



Safeguarding Adults Policy

January 2022



Policy statement

Broadacres as a housing provider is committed to protecting an adult's right to live in safety, free from abuse, neglect and exploitation. We work together with the statutory authority and other partner agencies to support people to make decisions about the risks they face in their own lives and protect those who lack the mental capacity to make these decisions.

We will respond to issues of abuse and neglect in accordance with the local authority's Multi- Agency Safeguarding Adults Policy and Procedures and in line with our internal policy and procedures. Our policy and procedures are founded on the safeguarding principles and values that govern how the safeguarding adult's procedure should be implemented i.e. Empowerment, Protection, Prevention, Proportionality, Partnership and Accountability.

Our aims in safeguarding adults at risk are to:

- stop abuse or neglect wherever possible;
- prevent harm and reduce the risk of abuse or neglect to adults with care and support needs;
- safeguard adults in a way that supports them in making choices and having control about how they want to live;
- promote an approach that concentrates on improving the life for the adult concerned;
- raise public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect;
- providing information and support in accessible ways to help people understand the different types of abuse, how to stay safe and how to 'raise a concern' about the safety and wellbeing of an adult; and
- address what caused the abuse or neglect.

We are committed to actively developing service provision to:

- minimise the risk of abuse occurring;
- work with partner agencies to support adults at risk; and
- work with partner agencies to end any abuse that is occurring.

This policy is approved and endorsed by Broadacres board of management, with oversight from the Customer Experience Committee. It is publicised, promoted and made available to colleagues, volunteers and people acting on Broadacres behalf who come into contact with vulnerable adults.

Training on this policy forms part of the induction process for all new colleagues. All existing colleagues identified as operating in roles that bring them into contact with vulnerable people will receive regular training on how to implement and adhere to this policy.

1. Adults at risk and abuse

1.1 Description of an adult at risk

An adult at risk can be defined as follows:

- They have needs for care and support, whether or not the local authority is meeting any of these needs;
- They are experiencing, or are at risk of, abuse or neglect;
- They have specific needs and as a result of these needs, they are unable to protect themselves against the abuse or neglect, or the risk of abuse or neglect.

The local authority must make whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case and, if so, what and by whom.

An adult at risk maybe a person who:

- is an older person who is frail due to ill health, physical disability or cognitive impairment;
- has a learning disability;
- has a physical disability and/or a sensory impairment;
- has mental health needs including dementia or a personality disorder;
- has a long-term illness/condition;
- misuses substances or alcohol;
- is an unpaid carer such as a family member/friend who provides personal assistance and care to adults and is subject to abuse;
- lacks mental capacity to make particular decisions and is in need of care and support.

The above list is not exhaustive.

1.2 Types of abuse

Abuse of an adult at risk can take many forms. The following list is not exhaustive but illustrative of the kinds of abuse that might be experienced.

Physical abuse

Examples of physical abuse include hitting, slapping, pushing, kicking, misuse of medication, illegal restraint or inappropriate physical sanctions.

Domestic abuse

Examples of domestic abuse include psychological, physical, sexual, financial, economic, and emotional abuse, as well as so called 'honour' based violence, forced marriage and female genital mutilation. Many think that domestic abuse involves intimate partners, or is abuse of women by men, but it may also be caused by wider family members, be committed by women towards men and by those in same sex relationships.

Sexual abuse

Examples of sexual abuse include rape and sexual assault or sexual acts to which the adult at risk has not consented, could not consent or was pressured into consenting. Sexual acts would include being made to watch sexual activity.

Psychological abuse

Examples of psychological/emotional abuse include threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal from services or supportive networks.

This is behaviour that has a harmful effect on the person's emotional health and development. Examples include:

- Isolating the victim this includes not allowing them to see their friends or family, or to go anywhere on their own.
- Using threats such as threats to kill their family, children, friends or pets, or to find them if they were ever to try and leave.
- Putting them down including humiliating, embarrassing or undermining them in front of others, for example, telling them that they are stupid, that no one would believe them if they tried to tell people what was happening or that they are a bad parent.

Financial and material abuse

Financial and material abuse is a crime. It is the use of a person's property, assets, income, funds or any resources without their informed consent or authorisation. It includes theft, fraud, internet scamming and coercion in relation to an adult's financial affairs or arrangements, such as wills, property and inheritance. It also includes the misuse of an enduring power of attorney, a lasting power of attorney or appointeeship.

Economic abuse

Economic abuse involves behaviours that interfere with an individual's ability to acquire, use and maintain economic resources such as money, transportation and utilities. It can be controlling or coercive. It can make the individual economically dependent on the abuser, thereby limiting their ability to escape and access safety.

Examples of economic abuse include:

- Having sole control of the family income;
- Preventing a victim from claiming welfare benefits;
- Interfering with a victim's education, training or employment;
- Not allowing or controlling a victim's access to mobile phone/transport/utilities/food or
- Damage to a victim's property.

