(s)	Compliance Manager	Next review date
23.04.2020	New Document	Patricia Mokhberi	Patricia Mokhberi	April 2022

Details of amendments

Version	Date	Update/ amendment detail	Resulting from
V1.1	26.11.2020	Changed across to the final approved Template format, and made improvements to the layout line spacing and numbering	Changes made to the original policy format since it was approved by Board
	26.11.2020	Inserted additional sections at	Board Direction
		6.2.1, 7.9, 7.10, and 7.11	At approval stage

Approved by

Executive Team	29.04.2020
Board	29.04.2020

1. INTRODUCTION

- 1.1 The need to have Policies & Procedures to safeguard vulnerable adults and children is a legal requirement under The Care Act 2014. This document sets out BeST's policy taking into consideration the relevant statutory instruments and official guidance.
- 1.2 This policy supports related internal and external policies which should be read in conjunction with this document.

Related Documents

External:

England

- Local Authority guidance including safeguarding procedures. This must be considered when deciding whether this Policy is applicable as the Local Authority has Duty of Care in safeguarding cases.
- Dignity in Care Guidance (as relates to The Mental Capacity Act 2005 and The Human Rights Act 1988)
- The No Secrets (England) Protection of Vulnerable Adults 2000 & 2009 (Official Guidance published by the Department of Health and the Home Office – see S7. Local authority Social Services Act 1971 which refers.
- National Competence Framework for Safeguarding Adults
- Safeguarding Adults – The role of Health Services (published March 2011)
- Independent Safeguarding Authority (ISA) in 2012 (POVA, POCA Barred lists – monitoring function) linked with the Criminal Records Bureau (CRB) recording function and formed one new Department, the Disclosure Barring Service (DBS).

Wales

- In Safe Hands Wales (implementing adult protection procedures in Wales (Welsh Government 2000 revised 2010 – The review of in safe hands (Welsh Institute for Health and Social Care 2010 see S7 of the Local Authority Social Services Act 1971 which refers

Internal:

- Domestic Abuse Policy and Procedures, and associated documents
- Anti-social Behavior Policy and procedures, and associated documents
- Tenancy Agreement
- Equality and Diversity Policy
- Whistleblowing and ‘Speak Up’ Arrangement
- Anti-bullying Policy
- Safeguarding Procedure
- Notice of Risk – SASSHA and internal User Guides

1.2.1 The Policy takes as its resource, the statutory Acts and guidance cited. Employees are encouraged to refer to these resources, and it is recommended that employees familiarise themselves with current legislation. The first point of internal enquiry and reporting of safeguarding issues will be to the Head of the Housing Team or the Head of Repairs and Maintenance, as is relevant, copy to the Compliance Manager as outlined within BeST’s Safeguarding Procedure.

1.2.2 Employees are advised to familiarise themselves with those safeguarding policies and procedures that exist within the local authority areas in which they operate.

Key safeguarding legislation includes:

1.3 England

- The Care Act 2014
- The Care Act Statutory Guidance 2017
- The Safeguarding Vulnerable Adults (POVA) Scheme 2004
- The Safeguarding Vulnerable Groups Act 2006
- The Health & Social Care Act 2008

- The Children Act 1989 and 2004 as amended by “The Children & Social Work Act 2017”
- Working together to Safeguard Children 2015 as amended July 2018
- The Equality Act 2010
- The Mental Health Act 1983 and Code of Practice 2014
- The Mental Capacity Act 2005
- The Mental Capacity (Amendment) Act 2019 -
Liberty Protection Safeguards (LPS) 2020 formerly Deprivation of Liberty –
replaces DOLS
- The Human Rights Act 1998
- Whistleblowing (Public Disclosure Act) 2008

Wales

- Social Services and Well-being (Wales) Act 2014

2. PURPOSE

- 2.1** BeST is committed to promoting a fair, open and positive culture, at the core of which is the enhancement of our service users “well-being” (i.e. physical, mental and emotional health). BeST endeavors to promote positive attitudes and actions towards vulnerable service users to help them overcome disadvantage and discrimination, and to help them live as independently as possible whilst encouraging the service user to participate in decision making processes where able to do so with due regard to their dignity.

3. AIMS AND OBJECTIVES

- 3.1** Central to this ambition, the intention of this policy is to put those necessary controls in place in order to protect our service users from abuse and neglect, ensuring that all persons involved feel able to report concerns, confident in the knowledge that

they will be heard, listened and responded too.

