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SAFEGUARDING ADULTS AT RISK OF HARM POLICY AND PROCEDURE

The key aims of this policy

The organisation will not tolerate the abuse of adults with care and support needs. It is committed to promoting wellbeing, preventing harm and responding effectively if concerns are raised. The organisation is committed to the aims of adult safeguarding

- * prevent harm and reduce the risk of abuse or neglect to adults with care and support needs
- * stop abuse or neglect wherever possible
- * 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 life for the adults concerned
- * identifying and responding to abuse and neglect
- * provide information and support in accessible ways to help people 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
- * address what has caused the abuse or neglect

To contribute to meeting these aims, we will

- * Manage our services in a way which minimises the risk of abuse occurring
- * Work with adults with care and support needs and other agencies to end any abuse that is taking place

To achieve these aims we will

- * Ensure that all managers, employees and volunteers have access to and are familiar with this safeguarding adult policy and procedure and their responsibilities within it.
- * Ensure concerns or allegations of abuse are always taken seriously.
- * Ensure the Mental Capacity Act is used to make decisions on behalf of those adults at risk who are unable to make particular decisions for themselves.
- * Ensure all staff receive training in relation safeguarding adults at a level relevant to their role.
- * Ensure that people using our services, and where relevant their relatives and their friends, have access to information about how to report concerns or allegations of abuse.
- * Ensure there is a named lead person to promote adult safeguarding awareness and practice within the organisation.

This policy and procedure has been developed to be consistent with the Surrey Safeguarding Adults Board Adult Safeguarding Policy and Procedures.

Who does adult safeguarding apply to?

The definition of adults that adult safeguarding processes may apply to is set out in Section 42 of the Care Act 2014. They are people who:

- * are aged 18 years or more, and
- * have needs for care and support (whether or not these are currently being met),
- * are experiencing, or are at risk of, abuse or neglect, and
- * as a result of those needs are unable to protect themselves against the abuse or neglect or the risk of it.

This includes adults with physical, sensory and mental impairments and learning disabilities, however those impairments have arisen, such as whether present from birth or due to advancing age, chronic illness or injury.

Also included are people with a mental illness, dementia or other memory impairments, and people who misuse substances or alcohol.

What is abuse?

Abuse can take many forms and the circumstances of the individual should always be considered. It may consist of a single act or repeated acts. The following are examples of issues that would be considered as abuse or neglect:

- * **Physical abuse** includes hitting, slapping, pushing, kicking, misuse of medication, unlawful or inappropriate restraint, or inappropriate physical sanctions.
- * **Sexual abuse** includes rape and sexual assault or sexual acts to which the adult at risk has not consented or could not consent or was pressured into consenting.
- * **Psychological abuse** includes emotional abuse, 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.
- * **Financial and material abuse** includes theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- * **Neglect and acts of omission includes** 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, not following care plans eg correct amount of checks each night
- * **Discriminatory abuse** includes abuse based on a person's race, sex, disability, faith, sexual orientation, or age; other forms of harassment, slurs or similar treatment or hate crime/hate incident.
- * **Organisational abuse** includes neglect and poor practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own 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 structure, policies, processes and practices within an organisation.

* **Self-neglect** covers a wide range of behaviours, such as neglecting to care for one's 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 declining 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

* **Hate crime** Hate crime is defined as any crime that is perceived by the victim, or any other person, to be racist, homophobic, transphobic or due to a person's religion, belief, gender identity or disability. It should be noted that this definition is based on the perception of the victim or anyone else and is not reliant on evidence.

Modern Slavery and Human trafficking

As a care service, we ensure no vulnerable young person or adult in our care is subject to any conditions that meet the Care Act (and similar) definitions of modern slavery. If the service has any suspicions, information or evidence that any of its service users are victims of, or at risk of, becoming victims of modern slavery, exploitation or forced labour, it will take immediate protective action by alerting the appropriate safeguarding authority or police and apply all safeguarding procedures

We also do not employ staff under any conditions that might make us vulnerable to accusations or suspicions that we are employing people under conditions that would amount to modern slavery and exploitation as defined. All staff are subject to recruitment procedures that comply with both employment law and registration requirements with pay and conditions of employment that meet all statutory requirements.

