

Report to: **Housing Review Board**

Date of Meeting: 11 January 2018

Public Document: Yes

Exemption: None

Review date for release None



Agenda item: 17

Subject: **Safeguarding Adults**

Purpose of report: This report sets out some good practice advice and a procedure to ensure that we have safeguarding embedded in our service delivery.

Recommendation: **To approve the safeguarding procedure set out in the report.**

Reason for recommendation: To ensure that staff have a procedure to use in conjunction with the Safeguarding Policy when reporting concerns of abuse.

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Financial implications: No additional financial implications

Legal implications: The procedure is written in line with the Government approved guidance on Safeguarding.

Equalities impact: Medium Impact

In terms of safeguarding vulnerable adults it is vital that we appreciate that this group need the council and partner agencies to be vigilant and providing the support required.

Risk: Medium Risk

We need to keep our policies and procedures up to date and relevant to ensure that we are protecting vulnerable adults effectively. We have legal duties to fulfil and increasingly complex operating environment where landlord services are working with vulnerable tenants.

Links to background information: • EDDC Safeguarding Policy.

Link to Council Plan: Continuously improving to be an outstanding council.

1. Safeguarding procedures

1.1 Safeguarding is one of our core duties in relation to providing a range of housing services.

1.2 We have a clear policy covering safeguarding of vulnerable adults and children. This has been jointly agreed by all Devon districts. It is important that this policy is underpinned by a set of procedures to guide staff (can also be used by members) when interpreting the policy.

- 1.3 The following procedure has been produced in Q&A form and cascaded to staff and needs to be formally endorsed by the Board to provide weight to the procedures.

SAFEGUARDING PROCEDURES - REPORTING ABUSE

2. What do I do if I think a child or adult is in danger?

- 2.1 If you think a child or adult is in immediate danger or a crime has been committed then always contact the police on 999. Report your action to a Safeguarding Champion. If emergency medical care is necessary this should be sought immediately and the Safeguarding Champion informed.
- 2.2 If you have a safeguarding concern complete the appropriate Safeguarding Adult or Child Referral Form and discuss your concerns with the Safeguarding Champion. The Safeguarding Champion will contact Social Services within 24 hours and send them a copy of the report within 48 hours. If no confirmation is received from the authorities the Safeguarding Champion should contact Social Services within three working days to check the information has been received. Child Protection (MASH - Multi-agency Safeguarding Hub) and Adult Protection (Care Direct) have different deadlines for responding, but it is still worth checking that your report has been received.
- 2.3 If you have any other concerns about a child or adult's welfare, they should be reported immediately to a Safeguarding Champion at the earliest opportunity and certainly within the same working day. You can ask a manager to assist you but details should not be revealed unnecessarily and confidentiality should be maintained between these members of staff.
- 2.4 If you or the Safeguarding Champion have concerns about an individual but are not certain if a referral (reporting possible abuse) is necessary, you can ask Social Services (**MASH 0345 155 1071 for children and Care Direct 0345 155 1007 for adults**) and discuss your concerns with them without naming the people involved or disclosing any specific details. They will be able to offer some guidance and tell you whether or not they feel that a formal referral should be made and whether parental consent is needed to refer.
- 2.5 Write down any conversations you have with MASH or Care Direct, including the name of the person you speak to.
- 2.6 Please send a copy of any formal referral to the PA to the Strategic Lead – Housing, health & Environment for our central record of all referrals for monitoring and reporting purposes.

3. Who are the Safeguarding Champions?

- 3.1 In most cases where you have a safeguarding concern you should contact the Safeguarding Champion in your Service or team, but if this is not possible or there isn't one in your team then your manager will be able to help.
- 3.2 Service Leads are safeguarding Champions.
- 3.3 The Strategic Lead – Housing, Health & Environment is also the Corporate Safeguarding Lead and has an overview of policy, links into the safeguarding boards, keeps a corporate record of incidents and can escalate any concerns about a particular case.

