

Safeguarding of Vulnerable Adults Policy

Purpose

This policy applies to all employees at all levels of the business, as well as agency workers. The purpose of the policy is to protect vulnerable adults from harm and to provide all employees, workers and volunteers with information about the safeguarding policy adopted by the company.

This policy complies with all the legal obligations placed upon it by the Safeguarding Vulnerable Groups Act 2006.

This policy covers the arrangements for safeguarding during the recruitment and selection process and safeguarding issues that arise during employment in circumstances where service users are placed at risk or where they could have been placed at risk.

This policy aims to:

- Protect and empower those at risk from being harmed, abused, exploited or neglected
- Safeguard people in a way which supports them to have choice and control about how they want to live
- Safeguard and protect people in a way that focuses on improving their life and wellbeing and supports them to achieve the outcomes they choose
- Respond sensitively and consistently to reported incidents of self-neglect and abuse
- Put in place plans to protect and assist the adult at risk in the best way for them
- Support carers who may themselves be vulnerable or at risk
- Provide a clear process for all staff including those who work in all provider organisations so that all staff and volunteers are clear about their role and responsibilities in the protection of the vulnerable people with whom they work
- Ensure regular monitoring is in place when concerns have been raised
- Raise public awareness so that communities are supported to contribute in preventing, identifying and responding to abuse and neglect
- Ensure that information is available which is accessible in ways that helps people:
 - understand the different types of abuse and enables people to support themselves to stay safe,
 - understand how and where to raise concerns about themselves or other individuals

Promoting well-being

The Care Act 2014 introduces a duty to promote wellbeing when carrying out any care and support functions in respect of a person. This is sometimes referred to as “the wellbeing principle” because it is a guiding principle that puts wellbeing at the heart of care and support. The wellbeing principle applies in all cases where carrying out any care and support function, or making a decision, or safeguarding. It applies equally to adults with care and support needs and their carers.

Wellbeing is a broad concept, and it is described as relating to the following areas in particular:

- Personal dignity (including treatment of the individual with respect)
- Physical and mental health and emotional wellbeing
- Protection from abuse and neglect
- Control by the individual over day-to-day life (including over care and support provided and the way it is provided)
- Participation in work, education, training or recreation
- Social and economic wellbeing;
- Domestic, family and personal relationships
- Suitability of living accommodation
- The individual's contribution to society

Promoting wellbeing means actively seeking improvements, at every stage, in relation to the adult with care and support needs (regardless of whether they have eligible needs or not) and carers. It is a shift from providing services to the concept of "meeting needs".

Principles of Safeguarding

The Care Act 2014 statutory guidance states that safeguarding should be personal; it should be person led and outcome focussed; it should enhance involvement, choice and control as well as improving quality of life, wellbeing and safety. It should be based upon a community approach from all partners and providers and engage the person from the start, throughout and at the end to address their needs.

This Policy is based on the following Six Principles of Safeguarding that should underpin all adult safeguarding work:

Empowerment	People being supported and encouraged to make their own decisions and informed consent.	"I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens."
Prevention	It is better to take action before harm occurs.	"I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help."
Proportionality	The least intrusive response appropriate to the risk presented	"I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as needed."
Protection	Support and representation for those in greatest need.	"I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want."
Partnership	Local solutions through services working with their communities	"I know that staff treat any personal and sensitive information in confidence, only

		sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me.”
Accountability	Accountability and transparency in delivering safeguarding.	“I understand the role of everyone involved in my life and so do they.”

Values – Working together to support adults at risk of abuse and neglect

All people in the communities where the Company provides services have a right to:

- Live a life that is free from violence, fear and abuse
- Be protected from harm and exploitation
- Independence which may involve a degree of risk

In order to achieve this, SOS Homecare are committed to working in line with the safeguarding principles above and the following values:

- The dignity, safety, and wellbeing of clients will be a priority in our actions
- Appropriate safeguarding options will be discussed with the adult at risk according to their wishes and preferences. They will take proper account of any additional factors associated with the individual’s disability, age, gender, sexual orientation, ‘race’, religion, culture or lifestyle
- Adults at risk will be given information, advice and support in a form that they can understand and be supported to be included in all decisions about their lives. They will be offered contact with independent organisations and advocacy services, where appropriate.
- The maxim ‘no decision about me without me’ will govern all decision making
- All safeguarding work will aim to enable adults who experience abuse to retain as much control as possible over their own lives. The adult at risk will be the primary focus of decision making, determining what safeguards they want in place and provided with options so that they maintain choice and control.
- There is a presumption that adults have mental capacity to make informed decisions about their lives. If someone has been assessed as not having mental capacity, to make decisions about their safety, decision making will be made in their best interests as set out in the Mental Capacity Act 2005
- All decisions will be made with the adult at risk and promote their wellbeing and be reasonable, justified, proportionate and ethical
- Timeliness will be determined by the personal circumstances of the adult at risk
- Every effort will be made to ensure that adults at risk are afforded appropriate protection under the law and have full access to the criminal justice system when a crime has been committed

