

Safeguarding Adults Policy

This policy is written in line with Kent and Medway Multi Agency Protocols November 2019 and the Care Act 2014. The guidance is regularly updated online and can be accessed and checked as necessary through the following link

http://www.kent.gov.uk/_data/assets/pdf_file/0018/11574/Multi-Agency-Safeguarding-Adults-Policy,-Protocols-and-Guidance-for-Kent-and-Medway.pdf

1. Definition of Abuse

Abuse is a breach of an individual's rights which may be a single act, or happen repeatedly over a period of time. The abuse may be deliberate, but it may also happen as a result of neglect or ignorance. The adult at risk may be neglected, persuaded to agree to something against their will or taken advantage of because they do not fully understand the consequences of their choices or actions.

The Domestic Abuse Policy should be referred to in cases of domestic abuse

Please refer to **Appendix One** for updated and detailed definitions of types of Adult abuse.

2. Scope of Policy

This policy applies to adults aged 18 or over. We have a separate policy & procedure for safeguarding children.

As a social housing provider and by working closely with members of the community, West Kent has an obligation to safeguard adults at risk. This policy sets out our responsibilities. This policy should be applied in conjunction with:

- Code of Conduct Policy
- Care Act 2014
- Safeguarding Adults Procedure
- West Kent whistle blowing policy & procedures
- Safeguarding Children Policy
- Safeguarding: Safer Recruitment DBS Procedure
- Multi- Agency Safeguarding Adults Policy, Protocols and guidance for Kent and Medway

All West Kent staff and volunteers, including contractors and partner agencies, are required to take shared responsibility for the safeguarding and safety of any adults at risk of abuse ('adults at risk') who are encountered in the course of our work.

All West Kent staff are in a position of trust, those who support, guide or in any way interact with adults at risk either in the West Kent workplace or in the community.

3. Nominated Safeguarding Officer

The Head of Support is the Nominated Safeguarding Officer (NSO) for West Kent and is the senior member of staff responsible for safeguarding adults. They are backed up by a Deputy (See Bettie for details). There is also delegated responsibility to line managers in implementing this policy.

All West Kent staff are in a position of trust, in particular those staff who support, guide or in any way interact with adults at risk. It is incumbent on all staff to be aware of this and to act accordingly at all times and in line with staff code of conduct.

West Kent has processes in place to check the suitability of all staff and volunteers working directly with adults at risk. Some staff across West Kent will be in regular or significant occasional contact with adults at risk during their work. West Kent is committed to ensuring that all such staff will have formal checks through the Disclosure and Barring Service (DBS). Where a check highlights 'reported information' this should be discussed with HR and the line manager as per the Safeguarding: Safer Recruitment DBS Procedure.

4. Adults at Risk of Abuse

Safeguarding duties apply to an adult who:

- has needs for care and support (whether or not 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

Section 42 of the Care Act 2014, Department of Health and Social Care

Where possible West Kent will identify adults at risk and ensure that there are appropriate support measures in place. Consideration of their risk status should be considered ongoing.

Any member of staff across West Kent with concerns regarding an adult whom they believe or know to be vulnerable must contact their line manager and follow the Safeguarding Adults Procedure which can be found on Nettie.

5. Self Neglect and Care Act 2014

The Care Act 2014 introduced a legal framework so key organisations and individuals with responsibilities for adult safeguarding can agree on how they must work together and

what roles they must play to keep adults at risk safe. The Act and its commencement in April 2015 was used as an opportunity to bring in more robust safeguarding duties, which will have a range of potential consequences for social landlords and housing support providers.

The legislation highlights six key areas of improvement:

Empowerment – Presumption of person-led decisions and informed consent

Protection – Support and representation for those in greatest need

Prevention – It is better to take action before harm occurs

Proportionate responses – Proportionate and least intrusive to response appropriate to the risk presented.

Partnership – Local solutions through services working with their communities.

Communities have a part to play in preventing, detecting and reporting neglect and abuse.

Accountability – Accountability and transparency in delivering safeguarding.

The Care Act 2014 recognises self-neglect as a form of abuse. Self-neglect is abuse of oneself. It differs from other forms of abuse because it does not involve a perpetrator.

‘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’

Care Act 2014 page 234

In cases where West Kent recognise self-neglect we should report to the Kent or Medway safeguarding teams and look at ways to work with the individual and other professionals to minimise the risk they post to themselves.

6. Role of the Nominated Safeguarding Officer

The role of the Nominated Safeguarding Officer is:

- a) To receive information from any staff, who have safeguarding concerns and record it
- b) Assess the information promptly and carefully, clarifying and obtaining more information about the matter as appropriate.
- c) Advise and support the delegated line manager on what steps to take including formal referral.
- d) Monitor, record and report all cases to board on an annual basis highlighting trends, learning and changes to how we work

7. Reporting and Monitoring Procedures

All members of staff and volunteers, working closely with adults at risk have to be alert to possibilities of abuse and any concerns about the behaviour of any adult working closely with adults at risk. This should be reported to their line manager and in their absence the Nominated Safeguarding Officer who will decide what further action to take in line with the

Safeguarding Adults at Risk Procedures.

