



Places to live. Space to grow.

Safeguarding Adults Policy

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1 Introduction and purpose

- 1.1 We recognise and welcome the statutory duty to co-operate across agencies to protect in line with the Kent and Medway Safeguarding Adults Board (KMSAB) Multi-Agency Safeguarding Adults Policy, Protocols and Guidance for Kent and Medway and the Care Act 2014.
- 1.2 The purpose of this policy is to demonstrate our commitment to safeguarding adults. It sets out the approach to be taken by staff and contractors who have concerns, receive allegations or have evidence of abuse or neglect of adults at risk. The policy aims to ensure that everyone involved in West Kent is aware of:
 - 1.2.1 The legislation, policy and procedures for safeguarding adults
 - 1.2.2 Their role and responsibility for safeguarding adults
 - 1.2.3 What to do or who to speak to if they have a concern relating to the welfare or wellbeing of an adult within the organisation
 - 1.2.4 The need to work in partnership with other agencies to reduce the risk of harm and abuse
 - 1.2.5 The fact that safeguarding is everyone's responsibility.

2 Scope

- 2.1 This policy applies to adults aged 18 or over. We have a separate policy for safeguarding children.
- 2.2 As a social housing provider and by working closely with members of the community, we have an obligation to safeguard adults at risk. This policy sets out our responsibilities.
- 2.3 All 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.

3 Policy Statement

- 3.1 We believe everyone has the right to live free from abuse or neglect regardless of age, ability or disability, sex, race, religion, ethnic origin, sexual orientation, marital or gender status.
- 3.2 We are committed to creating and maintaining a safe and positive environment and an open, listening culture where people feel able to share concerns without fear of retribution.
- 3.3 We acknowledge that safeguarding is everybody's responsibility and are committed to prevent abuse and neglect through safeguarding the welfare of all adults involved.

- 3.4 We recognise that health, wellbeing, ability, disability and need for care and support can affect a person's resilience. We recognise that some people experience barriers; for example, in communicating, in raising concerns, or seeking help. We recognise that these factors can vary at different points in people's lives.
- 3.5 Actions we take will be consistent with the principles of adult safeguarding ensuring that any action taken is prompt, proportionate and that it includes and respects the voice of the adult concerned.

Where a staff member observes or has concerns about an adult's welfare or receives a safeguarding disclosure from a third party, the incident must be treated seriously and immediately responded to in accordance with our Safeguarding Adults and Children Procedure.

4 Responsibilities

- 4.1 The Head of Support is our Designated Safeguarding Lead (DSL) and is the senior member of staff responsible for safeguarding adults. The DSL will be responsible for monitoring and reporting all safeguarding cases to the Board on an annual basis, highlighting lessons learnt, trends and changes to how we work. They are supported by a Designated Safeguarding Officer who is the Tenancy Sustainment Manager. The DSO will also provide guidance to staff or line managers on safeguarding concerns.
- 4.2 There is also delegated responsibility to line managers of front-line staff in implementing this policy.

Line managers (of front-line staff) must:

- Attend training at the relevant level and ensure their staff also attend appropriate training
 - Act as a source of advice for colleagues on safeguarding
 - Respond to all concerns swiftly in line with policy
 - Ensure accurate recording of all safeguarding concerns
 - Keep up to date with local safeguarding arrangements in Medway and Kent
 - Make sure that any allegations of colleague conduct around safeguarding are investigated in line with HR processes
 - Recognise that dealing with safeguarding situations can be distressing and support the wellbeing of colleagues dealing with reports.
- 4.3 Our staff are in a position of trust, particularly 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.
- 4.4 We have 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. We are 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.

5 Definitions

- 5.1 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.

Please refer to Appendix one for updated and detailed definitions of types of adult abuse.

- 5.2 The following definition has been adopted for adult safeguarding:

Adult safeguarding is 'protecting an adult's right to live in safety, free from abuse and neglect.' (Care and Support statutory guidance, chapter 14)

- 5.3 The Domestic Abuse Policy and Procedure should also be referred to in cases of domestic abuse.