Safeguarding

The Care Act 2014 defines safeguarding as “protecting an adult’s right to live in safety, free from abuse and neglect”. SOS Homecare is committed to working with partner agencies to:

- Prevent and stop both the risks and the experience of abuse and neglect
- Ensure that an adult’s well-being is promoted
- Have regard to the adults beliefs, feelings, wishes and views in deciding any action

It is recognised that adults sometimes have complex interpersonal relationships and may be unrealistic, ambivalent or unclear about their personal circumstances.

Aims of Safeguarding

The aims of this policy are to:

- Stop abuse or neglect wherever possible
- Prevent harm and reduce the risk of abuse or neglect to clients
- Safeguard clients in a way that supports them to make choices and have control
- Promote an approach that concentrates on improving life for clients
- Ensure carers are able to recognise different types of abuse, and know how to raise a concern
- Address what caused the abuse or neglect
- Ensure we provide safe and high quality care and support

Preventing abuse and neglect

Prevention is a key principle in adult safeguarding, and should take place in the context of person-centred support, empowering individuals to make choices and supporting them to manage risks.

Observant staff making early, positive interventions with individuals can make a huge difference to their lives, preventing the deterioration of a situation.

SOS Homecare will implement robust risk management processes in order to prevent concerns escalating to a crisis point and requiring intervention under safeguarding adult procedures. We embrace strategies that support action before harm can occur.

Where abuse or neglect has occurred, steps will be taken to prevent it from recurring where possible, sharing information to support a holistic approach to prevention.

Who does safeguarding apply to?

Within the Care Act 2014, adult safeguarding duties apply to any adult who:

- Has needs of care and support, and
- Is experiencing, or is at risk of, abuse or neglect, and
- 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.

Abuse and Neglect

This section considers the different types of abuse and neglect as identified in the Care Act Statutory Guidance 2014. Other types of abuse, not included in the Guidance, are also identified in this section.

Types of abuse and neglect

Physical abuse

Physical abuse includes hitting, slapping, pushing, kicking, misuse of medication, being locked in a room, inappropriate physical sanctions or force-feeding, inappropriate methods of restraint, and unlawfully depriving a person of their liberty.

Sexual abuse

Sexual abuse includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

Sexual exploitation

Sexual exploitation involves exploitative situations, contexts and relationships where adults at risk (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. It affects men as well as women.

People who are sexually exploited do not always perceive that they are being exploited. Signs to look out for are not being able to speak to the adult alone, observation of the adult seeking approval from the exploiter to respond and the person exploiting the adult answering for them and making decisions without consulting them.

Sexual exploitation can occur through the use of technology without the person's immediate recognition. This can include being persuaded to post sexual images on the internet or mobile phone with no immediate payment or gain, or being sent such an image by the person alleged to be causing harm.

In all cases, those exploiting the adult at risk have power over them by virtue of their age, gender, intellect, physical strength or economic or other resources. There is a distinct inequality in the relationship.

Psychological abuse

Psychological abuse includes emotional abuse, 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 supportive networks.

Psychological abuse is the denial of a person's human and civil rights including choice and opinion, privacy and dignity and being able to follow one's own spiritual and cultural beliefs or sexual orientation.

It includes preventing the adult from using services that would otherwise support them and enhance their lives. It also includes the intentional or unintentional withholding of information (e.g. information not being available in different formats/languages etc.).

Financial or material abuse

Financial abuse includes theft, fraud, internet scamming, 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. The Office of the Public Guardian identifies financial abuse as the most common form of

abuse. Financial abuse can occur in isolation, but where there are other forms of abuse, there is likely to be financial abuse occurring.

Financial abuse may amount to theft or fraud which the police should investigate. It may also require attention and collaboration from a wider group of organisations, including shops and financial institutions such as banks.

Where the abuse is by someone who has the authority to manage an adult's money, the relevant body should be informed, for example, the Office of the Public Guardian for deputies and the Department for Work and Pensions (DWP) in relation to appointees.

If there are concerns that a DWP appointee is acting incorrectly, the DWP should be contacted immediately.

