



Safeguarding (Adults and Children At Risk) Procedures

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1 Policy/Objectives

Hextol Foundation's policy is to prevent and reduce the risk to adults and children of harm from abuse or any other type of exploitation.

The prime purpose of this document is to set out Hextol Foundation's processes in support of its policy relating to the safeguarding of adults and children at risk.

The detail of this procedure is concerned with protecting the rights of adults and children at risk to live in safety, free from abuse and neglect. It defines the various forms of abuse and sets out a process for dealing with suspected abuse.

Throughout this document the term "at risk" is used – this being synonymous with the term "vulnerable" (which is also frequently used in the same context).

The terms "staff" and "employee" when used in this document will have the following meanings

- "Staff" – all people who work at the Hextol Foundation, whether they are paid or unpaid, including Volunteers and Volunteer Supervisors
- "Employee(s)" – all paid staff of Hextol Foundation.

This procedure is also intended to assist staff to identify and support adults and children who may be vulnerable to abuse and/or mistreatment.

2 Scope

The procedure is applicable in every area of the company's activities and applies to all staff and those supported by or who are in contact with Hextol Foundation.

Whilst the terms staff or employee are used throughout, this procedure applies equally to any person who may be engaged in a voluntary capacity.

All staff within Hextol Foundation will be subject to a DBS check.

This procedure confers no contractual rights to employees.

3 Principles

Hextol Foundation will work within the principles of the Care Act 2014.

Hextol Foundation is committed to ensuring that promotion of:

- Empowerment
- Protection
- Prevention
- Proportionality
- Partnership
- Accountability

All staff and customers of Hextol Foundation have the right to live, train or work in a safe environment free of any level/type of abuse.

Hextol Foundation is committed to doing everything possible to protect customers and staff from abuse and to investigate and act appropriately where abuse is suspected.

Hextol Foundation will work with all relevant Local Authority Safeguarding Boards – in particular, Northumberland SAB and Newcastle SAB - and with other relevant individuals or bodies to comply with the Care Act 2014, prevent abuse and safeguard adults and children at risk so far as possible.

Hextol Foundation will deal sensitively and effectively with any suspected or actual incidents of abuse.

The principles of “Making Safeguarding Personal” will be considered throughout this procedure which will ensure that any safeguarding matter is person centred and outcome focused.

Hextol Foundation will provide information to staff and customers in a format which they can recognise/understand. As appropriate and necessary, advocacy services will be utilised.

4 Definitions

4.1 Abuse/mistreatment

Abuse/mistreatment is described as behaviour that may cause significant harm or results in the serious exploitation of adults and children at risk.

Abuse is a violation of an individual's human rights by any other person or persons.

Abuse is any suffering which is incurred as a result of action or inaction of any person involved in the supporting of adults and children at risk. The abuse may be intentional, unintentional or the result of neglect. It may cause harm immediately, or over a period of time and it may cause harm temporarily or permanently.

The Care Act 2014 defines the following types of abuse:

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

4.2 Adult “at risk” (alternatively “vulnerable” adult)

An adult at risk is someone who is;

- aged 18 or over

- has needs for care or support (whether or not those needs are being met) and;
- is experiencing, or is at risk of, abuse or neglect; and
- as a result of these needs is unable to protect him or herself against the abuse or neglect or the risk of it. Care Act (2014)

4.3 Child

Hextol Foundation considers anyone who has not attained the age of 18 a child for the purposes of this procedure.

Hextol Foundation considers that a child as so defined is, by virtue of age, automatically at risk (regardless of their personal circumstances).

5 Protection

Protection is facilitated through a range of actions including, but not limited to:

- promoting the safety of adults and children at risk thereby reducing the likelihood of abuse;
- ensuring appropriate training is provided for staff (according to their role in the company). All staff – regardless of role - will be made aware of the issue of safeguarding;
- ensuring good practice, based on open inter-disciplinary procedures and guidance to be followed;
- providing support and, where appropriate, risk assessment and management in the aftermath of abuse;
- addressing the needs of vulnerable adults who are perpetrators by way of care planning/safeguarding.

6 Form/types of abuse

Any or all the types of abuse - at 6.6.1 to 6.6.11 below - may be perpetrated as a result of deliberate intent, negligence or ignorance.

Incidents of abuse may be to one or more people and can occur on a single occasion or be multiple incidents over a period of time.

