



## Safeguarding Adults Policy

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Organisation

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## **1. INTRODUCTION**

- 1.1. Hill Homes aims to respect and promote the rights, dignity, and independence of the people to whom we provide care and support. We aim to enable them to have full control over their own lives and decisions.
- 1.2. The Hill Homes Safeguarding Adults Policy and Procedure offers guiding principles and information to staff, tenants, carers, and members of the public about how we will implement our duty of care towards the clients of Hill Homes and how we will respond to allegations of abuse.
- 1.3. Hill Homes is committed to the safeguarding of its users and ensuring we are compliant with the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 13, Safeguarding clients from abuse and improper treatment.
- 1.4. Hill Homes seeks to work in line with local authority Safeguarding Adults policies and procedures and guidance from the CQC. It recognises the importance of national guidance and seeks to comply in all respects with current safeguarding legislation and regulations. Hill Homes recognises that clients who lack mental capacity are particularly vulnerable to abuse/harm and exploitation.
- 1.5. Hill Homes is mindful of the need to follow the principles and practice guidance that accompanies the Mental Capacity Act 2005. These apply particularly to investigations of possible abuse/harm in which it is important to seek means of discovering the experiences and views of any victim or indeed alleged perpetrator who might lack capacity, e.g., by seeking the services of independent advocates.

## **2. DEFINITIONS**

- 2.1. Hill Homes refers to the group of companies comprised of Hill Homes Housing Association and Hill Homes Care Ltd.
- 2.2. Clients includes any person using the services of Hill Homes, including tenants at the organisation's housing schemes.
- 2.3. CQC refers to the Care Quality Commission.
- 2.4. Safeguarding adults is defined in the Care Act 2014, Care and Support Statutory Guidance (updated April 2021) as: "...protecting a person's right to live in safety, free from abuse and neglect."

The Guidance states the aims of adult safeguarding are to:

- prevent harm and reduce the risk of abuse or neglect to adults with care and support needs;
- stop abuse or neglect wherever possible;
- safeguard adults in a way that supports them in making choices and having control about how they want to live;
- promote an approach that concentrates on improving life for the adults concerned;
- raise public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect;
- provide information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult; and,
- address what has caused the abuse or neglect.

2.5. Regulation 13 of the CQC Fundamental Standards, as outlined in the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, defines abuse as:

- any behaviour towards a service user that is an offence under the Sexual Offences Act 2002(a);
- ill-treatment (whether of a physical or psychological nature) of a service user;
- theft, misuse or misappropriation of money or property belonging to a service user; or,
- neglect of a service user.

2.6. Safeguarding duties apply to any adult (a person 18 years of age or above), regardless of mental capacity, who:

- has needs for care and support;
- is experiencing, or at risk of experiencing, abuse or neglect; and,
- as a result of care and support needs, is unable to protect themselves against the abuse or neglect.

2.7. Abuse is defined within the Care Act 2014, Care and Support Statutory Guidance (updated April 2021) as:

- physical abuse: including assault, hitting, slapping, pushing, misuse of medication, restraint, and inappropriate physical sanctions;
- domestic violence: including psychological, physical, sexual, financial, emotional abuse, so called 'honour' based violence;
- sexual abuse: including, rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure, sexual assault and sexual acts to which the adult has not consented or was pressured into consenting;
- psychological abuse: including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation, unreasonable and unjustified withdrawal of services or supportive networks;
- financial or material abuse: including 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, the misuse or misappropriation of property, possessions or benefits;
- modern slavery: encompasses slavery, human trafficking, forced labour and domestic servitude, traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment;
- discriminatory abuse: including forms of harassment, slurs or similar treatment: because of race, gender and gender identity, age, disability, sexual orientation and religion;
- organisational abuse: 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 one'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;
- neglect and acts of omission: including 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; or,
- self-neglect: this covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.

2.8. A Safeguarding Adults Board (SAB) brings together representatives of each of the main agencies and professionals responsible for protecting adults from abuse and neglect.

The SAB is an inter-agency forum for agreeing how the different services and professional groups should co-operate to safeguard adults in that area, and for making sure that arrangements work effectively to bring about good outcomes for adults.

