

Safeguarding Adults Policy

September 2020

1 Policy statement

- 1.1 Through providing support services we will enable tenants of the Rooftop and our customers in the wider community to lead active and independent lifestyles.

2 Statutory and Regulatory context

- 2.1 The Regulator of Social Housing document 'Regulating the Standards April 18' sets out how it will regulate to support the implementation of the revised framework, published in April 2015. This guidance makes no specific reference to "safeguarding". However, the guidance states that when a provider fails to meet one or more of the consumer standards, it can use its powers if they judge that there are reasonable grounds to suspect:
- That the failure has resulted in serious detriment to the provider's tenants (or potential tenants).
 - That if no action is taken by the regulator, there is a significant risk that the failure will result in a serious detriment to the provider's tenants (or potential tenants).
- 2.2 Annex B to the above also gives Consumer Regulation Guidance that includes the following:
- "Our assessment of serious detriment is based on the degree of harm or potential harm that may be caused to tenants by a breach of standards. The judgement is formed on the regulator's opinion of the actual or potential impact on tenants, irrespective of the nature of the issue that gives rise to the concern".
- 2.3 The Annex goes on to say that the regulator will require evidence of harm or potential harm in relation to a number of areas, including health and safety.
- 2.4 In the consumer standards, subject to regulation, the Tenant involvement and Empowerment Standards July 2017 requires registered providers to demonstrate that they understand the different needs of their tenants, including in relation to the equality strands and tenants with additional support needs. The Tenancy Standard 2012 states that registered providers shall develop and provide services that will support tenants to maintain their tenancy and prevent unnecessary evictions.

3 Policy outline

- 3.1 Rooftop Housing Group is committed to:
- The safeguarding of any adults with care or support needs (see definition in 5.1) who use our services, or with whom we come into contact.
 - Doing all we reasonably can to protect them from harm or abuse.
 - Reporting all cases where abuse is alleged, suspected or detected.

- Preventing such harm or abuse occurring or continuing.
- 3.2 We understand our role to be that of prevention and early detection, with reference to lead agencies when there are suspicions or allegations of abuse. We recognise that safeguarding adults is everyone's responsibility and understand that the lead co-ordinating role will be taken by the relevant Safeguarding Adults Board.
- 3.3 This policy statement is developed in conjunction with (click on links): [Adult Safeguarding: Multi-agency policy and procedures for the protection of adults with care and support needs in Gloucestershire. \(April 2015\)](#)
- 3.4 For Worcestershire and services in the West Midlands: [Adult Safeguarding: Multi-agency policy and procedures for the protection of adults with care and support needs in the West Midlands. \(April 2015\)](#)
- 3.5 Our approach to safeguarding is set within national legal frameworks, statutory and voluntary best practice guidance and local protocols. This policy should be read in conjunction with Rooftop's Safeguarding procedures and the Multi Agency Policy and Procedure for the relevant local authority. The link addresses can be found at the end of this policy.
- 3.6 This policy and associated procedures apply to all paid staff, contractors, volunteers and board members with Rooftop Housing Group.

4 General principles

4.1 Following multi agency principles

- 4.1.1 Staff have a duty to report without delay any concerns or suspicions that an adult with care and support needs is being, or is at risk of being, abused.
- 4.1.2 We will ensure that all staff and volunteers are familiar with policies relating to safeguarding adults; that they know how to recognise abuse and how to report and respond to it.
- 4.1.3 We will make the dignity, safety and wellbeing of the adult with care and support needs our priority, whilst also respecting the rights of the person causing or alleged to be causing harm.
- 4.1.4 We will ensure that staff and volunteers have access to training that is appropriate to their level of responsibility and they will receive advice that allows them to reflect on their practice and the impact of their actions on others.
- 4.1.5 We will contribute to effective inter-agency working, multi-disciplinary assessments and joint working partnerships in order to provide the most effective means of safeguarding adults.
- 4.1.6 We will share information about individuals who may be at risk from abuse where appropriate, with due regard to confidentiality and information sharing protocols.

