

Safeguarding Children and Adults at Risk Policy

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Procedure author/holder:	Executive Director - Housing Support
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1 Policy purpose

The purpose of this policy is to set out LiveWest's commitment to promoting safeguarding and the protection of children and adults at risk. It provides a framework from which LiveWest staff and other workers (including volunteers), Board members, contractors and agents can understand their responsibilities (including those under the Care Act 2014) to promote the prevention and protection of individuals and groups from abuse and neglect by:

- Understanding LiveWest's commitment and their duties in safeguarding children and adults at risk
- Understanding what constitutes abuse;
- Knowing when and how to report it
- Safeguarding individuals in a way that supports them in making choices and having control in how they choose to live their lives.

The anticipated outcomes of the policy are that we provide services in an environment which safeguards the welfare of at risk individuals and groups. LiveWest is committed to working collaboratively in a multi-agency manner and compliant with the requirements of statute and good practice in order to protect individuals from harm, abuse and neglect.

2 Scope and definitions

This policy applies to all employees, Board and committee members, volunteers, agency staff, students on work placements, agents and contractors carrying out work with our residents or in their homes.

For the purposes of this policy and associated procedures:

- 'LiveWest' means all those companies that form part of the LiveWest group;
- The words "child" or "children" is used to refer to those under the age of 18, in accordance with the United Nations Convention on the Rights of the Child;

- An Adult at risk is defined as any person aged 18 years and over who is, or may be in need of community care services by reason of mental health issues, learning or physical disability, sensory impairment, age or illness and who is, or may be unable to take care of him/herself or unable to protect him/herself against significant harm or serious exploitation.

Safeguard or protect?

Safeguarding comprises all the preventative measures that we take to try to stop someone being abused or subjected to neglect – it is everyone's responsibility to report any concerns to the appropriate authority.

Protection refers to activities undertaken to prevent individuals suffering, or likely to suffer, significant harm and includes children, young people and adults. It encompasses statutory responsibilities (such as those resting with the local authority social services or the Police) to stop or limit abuse once it has taken place.

3 About this policy

General policy statement:

- The welfare of the child/adult at risk is paramount;
- All individuals, whatever their age, culture, disability, gender, language, racial origin, religious beliefs and/or sexual identity, have the right to protection from abuse and neglect;
- All suspicions and allegations of abuse or neglect will be taken seriously and responded to swiftly and appropriately.

We all have a responsibility to report concerns. LiveWest has an organisational system to follow up on reported concerns and to learn lessons from each case.

The key principles that underpin the safeguarding work that we do are:

- **Empowerment:** People being supported and encouraged to make their own decisions and give informed consent.
- **Prevention:** It's better to take action before harm occurs.
- **Proportionality:** The least intrusive response appropriate to the risk presented.
- **Protection:** Support and representation for those in greatest need.
- **Partnership:** Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting concerns of abuse and neglect.
- **Accountability:** Accountability and transparency in delivering safeguarding.

As part of this policy we aim to:

- Actively research good practice and promote what we learn to our partners;

- Ensure that the services we provide directly to vulnerable people offer appropriate safety and protection;
- Enable us to make informed and confident responses to safeguarding issues.

We aim to ensure that we can respond effectively by:

- Raising awareness throughout LiveWest;
- Actively encouraging good practice amongst all LiveWest's agents;
- Creating a safe and healthy environment within all our services, to minimise or manage situations where abuse/neglect or allegations of abuse/neglect may occur;
- Respecting and promoting the rights, wishes and feelings of children and adults at risk;
- Minimising dangers and working closely with other agencies;
- Recruiting, training, supervising and supporting those of us who work with vulnerable groups to adopt best practice to safeguard and protect children and vulnerable people from abuse and neglect;
- Ensuring we all know how to protect ourselves against false allegations;
- Responding to any allegations appropriately and implementing the appropriate disciplinary and appeals procedures;
- Reporting abuse or possible abuse/neglect that is observed during the course of our work;
- Requiring all of us to adopt and abide by LiveWest's Safeguarding policy together with procedures and good practice that may be published from time to time;
- Identifying those individuals and LiveWest agents that require Disclosure and Barring Service (DBS) Checks.

4 Responding to a safeguarding concern

If you have a safe guarding concern, you are required to:

- Raise your concerns where you believe an adult or child is at risk of harm, in line with our standard operating procedure;
- Report your concerns clearly, and;
- Cooperate with any investigation.

Where the concern is escalated to the Local Authority they will decide if the referral has reached the safeguarding threshold. The Local Authority must make enquiries, or ensure others do so, if it believes a child or adult is subject to, or at risk of, abuse or neglect. An enquiry should establish whether any action needs to be taken to stop or prevent abuse or neglect, and if so, by whom.

Recognising abuse and neglect is not easy and it is not the responsibility of anyone working on behalf of LiveWest, in a paid or unpaid capacity, to investigate whether or not abuse or neglect has taken place. The responsibility is to make an alert to enable relevant professionals to investigate appropriately.

LiveWest have a responsibility to provide training advice and support to staff in regard to safeguarding. The organisation also has a responsibility to provide leadership and support to staff in carrying out their responsibilities.

Doing nothing is NOT an option!

In all cases a safeguarding alert form will be completed and an agreement reached on involving Children's or Adult's Social Care, or going directly to police if there is immediate danger. If agreement is not reached, the relevant service manager will make the decision and follow LiveWest's procedures and the local authority's safeguarding escalation policy/procedures.

If the concern or allegation is about a staff member or Board member or LiveWest agent then LiveWest will fully support and protect anyone who reasonably believes that they are making a disclosure in the public interest and reports his/her concern that a child or adult may be at risk (further detail can be found of the process to be followed in the whistle blowing policy).

5. Monitoring and review

LiveWest will appoint a Safeguarding Lead who will be responsible for receiving reports of suspected abuse; they will check how each case has been handled, and present an annual report reviewing safeguarding alerts to ensure that we consolidate learning from cases into the procedures. This will form a subset of the annual report to the Board or devolved committee.

