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Safeguarding Vulnerable Adults & Children - Policy

Responsible Officer:	Janet Peters
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Scope:	Centre Wide

Safeguarding Vulnerable Adults and Children Policy

1.0 Introduction

- 1.1 HWCC is committed to ensuring that customers and staff are kept safe from harm and believes that all people have the right to live their lives free from abuse. The purpose of this policy is to ensure that HWCC employees & volunteers are aware of their role in preventing, identifying and reporting abuse.
- 1.2 HWCC recognises that abuse can take a number of different forms including (but not necessarily limited to) physical, sexual, emotional, financial or discriminatory. It also includes acts of neglect or an omission to act. HWCC will treat concerns regarding hate and mate crime, grooming and radicalisation as forms of abuse under the terms of this policy. A schedule of definitions is included in Appendix 1.
- 1.3 This policy covers abuse of vulnerable adults and children who are clients or visitors to our services by anyone in a relationship of trust with them including (but not limited to); friends, relatives, support staff, housing staff etc.
- 1.4 It is important that action is taken in a timely manner to ensure vulnerable adults and children who are at risk of abuse, receive protection and support. The Government gives a high priority to such action and sees local statutory agencies and other relevant agencies as important partners in ensuring such action is taken wherever needed. Key to this is appropriate communication protocols within all agencies.
- 1.5 The Government's aim is to create a framework for action within which all responsible agencies work together to ensure a coherent policy for the protection of vulnerable adults and children at risk of abuse and a consistent and effective response to any circumstances giving ground for concern.
- 1.6 HWCC will report any Safeguarding concerns brought to its attention about any of our clients to the relevant Local Authority. This policy sets out HWCC's approach to dealing with safeguarding concerns.

2.0 Key Principles

2.1 Our policy and procedures are underpinned by the six key principles of safeguarding, as defined in the Care Act 2014 and its statutory guidance, as follows;

2.2 **Empowerment**

- Presumption of person led decisions
- Promote the rights of all people to live free from abuse and coercion;
- Empower service users by making sure that they are aware: what constitutes abuse, exploitation or grooming and that they do not have to tolerate it; what to do if it occurs;
- Provide services and information in ways that meet the varied needs of all of our customers and to ensure that all responses are made with due regard to issues of race, religion or belief, culture, gender, transgender, age, disability and sexual orientation.

2.3 **Prevention**

- It is better to take action before harm occurs;
- Manage services and empower service users in a way that will prevent or minimise the potential for abuse or exploitation.

2.4 **Proportionality**

- Proportionate and least intrusive response appropriate to the risk presented. Proportionality is a logical method intended to assist in discerning the correct balance between the restriction imposed by a corrective measure and the severity of the nature of the prohibited act.

2.5 **Protection**

- Support and representation for those in greatest need;
- Ensure the safety of wellbeing of people who do not have the capacity to decide how they want to respond to abuse that they are suffering
- Respond to any allegations or suspicions of abuse, exploitation or grooming promptly and thoroughly and take action to eliminate it.

2.6 **Partnership**

- Local solutions through services working with their communities; communities have a part to play in preventing, detecting and reporting abuse and neglect;
- HWCC will commit to working in co-operation with partner agencies, such as social services safeguarding teams, police, doctors, schools and 3rd sector service providers and will commit to work with other agencies.
- Ensure our procedure takes us to the point where Local Authority procedures take precedence, clarifying our relationship to the local and regional framework

2.7 Accountability

- Accountability and transparency in delivering safeguarding;
- Learn from any situations investigated and use this learning to protect children and vulnerable adults from abuse or exploitation;

3.0 Legal Framework

3.1 The relevant legislation and regulation in relation to this policy includes;

- Public Interest Disclosure Act 1998
- Data Protection Act 1998 and General Data Protection Regulations 2018
- The Human Rights Act 1998
- The Mental Capacity Act 2005 (and supporting Code of Practice 2016)
- Safeguarding Vulnerable Groups Act 2006
- Protection of Freedoms Act 2012
- Care Act 2014
- Children Act (1989 and 2004) – legislation regarding the safeguarding of children.
- Section 11 of the Children Act 2004
- Working Together to Safeguard Children 2015

3.2 It is important to note that vulnerable adults and children are also protected in the same way as any other person against criminal acts or acts of anti-social behaviour. HWCC will support its customers in line with any other relevant HWCC Policy alongside this policy.

4.0 Inter-agency Work

4.1 Effective partnership working is central to the safeguarding process. This policy has been developed in accordance with the local protocols of the Safeguarding Adults Board and the Safeguarding Children Board as such HWCC agrees to:

- Ensure our policy and procedures remain consistent with local arrangements and are developed in collaboration and consultation with relevant agencies having taken account of the views of service users, families, carer representatives and other advocates.
- Monitor performance and make improvements where required.
- Promote engagement with service users and the community to raise awareness of safeguarding and routes available for people to receive support.

- 4.2 The Care Act 2014 created statutory safeguarding boards whose duties include carrying out Safeguarding Adult Reviews. There is a duty on relevant organisations to supply information to Safeguarding Adult Boards (SAB) on request (section 45). This mirrors a duty in children's legislation relating to local safeguarding children boards regarding supply of information.
- 4.3 Local Authorities have a duty to ensure all citizens have their best interest taken into account and there is a corporate duty for councils to make safeguarding enquiries where necessary.

