

SAFEGUARDING CHILDREN AND ADULT POLICY

POLICY

1. DETAILS

- 1.1 The purpose of this policy and subsequent procedure is to ensure that staff consistently follow appropriate guidelines when recognising and responding to child and adult safeguarding concerns.
- 1.2 EastendHomes recognises that child and adult protection is everyone's concern and responsibility. Therefore staff regardless of their service area should be fully aware of what actions they need to follow should they identify a concern for a child or adult with whom they may come into contact during their working day.
- 1.3 Although we are not specialists in this area we need to be aware that child and adult abuse does happen in our properties and we have a responsibility to be alert and aware of possible concerns about children and adult safety and protection. We should also know who to talk to in the workplace if we have concerns.
- 1.4 For the purposes of this policy the term "staff" includes, agency staff, students on placement, apprentices and any voluntary staff members in addition to paid employees.
- 1.5 This policy and procedure relates to all residents and tenures including tenants, leaseholders and their sub-tenants.

2. DEFINITIONS

- 2.1 Safeguarding means protecting people's health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect (Care Quality Commission, 2014).

2.2 Safeguarding Children

In this policy a child is defined as any child/young person who has not reached their 18th birthday. Even if the child has reached the age of 16 years, may be living independently, is in further education, or a young offenders' institution, this does not change their status or entitlement to protection and support under the Children Act 1989.

2.3 Safeguarding Adults at Risk

A vulnerable adult is a person over 18 years of age; the changes in legislation namely the Care Act 2014 means the term "vulnerable adult" is being replaced by the term "adult at risk" who may be defined as so by reason of:

- age

- being in an abusive relationship
- frailty
- having a physical, learning or mental health disability
- having an illness or health condition
- having been in care, prison or other institution
- misusing drink, drugs or other substance
- has an autistic spectrum disorder

2.4 Abuse is defined as a violation of an individual's human and civil rights by another person or persons and may result in significant harm to, or the exploitation of, the person subjected to it.

- Abuse may consist of a single act or repeated acts
- It may be physical, verbal, psychological or emotional
- It may be an act of neglect or an omission to act
- It may occur when a person is persuaded to enter into a financial or sexual transaction to which they not consented, or cannot consent
- It can occur in any relationship
- It can be perpetrated by anyone
- It can be a crime
- Abuse may be deliberate or unintentional or result from lack of knowledge.
- There are five main types of abuse which are explained fully in the procedure in appendix one:
 - Physical
 - Sexual
 - Financial
 - Emotional or psychological
 - Neglect

2.5 There are also less well known types of abuse:

- Abusive regimes – is abuse usually within an institution rather than by individuals. It is included here because residents may spend time in institutions during their time as residents.
- Discriminatory - this abuse may include racist and sexist slurs. Harassment on the basis of disability, sexual preference and age.
- Self-neglect – this covers a wide range of behaviour such as neglecting to care for one's personal hygiene, health or surroundings and includes

behaviour such as hoarding, squalor infestation, poor personal hygiene and risk to safety and wellbeing.

- Honour-based violence - honour-based violence is a crime. It has or may have been committed when families feel that dishonour has been brought to the family. Women are predominantly, but not exclusively, the victims and the violence is often committed with a degree of collusion from family members and/or the community.
- Forced marriage - forced marriage is a term used to describe a marriage in which one or both of the parties is married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance from the parents.

3. OUR APPROACH TO INTERVENTION AND RISK

3.1 Any intervention to protect an adult will be carried out with the consent of the adult concerned, unless they are unable to give their consent or their consent is over-riden by our duty to protect others.

3.2 However all interventions must be:

- Lawful
- Proportionate to the risk
- Respectful to the wishes of the person at risk

3.3 The Mental Capacity Act 2005 provides the legal framework for acting and making decisions on behalf of individuals who lack the mental capacity to make particular decisions for themselves.

3.4 When an adult lacks capacity to safeguard themselves we will need to consider reducing the risk by addressing the behaviour of the person causing the abuse whilst decreasing any vulnerability of the victim.

3.5 To achieve this we will work in co-operation with specialist and or statutory agencies such as the council, health professionals, voluntary agencies or the Police and attend safeguarding strategy meetings if required.

3.6 We have a duty to promote and safeguard the welfare of children who we come into contact with in our everyday work and this includes having a duty to report concerns of a child protection nature and a duty to work with those agencies empowered to investigate such concerns.

3.7 Our safeguarding and intervention work to protect a child will be based on working to agreed local policies and procedures in full partnership with relevant agencies including parents and carers.

4. Anti-Social Behaviour and Domestic Abuse

- 4.1 Our Anti-Social Behaviour Policy and Domestic Violence Policy set out our approach to tackling these issues. We have clear procedures for reporting and dealing with anti-social behaviour and domestic abuse and we will ensure our policies and strategies are linked to multi-agency safeguarding procedures. We will work with the MARAC (Multi-Agency Risk Assessment Conference), for cases involving safeguarding concerns involving domestic abuse.