It is important to note that many situations may involve a combination of the categories listed.

Hextol Foundation is not limited in its view of what constitutes abuse or neglect (as they can take many forms). The specific circumstances of each individual case will always be considered.

The main forms of abuse have been defined as:

6.1 Physical

Including assault, hitting, slapping, pushing, burning, misuse of medication, restraint or inappropriate physical sanctions.

6.2 Domestic abuse or violence

Including an incident or a pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse, by someone who is, or has been, an intimate partner or family member regardless of gender or sexual orientation. This includes psychological/emotional, physical, sexual, financial abuse; so called 'honour' based violence, forced marriage or Female Genital Mutilation (FGM).

6.3 Sexual

Including rape, indecent exposure, sexual assault, sexual acts, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts to which the adult has not consented or was pressured into consenting. It also includes sexual exploitation which is exploitative situations, contexts and relationships where the person receives

“something” (e.g. food, accommodation, drugs, alcohol, mobile phones, cigarettes, gifts, money) or perceived friendship/relationship as a result of them performing, and/or another or others performing sexual acts.

6.4 Psychological (sometimes referred to as emotional)

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

6.5 Financial or material

Including theft, fraud, internet scamming, exploitation, coercion in relation to an adult’s financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

6.6 Modern slavery

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

6.7 Discriminatory

Including forms of harassment, bullying, slurs, isolation, neglect, denial of access to services or similar treatment; because of race, gender and gender identity, age, disability, religion or because someone is lesbian, gay, bisexual or transgender. This includes racism, sexism, ageism, homophobia or any other form of hate incident or crime.

6.8 Organisational (sometimes referred to as institutional)

Including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in a person's own home. This may range from one off incidents to on-going ill treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

6.9 Neglect and acts of omission

Including ignoring medical, emotional or physical care needs, failure to access appropriate health care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

6.10 Self-neglect

Includes a person neglecting to care for their personal hygiene, health or surroundings; or an inability to provide essential food, clothing, shelter or medical care necessary to maintain their physical and mental health, emotional wellbeing and general safety. It includes behaviour such as hoarding.

6.11 Radicalisation

Includes the process where someone has their vulnerabilities or susceptibilities exploited towards crime or terrorism – most often by a third party who have their own agenda. Such an agenda may include extreme, often violent, ideas based on political, social or religious beliefs.

Abuse may be carried out deliberately or unknowingly. Abuse may be a single act or repeated acts.

People who behave abusively come from all backgrounds and walks of life. They may be doctors, nurses, social workers, advocates, staff

members, volunteers or others in a position of trust. They may also be relatives, friends, neighbours or people who use the same services as the person experiencing abuse.

7 Indicators of mistreatment/abuse

Indicators are the signs and symptoms that draw attention to the fact that something is wrong. Categories and indicators, like definitions, need to be used – with care - as tools to aid professional practice and judgment.

The presence or absence of particular indicators does not prove abuse. However, they do signal a need to know more about an at risk individual's circumstances. For example such indications may be the result of phenomena such as divorce, separation, death of a significant person or significant change in home dynamics.

Indicators must be assessed by professionals. The important thing is to know what the signs are and how to report matters if it is believed a person at risk might need protection.

7.1 General indicators

The following list is not exhaustive but illustrates the types of general signs that may indicate abuse is occurring or has occurred:

- difficulty getting access to the adult or child at risk;
- difficulty in interviewing the adult or child at risk alone or with appropriate representation (children);
- isolation of the adult or child at risk;
- agency hopping;
- repeated visits to a General Practitioner or Accident and Emergency Department for no obvious medical reason or where there is no change in medical condition;
- reluctance to seek General Practitioner help;
- refusal of support by a known or previous trusted carer;

- one or more other agencies (Police or Welfare) reveal concerns.

8 Designated Named Persons for safeguarding

8.1 Designated Named Persons for safeguarding

Hextol Foundation has two nominated individuals who are responsible for leading safeguarding work in the organisation (Designated Named Persons). Refer Appendix 2 for contact details.

Whilst these individuals each have major service area responsibilities they will also act (in respect of safeguarding) for the departments which fall outside their operational control. They will also act for each other in the event one of them is absent. The Chief Executive may appoint one or more further Named Persons should it prove necessary for example because it is anticipated one of the existing Named Persons may be absent from work for a prolonged period.

