



SAFEGUARDING POLICY & PROCEDURE

Policy Statement

1. This document outlines the policy of New Directions in relation to dealing with abuse of people we support.

Principles

2. This document is based on the conviction that:
 - (a) people are at risk of abuse in varied forms
 - (b) abuse may be committed by staff providing care or by others who are in a trusting relationship with the person
 - (c) our company has a duty to do everything possible to prevent, report and tackle abuse wherever we encounter it.

Recognising Abuse

3. It is the duty of all members of staff of New Directions to be vigilant regarding the welfare of the people we support. All staff will be trained to recognise the signs of abuse when they occur. We believe that abuse may take the following forms*:
 - a) **Physical abuse** - such as shaking, hitting, administering too much medication, pushing down and any other form of causing physical harm to an individual
 - b) **Neglect** - an individual suffers because someone does not fulfil their responsibility of care or support e.g. failure to prevent self-harm
 - c) **Psychological abuse** - ignoring someone, bullying or behaving inappropriately towards them such as shouting or swearing, Inhuman or degrading treatment, Denying someone of their rights whether or not it causes actual distress, Acting in a discriminatory manner in relation to age, gender, sexual orientation, religion, ethnicity, culture and gender or disability
 - d) **Financial or material abuse** - theft of items or money, or someone taking a person's property without them giving their consent
 - e) **Sexual abuse** - any sexual activity in which an adult is unable to give their consent or does not give their consent
 - f) **Organisational abuse** - repetitive poor care of individuals and groups of individuals through neglect or poor professional practice due to policies, processes and practices in the organisation
 - g) **Self neglect** - an individual may choose or refuse to tend to their own needs, i.e. refusal of medication. It could be because of a decline in their mental health or their ability to care for themselves. Individuals may need a capacity assessment

- h) **Modern slavery** - Some of the most common forms are
- Forced labour
 - Bonded labour
 - Human trafficking
 - Descent based slavery
 - Child slavery
 - Forced and Early Marriage
- i) **Domestic violence** - Now commonly defined broadly to include all acts of physical, sexual, psychological, or economic violence that may be committed by a family member or intimate partner
- j) **Hate Crime** - defined as:
Any criminal offence which is perceived, by the victim or any other person to be motivated by a hostility or prejudice based on a personal characteristic.

Hate crime is perpetrated against individuals on the basis of their identity. Every crime committed against a person because of skin colour, religion or sexuality is not only an attack against the victim's identity but of others of the same group and our society as a whole. Courts take hate crimes very seriously with appropriate heavy sentencing for these unacceptable crimes.

The term '**Mate Crime**' is being used by some disability organisations to raise awareness. People with learning disabilities are often befriended by people who then exploit them. These are groups and individuals who pretend to be friends but who are really taking advantage of people.

Ref: <http://apps.warwickshire.gov.uk/api/documents/WCCC-779-72>
26/11/14

*NB This list is not exclusive or exhaustive.

Training

4. All staff will be trained in recognising abuse and carrying out their responsibilities under this policy within twelve months of their employment. This includes the requirement to complete a safeguarding work book within the first 6 months. The full guidance on safeguarding is available on request.

Recruitment

5. New Directions takes great care in the recruitment of staff, carries out all possible checks on recruits to ensure that they are of a high standard, and will co-operate with all Government initiatives regarding the sharing

of information on staff who are found to be unsuitable to work with people.

Government Guidance

6. New Directions undertakes to work in compliance with **The Care Act 2014**, the Department of Health guidance on multi-agency policies and procedures to protect adults from abuse, as well as observing the relevant sections of **The Health & Social Care Act 2008**, the *National Minimum Standards for Domiciliary Care Agencies* and the **Domiciliary Care Agencies Regulations 2002**.

Disciplinary Action

7. Any employee who, following due investigation and attending an appropriate hearing conducted in accordance with the principles of New Directions' disciplinary procedure, is deemed to have acted in an abusive manner towards people we support contrary to the principles of the abuse policy may be subject to disciplinary action. Such disciplinary action may be action up to and including dismissal.