It is the duty of staff to inform **only** not to investigate – this is the role of the Police and Social Services. If staff, in the course of their work at West Kent, have an adult safeguarding issue brought to their notice, this must be treated as a priority. Guidance with regard to a specific incident may be obtained from their line manager or Nominated Safeguarding Officer.

8. Allegations of abuse or inappropriate behaviour involving staff

Allegations involving a member of staff will be dealt with in the strictest confidence and reported immediately to the Head of Human Resources and relevant Department Director. Consideration will be given as to whether the situation falls within the definition of abuse (see appendix one). The situation will be dealt through the organisation's disciplinary procedure and /or reported to appropriate agencies.

9. Training & Awareness Raising

In accordance with good practice West Kent will ensure that staff likely to be in regular contact with adults at risk receive appropriate training. This will also include volunteers and involved residents employed in similar roles.

The following topics must be covered:

- Understanding who is at risk of abuse
- Understanding what is abuse
- Understanding what is safeguarding and our responsibilities
- Understanding what to do as a West Kent employee or volunteer

West Kent will also offer training to contractors, in order that they understand the signs of abuse and what actions to take. Where opportunities arise we will also look to raise awareness of safeguarding with our staff and also with our tenants, be that through internal communications, Neighbourhood News, at events or through other means.

10. Media Relations

For any West Kent activity involving Adults at Risk, consideration should be taken as to whether it is appropriate to make photographs, video or images, and also whether the person themselves is in a position to give permission.

11. Review

This policy and procedures will be regularly monitored and reviewed on an annual basis, in accordance with changes in legislation and guidance on the safeguarding of adults at risk or any changes within West Kent:

- Following any issues or concerns raised about the safeguarding of adults at risk within West Kent

- In all other circumstances, at least annually. All reported suspicions or allegations of abuse will be recorded and monitored to ensure the procedures are followed, and so any patterns may be identified. Outcomes will be monitored in order to check West Kent is meeting its aims relating to adult protection.

The nominated safeguarding officer will report annually to West Kent's Executive Team & board of adult protection incidents or related issues of concern, highlighting trends, learning, and improvements that West Kent can make. These reports will not contain specific names or contact details

Appendix One

Definitions of Adult Abuse

The following definitions have been taken from Kent and Medway Multi Agency Safeguarding Adults protocol which was updated in November 2019. This list is not exhaustive.

Physical abuse

- a) hitting, slapping, scratching, burning, scolding
- b) pushing or rough handling
- c) assault and battery
- d) restraining without justifiable reasons
- e) inappropriate and unauthorised use of medication
- f) using medication as a chemical form of restraint
- g) inappropriate sanctions including deprivation of food, clothing, warmth and health care needs
- h) illegal, unauthorised, surgical acts and mutilation.

Sexual abuse

- a) sexual activity which an adult cannot or has not consented to or has been pressured into
- b) sexual activity which takes place when the adult is unaware of the consequences or risks involved
- c) rape or attempted rape
- d) sexual assault or harassment
- e) Non-contact abuse e.g. voyeurism, non-consensual sexual imagery (e.g. “revenge porn”).

Psychological abuse

- a) Emotional abuse
- b) Verbal abuse
- c) Humiliation and ridicule
- d) Threats of punishment, abandonment, intimidation or exclusion from services and social contact
- e) Isolation or withdrawal from services or supportive networks
- f) Deliberate denial of religious or cultural needs
- h) Failure to provide access to appropriate social skills and educational development training
- i) Faith abuse.

Financial or Material abuse

- a) having money misused or stolen
- b) having property stolen
- c) being defrauded
- d) being put under pressure in relation to money or property
- e) having money or property misused
- f) finance or property mismanagement by a person with a Registered Enduring Power of Attorney or Lasting Power of Attorney for Finance and Property or a Deputy appointed by the

Court of Protection.

Neglect and acts of omission

- a) Ignoring medical or physical care needs
- b) Failure to access care or equipment for functional independence
- c) Failure to give prescribed medication
- d) Failure to provide access to appropriate health, social care or educational services
- e) Neglect of accommodation, heating, lighting etc.
- f) Failure to give privacy and dignity
- g) Organisational neglect
- h) Failure by a Donee of a Registered Last Power of Attorney for Health and Welfare to act in the best interests of the Donor of that Lasting Power of Attorney, when the Donor has lost capacity to make the relevant decision(s) for themselves.

Self-Neglect

The Kent and Medway Multi-Agency Policy and Procedures to Support People that Self-Neglect or Demonstrate Hoarding Behaviour define self-neglect as:

- a) either unable, or unwilling to provide adequate care for themselves
- b) not engaging with a network of support
- c) unable to or unwilling to obtain necessary care to meet their needs
- d) unable to make reasonable, informed or mentally capacitated decisions due to mental disorder (including hoarding behaviours), illness or an acquired brain injury
- e) unable to protect themselves adequately against potential exploitation or abuse
- f) refusing essential support without which their health and safety needs cannot be met, and the individual lacks the insight to recognise this.