4. Adults vulnerable to radicalisation – what do I do?

- 4.1 If you are concerned about an individual who you think is vulnerable to radicalisation but has not committed any criminal act you can contact a Safeguarding Champion. If appropriate, a referral will be made to Channel.
- 4.2 Channel is a partnership approach involving a multi-agency panel deciding on the most appropriate action to support individuals vulnerable to radicalisation. It is similar to MAPPA (Multi-agency Public Protection Arrangements) and MASH. Channel is about supporting and diverting people away from potential risks at an early stage.
- 4.3 **If the Safeguarding Champion does not agree with you** that anything further needs to be done but you still have strong concerns that a child or adult is in danger you should still contact MASH or Care Direct.
- 4.4 EDDC believes that all children and adults have the right to be safe, happy and healthy and deserve protection from abuse and will fully support and protect anyone, who in good faith, reports a concern about abuse.

5. What do I do if I am visiting a customer that I know is vulnerable?

- 5.1 Always check the house file or IT system for any previous concerns and Social Services involvement or support workers.
- 5.2 A Risk Assessment should be carried out before any visits.

6. What do I do if a child or adult discloses to me that they are being abused?

- 6.1 Complete the appropriate Safeguarding Adult or Child Referral Form and...

Do:

- Stay calm.
- Listen carefully
- Find an appropriate, early opportunity to explain that it is likely that the information will need to be shared, but only with people who need to know and who can help.
- Allow the victim to continue at their own pace
- Ask questions for clarification only and at all times avoid asking questions that suggest a particular answer.
- Reassure the victim that they have done nothing wrong in telling you
- Tell them what you will do next and with whom the information will be shared
- After the victim has disclosed, record in writing what was said using the victim's own words as soon as possible. Note the date and time, any names mentioned and to whom the information was given. Ensure the record is signed and dated. Try not to take notes at the time as this can be intimidating.
- Relay this information as soon as possible to a Safeguarding Champion and Human Resources if the incident involves a member of staff.

Do not:

- Dismiss the concern
- Panic
- Allow your shock or distaste to show
- Probe for more information than is offered
- Make promises you cannot keep: such as agreeing not to tell someone else, keeping secrets
- Speculate or make assumptions

- Approach or contact the alleged abuser
- Make negative comments about the accused person
- Pass on the information to anyone other than those with a legitimate "need to know" such as Safeguarding Champion.
- Delegate to others as the victim has specifically chosen you to talk to.

6.2 Remember that you are not responsible for deciding whether or not abuse has occurred. This is the task of the police and child or adult protection agencies following referral to them.

7. What do I do if a neighbour or concerned visitor reports safeguarding concerns to me?

7.1 You should always encourage the person reporting to report directly to MASH (Multi-agency Safeguarding Hub), Care Direct or the police. Explain that this is not in place of you investigating the matter, but essential for the services to have first-hand information from the person witnessing and not second or third hand information from us.

7.2 Always check the house file for any previous concerns and social services involvement or support workers, and where possible discuss your concerns with them as they will know the family best.

7.3 If it is safe to do so, you should visit the home within 24 hours of receiving the concerns. Wherever possible this should be in pairs.

7.4 A Risk Assessment should be carried out before any visits.

8. What do I do if I have suspicions that a colleague may be abusing a child or adult, or not following good practice?

8.1 Any member of staff who suspects that a colleague may be abusing children or adults should act on their suspicions. Action should also be taken if it is felt that colleagues are not following the East Devon District Council Safeguarding Policy for working with children and adults with care and support needs. This action will serve not only to protect children and adults with care and support needs, but also colleagues from false accusations.

- Write down the details of the incident using the appropriate Safeguarding Adult or Child Form.
- Pass this report to a Safeguarding Champion and Human Resources at the earliest opportunity.
- The Safeguarding Champion should then take appropriate action to ensure the safety of the child or adult and any other people who may be at risk.
- The matter should then be discussed with Human Resources, who will then consider whether the matter should be reported to the LADO (Local Authority Designated Officer - based at Devon County Council).
- If the matter relates to poor practice, management processes should be followed. If the matter relates to abuse a referral should be made to the LADO, and the employee must be suspended or removed from duties which involve children or adults with care and support needs, pending the outcome of an investigation into the allegations (carried out by social services).

