

Adult Safeguarding Policy

February 2021

Business Unit	Head Office	Location	Newtown House, Newtown Road, Henley on Thames
Completed By	James Syrett		
Business Unit Head Sign Off	Peter Price-Taylor	Date	02/02/2021
Review Date	02/02/2022	Version	3.1

Why Is It Necessary?

All of us have a responsibility and none of us have the excuse not to take action. For Adult at risks, our commitment is more than a strategy, however robust; and can mean the difference between safety and danger. Our commitment is that "on our watch" with the help of our partners, safeguarding is an active part of how we do our job and we can be held to that promise.

Health services have a duty to safeguard all patients and to provide additional measures for patients who are less able to protect themselves from harm, abuse and neglect.

The implementation of the Care Act 2014 in April 2015 put in place the statutory framework for Adult Safeguarding. The statutory guidance for Adult Safeguarding (HM Government 2014) replaced the 'No secrets' guidance (Department of Health 2000). The legislation places statutory duties on the NHS, Local Authorities and Police for Safeguarding Adults at risk, however, emphasises that Adult Safeguarding is everyone's business.

Safeguarding is 'everyone's business'. This policy sets out Evolutio's responsibilities under the Care Act 2014 to ensure adult at risks are kept safe from harm.



Peter Price-Taylor
CEO

Purpose

The purpose of this policy and the associated procedures is to protect and promote the welfare adults using or receiving services provided by Evolutio, its employees and sub-contractors in fulfilling their statutory responsibilities.

All employees and contracted service providers have a clear responsibility to take action when they suspect or recognise that a adult at risk may be a victim of significant harm or abuse.

This policy demonstrates how Evolutio will meet its legal obligations and reassure members of the public, service users, employees and customers:

- a) What they can expect Evolutio to do to protect and safeguard adult at risks
- b) That they are able to safely voice any concerns through an established procedure
- c) That all reports of abuse or potential abuse are dealt with in a serious and effective and timely manner
- d) That there is an efficient recording and monitoring system in place
- e) That Members, employees, volunteers and contractors receive appropriate training
- f) That robust 'safer' recruitment procedures are in place

Legal duties

The Care Act 2014 sets out statutory responsibility for the integration of care and support between health and local authorities. NHS England and Clinical Commissioning Groups are working in partnership with local and neighbouring social care services. Local Authorities have statutory responsibility for safeguarding. In partnership with health they have a duty to promote wellbeing within local communities.

What Is Safeguarding Adults And Why It Matters

Safeguarding adults means protecting a person's right to live in safety, free from abuse and neglect.

An adult at risk is any person who is aged 18 years or over and at risk of abuse or neglect because of their needs for care and or support. Where someone is over 18 but still receiving children's services and a safeguarding issue is raised, the matter should be dealt with as a matter of course by the adult safeguarding team.

The aims of adult safeguarding are to:

- stop abuse or neglect wherever possible
- prevent harm and reduce the risk of abuse or neglect to adults with care and support needs
- 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 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
- address what has caused the abuse or neglect

Six key principles underpin all Adult Safeguarding work

- Empowerment – people being supported and encouraged to make their own decisions and informed consent
- Prevention – it is better to take action before harm occurs
- Proportionality – the least intrusive response proportionate to the risk presented
- Protection – support and representation for those in greatest need
- Partnership – Public services working with their communities and partners
- Accountability – accountability and transparency in delivering safeguarding.

'Safeguarding is everyone's business'

Further Information

The Suffolk Safeguarding Adults Board (SAB) is a multi-agency partnership that promotes the development of adult safeguarding work throughout Suffolk. The Board consists of senior officers nominated by each of the main agencies who will be responsible for developing and maintaining strong and effective inter agency protocols to safeguard vulnerable adults from abuse. Further information can be found on <https://www.suffolkas.org/>

Policy

Evolutio is committed to safeguarding adult at risks from abuse when they are engaged in services organised and provided by Evolutio or any sub-contractor providing services on behalf of Evolutio.

