



# Safeguarding Adults at Risk Policy

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# Safeguarding Adults at Risk Policy

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## 1 Policy Purpose

- 1.1 First Choice Homes Oldham (FCHO) is committed to safeguarding and promoting the safety and welfare of adults at risk who use, are engaged in, or connected to our services.
- 1.2 This policy aims to deliver safe working practices which identify, assess, and manage safeguarding concerns and ensure appropriate action is taken in order to safeguard the wellbeing of adults at risk. We believe that every adult has the right to feel safe and be protected from any situation or practice that could result in them being significantly harmed or abused.
- 1.3 Safeguarding is everyone's responsibility and FCHO is committed to safeguarding and promoting the welfare of any person at risk. FCHO expects all colleagues, contractors, and third-party partners to share this commitment.
- 1.4 It is the responsibility of all individuals working for or on behalf of FCHO, including colleagues, contractors, agency colleagues, managing agents, volunteers, Board Members and involved customers, to understand, report and act - in accordance with this policy and associated procedures - to any concerns of actual or potential abuse of an adult at risk.

## 2 Policy Details

### 2.1 Scope

- 2.1.1 **Safeguarding is Everyone's Responsibility** - This policy applies to all FCHO colleagues (including those on fixed term contracts), Board Members, agency workers, consultants, volunteers, contractors, and third-party partners. This policy also applies to any developers, contractors and sub-contractors who are providing services to FCHO and its tenants or customers.
- 2.1.2 The purpose of our Safeguarding Adults at Risk Policy is to:
  - provide a clear statement that FCHO will not tolerate or collude with any form of neglect or abuse.
  - ensure effective governance and a clear line of sight with regards to responsibilities of safeguarding.
  - promote and safeguard the welfare of all our customers and colleagues and will be proactive in responding to any allegation or suspicion of abuse.
  - empower our customers by ensuring they are fully aware of what constitutes abuse and how to report it.
  - stop abuse or neglect wherever possible, prevent harm and reduce the risk of abuse or neglect to adults with care and support needs.
  - ensure that everyone is clear about their individual and corporate roles and responsibilities in preventing and responding to abuse or neglect.
  - provide and/or signpost to relevant agencies support and protection for victims and witnesses affected by abuse.
  - publish our policy so that adults at risk can be made aware of FCHO's approach to safeguarding and our responsibilities.

- provide appropriate training and support for our colleagues to enable them to identify the types and causes of abuse, the role they play in prevention and how to respond to abuse and neglect.
- provide a network of trained Designated Safeguarding Officers who can provide support and guidance to colleagues and customers, whilst promoting safeguarding across the organisation.
- work in partnership with our agents, partners, and stakeholders to promote and safeguard the welfare of all our customers and proactively work with them in responding to allegations or suspicions of abuse, for example – considering requests via the safeguarding scheme.
- ensure procedures are in place that will adequately and promptly deal with allegations of safeguarding and that information is shared appropriately where there is potential risk to others.
- ensure enquiries will be carried out promptly and with sensitivity, and appropriate action will be taken.
- set out clear professional boundaries within our safeguarding procedures when working with or coming into contact with adults at risk.
- regularly review our approach and performance in safeguarding our customers, with our customers, agents, and partners, and will focus on continuous improvement.

## 2.2 Safeguarding Adults at Risk

### 2.2.1 Definitions

**Safeguarding** means protecting people's health, wellbeing, and human rights, and enabling them to live free from harm, abuse, and neglect. Safeguarding adults at risk include:

- protecting their rights to live in safety, free from abuse and neglect.
- people and organisations working together to prevent the risk of abuse or neglect, and to stop them from happening.
- making sure people's wellbeing is promoted, taking their views, wishes, feelings and beliefs into account.
- recognising that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear, or unrealistic about their personal circumstances and therefore potential risks to their safety or wellbeing.

**Abuse** is an act, or lack of appropriate action, which causes harm or distress and occurs within a relationship where there is an expectation of trust. Abuse can be:

- a crime.
- perpetrated by anyone.
- the result of neglect, omission, or failure to act.
- unintentional or a result of a lack of knowledge
- consist of a single or repeated acts.
- occurring in any relationship.