Extremism and Radicalisation

The Meath is aware of the possibility that its staff too might exploit the vulnerabilities of the service users and engage in their radicalisation by promoting extremism in whatever form it might take.

The Meath counteracts these possibilities through:

- adopting robust safe recruitment and selection procedures that screen any applicant out, who might present a risk

What is an adult safeguarding enquiry?

Section 42 of The Care Act 2014 says that when the tests are met (an adult who is experiencing or at risk of abuse or neglect which they cannot protect themselves from because of their care and support needs) there must be an adult safeguarding enquiry.

The objectives of an adult safeguarding enquiry are to

- * Establish facts
- * Ascertain the adult's views and wishes
- * Assess the needs of the adult for protection, support and redress and how they might be met

- * Protect from the abuse and neglect, in accordance with the wishes of the adult;
- * Make decisions as to what follow-up action should be taken with regard to the person or organisation responsible for the abuse or neglect
- * Enable the adult to achieve resolution and recovery

The Care Act does not specify what an enquiry will consist of, nor does it create any powers for carrying out an adult safeguarding enquiry. An adult safeguarding enquiry is simply the collection of whatever actions using existing powers, duties and processes is needed to meet the purposes. The benefit of putting the matter in to an adult safeguarding framework is:

- * To ensure there is proper recognition of the abuse and neglect issue
- * To help the multi-agency response to the concern do the best at involving the right organisations and people, sharing information between them, having a shared understanding of the risks and how to respond to them, and to minimise duplication of effort
- * To give a focus on ensuring the care and support needs of the person are taken account of

Raising awareness

All staff will receive training in Safeguarding, all units/ house have copies of the The Meath's policy and procedure and Surrey Safeguarding Multi Agency Policy and procedures.

The role of the local authority in an adult safeguarding enquiry

Though the actions to carry out an adult safeguarding enquiry and the actions to apply what has been learned when the enquiry has been completed might be undertaken by a range of organisations, local authorities have a particular role which they cannot delegate to others. Where an adult safeguarding enquiry is required, the local authority must:

- * Decide what enquiries it thinks are necessary to make up the adult safeguarding enquiry;
- * Make those enquiries or cause others to make them; and
- * When the enquiry is completed it must decide whether any action should be taken, and if so, what and by whom.

In Surrey, this role is taken on by the Social Work Team in adult social care or, where the adult's care and support needs relate to serious mental health issues, by the Integrated Health and Social Care Services for people with mental health needs. For the purposes of clarity, in this policy and procedure the term "adult social care" is used to mean the relevant service for that person.

Where the local authority requires another organisation to carry out enquiries in connection with an adult safeguarding concern, the local authority is required to ensure that these enquiries are carried out satisfactorily. Where they have not been, the local authority may need to carry out those enquiries itself.

The local authority may also decide to carry out enquiries itself rather than require another organisation to do so if there are issues that mean the local authority is best placed to make those enquiries. This might arise, for example, where a conflict of interest might arise if the other organisation were to undertake then enquiries.

Safeguarding Concerns Manager

The Safeguarding Concerns Manager has the responsibility to decide whether it is appropriate to refer a safeguarding concern to the local authority and what other actions might be needed.

The Safeguarding concerns managers is the registered Managers of each house

Organisational lead for safeguarding adults

is responsible for ensuring this policy and procedure is reviewed and up to date and is responsible for ensuring staff have appropriate training and information to fulfil their roles.