2.9. “Prevent” is the Government’s strategy to stop people becoming terrorists or supporting terrorism, in all its forms. Prevent works with individuals and communities by using voluntary early intervention to encourage them to challenge extremist and terrorist ideology and behaviour.

2.10. Radicalisation is the process by which a person comes to adopt increasingly extreme political, social, or religious ideals. This can, in extreme cases, result in condoning or supporting terrorism. Extremism covers vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.

2.11. In the UK, terrorism is defined as an action used to further an ideological aim that:

- endangers a person’s life, other than that of the person committing the action;
- involves serious violence against a person;
- causes serious damage to property;
- creates a serious risk to the public’s health and safety; or,
- interferes with or seriously disrupts an electronic system.

Radicalisers prey on the need for self-esteem, achievement, meaning or identity, competence and control. Every case is different, but the following are possible indicators that someone might be at risk:

- a desire for status;
- a victim of, or an experience of, discrimination or racism;
- going through a transitional time of life;
- being influenced or controlled;
- feelings of grievance or injustice;
- experiencing a traumatic event;
- a desire for political or moral change; or
- struggling with a sense of identity, meaning and belonging or questioning their place in society.

### **3. AIMS AND OBJECTIVES**

3.1. This policy aims to provide a clear and robust framework for Hill Homes' staff to follow. The framework exists to support staff in preventing harm and reporting concerns of abuse and neglect properly, ensuring services provide a safe and secure setting for all adults.

3.2. Hill Homes aims to enable, and support clients to self-protect, reducing the opportunities for people to abuse by:

- ensuring the rights, choice, independence, privacy and dignity of the people we support are promoted and they receive the appropriate support to safeguard them from all forms of abuse;
- encouraging our clients to develop and maintain independence;
- working with clients to build positively on their esteem;
- assisting clients in building and maintaining appropriate relationships with peers;
- providing information on what constitutes abuse and how to report it; and,
- involving clients in decisions made in response to allegations of abuse.

3.3. The objective of this policy is to provide a clear definition of what is meant by safeguarding, abuse and neglect in line with statutory frameworks that apply to Hill Homes. Through training and support Hill Homes will ensure staff are able to:

- recognise the signs of abuse and behaviours which should give cause for concern;
- assess the risk of abuse to clients and ensure measures are in place to minimise this as part of assessment and planning care and support;
- respond to abuse in accordance with this policy and the relevant Safeguarding Adults Procedure; and,
- refer cases of abuse to the local authority Safeguarding Team and any other relevant professional, regulatory bodies and/or the police as appropriate.

3.4. This policy aims to underpin Hill Homes' approach to safeguarding tenants with the following six principles and key outcomes as detailed within the Care Act 2014:

- empowerment;
- prevention;
- proportionality;
- protection;
- partnership; and,
- accountability

3.5. Hill Homes aims to keep tenants up to date about services on offer to keep them safe from abuse.

#### **4. POLICY STATEMENT**

- 4.1. Hill Homes considers the abuse of anyone to be wholly unacceptable and fully recognises the harmful effect that abuse has, not just on the victim but also their families and the wider community.
- 4.2. Hill Homes believes that the welfare of adults is paramount and that everyone has the right to protection from abuse regardless of age, culture, disability, gender, racial origin language, religious or philosophical belief or sexual orientation.
- 4.3. Hill Homes views abuse, or suspected abuse, as extremely serious and is committed to identifying, responding to and addressing issues of suspected abuse We will work towards minimising the potential for abuse to occur through learning lessons and maintaining up to date knowledge of best practice.
- 4.4. Hill Homes will seek to offer the victim of abuse the safest and most supportive environment throughout the investigation process.
- 4.5. Hill Homes recognises that abuse may occur both outside of and within the organisation, and by anyone who has any contact with adults at risk.
- 4.6. Hill Homes will ensure there is “a designated officer” who has expertise on safeguarding vulnerable adults and can provide advice to all staff on the appropriate action to take in cases of concern. The designated officer will keep a record of all such concerns and all notifications. The designated officer at Hill Homes is the Head of Care and Support.
- 4.7. When Hill Homes receives reports about potential abuse, including if the alleged perpetrator is a Hill Homes client, we will aim to work with in partnership with statutory and other local agencies to ensure appropriate support and advice is available for all involved and address the risks presented by perpetrators where appropriate.
- 4.8. In the case of suspected abuse by an employee, we will address any suspected abuse through formal statutory investigation procedures and our own internal disciplinary procedures.

