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Safeguarding vulnerable adults policy

1 Introduction

- 1.1 Safeguarding is everybody's responsibility, from front-line employees in regular contact with residents to employees who periodically visit homes or communal areas, contractors carrying out works in people's homes; to chief executive and Board Members.
- 1.2 Sutton Housing Society (SHS) is committed to a zero tolerance policy against any kind of abuse towards anyone. We all have a responsibility to prevent, recognise and act on abuse and neglect in a timely way. Anyone raising a safeguarding concern will always be listened to, taken seriously and should be confident that we will act on it.
- 1.3 Supporting our residents' well-being is the guiding principle at the heart of all our safeguarding work. This is known as the 'well-being principle' in the Care Act 2014.
- 1.4 The purpose of this policy is to ensure that all employees in contact with vulnerable adults (also known as adults at risk) take all reasonable measures to minimise the risks of harm to the welfare of vulnerable adults and where concerns exist, appropriate actions are taken to address these.

2 Background and legislation

- 2.1 Some adults find themselves in vulnerable circumstances and need protecting from the actions or inactions of others. There is evidence that risk of abuse increases with age, isolation, lack of social networks, cognitive loss, mental health needs, and/or physical frailty. Safeguarding measures therefore need to be an integral part of our work whilst empowering individuals to maintain control over their own lives and make informed choices.
- 2.2 Safeguarding vulnerable adults involves protecting the rights of individuals to live in safety, free from abuse and neglect. The aims of adult safeguarding are (DoH, 2014) to:
 - prevent harm and reduce the risk of abuse or neglect to adults with care and support needs
 - safeguard individuals in a way that supports them in making choices and having control in how they choose to live their lives
 - Promote an outcomes approach in safeguarding that works for people resulting in the best experience possible
 - raise public awareness so that professionals, other employees and communities as a whole play their part in preventing, identifying and responding to abuse and neglect.

2.3 The Care Act 2014 puts safeguarding duties on a legal footing, which means that concerns about either suspected or actual adult abuse must be followed up by the local authority.

2.4 The Care Act also puts in place a new legal framework for adult safeguarding, including the establishment of Safeguarding Adults Boards (SABs), carrying out safeguarding adult reviews and making safeguarding enquiries.

When do safeguarding duties apply?

2.5 The Care Act 2014, introduced new duties for local authority adult social services as lead agencies in protecting adults at risk and highlighted the contribution the housing sector makes to the safeguarding of its tenants (residents) as well as its role in working with other partners to protect individuals at risk.

2.6 The safeguarding principles defined in the Care Act Guidance are:

- Empowerment
- Protection
- Prevention
- Proportionate response
- Partnership
- Accountability

2.7 Further details on each of these principles is contained within our Safeguarding Adults procedures.

2.8 The Regulator for Social Housing's Standards also involve commitments to safeguarding. This is contained within the Neighbourhood and Community Standard and the Transparency, Influence and Accountability Standard.

3. What is 'Safeguarding Adults'?

3.1 We use the definition of 'safeguarding adults' from the Care and Support Statutory Guidance 2014:

'Adult safeguarding means protecting a person's right to live in safety, free from abuse and neglect.'

3.2 *Who is an adult with care and support needs?*

3.2.1 An adult with care and support needs *may* be:

- an older person who may be frail
- a person with a learning disability
- a person with a physical disability and/or a sensory impairment
- a person who has mental health needs, including dementia or a personality disorder
- a person with a long-term health condition
- someone who misuses substances or alcohol to the extent that it affects their ability to manage day-to-day living

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- a carer, providing unpaid care to a family member or friend.

3.3 We are aware that just because a person has care and support needs this does not necessarily mean that they are at particular risk of abuse or neglect, but they may become so at any point due to physical or mental ill-health, acquired disability, advancing age, financial circumstances or social isolation.

4 Abuse

4.1 Abuse is the violation of an individual's human and civil rights by any other person(s) and may be a single act or repeated acts. It may be physical, verbal or psychological; it may be an act of neglect or an omission to act; or it may occur when an individual is persuaded to enter into a financial or sexual transaction to which they have not consented or are unable to consent to. Abuse can occur in any relationship in any setting, and may result in significant harm or exploitation.

4.2 The main types of abuse, which can take place in any setting, are:

- Physical abuse
- Domestic violence
- Sexual abuse
- Psychological/emotional abuse
- Financial/material abuse
- Modern slavery
- Discriminatory abuse
- Organisational / Institutional abuse
- Neglect/acts of omission
- Self-neglect

5 Mental capacity

5.1 The Mental Capacity Act applies to everybody who has dealings with people who may lack capacity to make specific decisions, and particularly where colleagues have a professional relationship with the person. SHS will comply with the requirements set out in the Mental Capacity Act 2005 and will consider the Act's five key principles during interactions with residents:

- A presumption of capacity – every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless it is proved otherwise
- Supporting individuals to make their own decisions – a person must be given all practicable help before anyone treats them as not being able to make their own decisions
- Unwise decisions – just because an individual makes what might be seen as an unwise decision, they should not be assumed to lack capacity to make that decision
- Best Interests – an act done, or decision made under the Act for, or on behalf of a person who lacks capacity must be done in their best interests

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- Least restrictive option – anything done for or on behalf of a person who lacks capacity must consider whether it is possible to decide or act in a way that would interfere less with the person's rights and freedoms of action, or whether there is a need to decide or act at all.