**At Risk** includes those who are unable to take care of or protect themselves; and whose independence and well-being is at risk without support because they are vulnerable through:

- age.
- having a long-term limiting illness or condition.
- being in an abusive relationship.
- having a physical, learning, or mental health disability.
- frailty.
- having been in care, prison, or other institution.

An **Adult** under the scope of this policy means any person who is 18 years of age or over, and who is, or may be in need of, community care services by reason of, for example, a physical or mental disability, a learning difficulty, reduced physical or mental capacity due to old age, dependency on drugs, alcohol or medication 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.

Definitions for adults are taken from [Care and Support Statutory Guidance updated March 2020 – Issued under the care Act 2014](#)

### 2.2.2 The safeguarding duties apply to an adult who:

- has needs for care and support (whether or not the local authority is meeting any of those needs).
- is experiencing, or at risk of, abuse or neglect.
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

### 2.2.3 Care Principles

FCHO works within the principles set out in the Charity Governance Code. Whilst FCHO is not a statutory agency, it recognises it has legal obligations and a moral duty to enable adults at risk to live life free from abuse or neglect, as defined in the legal framework contained in the [Care Act 2014](#) for Adults.

FCHO uses the six principles of safeguarding enshrined in the Care Act Statutory Guidance 2020.

- **Empowerment:** presumption of person led decision and informed consent.
- **Prevention:** it is better to take action before harm occurs.
- **Proportionality:** proportionate and least intrusive response appropriate to the risks presented.
- **Protection:** support and representation for those in greatest need.
- **Partnership:** local solutions through services working with the communities.
- **Accountability:** accountability and transparency in delivering safeguarding.

Housing providers have a duty to co-operate with local authorities implementing their statutory duties around safeguarding. This may include carrying out 'enquiries' into incidents; information sharing; and participating in statutory local Safeguarding Boards.

FCHO is expected to make colleagues familiar with the principles of safeguarding, train colleagues to be vigilant, recognise signs of abuse and know what to do if they witness those signs. In addition to these obligations, housing providers must provide safe recruitment practices and maintain clear and accurate record keeping of any safeguarding concerns raised.

#### **2.2.4 Making Safeguarding Personal**

In addition to the care principles outlined in section 3.3, it is also important that all safeguarding agencies and partners take a broad community approach to establishing safeguarding arrangements. It is vital that all organisations recognise that adult safeguarding arrangements are there to protect individuals.

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.

Personalised care and support is for everyone, but some people will need more support than others to make choices and manage risks. Supporting people to understand risk is crucial to empowering and safeguarding adults and in recognising people as "experts in their own lives." A person-centred approach is supported by the provision of personalised information and advice and, where needed access to advocacy support.

#### **2.2.5 Differences between Children and Adults:**

FCHO recognises the difference between Adults at Risk and Children when it comes to the approaches used in safeguarding and therefore operates a separate Safeguarding Children Policy to ensure the right approaches are carried out to protect children from harm.

Consent is a legal requirement for safeguarding adults, unless the adult either lacks capacity; is at significant risk of harm; a crime could be prevented, or an employee is an alleged perpetrator of the suspected abuse. Consent **is not** required when considering making a safeguarding referral for a Child, however in the appropriate circumstances, speaking with the parent/guardian prior to referrals is seen as best practice. We recognise the importance of the wishes and feelings of a child; however, these may sometimes be contradicted in order to act in the child's best interests. More details can be found within FCHO's Safeguarding Children Policy.

## **2.2.6 Types of Abuse**

As defined in the Care Act 2014

- Physical abuse.
- Domestic violence.
- Sexual abuse.
- Psychological abuse.
- Financial or material abuse.
- Modern slavery.
- Discriminatory abuse.
- Organisational abuse.
- Neglect and acts of omission.
- Self-neglect.

## **2.3 Governance - Safeguarding Roles and Responsibilities**

Whilst FCHO recognises that safeguarding is everyone's responsibility, there are a number of individuals who fulfil specific safeguarding roles in relation to Safeguarding and their responsibilities are listed below.

