

# Safeguarding Policy

**Procedure reference number:** SG1-POL-FH

**Version number:** 2

**Date applies from:** 28.07.2020

UNCONTROLLED IF PRINTED

## Aim of policy

This Policy aims to deliver safe working practices which identify safeguarding concerns and ensure appropriate action is taken in order to safeguard the wellbeing of children, and adults at risk that reside in ForHousing properties or who are engaged in services organised or delivered by ForHousing.

Safeguarding is everyone's business and ForHousing is committed to safeguarding and promoting the welfare of children, young people and adults at risk. ForHousing expects all staff and contractors to share this commitment. It is the responsibility of all individuals working for, or with ForHousing, including employees, contractors, agency staff, Board Members, volunteers and involved customers, to respond, in line with this Policy, to any concerns for customer welfare or suspected or actual abuse of a child or adults at risk.

This policy applies to all ForHousing employees (including those on fixed term contracts), agency workers, consultants, volunteers and contractors. This policy also applies to any contractors and sub-contractors who are providing services to ForHousing and its tenants or customers.

## Definitions

Safeguarding means protecting a person's right to live in safety, free from abuse and neglect. Working with other organisations, we safeguard tenants and customers by aiming to prevent and stop both the risks and experience of abuse or neglect. Safeguarding applies to children, young people and adults at risk.

### **Child**

Anyone who has not yet reached their 18th birthday. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change his/her status or entitlements to services or protection

The following definitions for children are taken from *Working together to safeguard children – A guide to inter-agency working to safeguard and promote the welfare of children 2019*

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

Safeguarding and promoting the welfare of children is defined as:

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes.

### **Young Person**

A young person here is

- a care leaver, a person who is aged 16 to 25 years but is still receiving children's services. For example, a person who has substantial and complex needs and continues to be supported to live independently
- someone aged 16 to 17 who may be homeless or at risk of becoming homeless.

## **Adults**

Any person who is 18 years of age or over, and who is or may be in need of community care services by reason of for example. a physical or mental disability, a learning difficulty, reduced physical or mental capacity due to old age, dependency on drugs, alcohol or medication and who is or may be unable to take care of him/herself, or unable to protect him/herself against significant harm or serious exploitation.

Definitions for adults are taken from *Care and Support Statutory Guidance updated March 2020 – Issued under the care Act 2014*

<https://www.gov.uk/guidance/care-and-support-statutory-guidance/safeguarding>

### **Safeguarding adults is defined as:**

- Protecting the rights of adults to live in safety, free from abuse and neglect.
- People and organisations working together to prevent and stop both the risks and experience of abuse or neglect.
- People and organisations making sure that the adult's wellbeing is promoted including, where appropriate, taking fully into account their views, wishes, feelings and beliefs in deciding on any action.
- Recognising that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances and therefore potential risks to their safety or wellbeing.

## **Policy**

Whilst Local Authorities play a lead role, safeguarding children, young people and adults at risk is the responsibility of every agency.

ForHousing recognises it has a statutory and moral duty to enable children and adults to live life free from abuse or neglect, as defined in the legal framework contained in the Care Act 2014 for Adults and Working together to safeguard children (2019).

ForHousing uses the six principles of safeguarding enshrined in the Care Act Statutory Guidance 2020. <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>

### **Empowerment**

Presumption of person led decision and informed consent.

### **Prevention**

It is better to take action before harm occurs.

### **Proportionality**

Proportionate and least intrusive response appropriate to the risks presented.

## **Protection**

Support and representation for those in greatest need.

## **Partnership**

Local solutions through services working with the communities.

## **Accountability**

Accountability and transparency in delivering safeguarding.

## **Making safeguarding personal**

In addition to these principles, it is also important that all safeguarding partners take a broad community approach to establishing safeguarding arrangements. It is vital that all organisations recognise that adult safeguarding arrangements are there to protect individuals.

Making safeguarding personal means it should be person-led and outcome-focused. It engages the person in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control as well as improving quality of life, wellbeing and safety.

Personalised care and support is for everyone, but some people will need more support than others to make choices and manage risks. Supporting people to understand risk is crucial to empowering and safeguarding adults and in recognising people as “experts in their own lives”. A person-centred approach is supported by the provision of personalised information and advice and, where needed access to advocacy support.

## **Children’s Act**

Under section 11 of the Children’s Act 2004, a range of agencies are required to cooperate with local authorities to promote the well-being of children in each local authority area. This cooperation should exist and be effective at all levels of the organisation, from strategic level through to operational delivery.