Should either of these named persons be unavailable then other employees and carers should contact the appropriate local authority directly. See Appendix 3 for details.

8.2 Roles and responsibilities of the designated Named Persons

The roles and responsibilities of the Named Person(s) are to:

- ensure that all staff and volunteers are aware of what they should do and who they should go to if they have concerns that an adult or child at risk may be experiencing, or has experienced abuse or neglect;
- ensure that concerns are acted on, clearly recorded and referred to the appropriate local authority contact (refer Appendix 3) or to the allocated social worker/care manager where necessary;
- follow up any safeguarding referrals and ensure the issues have been addressed;

- manage and have oversight over individual complex cases involving allegations against a member of staff;
- consider any recommendations from the safeguarding process;
- reinforce the utmost need for confidentiality and to ensure that staff are adhering to good practice with regard to confidentiality and security. This is because it is around the time that a person starts to challenge abuse that the risks of increasing intensity of abuse are greatest;
- ensure that staff working directly with those who have experienced abuse, or who are experiencing abuse, are well supported and receive appropriate supervision;
- ensure staff are given support and afforded protection, if necessary, under the Public Interest Disclosure Act 1998: they will be dealt with in a fair and equitable manner and they will be kept informed of any action that has been taken and its outcome.

The designated Named Person(s) will review the information provided and any action taken by the Alerter.

9 Procedure for dealing with suspected abuse

9.1 Alerting

The person disclosing the abuse may be the abused person or it may be another. When it is another, this person will be known as the “Alerter”.

An “alert” is regarded as an expression of concern regarding the safety and well-being of an adult or child at risk by a person in contact with, or who has knowledge of the adult or child at risk.

An alert may be made by a wide range of people including carers, social workers, health workers, Police, voluntary workers, friends, neighbours and relatives.

At the point of alerting it is vital not to investigate.

A useful phrase to remember is “TED”:

- Tell me;
- Explain;
- Describe.

Refer to Appendix 1 for guidance on do's and don'ts relating to this process.

9.2 Third party alerts

Where the Alerter is not a Hextol Foundation employee – for instance they are from an outside agency or may be a family member or friend of the adult or child at risk - it is preferable that the information is brought to the attention of management (taking care not to involve anyone who may be implicated).

9.3 Hextol Foundation staff alerts

When information is brought to any Hextol Foundation staff member he/she should speak to his/her line manager who will involve the appropriate Named Person.

9.4 The “Responsible Person”

The “Responsible Person” is either of the designated Named Persons referred to in Section 8.

9.5 Informing the authorities

One of the Named Persons (or in their absence, a Service Leader or the Office Manager) will inform the relevant Local Authority Safeguarding Team.

A log of events will be made clearly setting out the action taken from alerting to this point. This log will be held as a password protected document on the Personal Notes section of the Hextol Foundation's system. Any original documents (such as contemporaneous notes) shall be retained in a locked filing cabinet to ensure their preservation and to maintain confidentiality.

The log and any relevant documentation will be made available to the Safeguarding Team – with copies always retained by Hextol Foundation should any documentation be loaned or passed to any external safeguarding authority.

9.6 Safeguarding Procedural Framework (Local Authority contracts)

This section applies where the Hextol Foundation is working under a contract with a Local Authority.

Each Local Authority has a clearly defined Safeguarding Procedural Framework. Each Service Leader will have a copy of the relevant Framework for the Authority they work within (and clearly, if services work across authorities they will have copies of all the relevant frameworks).

The Service Leader will follow the defined procedural framework.

The Service Leader, in conjunction with the Named Persons, will deal with the management of the safeguarding process as set out within the relevant framework.

9.7 Allegations/suspension of staff

Where an allegation relates to a member of staff, it is the norm to suspend staff immediately in order to protect all parties (the adult or child at risk and the member of staff named as allegedly perpetrating the abuse).

Where a member of staff is suspended the Hextol Foundation's personnel guidelines regarding the suspension will be followed.

The Chief Executive will lead this process.

9.8 Criminal act (considerations)

The Named Persons and relevant Service Leader will assess if there may have been a criminal offence and will report this accordingly.

The Police will be advised if it is thought a member of staff has committed a criminal offence or, immediately, if acts which may amount to a crime have been witnessed.