### **2.3.1 Designated Safeguarding Lead – Director of Customer Services**

- Present an annual report to the Executive Team and the Board on safeguarding activity.
- Provide quarterly data to the board as part of key performance.
- Ensure that there is a review, and if necessary, a revision, of the safeguarding policy and procedures on an annual basis or sooner if there is a change in legislation, guidance or an incident that warrants it.
- Provide support to the Operational Safeguarding Leads.
- Have a strategic overview of safeguarding.
- Chair the Safeguarding Committee.
- Co-operate with stakeholders in relation to Safeguarding Adult Reviews and/or learning activities.
- Undertake relevant safeguarding training every two years.

### **2.3.2 Operational Safeguarding Leads – Community Impact Managers**

- Maintain an operational overview of safeguarding across all services.
- Provide support for the Designated Safeguarding Officers.
- Meet quarterly with Designated Safeguarding Officers as part of the Safeguarding Committee to review safeguarding activity including case closures.
- Ensure the safeguarding policy and procedures are implemented.
- Ensure there is compliance with safeguarding policy and procedures through quality assurance processes.
- Co-ordinate the safeguarding training strategy for colleagues and volunteers.
- Discuss with the communications team and Designated Safeguarding Officers about the role of promoting the welfare of adults through social media, the website and other communication methods.
- Own and maintain the central safeguarding log.
- Undertake relevant safeguarding training every two years.

### 2.3.3 Designated Safeguarding Officers

- Designated Safeguarding Officers will be formed in each department of FCHO and will attend Safeguarding Committee meetings, co-chaired by the Designated Safeguarding Lead and Operational Safeguarding Leads, to learn, reflect and continuously improve approaches to safeguarding.
- Provide support and guidance to staff in their departments who have safeguarding concerns.
- Ensure resources are allocated to support sound safeguarding practice which will include training, supervision, and ICT systems within their departments.
- Has an overview of Safeguarding concerns raised within their departments?
- Ensure that there is a coordinated approach to safeguarding across FCHO and its third-party partners.
- Undertake relevant safeguarding training every two years.

### 2.3.4 Customer Facing Colleagues (Alerters)

- Receive and record information relating to a concern or disclosure concerning an adult at risk.
- Assess the information promptly and carefully, clarifying or obtaining more information about the situation as appropriate.
- **Must** speak with DSO/Line Manager if there is a safeguarding concern raised.
- If appropriate i.e., Service Area Managers/Officers/Advisors, represent FCHO as a landlord at any multi-agency safeguarding meetings/case conferences involving our customers.
- Designated Safeguarding Officers, or colleagues when advised/instructed by Designated Safeguarding Officers/Operational Safeguarding Leads, to make safeguarding referrals to Adult Social Care or the police without delay in accordance with the procedures.
- Ensure a full record is maintained of the concerns, action taken, liaison with other agencies and outcomes in accordance with the procedures.
- Deal with the aftermath of any safeguarding incident in terms of offering support; Identify and alert the Designated Safeguarding Officers to any safeguarding training needs.
- Keep abreast of developments in safeguarding legislation, practice, and local procedures.
- Undertake relevant safeguarding training every two years.

### 2.3.5 Governance Reporting

Monitoring of safeguarding will be reported in the Board's quarterly Health, Safety and Wellbeing report. In addition, Board will be alerted of any serious incidents or exceptions to the policy, in a timely manner.



## **2.4 Training, Recruitment and Supporting Staff**

### **2.4.1 Training**

FCHO recognises the obligations on housing providers highlighted within the Care Act 2014 to ensure that appropriate safeguarding training is provided to all staff members.

Training will be delivered in accordance with a competency framework which clearly outlines the knowledge and skills required by colleagues carrying out specific identified roles in relation to safeguarding. This approach ensures that all safeguarding issues are addressed in an appropriate manner.

Anyone working for FCHO and delivering services to our customers will be trained appropriately to fulfil their safeguarding responsibilities. Designated Safeguarding Leads/DSO's will be provided with additional specialist training to enable them to carry out their additional duties.

Refresher training will be delivered every two years and on a rolling programme to ensure that all staff have access to regular learning and development to enable them to fulfill their duties in line with this policy.

All training will be managed and recorded by the Learning and Development team.