5.2 SHS will highlight concerns regarding a residents' capacity to Adult Social Care if there is a concern that an individual may seem to lack capacity either because their behaviour causes concern or because they have been diagnosed with an impairment that affects the way their brain works.

6 How to report a concern: respond, record and report

6.1 When an employee has a concern, there are steps to be taken to respond, record and report the concern. Further details of these steps are covered in our Safeguarding Adults procedures.

6.2 We have a duty to refer the concern to the given local authority's Adult Social Services Department within 24 hours if there are reasonable grounds to suspect that an adult is at risk. In all cases, the adult should either consent to this or we should refer without their consent where they do not have the mental capacity to make the decision or when a duty to safeguard adults at risk is greater than our responsibility to an individual.

6.3 The Officer with the concern can refer the matter to the Police or Social Services immediately if they feel the person is at high risk or the situation is urgent.

7. Employee responsibilities

7.1 All employees

7.1.1 All employees, at every level of the organisation, must:

- be vigilant
- understand that they have a duty to act promptly on any concern or suspicion that an adult is being, or is at risk of being, abused or neglected
- be aware of the different types and signs of abuse and neglect that can occur
- inform their line manager of abuse or neglect concerns
- make clear factual records of their concerns and actions taken
- understand this policy and the procedure and complete mandatory Safeguarding Adults awareness training
- contribute to a fair and open organisational culture where people are able to raise safeguarding concerns

7.1.2 All employees and volunteers must follow this policy. Failure to comply will be subject to further investigation and may result in disciplinary action or the termination of a volunteer placement.

7.2 Managers

7.2.1 Managers have an important operational responsibility for safeguarding. This means they must:

- listen respectfully and confidentially to employees who bring concerns to them
- take responsibility for the quality of safeguarding in their teams and encourage employees to raise alerts appropriately
- act immediately when an alert is raised, take the concern seriously and support employees who are required to refer concerns to a local authority
- ensure that employees receive management supervision and that they are given the opportunity to reflect on their practice and the impact of their actions on others
- monitor the ongoing progress of alerts through to case closure, record outcomes and ensure that any learning is applied
- foster a fair and open culture of safeguarding awareness.

7.3 Operations Director

7.3.1 The Operations Director has an overall strategic responsibility for ensuring that all employees are aware of what safeguarding is, are aware of their safeguarding responsibilities and that this policy and its supporting procedures are implemented.

7.4 Housing Services Manager

7.4.1 The Housing Services Manager (HSM) is the operational safeguarding lead to provide operational support and advice to employees as necessary.

7.5 Contractors

7.5.1 Contractors are expected to comply with this policy by ensuring that their employees are able to report concerns. Contractors must inform us when such concerns involve our residents. It is the responsibility of the Asset Manager to make contractors aware of their obligations when they are added to our Approved List.

8. Safer recruitment

8.1 We follow rigorous procedures for the recruitment and selection of employees and volunteers. Disclosure Barring Service (DBS) checks are completed when recruiting staff and volunteers to work in a 'regulated' activity.

9 Whistleblowing

9.1 A whistleblower is a person who reveals information with the intention of calling attention to bad practice, which may include abuse or negligence in the workplace. Employees who work with vulnerable adults have an individual responsibility to raise concerns about bad practice and a right to know that they will be supported by their employer if they are acting in good faith.

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- 9.2 SHS promotes a culture which values good practice and encourages whistleblowing; employees have easy access to this policy on our internal “intranet”.
- 9.3 Our Whistleblowing Policy for employees provides a confidential route for employees to raise serious concerns relating to suspected wrongdoing or dangers within the organisation. If an employee or volunteer asks for their identity to be protected, anonymity will be maintained wherever possible.
- 9.4 We are committed to listening to any suspicion and acting upon the information we receive. However, if an employee or volunteer feels that Sutton Housing Society is not taking their safeguarding concerns seriously, they have the right to explain their concerns to the police or the local authority. Alternatively, they can contact Public Concern at Work, which is an independent charity who can advise individuals on whistleblowing at work.

10. Resident concerns

- 10.1 In some cases, a resident or neighbour may contact us regarding their concern. If so, we can support them to contact social services or in some cases, make the referral ourselves.

11. Confidentiality and sharing information

- 11.1 The needs of the adult at risk must come first and any actions we take must reflect this.
- 11.2 Where possible we will comply with the principles of the Data Protection Act 2018 and our Data Protection policy to maintain confidentiality. However, the Data Protection Act is not a barrier to sharing information but provides a framework to ensure that personal information is shared in a lawful way.
- 11.3 We reserve the right to make the referral to Adult Social Care or the Police without the permission of the adult involved where the situation and the provisions of the Data Protection Act (and any other relevant legislation) justify it. This includes where there is reason to believe that an adult is suffering, or at risk of suffering, significant harm or to prevent or detect a criminal offence.

12 Equality, diversity and inclusion

- 12.1 SHS is committed to ensuring fair and equal treatment to all residents and people living in our homes. We are committed to the following objectives:
- ensuring that the opportunities we provide for learning, personal development and employment are made available on a non-discriminatory basis
 - providing a safe, supportive and welcoming environment for employees, residents and visitors

13 Review of this policy

- 13.1 SHS will review the Safeguarding Policy every three years or sooner if required by statutory, regulatory or best practice requirements.