5. ROLES & RESPONSIBILITIES

- 5.1 The strategic lead for Safeguarding will be a member of the Housing Management Team and they will be involved in ensuring there are appropriate safeguarding arrangements in place, appropriate levels of training are provided, and to scrutinise how these are carried out in the planning and delivery of services. They will also ensure that all staff are aware of who to report to - the Safeguarding Champion.
- 5.2 The Safeguarding Champion will take the lead for the operational management of child/adult safeguarding issues and cases. They will ensure that they are aware of the process of reporting concerns and their responsibility to support staff should concerns be raised for a child or adult. This will involve providing advice and support to other staff as well as acting as a source of expertise and co-ordination. They will be responsible for:
- Acting on the initial report of abuse of suspected abuse of a child or adult
 - Gather information in relation to the housing situation by reviewing the tenancy file, checking recent occupancy audits and history of anti-social behaviour
 - Making referrals to and liaising with the local authority and working with other agencies.
 - Maintaining and reviewing the Safeguarding Alert Register
- 5.3 All staff are expected to be aware of this document, know where to access the document and who to speak to within their service area if they have concerns about a child or adult.
- 5.4 If a member of staff has knowledge, concerns or suspicions that a child or adult is suffering, has suffered or is likely to be at risk of harm, it is his or her responsibility to ensure that they share their concerns with their line manager or Safeguarding Champion in a timely manner.
- 5.5 A Disclosure and Barring Service check according to the prescribed level will be carried out during recruitment to applicable posts. All new appointments to these posts will be made a conditional offer of employment subject to the receipt of an appropriate DBS disclosure. The relevant posts for DBS checks will be identified and reviewed by the HR Manager and in accordance with the DBS (previously CRB check) policy and current legislation.
- 5.6 Regular updates for the applicable posts will be obtained via the update service available through the Disclosure and Barring Service. This service allows employers to check the status of an existing DBS certificate, if it is for the same

workforce where the same type and level of criminal record check is required and permission is provided by the individual concerned.

- 5.7 All staff who come into contact with residents during their working day should complete basic safeguarding awareness training. The Safeguarding Champion will be required to complete more specialist and inter-agency training.
- 5.8 Any third party who manages stock on our behalf must be aware of our policy as well as users of our community centres and facilities.
- 5.9 All external contractors who carry out property repairs should be made aware of our policy as well as demonstrate they have their own process in place for reporting safeguarding concerns.

6. CONFIDENTIALITY

- 6.1 All staff must respect confidentiality and not divulge information given in confidence unless justified by an assessed risk to the child or adult.

7. WHISTLE BLOWING

- 7.1 We have a whistle-blowing Policy to ensure staff who have suspicions about abuse being perpetrated by a member of staff or a volunteer they can pass on their concerns knowing that they will be taken seriously and acted upon.

8. EQUAL OPPORTUNITIES

- 8.1 The Equality Act 2010 places a duty on public bodies and organisations that carry out public functions on behalf of public authorities, in relation to those functions, to ensure they consider the needs of individuals in their day –to-day work when developing policies, delivering services and in relation to their own employees. The Public Sector Equality Duty was developed to harmonise the equality duties and to extend them across all protected characteristics. Those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Promote equality of opportunity between people who share a protected characteristic and those who do not.
- Encourage good relations between people who share a protected characteristic and those who do not.

- 8.2 In accordance with this duty EastendHomes is committed to ensuring that all children and adults at risk whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and /or sexual identity have the right to safeguarding from abuse.

9. LEGAL FRAMEWORK

- 9.1 This policy and the subsequent procedure is produced in accordance with The Children Act 2004; The Children Act 1989; and the Department for Education guidance “Safeguarding Children: Working together under the Children Act 2004”.
- 9.2 Section 42-45 of the Care Act 2014 provides a new duty for local authorities:
- To carry out enquiries where it suspects and adult is at risk of abuse of neglect
 - Establish Safeguarding Adults Board [SAB] who will carry out safeguarding adults reviews
 - SAB to require information sharing from other partners to support the reviews
- 9.3 In 2015 The Association of Directors of Adult Services introduced the ‘London multi agency adult safeguarding policy and procedure’. Appendix Four (Version updated August 2016) to the policy ‘Safeguarding Structures and Organisations’ encourages Housing Providers to ‘develop a safeguarding culture through:
- Board and Leadership commitment and ownership of safeguarding responsibilities
 - Policies or guidance that promote the six principles of adult safeguarding
 - Policies that reflect the adult safeguarding framework set out by a SAB
 - Staff being vigilant about adult safeguarding concerns
 - Learning and development for staff on adult safeguarding and the Mental Capacity Act 2005 enabling them to fulfil their roles and responsibilities
 - Sharing information appropriately to safe guard adults at risk and engaging with Information Sharing Agreements where required
 - Developing inter-housing networks as well as multi agency mechanisms
- 9.4 The law underpinning safeguarding adults comes from a variety of sources and ‘legal areas’.
- Anti-Social Behaviour Act 2003
 - Care Standards Act 2000
 - Data Protection Act 1998
 - Disabled Persons Act 1986
 - Domestic Violence Crime and Victims Act 2004
 - Equality Act 2010
 - Freedom of Information Act 2000
 - Crime and Disorder Act 1998
 - Housing Act 1988
 - Housing Act 1996
 - Human Rights Act 1998
 - Mental Health Act 1983
 - Mental Health Capacity Act 2005

- National Health Service and Community Care Act 1990
- No Secrets 2000
- Protection from Harassment Act 1997
- Protection of Freedoms Act 2012
- Public Interest and Disclosure Act 1998
- Safeguarding Vulnerable Groups Act 2006
- Sexual Offences Act 2003

10. EastendHomes Policy and Procedures

10.1 The following internal policies and procedures are relevant to the Safeguarding Children and Adults Policy:

Equality and Diversity Policy

Interpretation, Translation and Communication Needs Policy

Combatting Bullying, Harassment and Discrimination Policy

Employee Code of Conduct

Whistleblowing – public interest disclosure Policy

Employee Code of Conduct

Whistleblowing – public interest disclosure policy

Equality and Diversity policy

Combatting Bullying, Harassment and Discrimination policy

Interpretation Translation and Communication Needs policy

11. REVIEW

11.1 This policy will be reviewed every three years. The review will ensure the policy takes into account changes to statutory guidance and developing good practice.