Evolutio will:

- a) Endeavour to keep patients and service users safe from abuse. Suspicion of abuse will be responded to promptly and appropriately. Evolutio will always act in the best interests of the adult
- b) Proactively seek to promote the welfare and protection of all children, young people and adult at risks
- c) Ensure that unsuitable people are prevented from working with adult at risks through robust 'safer recruitment' procedures
- d) Deal with any concern raised by an employee, contracted service provider, or member of the public appropriately and sensitively
- e) Safeguarding referrals made by an employee or contracted service provider cannot be anonymous and should be made in the knowledge that, during the course of enquiries, the referrer may be required as a prosecution witness
- f) Not tolerate harassment of any employee contracted service provider or adult at risk who raises concerns of abuse or neglect
- g) Prevent abuse by using good practice to create a safe and healthy environment and avoid situations where abuse or allegations of abuse could occur
- h) Establish an appropriate governance structure, made up with delegates from appropriate departments across the business to monitor activity and make necessary improvements around this agenda, led by the CEO and board.

This policy covers all Members, employees and volunteers at Evolutio, including contracted service providers

While employees and contracted services providers are likely to have varied levels of contact with adult at risks as part of their duties and responsibilities for the company, everyone should be aware of the potential indicators of abuse and neglect and be clear about what to do if they have concerns. Responsibilities are limited and it is important to remember the following:

It is not the responsibility of any Evolutio employee or contracted service provider to determine whether abuse is actually taking place.

However

It is the responsibility of the an Evolutio employee or contracted service provider to take the actions set out in the procedure, if they are concerned abuse is taking place

Roles, Responsibilities and Governance

Chief Executive and the Board

The Chief Executive and the Senior Management Team are responsible for ensuring that this policy and related procedures are implemented, monitored and consistently reviewed and make up the Safeguarding Board.

Employees

All employees are responsible for carrying out their duties in a way that actively safeguards and promotes the welfare of children, young people and adult at risks. They must also act in a way that protects them from wrongful allegations of abuse as far as possible. They must bring safeguarding concerns to the attention of the CEO and the Senior Management Team / Line Manager.

Contractors, sub-contractors or other organisations funded by or on behalf of Evolutio

Contractors, sub-contractors or other organisations funded by or on behalf of Evolutio are responsible for applying the appropriate CRB checks, delivering safeguarding training commensurate with their level of contact with children, young

people and adult at risks; and ensuring their employees comply with their organisational Safeguarding Policy and Procedures.

Safeguarding Procedures

The procedure for reporting a concern or allegation informs all employees and those contracted service providers that have accepted this policy of what actions they should take if they have concerns or encounter a case of alleged or suspected child, young person or adult at risk abuse or neglect.

Even for those experienced in working with adult abuse it is not always easy to recognise a situation where abuse may occur or already has taken place. Whilst it is accepted that staff are not experts at such recognition all staff have a duty to act if they have any concerns and discuss with an appropriate Safeguarding representative within Evolutio.

An adult at risk is someone who:

- Has needs for care and support and;
- Is experiencing, or 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.

There are many types of abusive behaviour, some of which are difficult to spot. Abuse can include:

- Domestic violence – abuse that takes place between family members or intimate partners regardless of gender or sexuality. It can include psychological, physical, sexual, financial, emotional abuse and so called 'honour' based violence
- Sexual abuse – any sexual act that a person does not agree to
- Psychological or emotional – this is when someone makes threats of harm, abandonment, humiliation, intimidation or verbal abuse
- Financial - this include stealing someone's money or denying them access to their money, property or possessions
- Neglect or acts of omission – this can be both physical and emotional. It could be failing to keep an adult at risk clean or warm, not promoting optimum health, not providing adequate nutrition or medication. It could also mean preventing someone from making their own choices
- Discriminatory - abusive remarks or actions relating to a person's age, race, religion, sex or abilities
- Organisational abuse - this happens when the routines in use force residents or service users to sacrifice their own needs, wishes or preferred lifestyle to the needs of the institution or service provider
- Modern slavery – such as human trafficking, forced labour and domestic servitude
- In adult safeguarding cases additional categories include financial, institutional and discriminatory abuse.