Organisational abuse

Organisational abuse (previously known as Institutional abuse) includes, neglect and poor care practice within an institution or specific care setting such as a hospital or care home or in relation to care provided in one's own home. This may range from one off incidents to ongoing ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Organisational abuse occurs when the routines, systems and regimes of an institution or organisation result in poor or inadequate standards of care and poor practice which affect the whole setting and deny, restrict or curtail the dignity, privacy, choice, independence or fulfilment of adults at risk.

Neglect and acts of omission

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

Neglect also includes a failure to intervene in situations that are dangerous to the person concerned or to others, particularly when the person lacks the mental capacity to assess risk for themselves.

Neglect and poor professional practice may take the form of isolated incidents or pervasive ill treatment and gross misconduct. Neglect of this type may happen within a person's own home or in an institution/within an organisation/service. Repeated instances of poor care may be an indication of more serious problems. Neglect can be intentional or unintentional.

Discriminatory abuse

Discriminatory abuse includes forms of harassment, slurs or similar treatment because of race, faith or religion, age, disability, gender, sexual orientation and political views. It also includes racist, sexist, homophobic or ageist comments or jokes, or comments and jokes based on a person's disability. Excluding a person from activities on the basis that they are 'not liked' is also discriminatory abuse.

Domestic abuse

The Home Office (March 2013) defines domestic abuse as: "Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over, who are or have been intimate partners or family members regardless of gender or sexuality."

This can encompass but is not limited to the following types of abuse; psychological, physical, sexual, financial and emotional. This definition also includes so called Honour Based Violence and Forced Marriage (See sections 4.1.10 and 4.1.11 below).

Domestic abuse includes controlling and coercive behaviour. Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from

sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour. Coercive behaviour is an act or pattern of acts of assault, threats, humiliation, intimidation or other forms of abuse that are used to harm, punish or frighten their victim. A new offence of coercive and controlling behaviour in intimate and familial relationships was introduced into the Serious Crime Act 2015. The offence will impose a maximum 5 years imprisonment, a fine or both.

Honour- based violence (HBV)

HBV is a crime or incident which has or may have been committed to protect or defend what is perceived to be the 'honour' of the family or community.

HBV is a violation of human rights and may be a form of domestic and/or sexual violence. It can be used to control behaviour within families or other social groups to protect perceived cultural or religious beliefs. Women are predominantly (but not exclusively) the victims and the violence is often committed with a degree of collusion from family members and/or the community.

Forced marriage

A forced marriage is a marriage in which one or both of the parties are married without their consent or against their will. It is recognised as a form of violence against women, men or children and is a serious abuse of human rights. A forced marriage differs from an arranged marriage, where family members take the lead in choosing the partner but both parties are free to choose whether they marry the chosen partner or not. Forced marriage is illegal in England and Wales.

Female genital mutilation (FGM)

FGM involves procedures that intentionally alter or injure female genital organs for non-medical reasons. The procedure has no health benefits for girls and women. The Female Genital Mutilation Act, 2003 makes it illegal to practise FGM in the UK or to take girls who are British nationals or permanent residents of the UK abroad for FGM whether or not it is lawful in another country.

Modern slavery

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.

Human Trafficking

Trafficking is the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion. It can include abduction, fraud, deception, the abuse of power or of a position of trust or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Hate crime

A hate crime is any incident or criminal offence that is motivated by hostility or prejudice based upon the victim's:

- Disability
- Race
- Religion or beliefs
- Sexual orientation

- Transgender identity

It should be noted that this definition is based on the perception of the victim or anyone else and is not reliant on evidence. In addition it includes incidents that do not constitute a criminal offence.

Mate crime

The Safety Net Project defines mate crime as the following: 'when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual.' Examples include:

- Perpetrators routinely going to a vulnerable person's house and clearing their cupboards of food and alcohol
- People being persuaded to part with or having their benefits taken from them
- Having your home used as a place for others to meet, gather, sleep, take drugs or hold parties or having your home taken over altogether by someone else

The vulnerable adult may not realise that what is happening is wrong - there can be feelings of, 'He's my friend, that's what friends do'. Mate Crime is carried out by someone the adult knows and often happens in private, thus making it difficult to identify and investigate.

Responsibilities

Ignoring abuse is not an option. Any person or organisation with knowledge of abuse, or suspicion that a vulnerable adult may be at risk of abuse **must** report their concerns.

Written statements must be accurate, legible, signed and dated.