- 3.2 BeST is a provider of supported accommodation primarily targeted at accommodating vulnerable and/or disabled care leavers, aged 17 years and above (children), and vulnerable and/or disabled adults with disability, of any age.
- 3.3 The policy is principally concerned with the management of risk within the context of a supported scheme environment.
- 3.4 Care, Support and Supervision (CSS) is provided for and on BeST's behalf, to our service users, through contract with third party Support Providers who are responsible for the delivery of this service.
- 3.5 BeST's support providers (hereinafter referred to as SP's) have their own internal policy and procedures, which includes Safeguarding Policy & Procedure. SP's policies and procedures are expected to align with BeST's own internal policy and procedure, given that the statutory obligations are the same and apply to all providers.
- 3.6 It is essential that BeST and its SP's work together in ensuring that the highest standards of care are being delivered to our service users.
- 3.7 BeST requires that our SP's supply us with copy of their current internal safeguarding policy and procedure, and complaints procedure which will be centrally stored as a matter of record for reference purposes.
- 3.8 There is a requirement that BeST's SP's ensure that a clear system of internal/external reporting is in place (to BeST and other relevant partner agencies), to take effect as soon as concerns are suspected or identified.
- 3.9 As safeguarding is protecting an individual's right to live in safety, free from abuse and neglect. It is incumbent on BeST, its SP's and other partner agencies to establish what being safe means to the individual service user and how that can be achieved,

with regard to their views, wishes, feelings and beliefs in deciding any actions.

- 3.10 The Policy and the associated procedure (notice of risk reporting) aims to deliver safe working practices which identify safeguarding concerns and ensure appropriate actions are taken once the concerns have been investigated.

4. SCOPE

- 4.1 It is the responsibility of every individual working within the organisation, and within our partner organisations regardless of what role they are employed in, to ensure that any safeguarding concerns, (including concerns for service user welfare) whether suspected or actual abuse, are reported and responded too immediately. This policy applies to BeST employees, contractors, agency staff, board members, and volunteers.
- 4.2 The policy recognises that an extended duty of care exists to manage identified risks, in respect of visiting children, adults, and other family members, and the wider local community, where such risk has been identified.

5. KEY PRINCIPLES

- 5.1 The six principles of safeguarding are enshrined in the **Care Act Statutory Guidance 2017**.
<https://www.gov.uk/government/publications/care-act-statutoryguidance/care-and-support-statutory-guidance>
and underpin all adult safeguarding work.

1. **Empowerment** - Presumption of person led decision and informed consent.
People should be supported and encouraged to make their own decisions.

This should be done by:

- making services more personal
- giving people choice and control over decisions
- asking people what they want the outcome to be

2. **Prevention** - It is better to act before harm occurs.

Organisations should work together to stop abuse before it happens by:

- raising awareness about abuse and neglect
- training staff

3. **Proportionality** - Proportionate and least intrusive response appropriate to the risks presented:

- any response should be appropriate to the risk presented.
- services must respect the person and think about what is best for them.
- only get involved as much as needed.

4. **Protection** - Support and representation for those in greatest need.

Organisations must ensure that they know what to do when abuse has happened by:

- what to do if there are concerns
- how to stop the abuse
- how to offer support and assistance for people who are at risk

5. **Partnership** - Local solutions through services working with partner organisations and local communities. Local people also have a part in preventing, detecting, and reporting abuse.

6. **Accountability** - Accountability and transparency in delivering safeguarding.

Safeguarding is everybody's business.

Everyone must accept that we are all accountable as individuals, services and as organisations. Roles and responsibilities must be clear.

- 5.2 It is important that all safeguarding partners take a broad community approach to establishing safeguarding arrangements. It is vital that all organizations recognize that adult safeguarding arrangements are there to protect individuals.
- 5.3 Safeguarding should be person-led and outcome-focused. The service user should be engaged in conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control as well as improving quality of life, wellbeing and safety.
- 5.4 **Children's Act - s.10 of the Children's Act 2004**, a range of agencies are required to co-operate with local authorities to promote the well-being of children in each local authority area. This co-operation should exist and be effective at all levels of the organisation, from strategic level through to operational delivery.
- 5.5 Local Adult and Children Safeguarding Boards have responsibility to hold Safeguarding Adult Reviews and Serious Case Reviews. Upon request, Best will take part in these reviews via co-ordination from Senior Management and Designated Safeguarding Officers.

6. **RESPONSIBILITIES**

6.1 **Responsible Officers**

Operational and strategic Responsible Officers (named within the Safeguarding Procedure) will co-ordinate activity and provide training and guidance to employees

on safeguarding and vulnerability issues.

6.2 Training

This Policy will be available to all employees, and employees will receive training to ensure they are aware of responsibilities around safeguarding. A variety of training methods will be provided internally, as well as relevant courses available from local safeguarding boards.

- 6.2.1 The People Development Manager will ensure that Safeguarding Training Certificates are kept up to date, and will make arrangements for further refresher training at the appropriate time.

6.3 Recruitment

BeST will ensure that its recruitment and organisational development procedures incorporate safeguarding training as being a necessary requirement.

- 6.3.1 All BeST's frontline employees will be subject to the relevant Disclosure and Barring Service (DBS) check. Supervision and support will be given to assess and manage any identified risks as may relate to its employees. DBS checks will be renewed as appropriate.
- 6.3.2 Safeguarding will feature in job descriptions (to be reviewed regularly), in person specifications and will be included in interview questions, where relevant. This will extend to vetting successful applicants, for example, through references.

7. REPORTING & MONITORING

All safeguarding alerts will be investigated, escalated, and recorded on BeST's internal housing management system (SASSHA) by way of notice of risk reporting (NOR).