Who could be an abuser?

Anyone can carry out abuse or neglect including:

- Spouses/partners
- Other family members
- Neighbours
- Friends
- Acquaintances
- Local residents
- People who deliberately exploit adults they perceive as vulnerable to abuse
- Paid staff or professionals
- Volunteers
- Strangers

Institutions and services can be guilty of abuse if they persistently fail to take account of the needs of the people using that service or do not provide the staffing or equipment to enable people's needs to be met adequately and safely.

Professional status or title does not guarantee safety. There are many recent examples of professionals being responsible for abuse.

More than one person may abuse an adult at risk and some sources of risk will abuse more than one alleged victim.

It can be difficult to understand why anyone would want to abuse an older person, someone with a physical or learning disability, or someone who is unwell. In some instances, the abuse may not have been deliberate, malicious or premeditated. It can happen when people are trying to do their best but are unaware of what is the right thing to do.

Raising Concerns & Duty of Care

Mental Capacity Act Code of Practice

People working with or caring for adults who lack capacity to make decisions for themselves have a legal duty to consider the Code of Practice.

The Mental Capacity Act 2005 covers people in England and Wales who can't make some or all decisions for themselves. The ability to understand and make a decision when it needs to be made is called 'mental capacity'.

The code of practice gives guidance to people who:

- work with people who can't make decisions for themselves
- care for people who can't make decisions for themselves

It says what you must do when you act or make decisions on behalf of people who can't act or make those decisions for themselves.

The Mental Capacity Act 2005 (MCA) says certain people must think about the code of practice when they act or make decisions on the other person's behalf.

Capacity

Capacity describes a person's ability to make a specific decision at a specific time. An individual is deemed to lack capacity if at the time, a decision is required, and he/she is unable to make that decision because of an impairment or disturbance in the functioning of the mind or brain. This may be temporary or permanent.

The following 5 principles apply for the purposes of this Act:

1. A person must be assumed to have Capacity unless it is established that he/she lacks Capacity.
2. A person is not to be treated as unable to make a decision unless all practicable steps to help him/her to do so have been taken without success.
3. A person is not to be treated as unable to make a decision merely because he/she makes an unwise or bad decision.
4. An act done or decision made, under the Act for or on behalf of a person who lacks Capacity must be done, or made, in his/her best interests.
5. 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

You should always treat every individual with dignity and respect to ensure that they feel safe in services and empowered to make choices and decisions.

Ensure that significant others, i.e. family member, friend or advocate, are involved to support the individual where appropriate.

It is important to recognise that though an individual with capacity has the right to refuse care for themselves. Such a refusal may give raise a safeguarding concern in respect of others.

Duty of Care

All staff employed by Evolutio have a duty to act promptly and report concerns if they think that a patient in their care is being abused, or that their concerns about standards of care suggest there is a risk of abuse or neglect to adults using the service. The seriousness, or the extent of the abuse, is often not clear. It is therefore important that staff report incidents immediately so that the matter can be investigated further, and that staff approach such allegations with an open mind.

It is the responsibility of the staff caring for the patient to ensure there is in no immediate danger. If deemed necessary, the medical team caring for the patient may be required to examine the patient and instigate any clinical investigations needed.

Staff must make sure that they assure the person raising the concerns that their concerns will be taken seriously and that they, and we, have a duty to report incidents of this nature. It should be explained to the person raising the concern that in order to safeguard an individual information will need to be shared with others, or with safeguarding teams, who have a part to play in protecting them. Do not give promises of complete confidentiality.