The LiveWest Board is responsible for the oversight of safeguarding and will seek assurance that the systems to deliver this are effective. The Board (or appropriately devolved committee) will review an annual report which includes but is not limited to the information identified by the Safeguarding Lead to aid the development of safeguarding and learning from experience by the organisation.

In the case of services provided directly to vulnerable groups, service managers should also ensure that local work instructions are regularly reviewed including amendments to reflect relevant changes in procedure and personnel within Local Authority social services teams.

LiveWest works in several different Local Authority areas and provides its staff with contact details of lead professionals in each relevant service such as safeguarding children, safeguarding adults and community mental health teams. It is essential that staff raising concerns know which department and which person to contact. Supported housing team managers will check the lists of Local Authority leads at least every 3 months and update as necessary.

6 Legal considerations

LiveWest aims to carry out the policy in line with:

- Specific legal obligations and regulatory requirements including the Data Protection Act 2018, General Data Protection Regulations 2018 and the Regulator of Social Housing's regulatory code as it applies to vulnerable groups;
- Relevant good practice including that published by the National Society of Prevention of Cruelty to Children, Sport England, the Churches' Child Protection Advisory Service (CCPAS), the National Housing Federation and Chartered Institute of Housing;
- The Safeguarding of Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012;
- The Care Act 2014;
- Care and Support Statutory Guidance;
- Human Rights Act 1998;
- Modern Slavery Act 2015;
- Equality Act 2010;
- Mental Capacity Act 2005;
- Deprivation of Liberty Safeguards (amendments to Mental Capacity Act);
- Children Act 1989, 2004;
- Protection of Children Act 1999, and;
- Terrorism and Security Act 2015
- Disclosure and Barring service (DBS).

Safeguarding Children and Adults at Risk Procedure

1 Key responsibilities

There is a responsibility for all staff to report any allegation or concern to the appropriate statutory organisation such as Children's or Adult's Social Care services and/ or the Police. It is essential that all concerns are reported to and discussed with a line manager as soon after the concerns are raised. An alternate manager should be sought in the absence of usual manager. The consequences of failing to report an allegation, suspicion or concern far outweigh the risk of being wrong.

There is a requirement to act 'reasonably', which means staff members need to be clear about which people and agencies have responsibilities relating to the care, support and protection of residents and clients receiving LiveWest's services.

Under Health and Safety legislation LiveWest's duty of care extends to the provision of a safe working environment for all staff, residents/clients and visitors to its schemes. All staff have a legal duty to comply with procedures that LiveWest puts in place to protect people in this way. LiveWest's tenancies and other agreements set out similar obligations on its customers.

In order to fulfil duty of care requirements, it is essential that all staff complete thorough risk assessments with relevant customers who identify they may be an adult at risk from abuse or neglect. The assessment must address how to protect them through a comprehensive risk management plan. These assessments and plans will need to undergo regular review and should be used as live documents. They will need to take into account situations where a resident/client's capacity to protect themselves may fluctuate for example where someone has an intermittent mental health problem or illness.

Staff should discuss concerns with the resident/client and where possible agree on the actions to take forward.

On the one hand, it is about protecting people even at the cost of confidentiality; on the other, it is about not excessively and unnecessarily interfering with people's private lives.

If action is taken without the consent of the adult at risk, they must be advised of the actions taken and the reasons why.

1.1 Local Authority Safeguarding Children Boards (LSCB)

Under the Children Act 1989, all children under the age of 18 are subject to protection procedures that are supported locally by protocols drawn up by the Local Authority Safeguarding Children Board (LSCB).

1.2 Local Authority Safeguarding Adults Boards (SAB)

The Care Act 2014 has placed safeguarding adult boards (SABs) on a statutory footing. All adults at risk that have care and support needs are subject to protection procedures that are supported locally by protocols drawn up by the Local Safeguarding Boards.

These are multi-agency groups that includes representatives from Health, Social Services, Police, Probation Services and other agencies.

The Local Safeguarding Boards are the key local sources of advice regarding abuse and neglect against adults at risk and children. They produce extensive local guidance covering roles and responsibilities of agencies involved in adult and child protection. All line managers should be acquainted with their local safeguarding boards and its guidance. The local safeguarding boards also produce information leaflets and where applicable, these should be available to LiveWest's customers.

1.3 Other local agencies

In addition to these there may be other local agencies with which health professionals might need to work in relation to children and adults at risk. These can include, but are not limited to:

- Mental Health teams
- Multi-agency risk assessment conference (MARAC). MARACs main focus of concern is to identify individuals assessed as high risk of domestic violence and to reduce the risk to victims.
- Multi-agency public protection arrangements (MAPPAs). MAPPAs support the assessment and management of violent and sexual offenders.

LiveWest's procedures and associated policy should be used in conjunction with Local Authority protection procedures and should be included in training for all staff and volunteers.

It is the responsibility of the team leaders within supported housing to ensure that the Local Safeguarding Boards have up- to-date copies of LiveWest's safeguarding policy and procedure.

Some supported housing schemes have house rules which must be explained and issues relating to childcare responsibilities, such as supervision and health and safety should be clarified. Foyer / scheme managers can use the residents' and clients' declaration form at their discretion, if they feel additional measures are needed to protect children and young people.

2. Code of behaviour for Adults working with Children

This example code has been taken from the 'Safe Network' Are they safe? Guide and was originally adapted from policies developed by Leonard Cheshire Disability media project and NSPCC consultancy services.

Keeping children safe from abuse is everyone's responsibility. All members of staff and volunteers are expected to report any breaches of this code to their line manager, a safeguarding coordinator or follow LiveWest's whistleblowing policy.

Staff and volunteers who breach this code of behaviour may be subject to LiveWest's disciplinary procedures. Any breach of this code involving a volunteer or member of staff from another agency may result in them being asked to leave.

Serious breaches may also result in a referral being made to a statutory agency such as the police, the local authority children's social care department and/or the disclosure and barring service.