Modern slavery

Modern slavery includes human trafficking, forced labour and domestic servitude. Traffickers and slave masters use the means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhuman treatment.

Discriminatory abuse

Examples of discriminatory abuse include abuse based on a person's race, gender, gender identity, age, disability, sexual orientation or religion; or other forms of harassment, slurs or similar treatment or hate crime/hate incident.

Discriminatory abuse exists when values, beliefs or culture result in a misuse of power that denies opportunity to some groups or individuals. It can result from situations

that exploit a person's vulnerability by treating the person in a way that excludes them from opportunities they should have as equal citizens, for example, education, health, justice and access to services and protection.

Neglect and acts of omission

Examples of neglect and acts of omission include ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Neglect and acts of omission are the failure of any person who has responsibility for the care of an adult at risk to provide the amount and type of care that a reasonable person would be expected to provide.

Neglect and acts of omission can be intentional or unintentional.

Organisational abuse

Whenever any form of abuse is caused by an organisation, it may be organisational abuse. Organisational abuse includes neglect and poor practice within an institution or specific care setting such as a hospital or care home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the organisations structure, policies, processes and practices.

Self neglect

Self-neglect covers a wide range of behaviours such as neglecting to care for personal hygiene, health or surroundings and includes behaviours such as hoarding.

A safeguarding response in relation to self-neglect may be appropriate where a person is refusing assistance in relation to their care and support needs and the impact of their decision, has or is likely to have a substantial impact on their overall individual wellbeing.

Where a person lacks mental capacity in relation to their care and support needs, decisions should be made in the person's best interests as required under the Mental Capacity Act 2005. However, if a person has mental capacity in relation to their care and support needs, or where issues of capacity are or have been difficult to assess, a response within the safeguarding adult's procedure may sometimes be appropriate.

1.3 Patterns of abuse

Abuse can take place in any context. It may occur when an adult at risk lives alone or with a relative; it may also occur within nursing, residential or day care settings, within hospitals or other places previously assumed safe or in public places.

Abuse may consist of a single or repeated act, an act of commission or omission, multiple acts e.g. an adult at risk may be neglected and also being financially abused.

Abuse may be intentional or unintentional. A number of abusive acts are crimes and informing the police must be a key consideration.

1.4 Who might commit abuse

This policy is relevant to all incidents of abuse, regardless of who has committed them. Anyone could be responsible for abuse, including staff, professionals, volunteers, a relative, a neighbour, those who deliberately target adults at risk in order to exploit them.

In the event a 'person in position of trust' (i.e., employee, volunteer, student who works with adults with care and support needs) is alleged to have abused an adult with care and support needs or may pose a risk of abuse to an adult with care and support needs, it is essential that the concerns are appropriately reported and responded to in line with this policy and the associated Adult Safeguarding Procedure.

2. Principles and values

This policy is based upon the principles and values that govern how safeguarding should be implemented. These reflect the most recent national guidance and Local Authorities multi-agency procedures. The underpinning aim is to achieve good outcomes for adults at risk, based upon a culture of acceptable risk (including a person's right to make the "wrong" decision).

The six principles are:

- **Empowerment**

Adults should be in control of their own lives and their consent is needed for decisions and actions designed to protect them. It is therefore vital that if someone has mental capacity and is able to make their own decisions, they maintain control. The professional's role is to support their decision making at each stage of the process. This includes taking action only with consent unless there is clear justification to act contrary to the person's wishes e.g. if they lack mental capacity or they and/or others are in danger.

- **Protection**

Procedures should provide a framework by which people can be supported to safeguard themselves from abuse/harm or be protected where they are unable to make their own decisions about their safety (due to reasons of mental capacity).

- **Prevention**

Prevention is the primary goal, and everyone has a role in preventing abuse from occurring. This includes promoting awareness and understanding and supporting people to safeguard themselves. It also refers to organisations having systems in place to minimise the risk of abuse.

- **Proportionality**

This is the responsibility to ensure that responses to concerns/alerts are proportional to the assessed risk and the nature of the allegation/concern. Proportional decisions need to take into account the principles of empowerment and protection. Where a person lacks the mental capacity, any decisions made on their behalf must be made in the person's "best interests" and be the least restrictive to their rights and freedoms.

- **Partnership**

It is essential to work collaboratively with other agencies to prevent and respond effectively to incidents or concerns of abuse. This includes working with the person to support their decision making, with relatives, friends, informal carers and other representatives (e.g. advocates) to achieve positive outcomes for the person at risk. The statutory agencies must value the role of non-statutory partners.

- **Accountability**

Accountability involves transparency in decision making by individuals and organisations, ensuring that defensible decisions are made and there are clear lines of accountability. This means that organisations, their colleagues and partners understand what is expected of them, that they act on these responsibilities and accept collective accountability for safeguarding arrangements.