SAFEGUARDING PROCEDURE

8. Any member of staff who knows or believes that abuse is occurring has an obligation to report it immediately to the Registered Care Manager or, in their absence, the 'On Call' staff. Therefore, if someone makes a disclosure it's important to do the following:
 - a) Accept what the person is saying
 - b) DO NOT question the person or get them to justify what they are saying
 - c) Reassure the person that you take what they have said seriously
 - d) Don't 'interview' the person; just listen calmly to what they are saying. If the person wants to give you lots of information, avoid lots of questions
 - e) Try to remember what the person is saying so you can record it later
 - f) Don't promise the person that you'll keep what they tell you confidential
 - g) Explain that you will need to tell another person but you'll only tell people who need to know so that they can help
 - h) If necessary take steps to make the person safe.
9. If the victim requests that the matter should not be reported, the staff member should inform them that silence in that situation is not permitted but reassure the person we support that the matter will not be taken further than the manager without their consent unless there are

exceptional circumstances. New Directions will take action against anyone trying to suppress a possible report of abuse.

Recording and Reporting

10. You will need to make a record of what you have seen, been told or have concerns about as soon as possible. Also see the Disclosure Policy POL-119. The report will need to include:

- a) When the disclosure was made, or when you witnessed the incident/s
- b) Who was involved, other witnesses including people we support, staff and visitors
- c) Exactly what happened or what you were told, keeping this factual and not interpreting what you saw
- d) Any other relevant information e.g. previous events which have caused you concern.

Remember to:

- I. Include as much detail as possible
- II. Keep your report confidential and store it in a safe place until you can give it to your manager or the person you are reporting your concerns to
- III. Avoid approaching the alleged perpetrator or discussing the incident with any other person - this could breach the confidentiality of the victim and/or alert the perpetrator that suspicions have been aroused. It could also complicate any internal or Police investigations.

Manager's Responsibilities

11. The manager will need to:

follow Warwickshire Inter-Agency Safeguarding vulnerable Adults (Adult Protection) Policy & Procedure.

a. Responding to Adult Abuse - What to do.

Location of abuse

Abuse can take place in any context. It may occur when an adult lives alone or with a relative. It may occur in nursing, residential or day care settings, in hospitals, custodial situations, support services into people's own homes and other places previously assumed safe, or in public places.

Intervention will partly be determined by the environment or the context in which the alleged abuse has occurred. Assessment of the environment or context is relevant as it may be important for the adult to be interviewed away from the sphere of influence of the alleged abuser or the setting in order to be able to make a free choice as to how to proceed.

b. Disclosures

The possibility of abuse can come to light in various ways, for example:

- An active disclosure of abuse by the adult
- A passive disclosure of abuse where someone's attention is drawn to the symptoms of the abuse
- A growing awareness that 'something is not right'
- An allegation of abuse by a third party
- A complaint or concern raised by an adult or a third party who doesn't perceive that it is abuse.

Good Practice Guide - Responding to Disclosures

It is often difficult to believe that abuse or neglect can occur. Remember, it may have taken a great amount of courage for the person to tell you that something has happened and fear of not being believed can cause people not to tell.

- Accept what the person is saying - do not question the person or get them to justify what they are saying - reassure the person that you take what they have said seriously.
- Don't 'interview' the person; just listen calmly to what they are saying. If the person wants to give you lots of information, let them. Try to remember what the person is saying in their own words so that you can record it later.
- You can ask questions to establish the basic facts, but try to avoid asking the same questions more than once or asking the person to repeat what they have said - this can make them feel they are not being believed.
- Don't promise the person that you'll keep what they tell you confidential or 'secret'. Explain that you will need to tell the person but you'll only tell people who need to know so that they can help.

c. Responsibilities at the Safeguarding Alert Stage

There are some key responsibilities and actions for anyone who identifies the possibility of abuse.

These responsibilities must be addressed on the same day as the alert is raised.

I. Immediate Protection

Take any immediate actions to safeguard anyone at immediate risk of harm, including summoning medical assistance.

II. Listen, Reassure & Support

If the adult has made a direct disclosure of abuse or is upset and distressed about an abusive incident, listen to what they have to say, and ensure they are given the support they need.

III. **Detection & Prevention of Crime**

Where there is evidence a criminal offence has taken place, or a crime may be about to be committed, contact the Police immediately.

IV. **Record & Preserve Evidence**

Preserve evidence through recording, and take steps to preserve any physical evidence (see following Good Practice Guide).