Expectations on all staff and volunteers

Anyone who may come in to contact with adults with care and support needs, whether in a volunteer or paid role, must understand their own role and responsibilities regarding adult safeguarding

- * They must be aware of the Surrey Safeguarding Adults Board Adult Safeguarding Policy and Procedures
- * They must keep their knowledge and skills up to date by meeting the training requirements expected of their role
- * They must understand what is expected of them if they become aware that an adult with care and support needs is experiencing or is at risk of abuse or neglect
- * They must take all reasonable actions in line with those expectations
- * They must take all reasonable actions to prevent adults with care and support needs from experiencing abuse and neglect

Expectations on Managers

Managers of volunteers and staff must

- * Ensure the people they manage are made aware of the expectations on them regarding adult safeguarding issues
- * Have access to the support they need in order to meet those expectations

Safe Employment

The organisation is committed to achieving best practice in respect to the safe recruitment of employees and volunteers; this includes:

- Working within best practice as established by the Disclosure and Barring Scheme (DBS)
 - Employees are required to complete an enhanced DBS and this is renewed every three years.

- The organisation holds a fair and thorough interview and selection process which is set up to ensure that staff are suitable to work with adults at risk.:
 - Candidates selected for interview are based on competency in experience and skills
 - Specifically, selected candidates are invited to interview with Unit Managers
 - Interviews are held in confidence and includes scenarios and questions relating to care of vulnerable adults
 - Successful candidates are set a six-month probationary period in which they complete a thorough induction which includes feedback from colleagues and managers.
 - Training and Coaching is provided to each employee upon induction and on an ongoing basis.

Information sharing arrangements

The Meath Epilepsy Charity is the Data Controller and is committed to protecting the rights of individuals in line with General Data Protection Regulation (GDPR). The Meath recognises it must keep all records required for the protection and wellbeing of service users, and those for the effective and efficient running of the Meath such as staff records to comply currently with the EU General Data Protection Regulation (GDPR).

The Meath provides a clear privacy policy wherever personal data is collected to ensure that consent is informed and that the data subject is informed of their rights in relation to their personal data.

The Meath has taken the following steps to safeguard everyone's personal data, which it holds or to which it has access so that it complies with current data protection laws and the GDPR.

- Meath appointed Data Protection Lead and formed GDPR Project team to work towards compliance.
- the processing and controlling of data.
- the comprehensive reviewing and auditing of its data protection systems and procedures.
- overviewing the effectiveness and integrity of all the data that must be protected.

If you wish to find out more on how we handle your information contact Michelle Plumb @ michellep@meath.org.uk

Training and Supervision

*Training is held on site. All staff attend Safeguarding Adults Level 1 and MCA & DOLS

* Awareness of this safeguarding policy/procedure is covered within the induction programme for all new employees or volunteers and their understanding checked within supervision meetings.

* All staff will receive training on safeguarding adults at a level related to their roles.

* All staff will receive training on the requirements and provisions of the Mental Capacity Act (and Deprivation of Liberty Safeguards (DoLS) in care homes and hospitals)

Prevention of abuse and neglect

The Meath has the following policies, procedures or required practices that minimise the risk of abuse occurring. Staff or volunteers may need to refer to these in order to determine whether abuse has occurred and how to respond.

- * Public Interest Disclosure Policy (Whistle blowing)
- * The boundaries of personal relationships with service users
- * The handling of money and personal effects
- * Managing challenging behaviour
- * The investigation of complaints
- * Managing restraint and other physical interventions
- * Mental Capacity Act (inc. Advanced Decisions and Lasting Powers of Attorney)
- * Deprivation of Liberty Safeguards (DoLS)
- * Incident Reporting procedures
- * Risk assessment and risk management

SAFEGUARDING ADULTS AT RISK PROCEDURE

Content

Adult safeguarding work is about protecting adults with care and support needs from abuse and neglect, and about responding well when adults with care and support needs are experiencing or are at risk of abuse or neglect. Adult safeguarding work in Surrey takes place in the context of

- * The Care Act 2014: This sets out the duties and powers in law around adult safeguarding issues. It says the local authority is the lead agency on responding to adult safeguarding concerns and that Safeguarding Adults Boards (SAB) have the strategic lead for their area;
- * The Care and Support Statutory Guidance: This gives detail about what must and should be done in relation to adult safeguarding issues. As it is statutory guidance, it must be followed unless you have good reason not to
- * The Surrey Safeguarding Policy and Procedures: This gives the framework adopted across Surrey for multi-agency responses to adult safeguarding concerns.