When to use this code

This code must be followed during all events and activities organised and/or hosted by LiveWest where children are involved. It must be read in conjunction with the most recent safeguarding policy and procedures.

Following this code will help to protect children from abuse and inappropriate behaviour from adults. It will also help staff and volunteers to maintain the standard of behaviour expected of them and will reduce the possibility of unfounded allegations of abuse being made against them.

The role of staff and volunteers

When working with children and young people for LiveWest, all staff and volunteers are acting in a position of trust. It is important that staff and volunteers are aware that they may be seen as role models by children and young people and must act in an appropriate manner at all times.

When working with children and young people, it is important to:

- Operate within LiveWest's principles and guidance;
- Follow LiveWest's safeguarding policy and procedures at all times;
- Listen to and respect children at all times;
- Avoid favouritism;
- Treat children and young people fairly and without prejudice or discrimination;
- Value and take children's contributions seriously, actively involving children and young people in planning activities where possible;
- Ensure any contact with children and young people is appropriate and in relation to the work of the project;

- Always ensure language is appropriate and not offensive or discriminatory;
- Always ensure equipment is used safely and for its intended purpose;
- Provide examples of good conduct you wish children and young people to follow;
- Challenge unacceptable behaviour and report all allegations or suspicions of abuse;
- Ensure that whenever possible, there is more than one adult present during activities with children and young people or if this isn't possible, that you are within sight or hearing of other adults;
- Be close to where others are working. If a child specifically asks for or needs some private time with you, ensure other staff know where you and the child are;
- Respect a young person's right to personal privacy;
- Encourage young people and adults to feel comfortable and caring enough to point out attitudes or behaviour they do not like;
- Recognise that special caution is required when you are discussing sensitive issues with children or young people.

You must not:

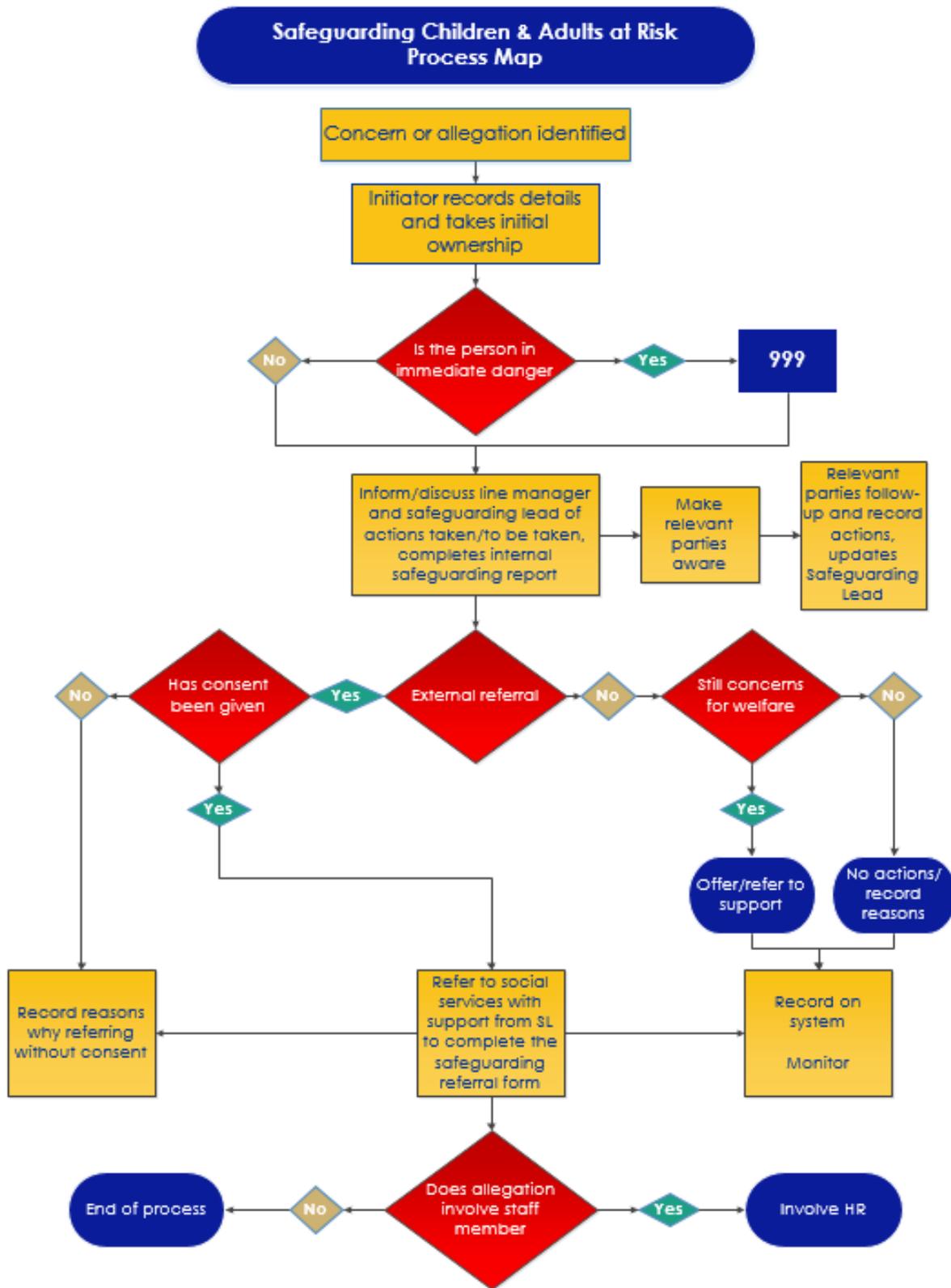
- Patronise or treat children and young people as if they are silly;
- Allow allegations to go unreported;
- Develop inappropriate relations such as contact with children and young people that is not a part of the work of LiveWest or agree with the manager or leader;
- Conduct a sexual relationship with a child or young person or indulge in any form of sexual contact with a child or young person. Any such behaviour between an adult member of staff or volunteer and a child or young person using the services of LiveWest represents a serious breach of trust on the part of the staff member or volunteer and is not acceptable under any circumstances;
- Let children and young people have your personal contact details (mobile number or address);
- Make sarcastic, insensitive, derogatory or sexually suggestive comments or gestures to or in front of children and young people;
- Act in a way that can be perceived as threatening or intrusive;
- Make inappropriate promises to children and young people, particularly in relation to confidentiality;
- Jump to conclusions about others without checking facts;
- Either exaggerate or trivialise child abuse issues;
- Rely on your reputation or that of the organisation to protect you.