Local Adult Safeguarding Boards and Safeguarding Children Partnerships have responsibility to hold Safeguarding Adult Reviews and Child Safeguarding Practice Reviews.. Upon request, ForHousing will take part in these reviews via co-ordination from Senior Management and Designated Safeguarding Officers.

## **How the policy will be delivered**

### **Responsible Officers**

Operational and strategic Responsible Officers (named within the safeguard Case Management procedures), will co-ordinate activity and provide training and guidance to employees on safeguarding and vulnerability issues.

### **Training**

This Policy will be available to all employees and relevant employees will receive training to ensure they are aware of responsibilities around safeguarding.

Training will be delivered in accordance with a competency framework which clearly outlines the knowledge and skills required by staff carrying out specific identified roles in relation to safeguarding. This approach ensures that all safeguarding issues are addressed in an appropriate manner.

A variety of training methods will be provided internally as well as relevant courses available from local safeguarding boards.

### **Safe Recruitment Practices**

ForHousing will ensure that recruitment and relevant organisational development procedures take account of safeguarding children and adult at risk, where relevant. All appropriate frontline employees will be subject to the relevant Disclosure and Barring Service (DBS) check and supervision and support will be used to assess and manage any risk issues relating to employees. Where relevant, DBS checks will be renewed as appropriate. Safeguarding will feature in job descriptions (reviewed regularly), person specifications and included in interview questions, where relevant. This will extend to vetting successful applicants, for example through references.

### **Confidentiality and Information Sharing**

ForHousing will share information appropriately with partners that have a statutory responsibility to investigate safeguarding concerns, including Children and Adult Social Care Departments and Police Authorities

Information can be shared lawfully within the parameters of the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). ForHousing will ensure that all staff understand that data protection does not prevent the sharing of information where it would protect the welfare of children and promote the wellbeing of adults. Measures are in place to ensure that data is shared in a secure method and that all partners have measures in place to protect data.

Emergency or life-threatening situations may warrant the sharing of relevant information with the relevant emergency services without consent. Where the issue relates to a child, we do not need to seek consent to make an alert. In an emergency or life-threatening situation the legal basis for sharing of information relating to safeguarding will rarely be consent and ForHousing will not seek consent unless it is absolutely necessary.

It is very important that the risk of sharing information is also considered. In some cases, such as domestic violence or hate crime, it is possible that sharing information could increase the risk to the individual. Safeguarding partners need to work jointly to provide advice, support and protection to the individual.

### **Mental capacity and best interest**

People must be assumed to have capacity to make their own decisions and be given all practicable help before they are considered not to be able to do so. If there is a concern that an adult may lack capacity around making a specific decision a referral must be made to the Adult Social Care Department. Where an adult is found to lack capacity, then any action taken, or any decision made for, or on their behalf, must be made in their best interests. Professionals and other staff have a responsibility to ensure they understand and always work in line with the Mental Capacity Act and understand circumstances that may indicate a potential deprivation of liberty, any concerns must be referred to the relevant Local Authority.

## Escalation and Resolution

Effective working together depends on resolving disagreements to the satisfaction of employees and partner agencies, and a belief in partnership and joint working to safeguard children, a young person or an adult. Whilst each Local Authority may have different processes for escalation, the focus of ForHousing will be to ensure resolution and the continuation of good partnership working, managing disagreements at the lowest possible level. At no time must any professional disagreement undermine the safeguarding of a child, young person or adult. The welfare and safety of the individual must remain paramount throughout.

Where a ForHousing employee feels they do not have sufficient status or experience to challenge a partner agency, they must seek guidance from their Safeguarding Lead.

## Reporting

ForHousing emphasises the responsibility of all employees to record and report safeguarding concerns promptly as detailed in safeguarding procedures. Safeguarding concerns are discussed as part of supervision appropriate to the role. ForHousing will also maximize available opportunities to provide, or signpost tenants and customers to information and advice regarding safeguarding and ensure people are supported to report any safeguarding concerns..

If employees become aware that there are problems with the effective operation of this policy or associated procedures, they should report this to their line Manager who will discuss with the Policy Owner. This feedback will be incorporated into the policy and procedural review process.

## Whistleblowing

ForHousing's Whistleblowing Policy encourages and supports staff to report concerns about the conduct of staff members.

ForHousing will report any safeguarding concerns raised about the conduct of staff members to the Local Authority Designated Officer (LADO) and act in accordance with the LADO's advice and guidance.