- SOS Homecare will work in partnership with other agencies to ensure that concerns or allegations of abuse are appropriately referred for investigation to the most appropriate agency.
- SOS Homecare will ensure that any action that is taken is assessed, proportionate and reflective of risk presented to the people who use the services.
- SOS Homecare will continually seek to improve the way that services are provided through reflective learning and review of all safeguarding cases.
- SOS Homecare is committed to the safeguarding of vulnerable adults in its care and therefore this policy and the associated procedures set the following standards:
- SOS Homecare will work in compliance with the Department of Health, CQC and local authorities.
- Any member of staff who knows or believes that abuse is occurring must report it to their Line Manager as quickly as possible and in conjunction with SOS Homecare's Whistleblowing Policy.
- SOS Homecare will work collaboratively with other agencies to ensure high standards of safeguarding for the vulnerable adults in its care, including liaison in relation to the investigation of allegations.
- SOS Homecare will use incident reporting and auditing to identify themes in order to improve care practice.
- SOS Homecare will provide training on the identification of abuse of older people, as well as training on the required standards in relation to procedures and processes

should something be reported.

- SOS Homecare recognises its responsibilities in relation to confidentiality in such circumstances and will share information appropriately as outlined in Safeguarding Vulnerable Groups Act 2006 and Care Act 2014

Staff support

- Staff who become involved in alleged abuse cases, whether they be a witness or part of the team, will require support from their Manager and their peers. It is paramount that in line with SOS Homecare's Whistle blowing Policy, staff support is offered from the beginning, throughout and after any investigation.
- The Directors will provide specific advice regarding suspension, disciplinary action and return to work.

Recruitment Procedures

SOS Homecare has robust recruitment procedures that include the following requirements that safeguard those adults who receive care from us.

Advertisements for job roles at SOS Homecare will specify clearly whether the work involves regulated activity together with the basis of that work.

Potential employees are required to declare on their application form whether they are barred from working with vulnerable adults, any previous conviction, caution or bind over that will not be filtered on an enhanced disclosure and barring service check.

Offers of employment will be made conditional on the receipt of satisfactory disclosure checks. These will be conducted by the disclosure and barring service. The check will confirm that the applicant is suitable to carry out the role and has not been barred from performing this type of work.

If the background check reveals that an applicant is not suitable, the offer of employment will be withdrawn by the company and the applicant will not be employed.

Disclosure and Barring Service (DBS) Checks

All staff providing direct care are required to have an Enhanced DBS check.

Barred list - All potential employees who are required to have an Enhanced DBS check are also required to be checked to determine if they have been placed on the barred list. The DBS form should indicate clearly that an Enhanced check is required.

DBS Adult First Check: - This is a fast return of a check of the barred list to enable the potential employee to start work more quickly, if the full DBS has not been returned. This should only be undertaken for those requiring Enhanced DBS checks.

Recruitment documentation:

The recruitment documentation will be kept in the employee's personal file in the service location. It will include the application form, references, Right to Work in the UK documentation, and all training certificates.

Required action if there is a positive Disclosure and Barring Service check:

There are several scenarios in which there could be a positive DBS return and the action varies according to the circumstances:

- Positive DBS checks but originally declared at interview - the manager will risk assess the offense in relation to the clients. This must be approved by a member of the Senior Management Team.
- Positive DBS but not declared - the manager will inform the employee that they can no longer be employed

Existing employees

Existing employees may be required to provide a satisfactory disclosure check where their work becomes regulated activity or the company requires them to start carrying out regulated activity. Existing employees cannot conduct any regulated activity until they have undertaken a satisfactory disclosure check.

The disclosure check will be conducted by the disclosure and barring service. The check will confirm that the employee is suitable to carry out work and has not been barred from performing this.

If employees are unable to provide a satisfactory disclosure check, or refuse to undertake a disclosure check, the company will consider the options for redeployment into any available job roles that do not involve regulated activity or work.

If existing employees become added to the children and adults barred lists by the disclosure body, the company will consider the options for redeployment into any available job roles that do not involve regulated activity or work. All employees who are added to the barred lists are required to inform their line manager of their inclusion on the list at the earliest opportunity. A failure to do so may be deemed a disciplinary matter to be dealt with under the disciplinary procedure.

In both cases if this is not possible, the company may need to consider dismissal of the employee on the basis of the statutory ban imposed by the disclosure. The company may be unable to continue to employ the employee in any capacity if the continued association with the employee cannot be maintained, causes reputational damage to the employer or other reasons that harm its position in the marketplace.

Incident reporting of safeguarding of vulnerable adult issues

SOS Homecare recognises the importance of incident reporting within the organisation to determine the themes emerging from incidents that are reported, and the learning that can be determined to enable change in practice to be implemented. The company will treat all complaints, allegations or suspicions of abuse with the utmost seriousness. Training will be provided, as appropriate, to ensure that staff are aware of the warning signs of abuse and the correct reporting procedure to follow if they suspect abuse is or has taken place.

