Safeguarding Policy

Version	Final
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Approved by	DG
Approved date	09.12.2019
Date of last review	October 2017
Document Owner	Rahul Sen
Date of Next Review	December 2021

1 Purpose and Scope

1.1   As a social landlord, we have a responsibility to keep our customers safe from harm. This policy outlines our approach to safeguarding children, young people and adults who are being abused or neglected, or are at risk of being abused or neglected.

1.2   We will raise awareness about the abuse and/or neglect of children, young people and adults at risk. We will develop a culture that does not tolerate such abuse and encourages staff to raise concerns. We will respond promptly and proportionately in instances where abuse has occurred and will undertake DBS checks as part of our recruitment process.

1.3   The objectives of this policy are to:

- Provide clear definitions of abuse, neglect and harm

- Outline how we will fulfil legal obligations by reporting safeguarding concerns to the appropriate authorities

1.4   This is an overarching policy applying across our business, to all staff, co-oops, board members or involved customers. This policy also applies to contractors, sub-contractors and agents that are working for Hexagon.

1.5   This policy outlines the protection that we will offer to customers living in accommodation that is managed or owned by Hexagon, across all tenures.

1.6   This policy should be read in conjunction with the Safeguarding procedure, Confidential Reporting and Whistleblowing policy (found in the Staff Handbook), Domestic Abuse policy, and Antisocial Behaviour policy.

2 Definitions

2.1   **Abuse** is a violation of an individual's human and civil rights by another person or persons. Refer to *Appendix 1- Types of adult abuse* for the Care and Support Statutory Guidance that identifies eight main categories of abuse. *APPENDIX 2- TYPES OF CHILD ABUSE* defines child abuse, detailed in the Children Act. *Appendix 4- Modern Slavery* this includes human trafficking forced labour, domestic servitude, child labour, bondage labour & forced marriage. *Appendix 5- PREVENT* Prevent is part of the national counter-terrorism strategy and aims to stop people being drawn into or supporting terrorism.

2.2   **Neglect** is the failure to meet a child, young person or adult at risk's basic needs. *Appendix 1- Types of adult abuse* for the two categories of neglect identified in the Care and Support Statutory Guidance.

2.3   **Harm** is physical and/or psychological injury

2.4   **Child** is anyone who is under the age of eighteen

2.5   **Young person** is a care leaver aged eighteen or over, but still receiving children's services.

3 Reporting and responding to a safeguarding concern

3.1   We take abuse or suspected abuse/ neglect very seriously. All staff are required to report safeguarding concerns and we will ensure that staff are supported to report concerns.

3.2   If any Hexagon staff member has a safeguarding concern about the treatment of residents in our services this to be reported. We recognise that this could be a sensitive issue and needs thus staff are advised to refer to the Safeguarding Lead Officer and the [Confidential Reporting Policy](), found in the staff handbook pages 84-86. Volunteers or contractors should raise their concerns with the Safeguarding Lead Officer.

3.3   We will create a supportive and safe environment so that residents feel that they can report abuse. We will adopt the six key principles underpinning adult safeguarding work. *Appendix 3- Six principles of safeguarding* for further guidance.

3.4   We will cooperate with local authorities and respond to all local authority requests regarding safeguarding.

4 Consent and capacity

4.1   A key aspect of the Care Act 2014 guidance is putting the individual at the centre of the safeguarding process.

4.2   If verbal consent has not been received by a vulnerable adult at risk, consent should be sought before sharing information outside the organisation such as via a referral. If consent is not given, the colleague should discuss with their line manager if risks to the person's safety or another person are high. This may make it appropriate to override the need for consent. A record should be kept of the conversation and the reasons for overriding consent.

4.3 If the resident does not give consent to make a referral, and there are insufficient reasons to override consent, a letter should be sent to the tenant outlining the proposed action plan. The letter should confirm that these actions were not undertaken since they did not give consent.

4.4 If a child safeguarding concern arises, consent is not needed and this must be reported. However, where possible it is good practice to inform the parent/carer when a report is being made.

5 The Mental Capacity Act 2005

Capacity and consent are central themes in safeguarding adult work and the principle is that every adult has the right to make their own decisions. There are 5 key principles under the Mental Capacity Act.

5.1 A presumption of capacity – every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless proved otherwise

5.2 Individuals being supported to make their own decisions - a person must be given all practicable help before anyone treats them as not being able to make their own decisions.

5.3 Unwise decisions – people have the right to make decisions that others might regard as unwise or eccentric. However, if an unwise decision is related to exploitation or undue influence then further advice should be sought from social care.

5.4 Best interests – anything done for or on behalf of a person who lacks capacity must be done in their best interests.

5.5 Least restrictive option - anything done for or on behalf of a person who lacks capacity should be the least restrictive of their basic rights and freedoms.

6 Responsibilities

6.1 **All staff**

Safeguarding is everyone's responsibility. If any members of staff are concerned about a safeguarding issue, concerns should be forwarded to the relevant Neighbourhood Officer or ASB officer.