## Related documents

### External documents

- Local Authority guidance including safeguarding procedures. This must be considered when deciding whether this Policy is applicable since the Local Authority has a statutory duty of care in all safeguarding cases.

### Internal document

- Safeguarding Procedures and associated documents
- Domestic abuse policies and procedures and associated documents
- Anti-social behaviour policies and procedures and associated documents
- Equality and Diversity Policy
- Whistleblowing and speak up arrangements

- Code of Conduct
- Group Modern Slavery Statement 2019
- Data Protection Policy
- Recruitment and Selection Policy

## Further Resources and Legislation

This Policy reflects the statutory and legislative guidelines cited below. Employees may need to refer to this intelligence for further clarification or seek legal advice where necessary. Employees are advised to familiarise themselves with safeguarding policies and procedures in the local authority in which they work. Details of these can be found online, in ForHousing procedures or via Designated Safeguarding Officers who are listed in the Safeguarding Procedure

Key safeguarding legislation and guidance includes:

- Safeguarding Vulnerable Groups Act 2006 and the Protection of Freedoms Bill
- The Children Act 1989 and 2004
- Working together to Safeguard Children 2019
- The Care Act 2014
- The Care Act – Care and support statutory guidance 2020
- Modern Slavery Act 2015
- Sexual Offences Act 2003
- Mental Capacity Act 2005
- Counter Terrorism and Security Act 2015 Section 26 'Prevent'
- Public Interest Disclosure Act 1998
- GDPR and Data Protection Act 2018

## Equality analysis

Date of approved equality analysis	08.07.20
Actions taken forward to mitigate any potential negative impact	N/A

## Consultation and business intelligence

The following customer consultation / business intelligence methods have been used to develop this Policy:

- legislation, regulation and best practice
- Internal Safeguarding Leads
- Community Voice
- Local Authority Safeguarding Leads

## Monitoring arrangements

There is a Strategic Safeguarding Excellence Group that meets quarterly and consists of Senior Management representatives from Neighbourhoods, Community Safety, Supported Housing, Learning and Development, HR and Repairs (Liberty). This group will monitor and assure safeguarding within ForHousing and will set standards and performance indicators as relevant to the organisation.

There are a number of Safeguarding leads across the Group. The role of the leads is to; keep up to date with policy and legislative updates, undertake monthly audits in accordance with procedures, attend ForHousing safeguarding operational leads meetings and cascade information down to teams, provide advice and guidance on safeguarding issues and deliver in-house training.

All safeguarding alerts will be recorded on ForHousing IT systems. Responsible Officers will compile statistical reports relating to all alerts.

ForHousing will monitor and report performance in compliance with this Policy:

- internal audits
- Section 11 Audits submitted to LA
- safeguarding system reports
- tenant and customer feedback
- management reports

Referrals and alerts will be subject to the management assurance framework for audit purposes.

## Control data and approval history

<b>Policy owner:</b>	Communities & Supported Living Lead
<b>Next review date:</b>	28.07.2022

Action	Approved by	Date
Approval	Relevant Service Excellence Group or Trade Union if HR related	Not required
Approval	Safeguarding Excellence Group	24.07.2020
Approval	Relevant Operational Manager	24.07.2020
Approval	ForHousing Senior Management Team	28.07.2020
Approval	Executive Management Team	Not required
Approval	Board	Not required
Equality Analysis	Business Excellence Team, Operational Manager, Equality Analysis	08.07.20



Health & Safety	Head of Health and Safety Assurance	Not required
Legal	Legal Services Executive	Not required

## Document revision history

Date approved	Version number	Version history
13.03.2019	V1	Previously ForViva Safeguarding Policy v2
Date amended	Version number	Key changes
28.07.2020	V2	<p>The Safeguarding Policy review included the update of the statutory guidance for Adults and Children to ensure the latest reference guidance was included.</p> <p>The Definition section was widened to include examples of type of adults at risk and reference to young people including care leavers and homeless 16- 17 year olds.</p> <p>Children Safeguarding Boards was updated to read Safeguarding Children's Partnership and reference made to the updated terms: Safeguarding Adult Reviews and Child Safeguarding Practice Reviews.</p> <p>Additional sections included: Confidentiality &amp; Information sharing, Mental Capacity and Best Interest and whistleblowing.</p> <p>The section on 'Further Resources and Legislation' was also expanded to include a wider range of legislation concerned with the safety and protection of Adults or Children.</p>