

SAFEGUARDING POLICY & PROCEDURES

INTRODUCTION

The introduction of the Care Act 2014 puts adult safeguarding on a statutory footing for the first time, embracing the principle that the 'person knows best'. It lays the foundation for change in the way that care and support is provided to adults, encouraging greater self-determination, so people maintain independence and have real choice. There is an emphasis on working with adults at risk of abuse and neglect to have greater control in their lives to both prevent it from happening, and to give meaningful options of dealing with it should it occur. For staff the Care Act provides clearer guidance, and supports pathways to working in an integrated way, breaking down barriers between organisations. Previous guidelines, including 'No Secrets' are now repealed and only the policy and procedures here provided are to be used in order to comply with the Care Act 2014.

Age UK Waltham Forest's policy and procedures are based on The Six Principles of Safeguarding that underpin all adult safeguarding work. They are in line with the pan London policies and procedures for protecting adults at risk of abuse.

The six principles are:-

Empowerment; Adults are encouraged to make their own decisions and are provided with support and information. They are consulted about the outcomes they want from the safeguarding process and these directly inform what happens.

Prevention: Strategies are developed to prevent abuse and neglect that promotes resilience and self-determination. Individuals at risk are provided with easily understood information about what abuse is, how to recognise the signs and what they can do to seek help.

Proportionate: A proportionate and least intrusive response is made balanced with the level of risk. Individuals should feel confident that the professionals will work in their interest and only get involved as much as needed.

Protection: Adults are offered ways to protect themselves, and there is a co-ordinated response to adult safeguarding. They are provided with help and support to report abuse, supported to take part in the safeguarding process to the extent to which they want and to which they are able.

Partnerships: Local solutions to reduce risk and prevent abuse are arrived at through services working together within their communities. Individuals should feel confident that information will be appropriately shared in a way that takes into account its personal and sensitive nature and confident that agencies will work together to find the most effective responses for their specific situation.

Accountable: Organisations (especially the Local Authority) involved should be accountable and transparent in delivering a safeguarding response. Individuals should be clear about the roles and responsibilities of all those involved in the solution.

Further SCIE information on the principles can be accessed on the link below:

<https://www.scie.org.uk/safeguarding/adults/introduction/six-principles>

Mental Capacity and Consent

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. Decisions taken in the adult safeguarding process must comply with the Act.

The Mental Capacity Act outlines five statutory principles that underpin the work with adults who may lack mental capacity:

- A person must be assumed to have capacity unless it is established that she/he lacks capacity.
- 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.
- A person is not to be treated as unable to make a decision merely because he/she makes an unwise decision.
- An act done, or decision made, under this Act for or on behalf of a person who lacks capacity must be done, or made, in his/her best interests.
- 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.

The majority of adults that require additional safeguards are people who are likely to lack mental capacity to make decisions about their care and support needs. Mental Capacity refers to the ability to make a decision about a particular matter at the time the decision is needed. It is always important to establish the mental capacity of an adult who is at risk of abuse or neglect, should there be concerns over their ability to give informed consent to: Planned interventions and decisions about their safety and their safeguarding plan and how risks are to be managed to prevent future harm.

Adult Safeguarding Procedures

Safeguarding is defined as 'protecting an adult's right to live in safety, free from abuse and neglect.' The aim of safeguarding is to ensure that individuals are:

Safe and able to protect themselves from abuse and neglect.

Treated fairly and with dignity and respect.

Protected when they need to be.

Able easily to get the support, protection and services that they need.

Definitions of abuse.

Abuse is 'a violation of an individual's human and civil rights by any other person or

persons. It is a single or repeated act or lack of appropriate action occurring within any relationship where there is an expectation of trust, which causes alarm or distress to an older person’.

There are many types of abuse: physical abuse, sexual abuse, psychological abuse, financial or material abuse, neglect or acts of omission, discriminatory abuse, institutional abuse and exploitation by radicalising influences..

Those that are vulnerable include ‘A person aged 18 or over who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or abuse’ (Department of Health, *No Secrets*, 2000).

Age UK Waltham Forest:

(a) recognises that a significant number of older people are at risk of abuse; and that abuse can take place in a person’s own home, in the home of a carer or a family member, where day care is provided, within any form of residential or nursing care, including hospitals, and on public transport, or in the street.