Modern slavery and Human trafficking

This is described by the UK National Crime Agency as:

“Modern Slavery is the term used within the UK and is defined within the Modern Slavery Act 2015. The Act categorises offences of Slavery, Servitude and Forced or Compulsory Labour and Human Trafficking (the definitions of which comes from the Palermo Protocol). These crimes include holding a person in a position of slavery, servitude forced or compulsory labour, or facilitating their travel with the intention of exploiting them soon after. Although human trafficking often involves an international cross-border element, it is also possible to be a victim of modern slavery within your own country. It is possible to be a victim even if consent has been given to be moved.”

There are three main elements:

- a) The movement—recruitment, transportation, transfer, harbouring or receipt of people 34
- b) The control—threat, use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving of payments or benefits to a person in control of the victim
- c) The purpose—exploitation of a person, which includes prostitution and other sexual exploitation, forced labour, slavery or similar practices, and the removal of organs.

In the first instance the point of contact for all human trafficking crimes must be the local police force.

These link closely to Gang Related Abuse and Cuckooing which is detailed below under ‘Other Forms of Abuse’.

Discrimination and Hate crime

- a) Discrimination demonstrated on any grounds based on protected characteristics.
- b) Bullying, harassment and slurs which are degrading
- c) Institutional discrimination

Hate crime can be any criminal offence against the person or property. Hate Crime hurts and it can be motivated by the offender's hatred of people who are seen as being different.

Organisational abuse

Organisational abuse refers to abusive and poor care and/or clinical practices that may develop when an adult is living or staying in a care setting, hospital or is receiving care and support from a service provider. This can be especially so when care standards and practices fall below an acceptable level as detailed in contractual specifications or fall below the Fundamental Standards for Quality and Care, as set out under the Care Act 2000.

Domestic abuse

The definition of domestic abuse is:

“a 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”. (Home Office)

This can encompass but is not limited to the following types of abuse:

- a) emotional/psychological, including coercion and control
- b) physical
- c) sexual
- d) financial
- e) stalking and harassment
- f) honour-based abuse
- g) forced marriage

It is important to recognise that Adults At Risk may be the victims of Domestic Abuse themselves or may be affected by it occurring within their household. This is likely to have a serious effect on their physical and mental wellbeing. Where Adults at risk are victims of Domestic Abuse, they may need extra support to plan their future. The violence or threat of violence may continue after a victim has separated from the abuser. It is important to ensure that all the vulnerable people in this situation have appropriate support to enable them to maintain their personal safety.

Please refer to the West Kent Domestic Abuse Policy and procedure.

Other Forms of Abuse

Radicalisation

Refers to the process by which a person comes to support terrorism and forms of extremism leading to terrorism. This includes all forms of extremism including Islamic and the far right. This can be by an individual (radicaliser) or group that encourages others to develop or adopt beliefs and views supportive of terrorism and forms of extremism leading to terrorism. Individuals may be vulnerable to radicalisation due to issues such as mental health problems, learning difficulties and social isolation. They may be approached by potential radicalisers or seek out radicalising material themselves (self-radicalisation).

Radicalisation can occur in a variety of locations, both in person and online through exposure to materials such as literature and videos that are used by radicalisers to encourage or reinforce individuals to adopt a violent ideology. Some of this material may explicitly encourage violence. Other materials may take no avowed position on violence but make claims to which violence is subsequently presented as the only solution. (taken from Prevent Strategy Home Office 2011).

Where there are concerns that an adult at risk is being subject to radicalisation then the person or agency identifying these concerns should make a referral to the Channel multi-agency process. The purpose of Channel is to identify and provide support to individuals at risk of being drawn into terrorism through the Prevent strategy. Prevent has 3 key components:

- Respond to the ideological challenge of terrorism
- Support vulnerable people and prevent people from being drawn into terrorism
- Work with key sectors and institutions to address the risks

Gang related abuse and cuckooing

The activities of gangs dealing drugs is having an increasingly significant impact on young people and adults with care and support needs due to the expansion of gang activity from metropolitan areas into locations across the country (county lines). A 'county lines' enterprise almost always involves exploitation of vulnerable persons; this can involve both children and adults who require safeguarding.

Gangs will seek to obtain a base from which to deal drugs from in the locality where they are operating from. Establishing these bases is achieved in a number of ways, most commonly by exploiting local drug users. This is achieved either by paying them in drugs, by building up a drug debt or by using threats and/or violence to coerce them; this practice is commonly known as '**cuckooing**'. In other cases, group members have entered into relationships with vulnerable females to use their properties.

Mate crime

Mate Crime occurs when someone 'makes friends' with a person and goes on to abuse or exploit that relationship. The founding intention of the relationship is likely to be criminal. The relationship is likely to be of some duration and, if unchecked, may lead to a repeat and worsening abuse. Mate crime can happen to anyone, but it is most commonly associated with children and adults with learning disabilities.

More details of the following forms of abuse can be found in the Safeguarding Children policy & procedures

- Forced marriage
- Female genital mutilation
- Child Sexual exploitation