Making Safeguarding Personal

Making safeguarding personal means it should be person-led and outcome-focused. It engages the person in a 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. The Meath will meet the aims of Making Safeguarding Personal by:

- * Keeping the person at the heart of the process
- * Making efforts to understand the outcomes they want to achieve from the adults safeguarding work and support them to achieve those

Responding to an adult safeguarding concern

If any member of staff or volunteer has reason to believe that abuse is or may be taking place you have a responsibility to act on this information. It does not matter what your role is, doing nothing is not an option.

If an adult tells you about abuse or neglect they are experiencing or are at risk of, use the following principles to respond to them:

- * Assure them that you are taking the concerns seriously
- * Do not be judgemental or jump to conclusions
- * Listen carefully to what they are telling you, stay calm, get as clear a picture as you can. Use open ended questions
- * Do not start to investigate or ask detailed or probing questions
- * Explain that you have a duty to tell your manager or the designated officer
- * Reassure the person that they will be involved in decisions about them

Recording adult safeguarding

- 1.1. The member of staff who first becomes aware of any concern of abuse (harm) or neglect, **must** ensure that where there is immediate danger to the person or to the person's health, that emergency assistance is sought by calling 999
- 1.2. The member of staff **must** ensure the immediate safety of the person alleged to have been harmed and the immediate safety of any other adults at risk
- 1.3. The member of staff **must** ensure that the person is safe and gain the consent of the person or where necessary make a best interest decision in order to immediately report the concerns to the Registered Manager
- 1.4. The initial concern by the member of staff to the Registered Manager must be by telephone or face to face, **there must not be any delay by sending an email and waiting for a response. The person raising the initial concern must keep on attempting to make contact with the line/responsible manager/senior manager until there has been a response.**

- 1.5. Following this contact the member of staff must complete a safeguarding adults notification form (see *Appendix 2 – Safeguarding Notification form*) and send this to the **Head of residential Tracy Toth** who is also the Safeguarding Lead Person, **Michelle Plumb Deputy lead person**
- 1.6. The details of all concerns must always be recorded on both the organisations central Safeguarding Log and the individual service safeguarding log
- 1.7. The member of staff and the On Call and Registered manager must ensure that any forensic evidence is preserved to avoid contamination.

Where the concern is raised out of hours the Registered Manager will decide whether to refer to the Surrey County Council Emergency Duty Team

Escalating adult safeguarding concerns where immediate line managers do not take action

At The Meath, if a person is concerned that an adult safeguarding concern has not been acted upon we expect them to raise the matter with that Manager. If the matter still has not been dealt with it should be escalated to, in order,

*** The Adult Safeguarding Concerns manager**

If the concern has still not been acted upon, you should refer to the Whistleblowing Policy and Procedure.

Learning lessons from adult safeguarding enquiries

The Safeguarding Policy and Procedure will be reviewed annually to reflect any legislative amendments and also to reflect lessons learned from Safeguarding Adult Reviews undertaken by the Surrey Safeguarding Adult Board and any other relevant reviews or enquiries where there is learning.

- In addition, The Meath Epilepsy Charity will reflect upon the learning arising from all safeguarding concerns within the organisation and review the learning

Reference

The Care Act 2014

The Care and Support Statutory Guidance

Surrey Safeguarding Adults Board Policy

WHAT TO DO IF FACED WITH ALLEGATIONS OF ABUSE OR YOU SUSPECT A VULNERABLE ADULT IS BEING ABUSED:

