

## Safeguarding Policy for Adults and Children

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### 1. Introduction

- 1.1. Westmoreland Supported Housing Limited (WSHL) is a registered provider of supported social housing for adults where the care and support is usually provided by a Care Provider. Whilst our customers are primarily adults, we recognise that children and young people may visit our customers and therefore this policy also covers these groups.

### 2. Purpose

- 2.1. This policy aims to deliver safe working practices and procedures which identify, assess, and manage safeguarding concerns and ensure appropriate action is taken to safeguard the wellbeing of children, young people, and adults at risk. We believe that every child and adult have the right to feel safe and be protected from any situation or practice that could result in them being significantly harmed or abused.
- 2.2. Safeguarding is everyone's responsibility and WSHL is committed to safeguarding and promoting the welfare of any person at risk. WSHL expects all colleagues, Board members, contractors, and third-party partners to share this commitment.
- 2.3. It is the responsibility of all individuals working for or on behalf of WSHL to understand, report and react – in accordance with this policy and associated procedures – to any concerns of actual or potential abuse of a child or adult at risk.

### 3. Scope

- 3.1. This policy applies to all WSHL colleagues (including those on fixed term contracts), Board Members, temporary staff, contractors, and third-party partners. This policy also applies to any developers and sub-contractors who are providing services to WSHL and its tenants.

#### **4. Legal and regulatory responsibilities**

- The Childrens Act 2004
- Working Together to Safeguard Children Guidance 2018
- The Care Act 2014
- The Equality Act 2010
- General Data Protection Regulation (Data Protection Act 2018)

#### **5. Background/Context**

5.1. WSHL is committed to safeguarding and promoting the safety and welfare of all children, young persons and adults who use, are engaged in, or connected to our services.

5.2. The purpose of our Safeguarding Policy is to:

- Provide a clear statement that WSHL will not tolerate or collude with any form of neglect or abuse.
- Promote and safeguard the welfare of all our customers 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 children or 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 children, young people, and vulnerable adults can be made aware of WSHL'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 safeguarding champion 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.
- 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 encountering children, young people, and 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.

## 6. Policy

### 6.1. Definitions

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

**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 wellbeing 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.

#### Safeguarding of children

A **Child** is defined under the scope of this policy as anyone who has not yet reached their 18<sup>th</sup> birthday. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change their status or entitlements to services or protection.

The following definitions for children are taken from the Working Together to Safeguard Children – A Guide to Inter-Agency Working to Safeguard and Promote the Welfare of 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.
- Taking action to enable all children to have the best outcomes.

The table below sets out who can be referred to Safeguarding Children Services and what to expect.

<b>Every child at risk of significant harm (under 18 years of age)</b>	
<b>Who to?</b>	The local authority where the concern arises or the Police both have a duty to investigate urgent and non-urgent concerns – Section 47: The Children Act 1989.
<b>Immediate action</b>	Make sure everyone is safe and that evidence is preserved. Never interview victims or perpetrators beyond the initial disclosure. Record all facts immediately and report to the line manager. If colleagues are implicated, senior managers must consider immediate action.
<b>What to expect</b>	Social Services/Police will investigate and determine any action.
<b>Will authorities intervene?</b>	Agencies are guided to what is best and proportionate, possible, and necessary to safeguard children.

#### Safeguarding of Young Persons

A **Young Person** under the scope of this policy means a person who is:

- A care leaver i.e. is aged 16 to 25 years but is still receiving children’s services. For example, a person who has substantial and complex needs and continues to be supported to live independently.
- Someone who is aged 16 to 17 who may be homeless or at risk of becoming homeless.

#### Safeguarding of Adults

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 themselves, or unable to protect themselves against significant harm or serious exploitation.

Definitions for adults are taken from [Care and support statutory guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/432222/care-and-support-statutory-guidance.pdf)

Safeguarding adults is defined as:

- Protecting the rights of adults to live in safety, free from abuse and neglect.
- People and organisations working together to prevent and stop both the risks and experience of abuse or neglect.
- People and organisations making sure that the adult's wellbeing is promoted including, where appropriate, taking fully into account their views, wishes, feelings and beliefs in deciding on any action.
- 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.

The safeguarding duties apply to an adult who:

- Has needs for care and support (whether 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.

## 7. Care Principles

7.1. WSHL recognises it has legal obligations and a moral duty to enable children and adults to live life free from abuse or neglect, as defined in the legal framework contained in the [Care Act 2014](#) for Adults and Working Together to Safeguard Children (2018).

7.2. WSHL uses the six principles of safeguarding enshrined in the Care Act Statutory Guidance 2020:

- **Empowerment:** presumption or person led decision and informed consent.
- **Prevention:** it is better to act 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.

7.3. Housing providers have a duty to cooperate 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.

- 7.4. WSHL 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.

## 8. Making Safeguarding Personal – Adults

- 8.1. In addition to the care principles outlined in section 7, 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 children, young people, and adult safeguarding arrangements are there to protect individuals.
- 8.2. 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.
- 8.3. 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.
- 8.4. *Differences between Children and Adults:*

WSHL recognises the difference between Adults at Risk and Children when it comes to the approaches used in safeguarding. Consent is a legal requirement for safeguarding adults, unless the adult either lacks capacity, is at significant risk or 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 to act in the child’s best interests.

Whilst there are different categories of abuse, key stakeholders, legislation, and procedures in place for safeguarding children compared to safeguarding adults at risk, WSHL takes a harm centred approach to all forms of abuse and neglect, and therefore believes that this Safeguarding Policy caters for both children and adults at risk. Our Safeguarding procedure provides guidance for staff on the differences between children and adults at risk in the approaches used in making specific referrals to statutory agencies, spotting the signs of abuse and neglect, consent, and professional boundaries.

## 9. Types of Abuse

### Adults

As defined in the Care Act 2014:

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

### Children

As defined in the Working Together Guidance:

- Physical abuse
- Sexual abuse
- Emotional or psychological abuse
- Neglect and acts of omission.

Other categories or specific acts of abuse and neglect may be categorised differently by other organisations and Registered Providers should be aware that abuse may also include, but is not limited to:

- Acts such as online abuse
- Child sexual exploitation
- Female genital mutilation
- Bullying and cyberbullying
- Domestic abuse, child trafficking
- Grooming
- Harmful sexual behaviour

## 10. Safeguarding roles and responsibilities

10.1. Within WSHL there are a number of individuals who fulfil specific safeguarding roles in relation to safeguarding and their responsibilities are listed below.

#### 10.2. Customer Facing Colleagues (Alerters)

- Receive and record information relating to a concern or disclosure concerning an adult at risk, child, or young person.
- Assess the information promptly and carefully, clarifying or obtaining more information about the situation as appropriate.
- Must speak with the Operational Safeguarding Lead if there is a safeguarding concern raised.
- If appropriate, i.e. Housing Officers, represent WSHL as a landlord at any multi-agency safeguarding meetings/case conferences involving our customers.
- Housing Officers to make safeguarding referrals to children's social care, adult social care, or the police without delay in accordance with the procedure.
- Deal with the aftermath or any safeguarding incident in terms of offering support.
- Identify and alert the Safeguarding Champion to any safeguarding training needs.
- Keep abreast of developments in safeguarding legislation, practice, and local procedures.
- Undertake relevant safeguarding training every two years.

#### 10.3. Operational Safeguarding Lead – Head of Housing

- Maintain a strategic overview of safeguarding all services.
- Ensure a full record is maintained of the concerns, action taken, liaison with other agencies and outcomes.
- Regularly review safeguarding activity, including case closures.
- Ensure the safeguarding policy and procedure are implemented.
- Ensure there is compliance with safeguarding policy and procedure through quality assurances processes.
- Coordinate the safeguarding training strategy for colleagues.
- Promote the welfare of children, young people and adults through the website and other communication methods.
- Own and maintain the central safeguarding log.
- Undertake relevant safeguarding training every two years

#### 10.4. Safeguarding Champion – Head of Housing

- Due to WSHL's size the Head of Housing has the role of Safeguarding Champion and Operational Safeguarding Lead
- The role of Safeguarding Champion is to ensure that safeguarding is promoted within WSHL and to its partners
- Provide informal support and guidance to any party
- Identify training needs within the organisation and address them



10.5. Designated Safeguarding Lead – Managing Director

- Report to the Executive Team and the Board on safeguarding activity.
- Ensure 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 Lead.
- Have a strategic overview of safeguarding.
- Undertake relevant safeguarding training every two years.