According to the circumstances it may be necessary to treat the area as a crime scene – and any directions from the Police will be complied with.

This may be undertaken as part of the reporting to the Safeguarding team. However, the Named Person must consider both the reporting and the timing of this to ensure that where the alleged abuse may be of a criminal nature reporting to the police takes place.

9.9 Disciplinary procedure (invocation)

Hextol Foundation may invoke its Disciplinary Procedure either within the ongoing Safeguarding Procedural Framework and/ or any Police investigation.

However, no action will be taken that could jeopardise Safeguarding or Police investigation(s) and liaison with Safeguarding and/or Police will be effected.

Where disciplinary action is taken this will be undertaken in accordance with the Disciplinary Procedure and documented accordingly.

10 Confidentiality/data security

10.1 General principle

Hextol Foundation is committed to maintaining confidentiality wherever possible and information around safeguarding issues should only be shared with those who need to know and/or are a proper part of the processes.

10.2 Overriding obligation (precedence over confidentiality)

An individual's wishes cannot overrule an organisation's legal duty to act.

Informed consent to share information should be obtained, but if this is not possible and there are people at risk, it may be necessary to override the requirement to gain such consent.

10.3 Whistleblowing

Whistleblowing is a process to enable staff or volunteers to confidentially raise concerns and have those concerns taken seriously.

Hextol Foundation has a formal Whistleblowing procedure – and this procedure is available to all staff within the Hextol Foundation policies and procedures.

Employees who “blow the whistle” in respect of a perceived or actual wrongdoing have special legal protection - however only if the disclosure was made in good faith (Public Interest Disclosure Act 1998).

Provision within the Act makes it unlawful for the person making the disclosure to be penalised or suffer a detriment for disclosing the information. Where staff disclose information by way of whistleblowing they should be aware that their identity can only be kept confidential if it is reasonably practicable to do so. Whilst it is not easy for an employee to complain about a colleague's behaviour, the overriding priority is for the protection and safety of the adults and children at risk.

11 Requirement to forward details to the Disclosure and Barring Service

The Named Person (in consultation with the Service Leader and relevant outside and involved agencies) will follow the current guidelines and practice regarding information being forwarded to the Disclosure and Barring Service.

12 Evaluation/continuous improvement

The Chief Executive and/or Resourcing Manager will evaluate the circumstances/practice that lead to the Safeguarding Procedural Framework requiring to be invoked with the view of addressing any practice issues or areas where the service could be improved to try and minimise any re-occurrence of the situation that arose.

There is a commitment to continuously improve and to develop/improve strategies to safeguard the vulnerable people Hextol Foundation supports and works with.

13 Training and awareness raising

All levels of staff working directly with at risk persons, will receive training (refreshed three yearly) in understanding what abuse is, how to alert and what happens when an alert is made.

Such staff will receive relevant training to ensure that they understand their roles and responsibilities regarding dealing with any alleged abuse and any subsequent Safeguarding procedures that are to be invoked/ followed.

14 Boundaries

14.1 Families and other visitors

This paragraph relates to children who are **not** members of Hextol Foundation staff. It is possible that staff may come into contact with children at work (for example, when working in a customer's home or if a child is brought into the office by a visitor). Hextol Foundation

employees must not take responsibility for children who are not staff members.

It is appropriate to have proper communication with a child but that there should be no physical contact or engagement.

In the event that a member of staff has any concerns regarding the welfare of a child (and notwithstanding they have not taken on any responsibility for the child) they must report their concerns to their Service Leader who will deal with the matter in the context of safeguarding.

14.2 Phones/photographs/social media

In some circumstances it may be appropriate to take photographs which include members of staff, for example to record achievements or at social events or in the course of their employment. Members of staff must not take inappropriate photographs or create images on their phones (or any camera).

All staff will be asked whether they agree to the use of their image. No photographs or other images should be used without the consent, confirmed in writing, of the person pictured. The person pictured will be given information as to how the image is to be used and the limitations of the images.

It is recognised that appropriate use of social media can assist in promoting the work of Hextol Foundation but staff must not record any details relating to any member of staff or the company on any social media facility unless sanctioned by management.

15 Professional Disagreements

In general, Hextol Foundation has good working relationships with other agencies.

Where an occasion arises that there is a difference of professional views, Hextol Foundation will refer to the relevant Local Authority Safeguarding Board procedures. This may include implementation of the Whistleblowing procedure.