V. **Report & Inform**

- REFER TO ADULT SOCIAL CARE AS SOON AS POSSIBLE, AND IN ALL CIRCUMSTANCES ON THE SAME DAY AS THE ALERT IS RAISED.
- If you are a paid employee, inform your manager. Report the matter internally through your internal reporting procedure (e.g. incident or serious untoward incident reporting procedures).
- If your service is registered with the Care Quality Commission, and the incident constitutes a notifiable event, complete and send a notification to CQC.
- Consider and take required actions under employment vetting schemes - e.g. the ISA scheme.
- Make a RIDDOR report if the incident falls under the criteria for a reportable accident, dangerous occurrence or case of disease under the RIDDOR Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (see www.riddor.gov.uk).

d. **GOOD PRACTICE GUIDE - Recording**

As soon as possible on the same day, make a written record of what you have seen, been told or have concerns about. Try to make sure anyone else who saw or heard anything relating to the concern of abuse also makes a written report.

The report will need to include:

- When the disclosure was made, or when you were told about/witnessed this incident/s
- Who was involved, any other witnesses including people we support and other staff
- Exactly what happened or what you were told, person's own words, keeping it factual and not interpreting what you saw or were told
- Any other relevant information e.g. previous incidents that have caused you concern.

Remember to:

- Include as much detail as possible
- Make sure the written report is legible and of a photocopyable quality
- Make sure you have printed your name on the report and that it is signed and dated
- Keep the report/s confidential, storing them in a safe and secure place until it will be needed.

e. **GOOD PRACTICE GUIDE - Preserving Physical Evidence**

What to do:

In cases of physical or sexual abuse, **contact the Police immediately.** Ask their advice about what to do to preserve physical evidence.

As a guide -

- Where possible leave things as and where they are. If anything has to be handled, keep this to an absolute minimum;
- Do not clean up. Do not touch anything you do not have to. Do not throw anything away which could be evidence;
- Do not wash anything or in any way remove fibres, blood etc.;
- Preserve the clothing and footwear of the victim;
- Preserve anything used to comfort or warm the victim, e.g. a blanket;
- Note in writing the state of the clothing of both the victim and alleged perpetrator. Note injuries in writing. As soon as possible, make full written notes on the conditions and attitudes of the people involved in the incident;
- Take steps to secure the room or area where the incident took place. Do not allow anyone to enter until the Police arrive.

In addition, in cases of sexual assault -

- Preserve bedding and clothing where appropriate, do not wash;
- Try not to have any personal or physical contact with either the victim or the alleged perpetrator. Offer reassurance and comfort as needed, but be aware that anyone touching the victim or alleged perpetrator can cross contaminate evidence.

f. **Reporting Adult Abuse**

All referrals of adult abuse should be reported to Warwickshire County Council by telephone on the Safeguarding Adults single point of referral contact number:

01926 41 20 80

If the abuse is very serious, or a criminal offence has occurred or may occur, contact the Police immediately -

Warwickshire Police:

To report abuse or raise a concern about a crime,
dial non-emergency - **01926 415 000**

If a crime is in progress or life is at risk, dial
emergency - **999**

Then make the referral to Adult Social Care - as above.

Referrals outside office hours will be directed to the Warwickshire County Council Emergency Duty Service. The EDS can be contacted directly outside office hours on **01926 886 922**.