**11. Training**

- 11.1. This Policy will be available to all colleagues and all colleagues will receive training to ensure they are aware of responsibilities around safeguarding.
- 11.2. Training will be provided internally as well as relevant courses available from external safeguarding specialists.
- 11.3. Anyone working for or on behalf of WSHL and delivering front line services to our customers will be trained appropriately to fulfil their safeguarding responsibilities.

**12. Safe Recruitment Practices**

- 12.1. WSHL will ensure that recruitment and relevant organisational development procedures take account of safeguarding children and adults at risk, where relevant. All appropriate frontline employees will be subject to the relevant Disclosure and Barring Service (DBS) check and supervision and support will be used to assess and manage any risk issues relating to employees. Where relevant, DBS checks will be renewed as appropriate.
- 12.2. Safeguarding will feature in job descriptions, person specifications and included in interview questions, where relevant. This will extend to vetting successful applicants, for example, through references.

**13. Contractors, Agents, and Third-Party Partners**

- 13.1. In addition to WSHL colleagues, any contractors, agents, and third-party partners providing frontline services on WSHL's behalf are properly controlled. All contractors working for or on behalf of WSHL must ensure, so 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 policies and procedures.
  - Are aware of who to contact with any safeguarding concerns in our properties.
  - Notify WSHL of any safeguarding concerns, incidents or investigations.

- Fully cooperate with any investigation into received allegations.
  - Have adequate systems in place to take appropriate disciplinary action.
- 13.2. Third party contractors, partners and agents are prohibited from 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 WSHL immediately. Appointments must be rearranged to a time where an appropriate adult is present.
- 13.3. WSHL will support its main contractors by offering support in all aspects of safeguarding.
- 14. Confidentiality and Information Sharing**
- 14.1. WSHL will share information appropriately with partners that have a statutory responsibility to investigate safeguarding concerns, including Children and Adult Social Care departments and Police Authorities.
- 14.2. Information can be shared lawfully within the parameters of the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). WSHL will ensure that all colleagues understand that data protection does not prevent the sharing of information where it would protect the welfare of children and 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.
- 14.3. Emergency or life-threatening situations may warrant the sharing of relevant information with the relevant emergency services without consent. Where the issue relates to a child, we do not need to seek consent to make an alert. In an emergency or life-threatening situation, the legal basis for sharing of information relating to safeguarding will rarely be consent and WSHL will not seek consent unless it is necessary.
- 14.4. 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.
- 15. Mental Capacity and Best Interest**
- 15.1. It must be assumed that people 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.
- 15.2. 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 and understand circumstances that may indicate a potential deprivation of liberty; any concerns must be referred to the relevant Local Authority.

15.3. The Mental Capacity Act 2005 defines capacity as a person’s ability to make a decision regarding an issue that affects them, and it must be assumed that a person has capacity until it is proved otherwise. To establish whether a person has capacity, the following principles should be applied to the capabilities of that person in that they are:

- Principle 1 – A person must be assumed to have capacity unless it is established that they lack capacity.
- Principle 2 – A person is not to be treated as unable to make a decision unless all practicable steps to help them do so have been taken without success.
- Principle 3 – A person is not to be treated as unable to make a decision because they make an unwise decision.
- Principle 4 – An act or decision made under this Act for or on behalf of a person who lacks capacity must be done, or made, in their best interests.
- Principle 5 – Before the act is done, or the decision is made, regard must be had to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive of the person’s right and freedom of action.
- Able to understand the information relevant to the decision.
- Able to retain that information.
- Able to use or weigh that information as part of the process of making the decision; and
- Able to communicate their decision (whether by talking, using sign language or any other means).