Hextol Foundation will ensure that the professional disagreement will not detract from ensuring that the adult or child at risk is safeguarded and that their welfare and safety is paramount throughout.

16 Review

This procedure will be reviewed at least annually – such review involving the Named Persons, the Resourcing Manager and the Chief Executive.

Any revisions will be properly communicated to all concerned – with copies of the revised procedure properly disseminated through staff meetings/training.

Refer to Appendices 2 and 3

17 Other relevant procedures and documents

17.1 Procedures

- Hextol Foundation’s Whistleblowing Procedure (in policies and procedures)
- Hextol Foundation’s Grievance Procedure (in policies and procedures)
- Disclosure and Barring Service Guidelines

17.2 Internet sources

- www.dh.gov.uk (Health / Social Care policy, guidance)
- www.dca.gov.uk (Mental Capacity Law)
- www.justice.gov.uk (Criminal issues, vulnerable witnesses, multi - agency protection etc.)

17.3 Useful legislation

- Mental Health Act 1983 (amended 2007)
- Disability Discrimination Act 1995 (amended 2005)
- Family Law Act 1996
- Protection from Harassment Act 1997
- Crime and Disorder Act 1998
- Data Protection Act 1998
- Human Rights Act 1998
- Sexual Offences Act 2003
- Protection of Vulnerable Adults Scheme 2004
- Domestic Violence Crime and Victims Act 2004
- Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005 and 2009 DOL amendments
- Public Interest Disclosure Act 1998
- Equality Act 2010
- Children's Act 2004 (amended 2007)
- The Care Act 2014
- Children and Families Act 2014

Appendix 1 Guidance in relation to “TED”

Do:

- remember the role of the Alerter is to pass on information;
- stay calm;
- listen rather than ask questions;
- believe the person and make them aware the information provided will be treated seriously;
- be empathic;
- reassure them that they are not to blame;
- be aware that medical evidence may be needed;
- write down everything that is said in the person’s own words as soon as possible, include the date and time;
- describe the circumstances in which the disclosure came about (noting the setting and anyone else who was there at the time);
- describe the circumstances in which the disclosure came about (noting the setting and anyone else who was there at the time);
- be aware that your report may be required later as part of legal action or disciplinary procedure;
- explain to the adult or child at risk what you are going to do. This could include seeking medical attention if necessary
- call an ambulance if required;
- call the Police if it is an emergency or if a crime may have been committed;
- inform your Service Leader or the appropriate/available designated Named Person (see Appendix 2) or, exceptionally, the relevant Local Authority contact;
- only share information with colleagues following discussion with the Named Person or the Chief Executive.

Do not:

- appear shocked, horrified, disgusted or angry;
- stop the person from speaking freely;
- ask leading or investigative questions;
- promise to keep secrets (you have a duty to pass this information on);
- make judgements;
- offer the victim of a sexual and/or physical assault a bath, food or drink until after a medical examination;
- contaminate or remove possible forensic evidence;
- question or make contact with the alleged abuser;
- alert the alleged abuser to the situation.

Appendix 2 Designated Named Persons

A Bruce Howorth, Chief Executive

general responsibilities for all Services and departments;

work 01434 605253

mobile 07711697261

B Cherie Sutherland, Resourcing Manager

general responsibilities for all Services and departments

work 01434 605253

mobile 07841 631046

Appendix 3 Contact numbers

The Hextol Foundation HQ 01434 605253

If a crime may have been committed or there is an immediate risk dial 999. Alternatively Police 101 and ask for Local Area Police Station or P.V.P. Team

CQC 03000 616161

Where the person is known to have a social worker or care manager contact them using the number contained in their personal details and maintained by the Resourcing Manager (unless the complaint relates to the social worker or care manager)

Northumberland

Main contact for both adults and children: 01670 536400

Designated officer: Adam Hall 01670 623979

Out of Hours 7pm – 8am 0345 6005252

Newcastle

Adults:

Community Health/Social Care Direct 08.00– 17.00: 0191 278 8377

Community Health/Social Care Direct out of hours: 0191 278 7878
fax - 0191 278 8312

Children

Initial response service: 0191 277 2500

Fax: 0191 277 2477

Emergency duty team (out of hours): 0191 278 7878

Fax: 0191 2114947