The role of parent and carers

LiveWest welcomes and encourages parental involvement. Parents and carers are regarded as valuable partners in promoting positive behaviour and will be involved as appropriate.

In the event of their child becoming the subject of behaviour sanctions, parents/carers will be informed and involved.

Process Map



3 Reporting Concerns

Sometimes a child or adult at risk will confide about abuse or allege abuse to a person they feel they can trust.

They may feel that they are betraying someone they love. It is not unusual for a child/vulnerable person to love the abuser but want the abuse to stop, especially when the abuser is a parent/relative or carer. The abuser may be someone, such as a member of staff, who they feel may be able to influence decisions about their future. Either way, it takes great courage to talk about abuse, and your response can be crucial. If this happens, remember that they are doing so in the hope that you will act to stop it happening, even if they ask you not to do anything with the information.

If you have concerns about a child, young person or an adult at risk, you must report them without delay (at the very latest at the end of the next working day / shift) to your line manager using the safeguarding alert form. However there are situations where it will not be practical to initiate the prescribed reporting procedures immediately:

If the child/adult at risk needs urgent medical treatment

Should the child/adult need urgent medical treatment, you should arrange this immediately through the emergency ambulance service or on-call GP service and inform the Children's or Adult's Social Care Duty Officer to whom you make the referral of the action taken.

If the adult at risk lacks mental capacity and receives a service from the community mental health team

Should the adult at risk show signs of deteriorating mental health and is considered to be at significant harm to themselves or others, you should contact the relevant team or the mental health crisis team immediately.

Escalation

If you consider you have received an inappropriate response following that contact, you should discuss with your line manager or one of LiveWest's safeguarding lead. You should agree a course of action with them. This may include, making a safeguarding referral following LiveWest's escalation procedures or contacting the emergency services.

Violent situations

Where the situation concerns actual violence, aggression or threats to cause immediate harm, you should call the police and then inform the Children's or Adult's Social Care Duty Officer to whom you make the referral when it is safe to do so.

Concerns about children and vulnerable people who are not LiveWest

residents or clients: Where LiveWest is providing housing and /or support services for a perpetrator when the victim(s) are not LiveWest customers, you should still report an alleged or suspected incident in line with the procedures set out here. The requirements of the Confidentiality Policy and continuing to offer care and support remain the same. Discussion should only take place with others on a need to know basis to ensure confidentiality of the situation. It is up to the discretion of the line manager or safeguarding lead as to who else is to be informed of the situation, including incidents where a member of staff may be the alleged abuser.

Direct reporting

Professionals, employees, managers, helpers, carers and volunteers in all agencies must make a referral direct to either Children's or Adult Social Care if it is believed or suspected that:

- A child/adult is suffering or is likely to suffer Significant Harm
- A crime has been committed

All staff and agents should adhere to the following guidance:

Do:

- Avoid unobserved situations of one-to-one contact with a child. If it is unavoidable, always keep a door open and ensure you are within hearing distance of others
- Develop a culture in which you feel comfortable enough to point out inappropriate attitudes and behaviours to each other
- Respect the vulnerable person at all times, regardless of their age, gender, race, ethnicity, disability or sexual identity
- Develop a culture which makes allowances for issues relating to race, gender and age
- In services where touching is an integral part of service delivery, you should discuss the subject regularly at staff meetings so as to ensure consistency and clarity of approach
- Always report allegations a child or a vulnerable person makes, even if they are made against you
- Use supervision to discuss issues relating to working with children or adults at risk to develop your own practice and identify training needs
- Use supervision to review recent reports of concern and the actions taken
- When engaging in external activities, ensure that there is an appropriate gender balance of staff
- Enable staff and volunteers to feel confident to report concerns or worries about other staff members
- Inform your line manager (or another manager if line manager is unavailable) of all incidents at the earliest opportunity
- Keep a written record of any injury that occurs to a child or adult at risk. The incident must be reported via LiveWest's on line system. Ensure that another staff member witnesses the record and that a senior staff member is informed

- If a child touches a staff member in a sexual inappropriate way, this must be recorded on the safeguarding alert form.
- Report to your Line Manager all incidents where a child, young person or adult at risk develops an inappropriate attachment to you or other members of staff / resident

Don't:

- Don't let allegations made by a child or an adult at risk go unrecorded or unaddressed, including any made against yourself
- Don't engage in or tolerate any physical activity that involves children, which is not appropriate for their age
- Don't enter a room where a child or adult at risk may be changing their clothes or not be fully dressed, unless in an emergency situation
- Don't make unnecessary physical contact with children or adults at risk. In cases where physical contact is unavoidable (for instance providing comfort / reassurance for a distressed child or physical support) this should only take place with the consent of the child/adult at risk
- Don't take children alone in a car journey, however short. Where this is unavoidable it should only take place with the full knowledge and consent of your manager
- Don't meet with residents/clients outside the organised activities. If for any reason this should be necessary it should take place with the full knowledge and consent of your manager
- Never enter a house when a child is on their own except where the child is the tenant. Where this occurs, you must take extra care to ensure your conduct does not cause any concern.
- Don't take children or adults at risk to your home where they will be alone with you
- Don't engage in or tolerate any bullying either by adults, young people or children
- Don't allow children to use inappropriate language

4 Complete a Safeguarding Alert Form

Once you have addressed any emergency needs or treatment for the child or adult at risk, you must record the basic information relating to the allegation or suspicion. To ensure the accuracy of what is recorded it is essential that you complete a safeguarding alert form at the same time as the decisions concerning what to do about it are made. At the very latest, it must be completed before the end of the working day.