## **16. Escalation and Resolution**

16.1. Effective working together depends on resolving disagreements to the satisfaction of colleagues and partner agencies, and a belief in partnership and joint working to safeguard children, a young person, or an adult. Whilst each local authority may have different process for escalation, the focus within WSHL will be to ensure resolution and the continuation of good partnership working, managing disagreements at the lowest possible level. At no time must any professional disagreement undermine the safeguarding of a child, young person, or adult. The welfare and safety of the individual must remain paramount throughout.

16.2. Where a WSHL employee feels they do not have sufficient status or experience to challenge a partner agency, they must seek guidance from their Designated Safeguarding Lead.

## **17. Reporting and Investigating Concerns**

17.1. All colleagues and third parties have the responsibility to report concerns of abuse or disclosures made to them promptly as detailed in WSHL’s Safeguarding 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 Police.

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

17.3. When managing any allegation of abuse, it is essential that information is recorded accurately and in a timely manner. In addition, WSHL colleagues or third parties may also be called upon to complete forms or requests for information from statutory agencies which include the local authority, the local safeguarding team, the Police or NHS.

17.4. WSHL will make staff aware of their professional boundaries when working with children, young people and adults through training and guidance.

## **18. Reporting Barriers and Challenges**

18.1. It is often difficult for victims of abuse to disclose or report instances of abuse. This may be for a number of possible reasons, such as:

- Fear
- Stigma
- Not realising it is abuse.
- Not knowing how to report it.
- Thinking they won't 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.

18.2. Overcoming these barriers is key to ensuring that no abuse goes unnoticed or unaddressed. WSHL aims to achieve this by regularly exploring barriers to reporting abuse with customers during home visits. 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.

## **19. Whistleblowing**

19.1. WSHL's whistleblowing policy encourages and supports colleagues to report concerns about the conduct of colleagues.

19.2. WSHL will report any safeguarding concerns raised about the conduct of colleagues to the Designated Safeguarding Lead and act in accordance with the appropriate advice and guidance.



## **20. Support for Colleagues and Third Parties**

- 20.1. WSHL recognises its colleagues, and third parties may be emotionally impacted by a safeguarding issue or investigation – especially when young and vulnerable children are involved.
- 20.2. Support will be provided to colleagues who have reported, or are dealing with, incidents involving abuse. Colleagues should contact their line manager or the Head of Admin & HR in the first instance. WSHL has an employee assistance programme which offers free counselling support and guidance to members of staff.
- 20.3. WSHL's approach to supporting staff is one of openness and the freedom to be professionally curious. Our infrastructure in having a Designated Safeguarding Lead gives assurance to our Board that safeguarding is being appropriately addressed, but as a way of providing support to staff that need it if they are dealing with a complex situation.

## **21. Policy Concerns**

- 21.1. 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 Head of Housing

## **22. Responsibilities**

- 22.1. Overall responsibility for this policy lies with the Managing Director.
- 22.2. Operational responsibility for the rollout and delivery of this policy lies with the Head of Housing who is also WSHL's Operational Safeguarding Lead.
- 22.3. Managers across the organisation have a responsibility to ensure that all colleagues are made aware.
- 22.4. All colleagues have a responsibility to act in accordance with this policy at all times.

## **23. Implementation**

- 23.1. This policy is implemented via the supporting Safeguarding Procedure.
- 23.2. Frontline staff who come into direct contact with our customers have received bespoke Safeguarding Training, and all staff will be required to have regular training.
- 23.3. This policy will be covered as part of induction training for all new employees who will have contact with our customers.
- 23.4. The Operational Safeguarding Lead will provide guidance, support and assistance to any manager, colleague, or contractor in the implementation of this and the Safeguarding Procedure.



23.5. This policy will be published on WSHL's website for general access and viewing by all staff and customers.

## **24. Monitoring and Reviewing**

24.1. An annual 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, because of stakeholder feedback, complaints, or findings from any independent organisations.

## **25. Other documents**

25.1. This policy is linked to the following documents, and they should be read in conjunction:

- WSHL Safeguarding Procedure
- WSHL Whistleblowing Policy
- WSHL Anti-Social Behaviour Policy
- WSHL Hate Crime Policy

## **26. Policy review**

26.1. This policy will be reviewed every year.