5.0 Reporting Abuse

- 5.1 All HWCC employees/volunteers have a responsibility for reporting suspected or observed abuse, or grooming and radicalisation.
- 5.2 It is HWCC policy that staff/volunteers will ensure that they maintain their own safety as a priority. In situations of immediate danger, staff/volunteers are instructed to leave the site and contact the relevant emergency service; in most instances this is likely to be the police or ambulance service.

6.0 Capacity & Advocacy

- 6.1 HWCC recognises that capacity and consent are central themes in safeguarding processes and 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 they do not.
- 6.2 Under the Mental Capacity Act 2005 people may be assessed as unable to make decisions in their own right and are appointed an advocate to promote their rights and safeguard them. Decisions that deprive individuals of their liberty must be reported to the managing authority (council or health trust) for assessment.
- 6.3 Advocacy is a process of supporting and enabling people to:
- Express their views and concerns
 - Access information and services
 - Defend and promote their rights and responsibilities
 - Explore choices and options
- 6.4 Where an individual chooses to communicate with us via an advocate, we will secure the customers' prior, informed, consent to the disclosure of information to an advocate. Consent will almost always be required in writing by the signing of a written authorisation.

6.5 HWCC will be cautious to ensure that an advocate is acting in the best interests of the customer. In any circumstances where HWCC believes an advocate may not be acting in the interest of the customer, we reserve the right to refer this to the Local Authority.

7.0 Responsibilities

7.1 The Role of the Safeguarding Officer

The role of the Safeguarding Officer is primarily to advocate for vulnerable adults and children in relevant matters.

7.2 The Safeguarding Officer provides essential link to the Local Authority and in particular the safeguarding Adult Board, the multi-agency partnership with statutory functions under the Care Act 2014.

7.3 The Role of the Alerting Person

All allegations of abuse will be documented by the Alerting Person and referred to the appropriate body, usually the Local Authority .

If a vulnerable adult does not want a referral to be made by the Alerting Person, then their wishes should be honoured unless:-

- A crime is suspected;
- Allegations involve a member of staff, paid carer or volunteer;
- They or others are in physical danger or at significant risk of harm;
- It is the considered assessment of the Alerting Person that they are unable/incapable of making an informed decision for themselves or;
- They are not the only person affected and risk to others needs to be considered.

All allegations/disclosures of abuse of a child will be referred by the Alerting Person to the appropriate body.

The responsible Alerting Person will:

- Ensure that the procedures are followed appropriately in consultation with Social Care services;
- The appropriate agencies are informed;
- Information is recorded and stored appropriately;
- Provide information to staff reporting concerns about support available to them.

7.4 The Role of all HWCC Staff/Volunteers

All HWCC staff/volunteers are responsible for raising suspected or observed abuse and where the risk is assessed to be imminent contact agencies, such as the emergency services

8.0 Staff Training

- 8.1 Safeguarding Vulnerable Adults and Children awareness will be covered in the Induction Training of all staff and committee Members. Employees/volunteers who come into contact with customers on a regular basis will receive refresher training in safeguarding on a three year cycle as a minimum.

9.0 Recruitment

- 9.1 Every effort will be made to ensure that staff/volunteers recruited to work for HWCC are suitable to do so
- 9.2 All references will be robustly scrutinised and other checks sought at the appropriate level, e.g. the Disclosure and Barring Service.

10.0 Confidentiality

- 10.1 Confidentiality will be maintained for all concerned in the safeguarding of children and vulnerable adults, including those who report a concern/incident. The identity of the person reporting a concern/incident will not be disclosed by HWCC or external agencies to the alleged perpetrator. All information should be handled and disseminated on a need to know basis only. In some circumstances confidentiality may be overridden in consideration of safety for the person and the safety of others.
- 10.2 Where a staff/volunteers are approached regarding an allegation, issues of confidentiality will be clarified early in the discussion. The person will be informed that the staff member will at the very least, have to disclose the conversation to the named safeguarding person who will usually refer the concern to the Local Authority and in some cases where necessary the Police.
- 10.3 With regard to children, all concerns will be referred to the safeguarding officer

11.0 Allegations Against Employees/Volunteers

- 11.1 If, under the Safeguarding procedures, allegations are raised against employees/volunteers, these would be dealt with in accordance with HWCC'S disciplinary procedure. If allegations of inappropriate conduct towards children or vulnerable adults are upheld, this may result in the dismissal of the employee on the grounds of gross misconduct. Any allegations against staff will also be reported to the appropriate statutory agencies, this may lead to criminal prosecution and investigation.

12.0 Monitoring

12.1 The Safeguarding Officer will:

- Ensure that an Incident Report for all reports of concern made is completed;
- Record the outcome of all Incident Report reviews, including non-referral;

13.0 Related Documents

13.1 Policies that support the safeguarding process include but are not exhaustive:

- Code of Conduct for Staff and Board Members
- HWCC'S Grievance and Disciplinary Procedures (various)
- HWCC's Data Protection Policy
- West & North Yorkshire Joint Multi-agency Safeguarding Adults Policy & Procedure

14.0 Review

14.1 This policy will be reviewed annually with relevant partners or stakeholders or sooner if there is a fundamental change of legislative or regulatory provisions.

Signed

Date