The completed form should be used as:

- A checklist in order to gather the minimum basic information required.
- A method to provide information to external agencies such as Social Services, mental health crisis team or the Police if a referral is made.
- A method to report to a service manager, ensuring that they are aware of the incident, the action taken as a consequence, by whom, and by when.

The safeguarding alert form must be sent electronically by email and marked 'important' (!) to the safeguarding lead and copy in your line manager (see internal reporting flowchart').

Important Rule

It is important to be aware that if you have concerns or encounter a case of alleged or suspected abuse/neglect, it is not your responsibility for deciding whether or not abuse has occurred. However, you do have a duty of care to the child or adult at risk to report and record any concerns you may have.

Where you and your line manager do not agree on a course of action both you and your line manager must contact the safeguarding lead without delay to enable a decision to be made.

If a referral is made to the relevant statutory agency, that agency should send the alerter a letter of acknowledgement of their referral, which will also set out in brief an explanation of the follow up process. If you do not receive correspondence after one week, make contact to find out the outcome. Record this in the customer file and inform the safeguarding lead.

5 Dealing with allegations against staff

You should be aware of the procedures that will be followed if an allegation of abuse is made against you; your right to representation; and the support that LiveWest can provide.

If you have concerns about any member of staff's conduct towards a vulnerable person which could be a safeguarding concern, you should speak to your line manager or follow the Group's whistle blowing policy.

The disclosure and barring system will be notified of any safeguarding incident involving a staff member even if they decide to resign from their employed post prior to a disciplinary meeting.

Principles of good practice for staff are provided within these procedures. You may become concerned because someone consistently ignores the advice given in these principles, such as continuously being alone in a room with a child with the door closed.

Alternatively, concerns may come from someone who has worked with a staff member in the past, and knows that questions were raised as to the person's suitability to have contact with children.

Whatever the reason for concern, you must share it with your line manager and follow the procedures as outlined in the 'internal incident reporting flowchart'.

If the allegations concern the line manager, a report should be made to the next level of management or follow the Group's 'Whistle blowing' policy – see references section.

Where an allegation or suspicion of abuse is reported against a member of staff:

- The Director of People Services and the relevant Department Director will be informed of the situation immediately, so that LiveWest's specific disciplinary process covering allegations of abuse of vulnerable groups may be followed in tandem with external investigations (the safeguarding procedures give further information on this process);
- The Local Authority Designated Officer (LADO) must be informed within 1 day of the allegation/suspicion coming to light;
- Where allegations involve agency workers, the relevant agency will be informed and involved where necessary;
- The member of staff concerned will be treated fairly and honestly, and be supported throughout the process;
- They will be clearly informed of the process to be followed, the implications and outcome, as long as doing so does not prejudice the external investigation or the right to confidentiality of the victim or a concerned party;
- The member of staff will have the rights set out in LiveWest's disciplinary procedures. If the member of staff chooses to resign, LiveWest's safeguarding procedures will still be observed. This will include a referral to the DBS.

6 Staff induction and training

These procedures should be used by team leaders to train staff on policies, procedures and good practice to detect and report any instances of suspected or reported child or adult at risk abuse or neglect. The extent and depth of the training will vary according to the likelihood of a disclosure being made or abuse occurring in the context of the role of the member of staff.

All LiveWest staff members who have a specific role and regular contact with vulnerable groups will only be employed subject to Disclosure and Barring Service (DBS) enhanced checks being carried out. This requirement will also apply to their direct line managers. Until these checks have been completed satisfactorily, the member of staff must not work alone with children or other vulnerable individuals but may work under the direct supervision of an existing staff member who has been checked.

A list of all posts that are subject to DBS checks, whether standard or enhanced, can be obtained from Human Resources. To ensure the list of posts remain appropriate, a review will be undertaken by the HR Department on an annual basis and upon job evaluation of new roles.

There is a similar process to follow to establish the level of safeguarding training required for specific posts.

The induction and training should include:

- Attend any initial and subsequent training in regard to safeguarding;
- Basic awareness of the signs and indicators of abuse and an understanding of the staff member's responsibility to act swiftly and sensitively when concerns arise.
- All staff need to be aware of the policies and procedures they need to follow in response to any concerns that they have.
- Line managers should ensure that the policy and associated procedures are read and understood by all new and existing staff and that the declaration form is completed, signed and retained in staff member's personal file.
- Clarification of the job expectations, roles and responsibilities (e.g. through a formal or informal work programme / objectives).
- Completion of E- learning package within the first 2 weeks of employment.
- Safeguarding procedures explained and training needs established.

7 Use of contractors, employment agency staff and volunteers

LiveWest and its staff should undertake reasonable care that contractors, agency staff and volunteers doing work on behalf of LiveWest are monitored appropriately. Any contractor or sub-contractor, or employment agency worker engaged by LiveWest in areas where workers are likely to come into contact with children or adults at risk, should have their own equivalent safeguarding policy; or at the very least, conduct Disclosure Barring Service (DBS) checks on its employees.

Volunteers: Community volunteers have a duty to report any concerns to their supervisor who will ensure the progress of the report once it has been handed to them. It is the team leader's responsibility to read the report, obtain more information from the volunteer as necessary and pass the form on to the safeguarding lead (see 'dealing with actual or suspected abuse' procedure). This should be done on the day of the incident /report being logged. In the instance of a job share wherever practicable both staff members should read the form.

Employment agency staff: LiveWest human Resources department hold a list of approved employment agencies, which are monitored by LiveWest personnel to ensure the agencies conduct DBS checks on all their staff. Managers and team leaders with responsibility for recruiting employment agency staff must ensure they recruit from the approved list.