5 Definitions

- 5.1 'Adult safeguarding' is the process of protecting adults with care and support needs from abuse or neglect.

5.2 Safeguarding is mainly aimed at people over the age of 18 years with care and support needs who may be in vulnerable circumstances and at risk of abuse or neglect by others. In these cases, local services must work together to spot those at risk and take steps to protect them.

5.3 Safeguarding duty applies to adults who:

- Have a need for care and support (whether or not the local authority is meeting those needs).
- Is experiencing or at risk of abuse or neglect.
- Is unable to protect themselves from the risk of or the experience of abuse or neglect.

5.4 Care and support needs are the mixture of practical, financial and emotional support for adults who need extra help to manage their lives and be independent – including older people, people with a disability or long-term illness, people with mental health problems, and carers. Care and support includes assessment of people's needs, provision of services and the allocation of funds to enable a person to purchase their own care and support. It could include care home, home care, personal assistants, day services, or the provision of aids and adaptations. N.B. The adult with care and support needs will hereafter be referred to as the adult throughout this policy.

5.5 **Mental capacity**

5.5.1 The presumption is that adults have the mental capacity to make informed choices about their own safety and how they live their lives. Issues of mental capacity and the ability to give informed consent are central to decisions and actions in Safeguarding Adults. All interventions need to take into account the ability of adults to make informed choices about the way they want to live and the risks they want to take.

5.5.2 This includes their ability:

- To understand the implications of their situation.
- To take action themselves to prevent abuse.
- To participate to the fullest extent possible in decision-making about interventions.

5.5.3 The Mental Capacity Act, 2005 provides a statutory framework to empower and protect people who may lack capacity to make decisions for themselves and establishes a framework for making decisions on their behalf. This applies whether the decisions are life-changing events or everyday matters.

5.6 **Abuse**

5.6.1 Defining abuse or neglect is complex and rests on many factors. The term "abuse" can be subject to wide interpretation. It may be physical, verbal or psychological, it may be an act of neglect, or occur where a person is persuaded to enter into a financial or sexual transaction to which they have not, or cannot, consent.

5.6.2 Patterns of abuse vary and include:

- Serial abusing in which the perpetrator seeks out and 'grooms' individuals.

- Sexual abuse sometimes falls into this pattern as do some forms of financial abuse.
- Long-term abuse in the context of an ongoing family relationship such as domestic violence between spouses or generations or persistent psychological abuse.
- Opportunistic abuse such as theft occurring because money or jewellery has been left lying around.

5.6.3 Incidents of abuse may be one-off or multiple and affect one person or more. Professionals and others should look beyond single incidents or individuals to identify patterns of harm. Repeated instances of poor care may be an indication of more serious problems and of what we now describe as organisational abuse. In order to see these patterns, it is important that information is recorded and appropriately shared.

5.6.4 Abuse or neglect may be the result of deliberate intent, negligence or ignorance. Exploitation can be a common theme in the experience of abuse or neglect. Whilst it is acknowledged that abuse or neglect can take different forms, the Care Act guidance identifies the following types of abuse or neglect:

- Physical abuse
- Domestic violence
- Emotional and Psychological abuse
- Sexual abuse, including child sexual abuse
- Financial or material abuse
- Modern slavery
- Discriminatory abuse
- Organisational/institutional abuse
- Neglect and acts of omission
- Self-neglect

5.6.5 The intent is not necessarily an issue at the point of deciding whether an act or a failure to act is abuse; it is the impact of the act on the person and the harm or risk of harm to that individual.