It is an expectation that anyone working on behalf of FCHO, e.g., contractors, will have received safeguarding training via their direct employer, clearly outlining the knowledge and skills required when carrying out specific identified roles in relation to safeguarding. However, all such organisations working with FCHO should be provided with details of FCHO's internal policies and procedures, by the Manager responsible for the contract. FCHO will seek assurances from contractors that their staff have received relevant training.

### **2.4.2 Safe Recruitment Practices**

FCHO understands the importance of safe recruitment in order to protect adults at risk from abuse or neglect from staff members. All relevant customer facing employees will be subject to FCHO's safe recruitment policy and staff code of conduct. This may include undertaking a Disclosure and Barring Service (DBS) check. Supervision and support will be used to assess and manage any risk issues relating to employees. Where required, DBS checks will be renewed as appropriate.

Safeguarding will feature in job descriptions (reviewed regularly), person specifications and included in interview questions, where relevant. This will extend to vetting successful applicants, for example through references.

New members of staff will participate in an induction which will include information about safeguarding responsibilities.

### **2.4.3 Support for Colleagues and Third Parties**

FCHO recognises its colleagues, and third parties may be emotionally impacted by a safeguarding issue or investigation.

Support will be provided to colleagues who have reported, or are dealing with, incidents involving abuse. Colleagues should contact their line manager or the FCHO Human Resources team in the first instance. FCHO has an employee assistance programme which offers free counselling to members of staff.

FCHO's approach to supporting staff is one of openness and the freedom to be professionally curious. Our infrastructure in having Designated Safeguarding Officers is not only a means to provide assurance to our board that safeguarding is being appropriately addressed but is also a way of providing support to staff who may need it, if, for example, they are dealing with a complex situation.

### **2.5 Contractors, Agents, and Third-Party Partners**

In addition to FCHO colleagues and committees, any contractors, agents, and third-party partners providing services on FCHO's behalf are properly controlled.

All contractors working for or on behalf of FCHO must ensure, as far as is reasonably practicable, they and their employees:

- are suitable to provide frontline services.
- have relevant reference and background checks (e.g., DBS where appropriate) before commencing employment with their employer.
- comply with our Management and Control of Contractors procedures.
- are aware of who to contact with any safeguarding concerns in an FCHO home.
- notify FCHO of any safeguarding incidents or concerns.
- fully co-operate with any investigation into received allegations.
- have adequate systems in place to take appropriate disciplinary action.

Third party contractors, and agents are prohibited from knowingly entering a property where the sole occupant is or appears to be under 16 years of age. If this is the case, they should withdraw from the premises and advise FCHO immediately. Appointments must be re-arranged to a time where an appropriate adult is present.

FCHO will support its main contractors by:

- offering regular Toolbox Talks and consider classroom training, where requested, appropriate, or where learning has been identified.
- supplying a Safeguarding Guidance Booklet to contractors with contact details of our Designated Safeguarding Leads/Champions for information and support, reporting procedures and the direct line to raise the alert immediately.
- including Safeguarding within their contractor health and safety inspections.

## **2.6 Confidentiality and Information Sharing**

FCHO will share information appropriately with partners that have a statutory responsibility to investigate safeguarding concerns, including Adult Social Care Departments and Police Authorities.

Information can be shared lawfully within the parameters of the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). FCHO will ensure that all colleagues understand that data protection does not prevent the sharing of information where it would protect the welfare of and/or promote the wellbeing of adults. Measures are in place to ensure that data is shared in a secure method and that all partners have measures in place to protect data.

Emergency or life-threatening situations may warrant the sharing of relevant information with the relevant emergency services without consent.

It is very important that the risk of sharing information is also considered. In some cases, such as domestic abuse or hate crime, it is possible that sharing information could increase the risk to the individual. Safeguarding partners shall work jointly to provide advice, support, and protection to the individual.

## **2.7 Mental Capacity and Best Interest**

People must be assumed to have capacity to make their own decisions and be given all practicable help before they are considered not to be able to do so. If there is a concern that an adult may lack capacity around making a specific decision a referral must be made to the relevant local authority Adult Social Care Department.