Contractors: Whilst LiveWest cannot insist that contractors sign-up to our own safeguarding policy, LiveWest can ensure this is a 'contractual' obligation and insist contractors undertake DBS checks on their employees; and individual contractors produce their own DBS checks, if they are to have unsupervised contact with our customers.

It is the responsibility of the manager who is using the services of the contractor to check that the correct DBS check has been satisfactorily completed and, to ensure the appropriate monitoring mechanisms are in place, in order to check contractual compliance.

8 Escalation Procedure

This procedure should be used in the following situations:

- When there is a delay in a response following the report of concern to the Local Authority (LA) Safeguarding team
- When the response from the LA safeguarding team is considered inappropriate to reduce the risk of harm to the client/resident and could mean that the client/resident and others are put in danger
- When there is a delay in a response following the report of concern to the local Community Mental Health Team where a client/resident is experiencing a serious deterioration of mental health
- When the response from the CMHT is considered inappropriate to reduce the risk of harm to the client/resident and could mean that the client/resident and/or others are put in danger
- The response from the CMHT does not comply with the client/resident's Care Programme Approach (CPA) risk management /relapse plan.

Important:

Call relevant emergency services as first action in the event of any immediate danger

The safety of the vulnerable person is the paramount consideration in any professional disagreement. Any unresolved issues should be addressed with due consideration to the risks that might exist for the vulnerable individual.

Escalation to Team Manager Level

In the event of no response by the agreed time or it is felt by the staff member that the response will not support the client/resident and others in keeping safe, the following actions should be taken:

- Staff member to contact a LiveWest team manager immediately and give all up-to-date information including specific details of response from LA Safeguarding or mental health team. If team manager is unavailable, the 'on call' procedure should be used.
- LiveWest team manager to make immediate verbal contact with relevant team manager or service manager if not available.
- LiveWest team manager to agree immediate action with the Safeguarding or mental health manager including specific timescales.
- LiveWest team manager to update all relevant documents including client/resident record and incident report.
- LiveWest team manager to update senior manager on current situation and to work alongside staff member in monitoring and taking forward all actions agreed.

Escalation to Senior Manager Level

In the event of receiving no response within the agreed time or it is felt that the response is not adequate the following actions should be taken:

- LiveWest team manager to make immediate verbal contact with relevant LiveWest senior manager giving all details including response from LA Safeguarding team manager or community mental health team manager. If that senior manager is unavailable contact another LiveWest senior manager.
- LiveWest senior manager to make immediate verbal contact with local authority relevant manager and update on situation.
- If no adequate response from safeguarding or mental health manager, LiveWest senior manager to request relevant manager coordinate an immediate phone conference with all relevant managers from LA safeguarding team and/or community mental health team and LiveWest. An immediate response should be agreed as an outcome from this phone conference and if this should not be the case request the intervention of relevant LiveWest Director.
- LiveWest senior manager to make detailed notes of all actions agreed, update the involved team manager and staff member and continue to monitor situation to ensure immediate and adequate support is accessed for client/resident. Inform the relevant LiveWest assistant director of situation and outcome.

9 Service standards

Service standards

Staff and LiveWest's agents will treat all people with respect in attitude, language and actions at all times, and encourage other adults and children to do the same.

Visits: when visiting tenants and residents, staff and LiveWest's agents will show their ID (LiveWest, agent or contractors photographic identification badge) before entering the home. They should not enter unless an adult is present, and should avoid being left alone in a room with a child at any time during the visit. Where the tenant is under the age of 18, LiveWest's staff and agents should take extra care to ensure their conduct does not cause any concern. Depending on the circumstances this may require the tenant's trustee/guardian to be in attendance.

Activities with children: activities with children will be properly risk assessed. Staff and LiveWest's agents taking part will be DBS checked and parental/carer consent in writing will be obtained for every child taking part. We run activities for children within our communities following specific policies and procedures including clear guidance on safeguarding children. Any activities run by others on our behalf will be checked to ensure they have proper policies and procedures in place.

Any youth work carried out by any dedicated community development or youth worker will adhere to relevant youth service or scheme guidelines in respect of risk assessment, supervision and accident/incident reporting. See reference section for further practical guidance on community activities.

Photography and filming: Staff and LiveWest's agents will ensure they have the verbal or written permission of the person or parent /carer of a child before taking photographs or recordings of individuals. The subsequent use of any such images or recordings is reliant upon the completion of a photography consent form by the relevant person, parent or carer. The staff member or LiveWest's agent carrying out or organising the activity will explain how the images will be used (for example for general publicity, use in promotional publications) and will not identify the individuals in the picture by surname or disclose/publish any of their contact details.

Internet: Staff and LiveWest's agents may not access any inappropriate or offensive illegal materials. If done by staff this constitutes gross misconduct and could lead to dismissal. If Internet access is being provided for children's use as part of activities organised by LiveWest the children are to be supervised at all times or restrictive software used to ensure the children's safety.

10 Performance monitoring

Supervision

All staff work more effectively when they are well informed, trained and supported. Line managers should be sensitive to any concerns about abuse, act on them at an early stage and offer support to those who report.

It is the responsibility of line managers to monitor good practice. This can be done in a number of ways:

- Direct observations of the activity or service.
- Staff appraisals, mentoring and providing feedback on performance.
- Customer's feedback on the activities or services.

Line managers should use supervision meetings to discuss any safeguarding forms submitted to make sure all appropriate actions have been completed. The case notes must be updated to evidence the actions carried out.

Relevant staff members will attend case conferences where possible to provide information and make sure they are aware of the decisions made following an investigation.

The safeguarding lead is responsible for conducting an annual review of all safeguarding reports received. This is due at the end of January. This information will be included in the organisational annual report to board members in June.

The annual review conducted by the safeguarding lead will examine the effectiveness of the policy/procedures and how each case was dealt with. A full review may be conducted prior to the annual review if there are concerns arising from the safeguarding alert forms. The review information should be forwarded to the Policy officer who will review and publish revised policy/procedures.