3. Prevention

Whilst the safeguarding adult's policy focuses on responding to potential abuse, prevention must always be the primary objective. Colleagues, volunteers and the Board of Management have a role in preventing abuse and we will work with partners to prevent, respond and end abuse.

Prevention includes leadership that sets objectives and priorities, that:

- provides support and guidance to colleagues and volunteers;
- provides for accountability in achieving safeguarding adults' responsibilities, learning and improvement;
- adopts best practice in relation to safe recruitment and retention policies including the requirements of the Disclosure and Barring Service (DBS);
- colleagues and volunteers have a clear understanding of important concepts such as choice, capacity, consent, privacy and dignity;
- colleagues and volunteers understand the organisation's safeguarding policy and procedure and are provided with relevant training;
- customers are our primary concern and their experiences shape our service provision.

Prevention involves assessing the effectiveness of our practice and learning from our experience

4. Managing safeguarding arrangements

4.1 Making safeguarding personal

Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted. This includes, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action. It must be recognised that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances.

Intervention should be proportionate to the harm caused, or the possibility of future harm. As well as thinking about an individual's physical safety it is necessary to also consider the outcomes that they want to see and consider their overall happiness and wellbeing. For example, someone with mental capacity may choose to overlook a relative taking money from them when they do the shopping for the sake of their relationship with that relative, because the relationship has the overall effect of improving the life of the adult, including their safety, happiness and mental wellbeing.

4.2 Mental capacity

The law presumes that adults have mental capacity to make their own decisions. However, there will be times and situations in which an individual lacks mental capacity in relation to particular decisions. All interventions need to take into account the ability of the adult to make informed choices about the way they want to live and the risks they want to take.

The Mental Capacity Act 2005 provides a statutory framework to empower and protect people who may lack mental capacity to make decisions for themselves and establishes a framework for making decisions on their behalf. This applies whether the decisions are life changing events or everyday matters. All decisions taken within the safeguarding adult's procedure must comply with the Act. The Act says that:

“... a person lacks capacity in relation to a matter if at the material time he is unable to make a decision for himself in relation to the matter because of an impairment of, or disturbance in the functioning of the mind or brain” (Mental Capacity Act 2005).

In the event that a person does not have the mental capacity to consent to decisions about their own welfare, a ‘best interests’ decision will need to be made in line with the Mental Capacity Act and Mental Capacity Act Code of Practice.

4.3 Risk assessment and management

Assessment of risk is a dynamic and ongoing process. It should be kept under continual review so that adjustments can be made in response to changes in the level and nature of the risk. The primary aim of a safeguarding adults risk assessment is to assess current and potential risks.

A risk assessment will determine:

- what the actual risks are;
- the likelihood and seriousness of an incident occurring or reoccurring;
- the views of the adult at risk in relation to the risk of harm;
- the person's ability to protect themselves and
- the factors that increase or reduce the risk of harm.

4.4 Information sharing

Information sharing between organisations is essential to safeguard adults at risk of abuse, neglect and exploitation. In this context ‘organisations’ means statutory organisations, voluntary and independent sector organisations, housing providers, the police and Crown Prosecution Service and organisations that provide advocacy and support.

Decisions about what information is shared and with who will be taken on a case by case basis.

4.5 Equality and diversity

It is every person's human right to live a life free from abuse and neglect. Every adult at risk has an equal right to support and protection within this policy regardless of their individual differences or circumstances. Due regard must be given to individual differences including age, disability, religion or belief, gender, gender reassignment, sexual orientation, race or racial group, caring responsibilities, class, culture,

language, pregnancy or marital or civil partnership status.

5. Quality assurance and performance reporting

Arrangements are in place to ensure incidences of abuse are effectively managed and that the organisation is fulfilling its corporate and strategic duties. It also ensures that key learning points are identified and shared across the organisation. This includes near misses as well as actual incidents. These are clearly detailed in the Safeguarding Adults Procedures.

An annual review of all abuse cases across the whole organisation is undertaken, coordinated by the Head of Customer Experience Housing and Support, and shared with the Customer Experience Committee.

In addition to reflective learning from the annual review, any lessons learned from serious/significant incidents (including “near misses”) are reviewed by Broadacres Safeguarding Panel Members.

All serious incidents including any that involve colleagues are reported to the Local Authority and the Head of Organisational Development is always notified of any incident that involves a colleague either alleged, suspected or actual.

6. Associated documentation

Safeguarding is not a stand-alone policy or a separate activity, it is very much part of our wider policy and operational frameworks. There are a variety of interlinking policies and procedures in place to ensure that we fulfil our safeguarding responsibilities. In particular:

- Probity Policy
 - Code of Conduct
 - Whistleblowing
 - Anti-Fraud, Anti-Bribery, Anti Money-Laundering
- Professional Boundaries and Lone Working
- Anti-Social Behaviour
- Child Protection
- Disciplinary and Grievance
- Confidentiality and Data Protection
- Domestic Abuse Policy
- Recruitment (including DBS Policy)

This is not an exhaustive list.

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