Where an adult is found to lack capacity, then any action taken, or any decision made for, or on their behalf, must be made in their best interests. Professionals and other stakeholders have a responsibility to ensure they understand and always work in line with the Mental Capacity Act 2005 and understand circumstances that may indicate a potential deprivation of liberty, any concerns must be referred to the relevant Local Authority.

## **2.8 Partnership Working, Escalation and Resolution**

### **2.8.1 Section 42 Enquiries**

FCHO recognises the 'referrer' role of a provider of social housing. FCHO staff also recognise that safeguarding adults at risk requires a multi-agency approach. Local Authorities may carry out Section 42 Enquiries which may involve FCHO sharing information, attending meetings, putting in protection measures to protect an adult from abuse and/or neglect and, in some cases, leading on an enquiry. FCHO will comply with obligations highlighted within the Care Act 2014 in relation to Section 42 Enquiries.

### **2.8.2 Disagreements**

Effective working together depends on resolving disagreements to the satisfaction of colleagues and partner agencies, and a belief in partnership and joint working for the ultimate benefit of the adult at risk. Whilst each Local Authority may have different processes for escalation, the focus within FCHO will be to ensure resolution and the continuation of good partnership working,

managing disagreements professionally and escalating concerns where necessary. At no time must any professional disagreement undermine the safeguarding of an adult at risk. The welfare and safety of the individual must remain paramount throughout.

Where a FCHO employee feels they do not have sufficient experience to challenge a partner agency, they must seek guidance from the Operational Safeguarding Lead.

### **2.8.3 Safeguarding Adult Reviews**

FCHO understands that Section 44 Safeguarding Adult Reviews will be undertaken by a Local Authority in the event of a tragedy or near miss. The objective of the review is to learn lessons and not to apportion blame. FCHO will co-operate with a Local Authority in carrying out its statutory obligations under Section 44 of the Care Act 2014.

## **2.9 Reporting and Investigating Concerns**

### **2.9.1 Reporting**

All colleagues and third parties have the responsibility to report concerns of abuse or disclosures made to them promptly as detailed in FCHO's Safeguarding Adults at Risk Procedure. **If, however, there is a risk of serious or imminent danger/harm to the individual, the person witnessing the event must dial 999 and ask for the appropriate emergency service.**

FCHO will also maximise available opportunities to provide, or signpost tenants and customers to information and advice regarding safeguarding and ensure people are supported to report any safeguarding concerns.

When managing any allegation of abuse, we encourage our staff to be 'professionally curious' in spotting the signs. It is essential that information is recorded accurately and in a timely manner. In addition, FCHO colleagues or third parties may also be called upon to complete forms or requests for information from statutory agencies which include local authority, the local Safeguarding Team the police or NHS.

FCHO will make staff aware of their professional boundaries when working with adults at risk through training and guidance within our staff code of conduct.

The Safeguarding Adults at Risk Procedure provides details of where staff are required to log information relating to safeguarding concerns. A centralised safeguarding log will be overseen and maintained by the operational safeguarding leads to maintain a record of active safeguarding concerns to avoid cases going un-noticed.

### **2.9.2 Identifying and Preventing Abuse**

Safeguarding issues may be brought to the attention of staff directly by residents, neighbours, contractors, or other agencies in contact with residents or their families. In addition, housing management staff working with residents or entering residents' homes to carry out visits, repairs, inspections, or interviews may encounter situations causing concerns for someone's welfare. For Example:

- Adults at risk whose care needs appear to be neglected or appear to be subjected to deliberate mistreatment.
- Adults at risk of financial abuse which may be indicated by a lack of heating, clothing or food, inability to pay bills / unexplained shortage of money, unexplained withdrawals from an account, unexplained loss/misplacement of financial documents, the recent addition of authorized account holders/signatories or unexplained changes in a will or other financial documents.
- Signs of self-neglect such as hoarding, unsanitary conditions or alcohol or substance misuse.
- Repeated instances of poor health or neglectful care by health and social professionals or workers.
- Neglect of a person's needs because those around them are unable to be responsible for their care, for example signs a carer may have difficulties caused by poor health, debt, alcohol, or mental health problems.
- Difficulties in maintaining tenancy such as arrears or neighbour problems or harassment which may be linked to a learning difficulty or mental health problems and giving rise to exploitation, financial abuse, or harassment.
- Poor or unhygienic property condition/hoarding and/or lack of reporting repairs.
- Where there is known or suspected domestic abuse.
- Adults who say they are being abused.