Strategic Business Managers/Service Managers should also ensure that local work instructions and Local Authority contact details are regularly reviewed including amendments to reflect relevant changes in procedure and personnel within local authority Social Services Teams.

Escalation Performance monitoring

Line managers will de-brief staff members on a one to one and/or group basis. Where relevant this should include a joint de-briefing with the local Safeguarding and or CMHT manager. Lessons learnt will be taken forward both locally and for the wider organisation and will be the responsibility of our relevant senior manager.

11 Record keeping

You must record and report any incident of suspected or alleged abuse, neglect or harm against a child or adult at risk using the safeguarding alert form. The record should be made without delay. At the very latest it must be completed and forwarded to the Safeguarding lead and copy in your line manager before the end of the next working day /end of shift.

Escalation Record keeping

- All details must be accurately recorded in writing within the client/resident record and also via the online incident reporting system.
- Where it has been decided that no further action is needed at any time in the safeguarding process, all relevant people and/or agencies should be informed of this decision, including the vulnerable person, family, carer/s and the person raising the concern.

12 Linked/associated policies and other references

Policies & Procedures:

- Domestic abuse
- Anti-social behaviour
- Whistleblowing
- Equality & diversity
- Disciplinary policies and procedures
- LiveWest Code of Conduct for staff
- Professional boundaries
- Professional practice
- Community Volunteering
- Internal Management Review

Forms

- Safeguarding Children Alert form
- Safeguarding Adult Alert form
- Photography consent forms

Other references:

- [NSPCC online safety for children](#) help keep children safe when they're using the internet, social networks, apps, games and more
- [ChildLine](#) help and advice about a wide range of issues. Talk to a counsellor online or post on the message boards
- [Children England](#) a wide range of support to voluntary and community sector organisations working with children, young people and families
- [NSPCC \(Learning\)](#) Training and Resource info for organisations working with children
- [Gov.uk](#): Adult Safeguarding Statement of Government Policy
- [www.gov.uk](#) Guide for Parents or members of the public who are concerned about someone working with children or vulnerable adults
- Every child matters (DoE&S)CCPAS
- Children's Workforce Development council.
- Local Authority safeguarding teams contacts
- [When to Suspect Child Maltreatment](#) Issued by the National Institute for Health and Clinical Excellence, Dec 2009 (updated 2013)
- Working together to safeguard children 2018 (Government Guidance)
- Disclosure and Barring Service (DBS)
- Deprivation of Liberty Safeguards (amendments to Mental Capacity Act)

Appendix 1 Definitions of Abuse

Adults

Abuse is a violation of an individual's human and civil rights by any other person or persons. Abuse may consist of 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 a person with care and support needs is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it.

The Care Act 2014 defines an adult at risk as someone:

- Over the age of 18 who has a need for care and support;
- Who is experiencing or is at risk of neglect or abuse; and who, as a result of the above needs, is unable to protect himself or herself against the abuse or neglect, or the risk of it.

A person at risk does not need to be in receipt of services for the Care Act requirements to apply, they just have to have a need for care and support. Adult safeguarding means protecting a person's right to live in safety, free from abuse and neglect.

Children

Under the Children's Act 1989 and 2004 respectively a child is anyone who had not yet reached their 18th birthday.

Safeguarding the well-being and emotional health of children and young people is *everyone's business* and this depends on effective joint working between agencies.

In accordance with Working Together to Safeguard Children 2018 Safeguarding and promoting the welfare of children is defined as:

- Protecting children from maltreatment;
- Preventing impairment of children's health or development;
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes.

Examples of types of abuse:

You should not limit your view to what is abuse or neglect. The specific circumstances of an individual case must always be considered. The following represents examples of the types of abuse/neglect:

- **Discriminatory** – includes forms of harassment, slurs or similar treatment due to a person's race, gender, age, disability, sexual orientation or religion.
- **Psychological** – includes emotional abuse, threats of harm or

abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation, unreasonable and unjustified withdrawal of services or supportive networks.

- **Financial or material** – includes theft, fraud, internet scamming; misuse or misappropriation of property, possessions or benefits; coercion in relation to an adult's financial affairs or arrangements in connection with wills, property, inheritance or financial transactions.
- **Organisational** – includes neglect and poor professional practice.
- **Neglect and acts of omission** – includes ignoring medical, emotional or physical care needs, failure to provide access to appropriate services and withholding the necessities of life such as medication, nutrition and heating.
- **Physical abuse** – includes assault, hitting, slapping, pushing, misuse of medication, restraint.
- **Sexual abuse** – includes rape, indecent exposure, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography, witnessing sexual acts, indecent exposure and sexual assault or sexual acts for which the person has not consented or was pressured into.
- **Domestic abuse** – includes psychological abuse, physical abuse, sexual abuse, financial abuse, emotional abuse, so called 'honour' based violence.
- **Modern slavery** – includes slavery, human trafficking, forced labour and domestic servitude.
- **Self-neglect** – covers a wide range of behaviour neglecting to care for own personal hygiene, health or surroundings and can include behaviour such as hoarding.
- **Child sexual exploitation (CSE)** – a type of abuse where children are sexually exploited for money, power or status. CSE doesn't always involve physical contact; it can also occur through the use of technology.
- **Female genital mutilation (FGM)** – is the partial or total removal of external female genitalia for non-medical reasons.
- **Body Mutilation** – the removal of external body parts for non-medical reasons.
- **Other forms** – Hate crime, so called 'honour' based violence and forced marriage are also forms of abuse which apply to adults and children.

Any individual may suffer or be at risk from more than one type of abuse.

Prevent – Preventing radicalisation to extremism

Prevent is about safeguarding people and communities from the threat of terrorism. It applies to people of all ages.

Prevent forms one of the four strands of Contest (the others being Pursue, Prepare and Protect) the United Kingdom's Strategy for Counter Terrorism, part of the Counter-Terrorism and Security Act (2015).