6.1.1 All staff will:

- Ensure they maintain clear professional boundaries at all times. Refer to the Staff Code of Conduct for further information.
- Be aware of the different types and indicators of abuse. Refer to Appendix 1 for further guidance.
- Be familiar with this policy and the supporting procedure
- Undertake any safeguarding awareness training, as appropriate to their role
- Keep factual records of any incident/ concern and raise any concerns they may have.

6.2 **Neighbourhood Officers/ ASB Officer/ Care Staff/Housing Support Officer**

Neighbourhood officers and care staff will usually manage all safeguarding or vulnerability concerns relating to residents.

6.2.1 They will:

- Identify any vulnerable adult or child at risk
- Sign post to, or provide(within care schemes), appropriate agencies for support
- If risk is apparent and consent is obtained, raise an alert with the relevant authority. Refer to the procedure for further guidance
- Follow the guidelines outlined for all staff
- For agency managed properties report to support provider/agency of any safeguarding concerns and follow up within 10 working days, if unsatisfied with response then follow Hexagon safeguarding procedure.

6.3 **All managers**

6.3.1 All managers will:

- Contribute to developing a culture that encourages their team(s) to raise concerns and does not tolerate abuse
- Listen to and support staff who raise concerns

- Ensure that their team(s) are familiar with Hexagon's agreed Safeguarding Policy and procedure and undertake necessary training
- Ensure that no unsanctioned investigations are conducted

6.4 Hexagon's Co-ops

6.4.1 Hexagon's Co-ops have a responsibility to:

- Ensure that they are complying with this policy by implementing their own procedures and monitoring processes
- Report safeguarding alerts made to relevant authorities to Hexagon's Safeguarding Lead Officer. This should include details of the tenant/child at risk, the potential perpetrator and the authority that the alert was raised with.

6.5 Safeguarding Lead Officer

Hexagon's designated Lead Officer for Safeguarding is the Care Services Manager, who owns the Safeguarding Policy and supporting procedure.

6.5.1 They will:

- Embed safeguarding practise across Hexagon and oversee training on safeguarding
- Ensure that concerns of abuse and/ or neglect within general needs and care services are reported to the relevant Safeguarding Team and the Care Quality Commission
- Monitor Duty of Care concerns to identify learning.
- Review individual safeguarding cases, at least annually, to identify any learning for the organisation
- Report performance in relation to safeguarding referrals to Hexagon **Performance management committee (PMC)***. Reporting should include the number of safeguarding referrals and responses from the local authorities, performance of external agencies and the appropriate actions taken to maximise the impact of the policy and procedure.

  **the Performance Management Committee (PMC) is a sub-committee of the Board tasked with focusing on the examination of Hexagon's key performance indicators. The PMC comprises four Board Members and is chaired by a Resident Board Member.*

6.6 Human Resources Manager

6.6.1 They will:

- Ensure the necessary DBS (Disclosure and Barring Service) checks are undertaken when recruiting staff
- Review existing employment checks, as required
- Share information on staff found unsuitable to work with children, young adults or adults at risk, by referring their details to the DBS
- Support and advise on relevant HR policies and procedures, for instance, the whistle blowing policy and disciplinary procedures

7 Making Safeguarding Personal

Making Safeguarding Personal (MSP) is an initiative which aims to develop an outcomes focus to safeguarding work, and a range of responses to support people to improve or resolve their circumstances.

The aim is to empower people at risk of harm to resolve the circumstances that put them at risk and to encourage practice that puts the person more in control and generates a more person centred set of responses and outcomes

Best practice in having conversation with someone regarding safeguarding concern-

1) To discuss the outcomes they want at the start of safeguarding activity
2) Follow-up discussions midway and at the end of safeguarding activity to see to what extent their desired outcomes have been met
3) Recording the results in a way that can be used to inform practice

8 Legal and Regulatory Framework

8.1 **The following legislation and regulatory frameworks apply to this policy:**

- Children Act 1989 and 2004
- Mental Capacity Act 2005
- Health and Social Care Act 2008
- Equality Act 2010
- Care Act 2014
- Care standards Act 2000
- Modern slavery Act 2015
- General Data Protection Regulation 2018
- Make Safeguarding Personal
- Deprivation of Liberty Safeguards (DoLs) 2007
- The Human Rights Act 1998

- Family Law Act 1996
- Education Act 2002
- Anti-Social Behaviour, Crime and Policing Act 2014
- Sexual offences Act 2003
- Female Genital Mutilation Act 2003
- Domestic Violence Crime and Victims Act 2004
- Homelessness Act 2002

9 Appendix 1- Types of adult abuse

The Care Act 2014 Statutory Guidance classifies nine types of adult abuse.

1) **Physical abuse-** the use of force that results in pain, injury or deterioration in the person's physical state**. Examples include**: Punching, hitting, pinching, burning, and misuse of medication, excessive restraint and forced feeding.

2) **Sexual abuse-** sexual activities when the individual does not want the activity, or they have not consented, they do not understand/have the capacity to understand or they are under 16 years old. **Examples include**: rape or sexual assault, inappropriate touch, sexual teasing or innuendo, sexual harassment, indecent exposure and sexual photography or forced use of pornography.