5.7 **Domestic abuse and controlling and coercive behaviour**

5.7.1 Coercive control has now been criminalised as an offence under The Serious Crime Act 2015. The cross-government definition of Domestic Abuse is “Any incident or 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 sexual orientation. This can encompass, but is not limited to, the following types of abuse:

- Psychological
- Physical
- Sexual
- Financial
- Emotional

- 5.7.2 **Controlling behaviour** is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.
- 5.7.3 **Coercive behaviour** is an act or a pattern of acts of assault, threats, humiliation and intimidation, or other abuse that is used to harm, punish, or frighten their victim.
- 5.7.4 The cross-government definition of domestic violence and abuse is not a legal definition and includes so called ‘honour’ based violence, Female Genital Mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.
- 5.8 **Prevent agenda**
- 5.8.1 The Counter-Terrorism and Security Act 2015 contains a duty on specified authorities to have due regard to the need to prevent people from being drawn into terrorism. Whilst Rooftop is not a specified authority, it is expected to cooperate with local authorities through local safeguarding adults and children arrangements, in particular with local Prevent co-ordinators, the police and local authorities, and co-ordination through existing multi-agency forums, for example Community Safety Partnerships.
- 5.8.2 In accordance with local authority partners, we will ensure that frontline staff:
- 5.8.2.1 Understand what radicalisation means and why people may be vulnerable to being drawn into terrorism as a consequence of it.
- 5.8.2.2 Are aware of what is meant by the term “extremism” and the relationship between extremism and terrorism.
- 5.8.2.3 Know what measures are available to prevent people from becoming drawn into terrorism and how to challenge the extremist ideology that can be associated with it.
- 5.8.2.4 Understand how to obtain support for people who may be being exploited by radicalising influences.
- 5.8.3. Employees receive training relevant to their role:
- 5.8.3.1. Read and understand the Safeguarding Policy and Procedure
 - 5.8.3.2. Safeguarding eLearning for all front-line employees
 - 5.8.3.3. Enhanced eLearning for specifically identified senior roles
- 5.8.4 Where staff member has informed concerns regarding a vulnerable adult or child, s/he must raise them with a Safeguarding Lead, who will then make a recommendation to the Homes and Communities Director regarding a referral to the on-duty adult or children’s safeguarding team.
- 5.8.5 In sharing information with local authority partners, we will take account of:
- 5.8.5.1 Necessity and proportionality: personal information will only be shared where it is strictly necessary to the intended outcome and proportionate to it, according to the potential risks to an individual or the public.

- 5.8.5.2 Consent: wherever possible the consent of the person concerned will be obtained before sharing any information about them.
- 5.8.5.3 Data Protection and GDPR: we will ensure that we comply with our responsibilities under the Data Protection Act and any confidentiality obligations that exist.

6 Principles of intervention

6.1 In 2011 the Government outlined six key principles which seek to increase the protection for vulnerable people. These principles are now incorporated into the Care Act (2014) and underpin all adult safeguarding work. Rooftop employees should do all they can to ensure these are applied to our customers where safeguarding is an issue. The six Key Principles are:

- Empowerment – Victims should be supported in making their own decisions and choices as far as they are able to do so, including those related to risk and their own perceived vulnerability. If decisions are made without taking account of the victims' views this may infringe their human rights and jeopardise other qualities of life.
- Protection – Support and representation for those in greatest need.
- Prevention – It is better to take action before harm occurs.
- Proportionality – Safeguarding must be built on proportionality and a consideration of people's human rights.
- Partnership – Local solutions through services working with their communities.
- Accountability – Safeguarding practice and arrangements should be accountable and transparent.

6.2 Making Safeguarding Personal (MSP)

6.2.1 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.

6.2.2 We all have different preferences, histories, circumstances and life-styles, so it is unhelpful to prescribe a process that must be followed whenever a concern is raised.

6.2.3 Making Safeguarding Personal (MSP) is a shift in culture and practice in response to what we now know about what makes safeguarding more or less effective from the perspective of the person being safeguarded. It is about having conversations with people about how we might respond in safeguarding situations in a way that enhances involvement, choice and control as well as improving quality of life, wellbeing and safety. It is about seeing people as experts in their own lives and working alongside them. It is a shift from a process supported by conversations to a series of conversations supported by a process.