- 7.1 The Head of the Housing Team will compile monthly statistical reports relating to all

alerts.

7.2 BeST will monitor and report performance to its Board in compliance with this Policy by way of:

- Internal audits
- Safeguarding system reports
- Customer feedback
- Management reports

7.3 Referrals and alerts will be subject to the Management Assurance Framework for audit purposes.

7.4 BeST emphasises the responsibility of all its employees to record and report safeguarding concerns promptly, as detailed in BeST's safeguarding procedure.

7.5 Employees and partner agencies including SP's, are both supported and expected to report safeguarding concerns through the use of a variety of methods. BeST employees are required to use the Notice of Risk reporting facility on SASSHA (NOR), as well as make and send timely telephone and email communications to relevant third parties (Fire, Police, Ambulance, Social Worker, other), including their line manager. The actions taken will reflect the circumstances of each individual case and the level of risk.

7.6 BeST's SP's will be required to follow their own internal safeguarding policies and procedures. However, they will be expected to telephone or email relevant third parties (i.e. Fire, Police, Ambulance, Social Worker, or other) and BeST's Housing Officers or relevant Department (Example: repairs & maintenance), appropriate to the level of risk, as soon as is practically possible. The safeguarding arrangements are covered by method of a Term within BeST's contractual agreements, (Service Level Agreements (SLA's) Nomination Agreements (NOMS) and Management agreements), which sets out the safeguarding responsibilities of the parties.

- 7.7 BeST will, where appropriate, communicate best safeguarding practice to its employees and its support providers by use of various online media (newsletter and our quarterly magazine "Snippets", brochure, posters and leaflets.
- 7.8 Safeguarding concerns are discussed as part of supervision appropriate to the role, and will be included within the induction training.
- 7.9 The Head of Housing will arrange for NOR reports to be pulled off and distributed to Board members, before each Board Meeting, together with a brief narrative, which will reference any serious issues. The report will outline any issues or concerns with regards to the behaviours and/or failures of BeST's SP's, BeST's employees, or other internal failures, which the Executive Team and Board need be aware of, together with brief details of all actions taken to resolve.
- 7.10 The written narrative will provide the Board with assurance as to the appropriateness of actions taken, and whether matters have arisen which need further consideration or work.
- 7.11 If any employee becomes aware that there are problems with the effective operation of this Policy or its associated procedures, they should report this to the Policy Owner. This feedback will be incorporated into the Policy and Procedural Review process.

8. DEFINITIONS

BeST – Bespoke Supportive Tenancies Ltd

CSS – Care, Support and Supervision

SP's – Support Providers

SOVA – Safeguarding of Vulnerable Adults

SOCA – Safeguarding of Children Act

DOLS – Deprivation of Liberty

The following definitions for children are taken from Working together to safeguard children – A guide to inter-agency working to safeguard and promote the welfare of children 2015 – updated July 2018

<https://www.gov.uk/government/publications/working-together-to-safeguardchildren>

Child - Anyone who has not yet reached their 18th birthday. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change his/her status or entitlements to services or protection.

Safeguarding and promoting the welfare of children is defined as:

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

Adult at risk - Any person aged 18 years or over, who is, or may be, unable to take care of themselves or are unable to protect himself or herself against significant harm or exploitation.

The term 'adult at risk' is used in this Policy to replace 'vulnerable adult'. This is because the term 'vulnerable adult' may wrongly imply that some of the fault for the abuse lies with the victim of abuse. We use 'adult at risk' as a replacement for 'vulnerable adult' as that phrase is used throughout existing government guidance. Definitions for adults are taken from Care and Support Statutory Guidance updated February 2017 – Issued under the care Act 2014 <https://www.gov.uk/guidance/care-and-support-statutory-guidance/safeguarding>.

Safeguarding adults is defined as:

- Protecting the rights of adults to live in safety, free from abuse and neglect.
People and organisations working together to prevent and stop both the risks and experience of abuse or neglect.
- People and organisations making sure that the adult's wellbeing is promoted including, where appropriate, taking fully into account their views, wishes, feelings and beliefs in deciding on any action.

Recognising that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances and therefore potential risks to their safety or wellbeing.

Deprivation of Liberty Safeguards (DOLS) – These Measures were introduced in 2009 to provide legal protection for vulnerable adults who lack the capacity to act for themselves and who may consequently be deprived of their liberty.

Deprivation of Liberty - An accumulation of restrictions whereby the relevant adult is unable to consent to being accommodated within a supported housing environment, care home or hospital, or to relevant actions, care and treatments necessary to prevent self-harm. (DOLS Code of Practice)

NOR (notice of risk)/Alert - A safeguarding concern raised internally resulting from an incident, a disclosure, or where signs or indications of abuse are suspected.

9. **EQUALITY AND DIVERSITY**

BeST is committed to mainstreaming equality and diversity throughout all its activities as well as meeting the general and specific duties imposed on it through the legislation. Please refer to BeST's Equality and Diversity Policy to read the Policy details in full.