4.9. Hill Homes recognises that abuse, or suspected abuse, is a sensitive issue and acknowledges the need for incidents to be addressed:

- in a way that ensures allegations are dealt with in confidence;
- in a manner that best respects people's dignity; and
- by ensuring investigations are carried out impartially.

4.10. Hill Homes will apply the five statutory key principles set out in the Mental Capacity Act 2005 when supporting a client who may lack capacity to make decisions.

4.11. Hill Homes will work with other organisations to achieve our aims and recognise our legal requirements and recognises responsibility for safeguarding adults is shared amongst a number of agencies.

Hill Homes will alert appropriate statutory services to suspected abuse in accordance with the guidance set out in the Care Act. Where it is considered that a criminal offence has occurred, police will be notified immediately

4.12. Hill Homes will, when requested:

- cooperate with the relevant Local Authority and other agencies to develop good practice;
- share information about an adult in relation to an assessment or investigation;
- provide specific support to the adult, family or carer as part of an agreed plan; and,
- contribute to the ongoing reviewing of the adult's needs.

4.13. Hill Homes recognises the role staff have to play in taking all reports of abuse and neglect seriously. Hill Homes expects all staff to be aware of possible abuse and mindful of the possible indicators of abuse.

4.14. Hill Homes expects its staff to abide by the Staff Code of Conduct to promote safe working to protect clients and to enable staff to avoid situations that could be misinterpreted and possibly lead to allegations of abuse.

4.15. Hill Homes will support any member of staff who, in good faith (without malicious intent), reports their concerns about a colleague's professional conduct and practice, or the possibility that someone is being abused.

4.16. Hill Homes will provide support to all staff involved in safeguarding allegations, including those who may have been accused of abuse.

- 4.17. Hill Homes will refer any concerns about members of staff in relation to safeguarding to the Disclosure and Barring Service in accordance with the Safeguarding Vulnerable Groups Act 2006.
- 4.18. Hill Homes will follow a rigorous staff and volunteer selection process, appointment and pre- and post-employment procedures in line with the overarching principles of safer recruitment.
- 4.19. Hill Homes recognises that Prevent is safeguarding our clients, staff and volunteers in the same way that support is provided to people at risk of involvement with drugs, gangs, or other forms of harm. We believe that community engagement is essential, and we will work closely with local voluntary and community groups to co-deliver support with the local authorities and the police.
- 4.20. Hill Homes recognises that it is often difficult for victims of abuse to disclose or report instances of abuse. Hill Homes will continue to work with clients and staff to overcome barriers to reporting abuse.
- 4.21. Hill Homes will record all information relating to allegations of abuse accurately and in a timely manner. Hill Homes will provide all relevant information to clients who have or may have been harmed in the provision of its regulated care services.

## **5. LEGISLATION, REGULATION AND GUIDANCE**

5.1. The following legislation and guidance contribute to the requirements for regulated activity and safeguarding but not limited to:

- The Care Act 2014
- Health and Social Care Act 2008
- Housing Act 1985
- Housing Act 1988
- Housing Act 2004
- Equality & Diversity Act 2010
- Localism Act 2011
- The Domestic Violence, Crime and Victims Act 2004
- The Protection from Harassment Act 1997
- The Family Law Act 1996
- The Crime and Disorder Act 1998
- Human Rights Act 1998
- Mental Capacity Act 2005
- Safeguarding Vulnerable Groups Act 2006
- Vulnerable Groups Act 2006

In meeting the standards that regulators, commissioners and clients expect, this policy is developed in line with:

- CQC Fundamental Standards as outlined in the Health and Social Care Act 2008 (Regulated Activities 2014)
- Adult safeguarding for housing staff (SCIE 2014)
- The Care Act 2014