3) **Psychological abuse-** has a harmful effect on the emotional, health and/or development of an adult at risk. **Examples include**: threats, intimidation, humiliation, bullying, harassment, verbal abuse, enforced isolation, preventing access to services, preventing choice and opinion and addressing someone in an infantile or patronising way.

4) **Financial or material abuse-** using property, assets, income of adults who are vulnerable without their consent and making financial transactions for adults who do not have mental capacity. **Examples include:** theft of money or possessions, fraud, preventing a person access to their own money, pressure or threat in connection with money, loans, wills or property.

5) **Discriminatory abuse-** service or care given influenced negatively by an aspect of the individuality of the adult at risk. **Examples include:** a) unequal treatment based on age, disability, gender, reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation. b) verbal abuse, derogatory remarks, exclusion. c) hate crime, antisocial behaviour.

6) **Neglect and acts of omission**- not meeting basic or specific social and medical needs. **Examples include**: a) failure to provide food, shelter, clothing, heating, personal or medical care. b) withholding medication as prescribed. c) failure to allow choice i.e. visitors, meeting cultural or religious needs. d) ensuring privacy and dignity .

7) **Institutional abuse**- the mistreatment of people brought about by poor or inadequate care or support. **Examples include:** lack of leadership and supervision, lack of respect and dignity, not providing assistance with activities of daily living, not offering choice or promoting independence and failure to respond to complaints.

8) **Self-neglect-** this covers behaviour relating to neglecting to care for one's health, personal hygiene and surroundings, and behaviour like hoarding.

10 Appendix 2- Types of child abuse

Definitions of child abuse are included in The Children Act 1989.

1) **Emotional abuse**- can or has potential to have severe negative effects on the behavioural or emotional development of a child/young person. **Examples include**: rejection and ill treatment which occurs continually

2) **Physical abuse-** possible or actual physical injury to a child/young person, moreover, a failure to protect a child/young person from injury

3) **Sexual abuse-** sexual exploitation of a child/young person

4) **Neglect-** this is the failure to protect a child/young person from risk of danger. Examples include: aspects relating to care, like starvation

The following factors may make children more vulnerable to abuse, as set out by Working Together to Safeguard Children (2010):

1) Domestic abuse
2) Multiple disadvantage and poverty
3) Parental mental illness
4) Parental problem drug misuse (particularly heroin and crack)
5) Parents with a learning disability
6) Parental problem drinking

Further information on examples and possible indicators are included in the procedure document.

11 Appendix 3- Six principles of safeguarding

The Care Act 2014 The Act sets out six key principles that underpin all adult safeguarding work:

1) **Empowerment**- personalisation and the presumption of person-led decisions and informed consent
2) **Prevention-** it is better to take action before harm occurs
3) **Proportionality**- proportionate and the least intrusive response appropriate to the risk prevented
4) **Protection**- support and representation for those in greatest need
5) **Partnership**- local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse
6) **Accountability**- accountability and transparency in delivering safeguarding

12 Appendix 4- Modern Slavery

Modern slavery is more about being exploited and completely controlled by someone else, without being able to leave.

Types Exploitation:

- **Forced Labour**- any work or services which people are forced to do against their will under the threat of some form of punishment
- **Human trafficking**– involves transporting, recruiting or harbouring people for the purpose of exploitation, using violence, threats or coercion.

- **Forced and early marriage** – when someone is married against their will and cannot leave the marriage. Most child marriages can be considered slavery.
- **Domestic Servitude**
  Individuals whose workplace is a private residence and feel as though they cannot leave; they may also be abused. These individuals lack common benefits including, but not limited to, days off, appropriate compensation and freedom from abuse and violence.
- **Sex Trafficking**
  The manipulation, coercion, or control of an adult/child engaging in a commercial sex act. The adult may consent to prostitution but be held in the exchange unwillingly due to unlawful debts. The child cannot consent. All forms of commercial sexual acts performed by children are illegal. Any physical or psychological manipulation or force used to retain the individual is illegal and is considered trafficking.
- **Forced Child Labour**
  Some labour is permissible for children to perform, but there may be symptoms of abuse and trafficking if the child's wages are redirected away from the child or his/her family. There are specific strategies outlined by the State Department to combat this unique problem.

13 Appendix 5- Prevent

Prevent is the name given to part of the government's strategy to prevent terrorism by reducing the possibility of radicalisation. Hexagon has duty to prevent. The Prevent strategy aims to prevent people from supporting terrorism or becoming terrorists themselves. Focus of the strategy is in 3 key areas:

- respond to the ideological threat of terrorism and extremism
- provide practical help to prevent people from being drawn into terrorism
- Work with a range of sectors where there is a risk of radicalisation, e.g. education, charities, faiths and criminal justice.

Potential signs of radicalisation

- an increase in extreme views relating to a social sector or Government policy
- the downloading, viewing and sharing of extremist propaganda
- an individual becoming withdrawn and increasingly intolerant of modern views
- a change in appearance or behaviour, with an individual becoming more isolated
- The expression of a desire or intent to support or take part in terrorist activity.