6.3 Additional Rooftop Housing principles

6.3.1 Where we provide specific support services, we are responsible for providing support as part of the protection aim, and if it is a member of our staff allegedly committing abuse, we need to be highly accountable for this. Thus,

the degree to which the implementation of each of these principles applies will vary on a case by case basis. However, these principles always apply to us.

- 6.3.2 The key message is that if abuse is suspected, it should be reported, in line with above principles (including MSP) and actions from then on should be guided by the advice of local authorities, but that overlooking concerns is unacceptable.
- 6.3.3 We recognise the difficulties of reporting potential abuse by other staff, particularly those in more senior positions. Where possible, we will support both those making disclosures, and alleged perpetrators, whilst investigations are happening. Staff should also refer to the whistleblowing policy.

7 Roles and responsibilities

7.1 The Care Act 2014 sets out a clear legal framework for how local authorities and other statutory agencies should protect adults with care and support needs at risk of abuse or neglect. New duties include the Local Authority's duty to make enquiries or cause them to be made, to establish a Safeguarding Adults Board; statutory members are the local authority, Clinical Commissioning Groups and the police. Safeguarding Adults Board must arrange Safeguarding Adult Reviews (SARs) as per defined criteria, publish an annual report and strategic plan. All these initiatives are designed to ensure greater multi-agency collaboration as a means of transforming adult social care.

7.2 Role of Safeguarding Adults Board

7.2.1 Safeguarding Adults Boards (SABs) are multi-agency boards established in each local authority to promote, inform and support Safeguarding Adults work. They ensure that priority is given to the prevention of abuse and that adult safeguarding is integrated into other community initiatives and services.

7.2.2 The Care Act requires local authorities to set up a SAB in their area, giving these Boards a clear basis in law for the first time. The Act says that the SAB must:

- Include the local authority, the NHS and the police, who should meet regularly to discuss and act upon local safeguarding issues.
- Develop shared plans for safeguarding, working with local people to decide how best to protect adults in vulnerable situations.
- Publish this safeguarding plan and report to the public annually on its progress, so that different organisations can make sure they are working together in the best way.

7.3 Role of the Local Authority

7.3.1 The Care Act sets out the Local Authority's responsibility for protecting adults with care and support needs from abuse or neglect for the first time in primary legislation. Local Authorities must make enquiries, or cause another agency to do so, whenever abuse or neglect are suspected in relation to an adult and the local authority thinks it necessary to enable it to decide what (if any) action is needed to help and protect the adult. This function cannot be delegated.

7.3.2 The Local Authority retains the responsibility for ensuring that the enquiry is referred to the right place and is acted upon. The Local Authority, in its lead

and coordinating role, should assure itself that the enquiry satisfies its duty under section 42 to decide what action (if any) is necessary to help and protect the adult and by whom, and to ensure that such action is taken when necessary. In this role if the Local Authority has asked someone else to make enquiries, it is able to challenge the body making the enquiry if it considers that the process and/or outcome is unsatisfactory.

7.4 Role of Local Authority housing services

7.4.1 Local Authority housing services are responsible under homeless legislation for people who are:

- Homeless – People who are currently homeless.
- Priority – People who are in accommodation but have a priority need for council accommodation.
- Eligible – People who are not a priority but nevertheless eligible.

7.4.2 There is a duty on housing authorities to ensure that advice and information about homelessness, and preventing homelessness, is available to everyone in their district free of charge. Authorities are also required to assist individuals and families who are homeless or threatened with homelessness and who apply for help. Authorities should not wait until homelessness is likely or is imminent before providing advice and assistance.

7.4.3 There is an emphasis on the need for joint working between housing authorities, social services and other statutory, voluntary and private sector partners in tackling homelessness more effectively to safeguard adults.