When a child, young person or adult at risk makes an allegation of abuse or bullying, you should:

- If you believe the person is 'at risk' of immediate significant harm, which includes situations which any employee would reasonably believe requires the emergency services, then you must contact the relevant emergency service and notify the CEO, COO or Line Manager.
- Ensure the safety and wellbeing of the individual
- Listen carefully to what is said and allow the person to talk at their own pace, being careful not to compromise potential evidence
- Establish their wishes and feelings
- Find an appropriate opportunity to explain it is likely that information will need to be shared with other responsible people, do not promise to keep secrets
- Only ask questions for clarification, the use of open questions e.g. what, where, when, who is advisable, do not ask leading questions (that suggest certain answers as this could compromise evidence)
- Reassure the child, young person or adult at risk that they have done the right thing in telling you
- Seek consent to share information if patient has capacity and if this does not place you, them or others at an increased risk
- You may share information without consent if it is in the public interest in order to prevent a crime or protect others from harm
- Tell them what you will do next and who you will inform
- Immediately report to and inform the CEO, COO or Line Manager
- Record all details you are aware of on the Safeguarding Incident Record Form (SIRF) as soon as possible

When allegations or concerns are expressed about an employee or contracted service provider, you should:

- Take the allegation or concern seriously
- Immediately inform the CEO/COO or Line Manager if they are not implicated in the allegation
- If you believe the child, young person or adult at risk is 'at risk' of immediate significant harm, which includes situations which you would reasonably believe requires the emergency services, then you should contact the relevant emergency service and then notify the CEO/COO or Line Manager
- Record all details you are aware of on the Safeguarding Incident Record Form (SIRF) as soon as possible

In situations where there has been or may have been a crime, it is important that forensic or other evidence is preserved, or can be collected, as part of the police investigation. Try not to disturb evidence or potential evidence and seek advice about what you need to do to preserve evidence.

Who should complete the Safeguarding Incident Record Form (SIRF)?

It is the responsibility of the person who directly observes or witnesses the event (e.g. living situation) that is being recorded or who has participated in the meeting/conversation, to complete the record. Where this is not possible and records are completed or updated by other people, it must be clear from the record which person provided the information. Preferably, the person with first-hand knowledge should read and sign the record. There must be clear differentiation between opinion and fact. Records of decisions must show who has made the decision, the basis for it, the date and time.

Recording Concerns

If any employee has concerns about the welfare of an adult at risk, or has concerns about the behaviour of an employee, it is vitally important to record all relevant details regardless of whether or not the concerns are shared with the Police or other emergency service. A Safeguarding Incident Record Form (SIRF) must be completed (even if no referral is subsequently made).

Records may be used for: Evidence for investigations and inquires; Court Proceedings; Monitoring Quality Assurance; and Disciplinary procedures. The CEO will then manage the process and follow established guidance on information sharing, confidentiality, consent and the making of appropriate referrals.

Who to go to

The Safeguarding Contract Contacts document available on SharePoint outlines where you should report concerns depending on the Local Authority area the concern has originated. You may feel that you would prefer to approach the patient's GP in the first instance or request assistance from the patient's Local Authority. Both are acceptable when reporting a safeguarding incident. We would encourage you, however, to follow the Local Authority's process. If in doubt, then approach a board member for help and guidance.

Allegations against Staff

Where abuse is alleged against an employee, this must be reported immediately to your line manager and the COO of the company. Consideration should be given to whether a crime has been committed and the duty to report to the Police.

The procedure remains the same as if you were reporting an external party. In addition the following procedure applies.

1. Where the alleged perpetrator of abuse or neglect is a member of staff an immediate risk assessment needs to be undertaken to decide if the staff member will be immediately removed from their work area. The decision will need to involve a Director of the company and Human Resources department.
2. The decision to suspend a member of staff pending an investigation will be made by the Human Resources Department. If the allegation is against a member of medical staff the Medical Director will be involved.
3. The disciplinary or workforce procedures will be instigated as soon as possible.
4. The Police must be involved if a crime has believed to have been committed. Contact with the police should be via the Director of Nursing, Deputy Director of Nursing or the Executive on call, unless it is an emergency.