- Resignations should not prevent an allegation being followed up and 'compromise agreements' should not be used.

8.2 East Devon District Council acknowledges that this is an extremely sensitive issue for staff and assures all staff and persons working on its behalf that it will fully support and protect anyone, who in good faith, reports a concern that a colleague is, or may be, abusing a child or adult.

9. What is our Duty to Refer?

9.1 Employers have a duty to refer to the DBS any information about individuals who may pose a risk, ensuring potential threats to children can be identified and dealt with. This includes dismissing staff or volunteers for 'relevant conduct' i.e. because they have harmed a child, put a child at risk of harm, behaved in a way towards a child that indicates an unsuitability to work with children or committed a criminal offence.

9.2 If EDDC dismisses or removes someone from regulated activity (or would have done had they not already left) because they harmed or posed a risk of harm to vulnerable groups including children, it is legally required to forward information about that person to the DBS (Disclosure and Barring Service). It is a criminal offence not to do so. If you believe that the person has committed a criminal offence, you are strongly advised to pass the information to the police. For further information on the duty to refer to the DBS, please see www.gov.uk/disclosure-barring-service

9.3 It is important that staff avoid putting themselves in situations that may lead to allegations of abuse being made against them in the first place.

9.4 More information about the role of the LADO and the process for making a referral can be found at <http://www.devon.gov.uk/index/childrenfamilies/chilSafeguardingChampionrotection/lado.htm>.

10. Should I tell the parents/carers of the child or adult about my concerns?

10.1 There is always a commitment to work in partnership with parents/carers where there are concerns about their children or adults in their care and in most circumstances it would be important to talk to parents/carers to clarify any initial concerns. For example if a child or adult with care and support needs seemed withdrawn, there may be a reasonable explanation; they may have experienced an upset in the family.

10.2 **BUT** if you are suspicious that the parents or carer may be the abuser or you believe that the parent/carer may not be able to respond appropriately to the situation, speaking to them regarding the matter might place the child or adult at greater risk. You should report the suspicion to your Service Lead or Line Manager and advice must be sought from Social Services with respect to consulting parents/carers.

10.3 Some parents/carers may be very angry about the intervention, but if there is a conflict of interests, the need to protect the child must come first.

11. What information should I record?

11.1 In all situations, including those in which the cause for concern arises from a disclosure made in confidence, it is vitally important to record the details of an allegation or reported incident, regardless of whether or not the concerns are shared with a statutory agency.

- 11.2 Using the appropriate Safeguarding Adult or Child Form as far as possible an accurate note should be made of:
- The date and time of the incident and disclosure
 - The parties who were involved
 - What was said and done by whom
 - Description of any visible injuries or bruising
 - Any further action taken by EDDC to investigate the matter
 - Any further action e.g. the suspension of a worker
 - Where relevant, reasons why there was no referral to a statutory agency.
 - The full name of the person/s reporting and to who reported.
- 11.3 The report should be stored securely and shared only with those who need to know. All referrals made to Social Services or the Police, should be confirmed in writing and followed up with a copy of the incident report within 24hrs. Social Services should acknowledge your written referral within one working day of receiving it so if you have not heard back within 3 working days, contact Social Services again.
- 11.4 You should also record the Social Services member of staff to whom concerns were passed and the date and time of the call and subsequent letters sent.
- 11.5 These procedures not only serve to protect children but also protect employees, volunteers and the council itself.
- 11.6 EDDC staff should ensure that records, policies and procedures which are required for the efficient and safe management of the provision and to promote the welfare, care and learning of children or adults with care and support needs are maintained. Records about individual children are usually shared with parents/carers. These records should be maintained in accordance with the Data Protection and Freedom of Information Acts.
- 11.7 If there is an incident and you decide not to refer to a statutory agency you must record the reason why and who made that decision.
- 11.8 Always check the customer or property file for any agencies involved with the individual or their family and keep them informed of any decisions made.
- 12. Draft information Leaflet**
- 12.1 I have reproduced a draft leaflet in **annex 1** which is being developed and refined by the Devon Safeguarding Adults Board and when the final version is ready I will use this as part of our guidance to staff, Members and partners.