6 Adults at risk of abuse

- 6.1 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

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

Where possible we will identify adults at risk and ensure that there are appropriate support measures in place. Consideration of their risk status should be ongoing. Any member of staff with concerns regarding an adult whom they believe or know to be vulnerable must follow the Safeguarding Adults & Children Procedure which can be found on Bettie.

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.

7 Safeguarding principles

- 7.1 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 were 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.
- 7.2 The legislation highlights six key principles which we should aim to demonstrate and promote in our work:

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.

8 Adults and mental capacity

- 8.1 We recognise that capacity and consent are key themes in safeguarding practice and that every adult has the right to make their own decisions. A person is assumed to have capacity to do so unless it is proven that they do not.
- 8.2 If a customer does not have the capacity to make a decision relating to a safeguarding concern then we have a duty to report the matter following our Safeguarding procedures.

9 Consent

- 9.1 Where an adult has capacity to consent to a safeguarding referral being made, but declines, there are circumstances under which a referral may be undertaken without consent, including where:
- There is a serious risk to the individuals wellbeing and safety
 - Other children or adults may be at risk
 - A serious crime has been committed, or may be prevented by sharing information
 - The adult has capacity but is under duress or being coerced
- 9.2 As far as possible where consent has been overridden the adult at risk should be made aware of the decision and why the decision was made.

10 Position of Trust

People in a Position of Trust are defined as ‘those who work with adults, whether in a paid or a voluntary basis and that may hold a position of authority over a person. Any actions which causes harm or could cause harm to an adult could lead to disciplinary action or criminal prosecution if a criminal offence is committed.

11 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.

12 Training and awareness Raising

- 12.1 In accordance with good practice we will ensure that staff who are 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.
- 12.2 The following levels of safeguarding training are provided for staff:
- Introduction and General Awareness – mandatory for all staff
 - Level 1 – for all staff who interact with customers on phones or whilst carrying out duties.
 - Level 2 – Increased Awareness for staff who visit customers and are able to make referrals to the local authority.
 - Level 3 – designated Safeguarding Lead and Officer.
- 12.3 The level of training required for individual role profiles has been assessed depending on the level of contact with adults and the responsibilities that are associated with the role.
- 12.4 Safeguarding at all levels must be repeated every three years.
- 12.5 We will also offer training to contractors, in order that they understand the signs of abuse and what actions to take.
- 12.6 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.

13 Reporting and Monitoring Procedures

- 13.1 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 we are meeting our aims relating to adult safeguarding.
- 13.2 The Designated Safeguarding Officer will report six monthly to West Kent's Executive Team and Communities and Housing Committee on adult safeguarding incidents or related issues of concern, highlighting trends, learning, and improvements that we can make.
- 13.3 Safeguarding cases will also be reported on in the monthly health and safety report.

14 Media Relations

For any 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.

15 Review

This policy and procedure will be regularly monitored and reviewed on an annual basis, in accordance with changes in legislation or guidance on the safeguarding of adults at risk, or any changes within West Kent, or any issues or concerns raised about the safeguarding of adults at risk within West Kent.

16 Communication

This policy will be published on Bettie and on the website.

17 Regulation

The Care Act 2014 puts safeguarding on a statutory footing and sets out a framework for multi-agency working. The statutory duties of the Care Act are the responsibility of the Local Authority.

18 Appendix One

Forms of adult abuse

The following definitions have been taken from Kent and Medway Multi Agency Safeguarding Adults Board website as at October 2024. 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”).

Honour-based abuse

A crime or incident committed in order to protect or defend the family or community ‘honour’. This may include:

- a) forced marriages
- b) ‘honour’ crimes
- c) female genital mutilation (FGM).

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
- g) failure to provide access to appropriate social skills and educational development training
- h) 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
- 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

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

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 three 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 child safeguarding policy and& procedures

- forced marriage
- female genital mutilation
- child Sexual exploitation