7.5 Our role as a housing and support provider

7.5.1 We are in a position to identify tenants who have care and support needs and at risk of abuse, neglect and exploitation.

7.6 Organisational responsibilities and prevention

7.6.1 We will ensure that there are named people within the organisation who have the responsibility to link with statutory organisations in the area of protection. We will also incorporate protection responsibilities in staff job descriptions and/or terms and conditions of appointment and employment.

7.7 Disclosure and Barring Service (DBS) checks

7.7.1 We will seek enhanced DBS checks for all staff who are likely to come into contact with adults. Clearance will be conducted every three years.

7.8 Inform and train our staff

7.8.1 We will inform our staff and contractors about protection issues and procedures, emphasising their mandatory nature and will train all workers who are in regular contact with customers so that they are aware of, and understand, the law, guidance and any new initiatives relating to safeguarding so that they are able to identify and act appropriately on any cases of possible harm or abuse.

7.9 Report allegations of harm or abuse

7.9.1 We recognise the duty to report any allegations or suspicions of abuse to the relevant authority, and will ensure notification is within stipulated time limits,

and will inform, as appropriate, any other authorities who have an interest in the service involved.

7.10 Work in partnership with other agencies

7.10.1 We will work co-operatively with other local agencies to recognise, report, investigate and prevent harm or abuse of any person with whom we have contact. We will, as appropriate, participate in, and contribute to, local forums concerned with protection issues, and liaise with and report to such bodies on a regular basis. We will avoid compromising or obstructing any investigation by statutory agencies.

7.11 Respect diversity

7.11.1 We will take due account of people's age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage status and pregnancy and maternity status in any investigation or assessment of harm or abuse, ensuring this is carried out in an appropriate setting, manner and language, and to help us understand the individual's needs. This policy also reflects our commitment to ensure that all those who use our services receive fair and equitable treatment and are protected from harm.

7.12 Respect confidentiality

7.12.1 We will maintain confidentiality relating to protection issues where it is practical, sharing personal information with other agencies only with the permission of the individual concerned, or in line with what is permitted by the law and local policy or protocols.

7.13 Avoid collusion

7.13.1 We will ensure that our whistle-blowing policy and procedure can be used if an employee thinks that their Line Manager is colluding with an alleged abuse or not taking it seriously. We will also ensure that our disciplinary procedures are compatible with the responsibility to protect children and adults.

7.14 Monitor protection issues

7.14.1 We will specifically monitor any issues relating to protection so that we can maintain an overview and recommend action where this is needed.

7.14.2 Rooftop employees are vetted prior to working with vulnerable people or people at risk. We will train our staff and deliver awareness workshops to vulnerable tenants so they are able to identify signs of abuse and report them.

7.15 Ensure robust record keeping

7.15.1 All safeguarding incidents will be recorded in the appropriate system by all employees in order to maintain a record of incidents and complaints. Good record keeping is a vital component of professional practice. Whenever a complaint or allegation of abuse is made, we will keep clear and accurate records in line with Rooftop's complaints procedures on receipt of a complaint or allegation, to record all action taken.

7.15.2 When abuse or neglect is raised managers need to look for past incidents, concerns, risks and patterns. We know that in many situations, abuse and neglect arise from a range of incidents over a period of time.

7.15.3 We will give staff clear direction as to what information should be recorded and in what format.

7.15.4 Records will be kept in such a way that the information can easily be collated for local use and national data collections.

7.16 We have a duty to report to:

- The Local Authority's Adult Safeguarding/Social Care Team.
- The police, if a crime has been committed.
- Rooftop's Safeguarding Lead Officers.
- The Care Quality Commission if the abuse has taken place at one of our registered care schemes.

7.17 **Best practice as specified in contracts**

7.17.1 We have several contracts with local authorities and we also commission contracts to deliver services in our properties and for our tenants.