### **2.9.3 Reporting Barriers and Challenges**

It is often difficult for victims of abuse to disclose or report instances of abuse. This may be for numerous reasons, including, but not limited to:

- Fear.
- Stigma.
- not realising it is abuse.
- not knowing how to report it.
- thinking they will not be taken seriously.
- Helplessness.
- not being able to see any solutions.
- feeling embarrassed.
- not wanting to get someone else into trouble.
- lacking capacity or experiencing poor mental health.

Overcoming these barriers is key to ensuring that no abuse goes unnoticed or unaddressed. FCHO aims to achieve this by regularly exploring barriers to reporting abuse with customers during home visits, workshops, and customer focus groups.

This includes:

- discussing example cases.
- using team meetings, training, and oversight to ensure colleagues are aware of how to recognise and respond to abuse, and how to empower and encourage customers to report it.
- encouraging services to learn from each Safeguarding Concern by including the need for service improvements, including overcoming barriers, to be recorded as part of every safeguarding investigation.

## **2.9.4 Whistleblowing**

FCHO's whistleblowing policy encourages and supports colleagues to report concerns about the conduct of colleagues and/or third parties.

FCHO will report any safeguarding concerns raised about the conduct of colleagues to the Designated Safeguarding Lead and/or the Human Resources Department and act in accordance with the appropriate advice and guidance. FCHO will also refer to the Local Authority Designated Officer (LADO).

## **2.9.5 Policy Concerns**

If a colleague or third party become aware that there are problems with the effective operation of this policy or associated procedures, they should report this to their line manager who will discuss with the Designated Safeguarding Lead and/or policy owner(s). This feedback will be incorporated into the policy and procedural review process.

## **2.10 Policy implementation and Continuous Improvement**

### **2.10.1 Policy Implementation**

The implementation of this policy requires the training of staff to ensure effective compliance of the policy. The Operational Safeguarding Leads and Designated Safeguarding Officers will provide guidance, support and assistance to any manager, colleague, or contractor in the implementation of this and other Safeguarding procedures.

This policy will be published on FCHO Intranet and website for general access and viewing by all staff and customers.

A periodic review of the procedure shall take place to ensure its relevance and accuracy. unless:

- Legislation/regulation or sector developments require otherwise, ensuring that it continues to meet its objectives and takes account of good practice developments.
- We identify deficiencies or failures in this procedure, as a result of stakeholder feedback, complaints, or findings from any independent organisations.

### **2.10.2 Continuous Improvement**

The Safeguarding Committee has a responsibility to implement any learning from existing or previous safeguarding cases. Operational Safeguarding Leads and Designated Safeguarding Officers will meet on a quarterly basis and will be responsible for collating data within their department which can be used to analyse any trends which may improve FCHO's approaches to safeguarding. The Safeguarding Committee will use a variety of ways to promote the welfare of adults at risk which may involve safeguarding campaigns, updates to the intranet site, regular email updates to colleagues etc.

### **3 Legislative or other Guidelines**

- The Care Act 2014
- The Care Act Statutory Guidance
- The Equality Act 2010
- The Mental Capacity Act 2005
- General Data Protection Regulation (Data Protection Act 2018)
  
- FCHO Safeguarding Committee Terms of Reference
- FCHO Safeguarding Guidance Booklet
- FCHO Safeguarding Procedures
- FCHO Safeguarding Children and Young People Policy
- FCHO Whistleblowing Policy
- FCHO Antisocial behaviour policy
- FCHO Domestic Abuse Policy
- FCHO Hate Crime Policy
- FCHO Safe Recruitment Policy

#### **3.1 Equality, Diversity, and Inclusion**

- 3.1.1 FCHO is committed to promoting equality, diversity, and inclusion, based on protected characteristics. We will take account of the needs and differences of all colleagues, customers and other stakeholders which may arise in line with this policy. We believe that everyone should be treated fairly and equally regardless of their difference.