Like Contest as a whole, Prevent addresses radicalisation to all forms of terrorist related activities, including domestic extremism and non-violent extremism. It aims to stop people supporting or becoming involved in extremism and terrorism.

In order to deliver the objectives the specified authorities have to focus on working with those who may be vulnerable, reducing exploitation and susceptibility to radicalisation into terrorism.

Remember!

Staff must take action on all reported allegations, even if subsequently they are proved to be unfounded. Adults with mental capacity may decide they don't want us to proceed with external reporting and if there is no significant risk to them or others and no crime committed, the action may be just to record it and monitor the situation.

If you are in any doubt, speak to your line manager, safeguarding lead or contact the relevant Social Care team for advice (you can ask for advice from the Social Care team without giving the name of the vulnerable person).

Your response can be crucial and the following points are a guide to help you respond appropriately.

Do	Don't
<ul style="list-style-type: none"> • Stay calm • Listen carefully to what is said without interrupting • Find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others • Allow the person to continue at their own pace • Ask questions for clarification only, and at all times avoid asking leading questions that suggest a particular answer • Make it clear you take the child/adult seriously and acknowledge their courage in telling you • Explain what you have to do and who you have to tell • Seek advice where required • Ensure the adult and/or children are immediately safe. 	<ul style="list-style-type: none"> • Do not appear shocked or angry • Do not stop the person when they are recalling significant events • Do not promise to keep secrets • Do not question the child/adult directly or probe for more information • Do not contact the alleged abuser • Do not pass comment or judgement

Investigating abuse is a highly specialised area of work that Social Services have a statutory duty to undertake. In order to assist the process staff should:

- Record the words of the child or adult at risk on the safeguarding alert form.
- Explain to the child/adult at risk what they will be doing with the information that they have been told.
- Follow the reporting procedures. See section 'dealing with actual or suspected abuse'.

Appendix 3 The use of confidential information

Personal information held on file should not normally be disclosed without consent. However, the law permits the disclosure of confidential information if this is necessary to safeguard a child or adult at risk. Disclosure should be justifiable in each case. Reasons for disclosure must be clearly stated on the safeguarding alert form. If there is any uncertainty, legal advice should be sought.

Information sharing protocols

Where other agencies are identified as working with the resident/client in either a support or care provision, an information sharing protocol should be drafted (jointly if possible) to allow the safe sharing of certain information. The lead professional is ideally the organisation to make sure such protocol is in place.

The Data Protection Act 1998

The Data Protection Act 1998 requires that personal information is obtained and processed fairly and lawfully; that it is accurate, relevant and not held longer than necessary; that it is kept securely and is only disclosed in appropriate circumstances. Personal information may be disclosed without the consent of the subject in order to prevent or detect a crime, to apprehend or prosecute an offender or where failure to disclose could prejudice such action. Reasons for disclosure must be clearly stated on the safeguarding alert form.

Seven golden rules for information sharing (taken from Information Sharing: Guidance for practitioners and managers published by HM Government):

1. Remember that the data protection act is not a barrier to sharing information but provides a framework to ensure that personal information about living persons is shared appropriately.
2. Be open and honest with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. Seek advice if you are in any doubt, without disclosing the identity of the person where possible.
4. Share with consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, that lack of consent can be overridden in the public interest. You will need to base your judgement on the facts of the case.
5. Consider safety and well-being: base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.
6. Necessary, proportionate, relevant, accurate, timely and secure: ensure that the information you share is necessary for the purpose for which you

are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.

7. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

Article 8 of the European Convention on Human Rights

States that everyone has the right to respect for his private and family life, their home and their correspondence. Disclosure of such information might give rise to an issue under Article 8, but it is permissible for the prevention of crime or disorder, for the protections of health or morals, or for the protection of the rights and freedom of others. The disclosure of information to protect children and adults at risk could come under any of these headings, but disclosure should be justifiable, appropriate for the purpose and only to the extent needed to achieve that purpose. Reasons for disclosure must be clearly stated on the safeguarding alert form.

Important Rule – Confidentiality

Staff should never indicate to a vulnerable person that they would keep secrets. A feature of sexual abuse in particular is the secrecy that exists between perpetrator and a vulnerable person. Staff can find themselves pulled into this relationship in a destructive way. Consequently, staff should discuss such cases fully with their line manager and not work in isolation. The line manager will take the decision if this has to be shared with other members of the staff team.

The adult at risk will be central to decision-making in the safeguarding process, and will be supported to make their own choices wherever possible.

Appendix 4 Mental Capacity

There is a presumption that adults have mental capacity to make informed decisions about their lives. When considering an individual's mental capacity we will apply the five key principles of the Mental Capacity Act:

- 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;
- The right for individuals to be supported to make their own decisions - people must be given all appropriate help before anyone concludes that they cannot make their own decisions;
- That individuals must retain the right to make what might be seen as eccentric or unwise decisions;
- Best interests – anything done for or on behalf of people without capacity must be in their best interests; and
- Least restrictive intervention – anything done for or on behalf of people without capacity should be the least restrictive of their basic rights and freedoms

Adults at risk should be given information, advice and support in a form that they can understand and have their views included in all forums that are making decisions about their lives. All decisions taken by professionals about a person's life should be timely, reasonable, justified, proportionate and ethical.

Whilst working to safeguard adults at risk staff members should make the dignity, safety and well-being of the individual a priority in their actions.

Establishing a vulnerable adult's capacity to consent and right to choose

Most adult residents/clients will have both the right to consent to be abused by other people, and the right to decide whether or not they want to pursue with the Police or Adult Social Care Services, a complaint about abuse committed against them.

The local authority will have set out in its procedures for protecting those who fall into the statutory definition of adults at risk in its Adult Protection Policy. Their procedures will be designed to protect people who may lack the capacity to consent to abuse. Where the person who may have been abused is a resident/client and is defined as adult at risk for statutory purposes, managers will need to be clear about local procedures for reporting before making a decision about whether to report abuse allegations against the wishes of the adult concerned.