7.17.2 Rooftop's responsibilities as a commissioner of services:

- To ensure that people who commission their own care are given the right information and support to do so.
- To ensure that agencies from whom services are commissioned know about and adhere to relevant registration requirements and guidance.
- To ensure that all documents such as service specifications, invitations to tender, service contracts and service-level agreements adhere to the multi-agency Safeguarding Adults policy and procedures.
- To ensure that tenants know their right to complain about services commissioned by Rooftop as a third party service.

7.18 **Managers' roles and responsibilities**

7.18.1 Managers are responsible for:

- Having an operational knowledge of this policy and associated procedures.
- Ensuring that staff and volunteers have the appropriate support, training and supervision to carry out their role within this policy and procedure in a competent manner.
- Ensuring that all staff and volunteers are aware of how to access both the internal and multi-agency procedures.
- Discussing and referring, if necessary, any concerns to the Rooftop Safeguarding Leads.
- Conducting regular reviews of the safeguarding log and ensure follow up work is carried out, including staff training and inter agency reviews.

7.19 Role and responsibilities of staff and volunteers:

- To alert an appropriate manager, without delay, to any concerns, suspicions or evidence of abuse that they may see or hear about.
- To co-operate with any investigation of concerns of abuse by providing all the evidence that may be known.
- Never prevent or dissuade another person from raising concerns, suspicions or presenting evidence.

- To record all factual information accurately and clearly, in line with internal requirements.
- To follow the Local Authority's multi-agency procedure and Rooftop's internal procedures.

7.20 Safeguarding leads

7.20.1 We will appoint safeguarding leads with the appropriate knowledge and experience to support and advise staff who may encounter potential safeguarding issues.

7.20.2 The Housing and Communities Director is the overall strategic lead across the organisation for safeguarding.

8 Contact numbers and addresses

8.1 Adult Social Care Safeguarding Referrals:

- Gloucestershire 01452 426868
- Worcestershire 01905 768053

8.2 Local Authority Designated Officer (LADO):

- Gloucestershire 01452 426994
- Worcestershire 01905 843311

9 Review

9.1 This policy will be reviewed every three years unless there are major changes in legislation or good practice.

10 Consultation

10.1	Leadership Team (Head of Business Improvement, Head of Support and Employability, People Director and Asset Manager as a Safeguarding Champion)	September 2019
10.2	Executive Team	September 2019
10.3	Other (for example, customers)	N/A

11 Responsibilities

11.1	Responsible body	Board of RHG
11.2	Formulation and approval of policy	Board of RHG
	Amendments to policy	Leadership Team
	Monitoring of policy	Leadership Team
	Operational management of policy/policy author	Head of Support and Employability
11.3	Date of formulation of policy	September 2009

11.4 Dates of policy reviews

September 2019

April 2019

March 2016

Appendix 1

Associated documents

Internal – Rooftop policies and procedures

- Safeguarding procedures
- Safeguarding Children Policy
- MAPPA guidance
- Confidentiality procedure
- Disclosure of information procedure
- Recruitment and Selection policy
- Staff Learning and Development policy
- Domestic violence policy
- Whistleblowing policy and procedure
- Fraud policy
- Disciplinary policy
- Risk Assessment policy and procedures
- Health and Safety policy
- Social media policy
- Support and Care associated procedures
- Staff Handbook
- Equalities and Diversity policy
- Grievance policy
- Volunteering policy
- Code of Conduct

External

- Care Act 2014
- Care and Support Statutory Guidance Chapter 14 (October 2014)
- Serious Crime Act 2015
- Human Rights Act 1998
- Equality Act 2010
- Home Office Prevent Strategy June 2011
- Safeguarding Adults, ADASS, 2005
- The Mental Capacity Act (including DoLs) 2013
- Data Protection Act 1998
- Safeguarding Adults – National Framework of Standards for Good Practice and Outcomes in Adult Protection Work (2010)