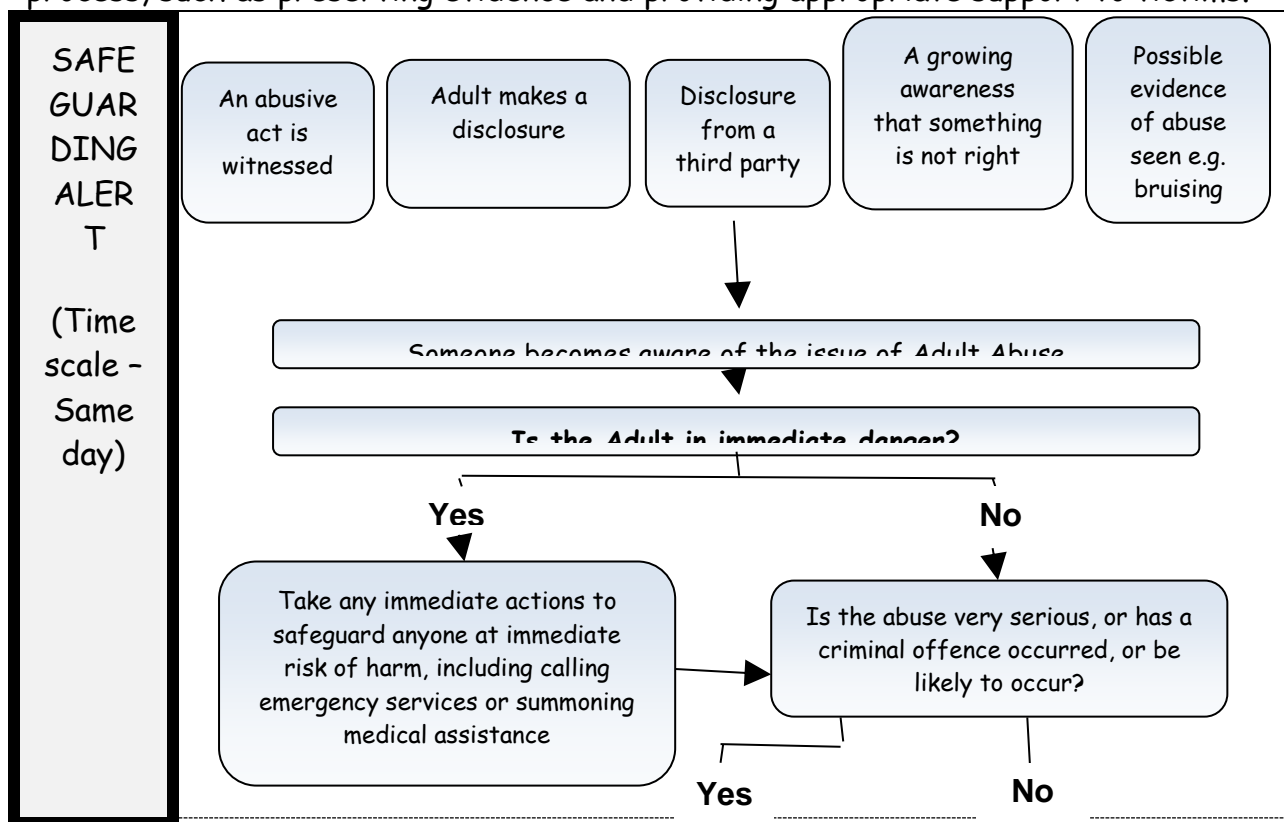
The Emergency Duty Service will -

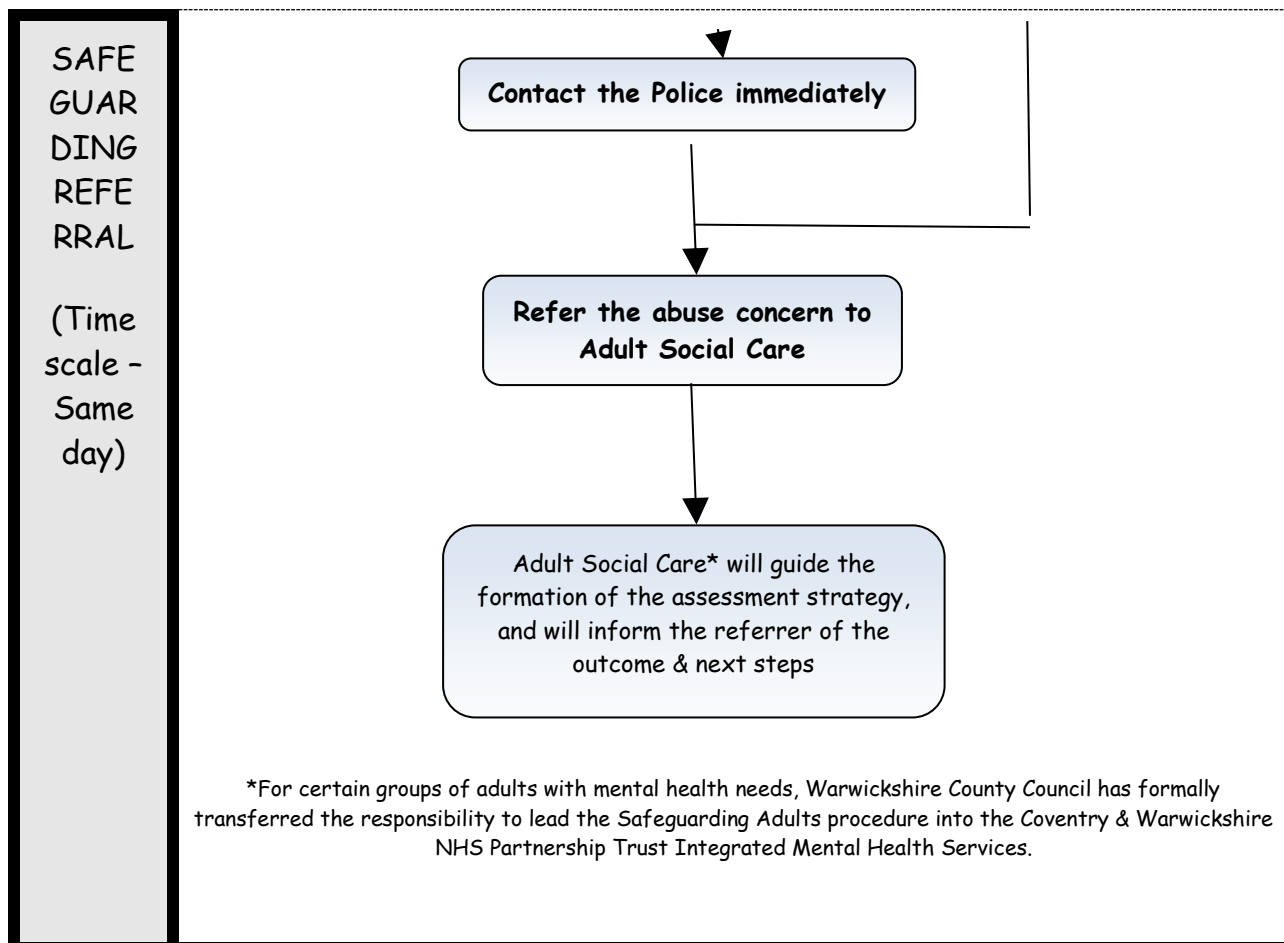
- Respond to Safeguarding Adults referrals out of hours and make a decision whether the referral requires an immediate response or whether they will transfer to the appropriate Adult Social Care the next working day;
- Respond to the immediate support and protection needs of adults referred out of hours;
- Report suspected criminal offences to the Police without delay.