5.2. The Human Rights Act (1998) imposes a positive duty on the state to protect individuals from serious breaches of their personal integrity such as violence and abuse. It is therefore necessary that all agencies working with adults at risk of abuse or neglect have mechanisms in place to minimise the risks of harm and abuse occurring and, where concerns exist, to ensure appropriate action is taken to address them. Working in partnership with other agencies is also integral to Safeguarding,

5.3. The six principles and key outcomes as detailed within the Care Act 2014: -

- empowerment: people being supported and encouraged to make their own decisions and informed consent.  
*Outcome "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.  
*Outcome "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.  
*Outcome "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.  
*Outcome "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. Communities have a part to play in preventing, detecting and reporting neglect and abuse.  
*Outcome "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.

*Outcome “I understand the role of everyone involved in my life and so do they.”*

5.4. As a statutory requirement under the Care Act 2014, all local authority areas are required to establish a Safeguarding Adults Board (SAB).

5.5. In services where care is provided, staff must work in compliance with the CQC Fundamental Standards as outlined in the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014; in particular, Regulation 13 Safeguarding clients from abuse and improper treatment and Regulation 18 (notification of other incidents) of the Care Quality Commission (Registration) Regulations 2009 (part 4).

Regulation 13 states that providers must ensure that care and treatment is not provided in a way that:

- discriminates against a customer on the grounds of any protected characteristic (as defined in the Equality Act 2010);
- includes acts of control or restraint that are not necessary or proportionate to the risk of harm posed to the customer or another individual if the customer was not subject to control or restraint is degrading to the customer;
- significantly disregards the needs of the customer;
- deprives a customer of their liberty for the purpose of care and treatment.

Regulation 18 requires that CQC are notified without delay:

- if any serious injury occurs to a customer;
- the death of a customer;
- any applications made to deprive a person of their liberty;
- abuse or allegations of abuse;
- events that stop or threaten to stop the service from carrying out a regulated activity safely and to the appropriate standard;
- incidents reported to or investigated by the police.

5.6. Hill Homes works in accordance with a multi-agency approach by alerting appropriate statutory services to suspected abuse in accordance with the guidance set out in the Care Act Statutory guidance document.

<https://www.gov.uk/government/publications/care-act-statutory-guidance>

5.7. It is the responsibility of local authorities to arrange advocates for any adults who would be deemed in need of this, in line with section 68 of the Care Act 2014.

5.8. The five statutory key principles set out in the Mental Capacity Act 2005 when supporting someone who may lack capacity to make decisions apply:

- a person must be assumed to have capacity unless it is established that they lack capacity;
- a person is not to be treated as unable to make a decision unless all practicable steps to help them to do so have been taken without success;
- a person is not to be treated as unable to make a decision merely because they make an unwise decision;
- an act done, 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;
- 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 rights and freedom of action.

Consent from the individual to share information with other agencies and professionals must be freely given, informed and not inferred or provided under duress.

5.9. Regulation 20: Duty of Candour of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014,

The Duty of Candour will apply to safeguarding incidents that have resulted in significant avoidable harm or death to a client.

## 6. **CONFIDENTIALITY**

6.1. Responsible information sharing plays a key role in safeguarding adults and the Care Act is founded on the belief that it is better to openly share information to prevent abuse. However, the need to distinguish between the principles of confidentiality and the need to share information must be in line with the guidance detailed in the Hill Homes Data Protection and GDPR Policy.

## 7. **MONITORING AND REPORTING**

7.1. Hill Homes has established a safeguarding panel to oversee the organisation's approach to safeguarding. The panel identifies areas of potential risk and provides recommendations on best practice.

7.2. The safeguarding panel supports Hill Homes Care Board and Hill Homes Group Board in their responsibilities for overseeing and scrutinising safeguarding services across the organisation

7.3. The safeguarding panel carries out regular audits to ensure Hill Homes is up to date with legislation

7.4. The safeguarding panel will carry out an annual safeguarding assessment, the results of which will be reported to board members.

7.5. Hill Homes' board has a designated safeguarding lead.