As such the following procedure should be adopted when reporting any issue that relates to the safeguarding of people in our care.

An incident report should be completed in the following way:

- Employees that suspect abuse is occurring should refer the matter to their line manager immediately, with as much detail as possible. The line manager will need to be informed of the names of people involved (if known), what type of abuse is or may be occurring, and the dates and times this occurred (if known).
- The relevant Local Authority Safeguarding Team should be informed using their procedures - a copy of the relevant paperwork should be kept accessible for each service on site.
- The incident should be reported to CQC within 24 hours using the appropriate Notification form.
- The Company Directors must be notified of all Safeguarding incidents via the Monthly Operations Report.

Investigation processes for safeguarding vulnerable adult issues

For a safeguarding issue that initially came to light within our services, the following process should be followed:

- An initial assessment of the facts should take place to determine the appropriate reporting processes; if there is any doubt the staff members must get immediate advice. The Local Authority Safeguarding Team should be informed in accordance with the Local Authority policy. The Safeguarding Team then make a decision about who will lead the investigation.
- If the police are allocated as the lead investigators then SOS Homecare cannot pursue their investigations any further, until the Police investigation has been completed. The confirmation of who the lead investigator should be provided in writing and a nominated person from SOS Homecare should liaise with the police on progress. If information is received that the police are to take no further action, then SOS Homecare should seek clarification from the safeguarding team on the requirement for further investigation and the allocation of a further lead investigator.
- If SOS Homecare are the lead investigators for the issue, then it is important to determine at the outset:
 - Who the lead investigator will be
 - Clarify the allegations that are to be investigated
 - Clarify the timescale in which the investigation has to be completed
 - Clarify the reporting arrangements for the investigation (will the report go to the Safeguarding Team, the Local Authority or will it be SOS Homecare's internal document).
 - The Manager will determine the key contact/support for the person against which the allegations have been made if it is a SOS Homecare employee/s.

Employees may be asked to refrain from discussing alleged abuse with fellow colleagues, other than those specified by their line manager, to avoid the spread of potentially harmful misinformation and to protect the validity of any investigation.

The allegations will be investigated fully, and all such reports are taken seriously. The investigation will be conducted in a discrete and timely manner and will involve the collation of evidence typically derived from witness statements and surveillance footage where possible.

If it is suspected that a criminal act may have been committed, the Company will report the situation to the police.

Employees suspected of abuse will be suspended on full pay pending a full investigation of the complaints. It should be noted that this suspension is not an indication of the employee's guilt, but rather a necessity given the circumstances. The Company appreciates the impact prolonged suspension can have on an employee's reputation, even when allegations are later found to be incorrect, and does not take the decision to suspend lightly.

The Company may be under a duty to disclose allegations of abuse to the Disclosure and Barring Service. The organisation may also consider it necessary to inform the police of allegations under investigation.

Maintaining records

The Company will ensure that all details associated with allegation of abuse are recorded clearly and accurately. The records will be maintained securely in line with the Company's confidential record keeping procedure.

Disciplinary action

If the investigation reveals that abuse has happened, or is happening, the Company will set up a disciplinary hearing for the employee concerned. Abuse of service users is regarded by the Company as an act of gross misconduct and the allegation could result in summary dismissal, in line with the Company's disciplinary procedure.

Employees will have the chance to appeal any disciplinary action that is taken against them.

DBS Referral process

The Company is legally required to send information to the Disclosure and Barring Service or Disclosure Scotland if a decision is taken to dismiss an employee or remove them from working in regulated activity/work. The Company may also be required to inform the Disclosure and Barring Service or Disclosure Scotland if the Company suspends an employee, or an employee resigns in suspicious circumstances, as the referral duty criteria may already be met at that stage.

Monitoring

The Registered Manager has the responsibility to check on progress regarding the outstanding cases and document when the outcome is received.

Care Governance Team

This will meet monthly with the following terms of reference:

- Review incident themes
- Look in detail at specific cases to determine learning or organisational learning
- Ensure implementation of the Safeguarding Policy and review it
- Monitor DBS Policies & Procedures and implement changes as necessary

Support for victims and witnesses (Vulnerable Adults & Employees)

Victims of abuse, and witnesses of abuse should contact Victim Support 08081689111 (www.victimsupport.org.uk).

Additional support and guidance

Employees who wish for further information on safeguarding are encouraged to contact their line manager or relevant HR representative. The Company will endeavour to provide up to date support and guidance to all staff when it comes to safeguarding and their duty to protect service users from harm. Relevant supporting material is also readily available online and the Company will look to furnish employees with this where requested.

Review

This policy will be reviewed every year.