Referrals relating to adults (aged 18-65) who have mental health needs will be signposted to the appropriate Integrated Adult Mental Health Service to respond to the concern.

Flowchart - Referral Pathways for the Safeguarding Alert

This flowchart gives an overview summary only of referral pathways. Please note it does not include other responsibilities which need to be considered through this process, such as preserving evidence and providing appropriate support to victims.





12. Social Services will decide on what will happen next in conjunction with other agencies. The manager may be involved in subsequent investigations or in some situations, be asked to investigate the incident.
13. Gathering information - The manager will need to establish the facts of the alleged abuse, without investigating, prior to referring to the Police or Social Services. This might include checking rosters to see who was on duty, reading any witness statements or reading care plans. Any discussions with people we support or workers should be purely to establish whether the abuse has actually occurred.
14. Avoid discussions with the alleged perpetrator wherever possible as this could alert them to your concerns (meaning they may take steps to protect themselves) or could jeopardise any subsequent investigations by the Police. Keep all conversations and paperwork relating to the alleged abuse confidential. If in doubt contact your local Social Services Adult Team or the Police.

Contact Details

15. The contact details of relevant organisations are as follows:

Social Services

01926 410410

Police
Care Quality Commission

01926 415000
03000 616161

Safeguarding children

16. If you have concerns about a child protection issue the same procedures must be followed as for adults and the numbers to call within the local safeguarding team are 01926 410410 and the out of hours number is 01926 866922. When phoning you must state that you want to report a child protection issue and you will be put through to the relevant team.

17. If the child is from a different area then you should contact their local safeguarding team.

For more information on child protection visit www.warwickshire.gov.uk/wscb.

Action to be taken in the Absence of Consent

18. In instances where a person we support refuses their consent for an allegation of abuse against a member of staff of New Directions to be further reported, the appropriate manager should nevertheless proceed with an internal investigation within the disciplinary policy, should take any necessary steps to safeguard the person we support as far as possible, and should keep the situation under review in case it becomes possible or necessary to take further action.

Keeping Records

19. All details associated with allegations of abuse will be recorded clearly and accurately and in accordance with the company's complaints policy. These records will be kept securely and the company's rules on confidentiality carefully followed. Reports will be made as required to the Care Quality Commission.

There is a legal requirement on the organisation's management to refer someone to be placed on the Safeguarding of Adults list where there is evidence that the person has been guilty of misconduct by harming or putting at risk an adult, during the course of their work, even if they have left the employment of the organisation.