(b) acknowledges that staff, other service users, relatives, visitors, and/or members of the public can perpetrate abuse.

(c) will not tolerate any form of abuse and believes that all older people should be able to live in an environment, which is safe from abuse.

(d) believes, that in all situations everyone is entitled to

- privacy;
- be treated with dignity;
- lead an independent life and to be enabled to do so;
- choose how they lead their lives;
- the protection of the law; and have their rights upheld regardless of ethnic origin, gender, sexuality, impairment or disability, age, religious or cultural background.

(e) will aim to respond actively to any situation where abuse is suspected in a positive and constructive way, by:

- **Caring** – ensuring that staff and volunteers are committed to developing a positive relationship with the individual, actively listening to their concerns and being sensitive to their needs.

- **Following effective procedures** – ensuring that staff and volunteers are fully aware of, and follow the correct procedures and are encouraged to seek further advice and guidance at every stage of the process. The implementation of the procedures should result in prompt, timely and appropriate action.

- **Enabling** – ensuring that the individual’s wishes are respected and that the individual is given all the support and information possible to assist them in making decisions about possible action to be taken.

- **Influencing** – when working with external agencies, reiterating the needs

and wishes of the individual and maintaining an effective network of contacts and professional relationships to ensure that the process is handled in a co-ordinated and sensitive manner.

- **Innovating** – reviewing current systems and work practises, asking challenging questions, generating options for action, exploring a wide range of alternatives, and considering how best to deal with each situation as it arises.

REPORTING & DISCLOSURE PROCEDURE

When a client or volunteer discloses a safeguarding issue or potential for one, you should follow these steps:

- Volunteers should report to a manager or team member urgently. Staff members should ensure as far as possible that the client is safe.
- If there is a risk of injury or a crime taking place, ring 999. Early engagement with the police is vital to support a criminal investigation.
- Report the issue as soon as possible to either;

Terry Day Befriending Manager T.Day@ageukwalthamforest.org.uk 020 8558 8716
or

Emma Tozer Chief Executive e.tozer@ageukwalthamforest.org.uk 02085585512
(Safeguarding Officers).

For out of hours, contact emergency services.

- Make clear, factual notes (including dates and times) and keep them on file.

Thereafter, the most senior Age UK staff member available should

Contact LBWF Safeguarding Adults Team either via Waltham Forest Direct on 020 8496 3000, or WFDLiason@walthamforest.gov.uk

- If applicable, complete Waltham Forest Adult Safeguarding Partnership's Safeguarding Adults Alert form (see Resources, below).

Please note that the Safeguarding Adults Team will conduct initial investigations and keep the referrer informed; and will convene strategy meetings limited to those who need to know and can contribute to the decision making process. Further case conferences may follow if appropriate, and include the adult at risk.

RESOURCES

The LBWF 'Reporting harm against an adult at risk' page, which can be accessed here:

https://portal.walthamforest.gov.uk/en/AchieveForms/?mode=fill&consentMessage=yes&form_uri=sandbox-publish://AF-Process-ed2335f7-158d-4299-b273-8f5e86538222/AF-Stage-6d11e6c3-1671-47cd-9c4d-3f4c9de9a56f/definition.json&process=1&process_uri=sandbox-processes://AF-Process-ed2335f7-158d-4299-b273-8f5e86538222&process_id=AF-Process-ed2335f7-158d-4299-b273-8f5e86538222&noLoginPrompt=1

This contains a good deal of useful information, including the Safeguarding Adults Alert form previously mentioned, and is regularly updated.

CHILD PROTECTION AND SAFEGUARDING POLICY

The Children Act 1989 provides the legislative framework for agencies to take decisions on behalf of children and to take action to protect them from abuse and neglect. Whilst Age UK Waltham Forest provides services to older people, there are contexts in which there is an additional duty of care for children and young people. These are as follows:-

In order to protect children and young people, Age UK Waltham Forest has the following policies and procedures in place where staff or volunteers may have potential contact with children or young people. Some are designed to avoid that contact:-

Volunteering – Age UK Waltham Forest has a policy not to recruit children and young people under the age of 18, owing to the additional responsibilities this would place on the organisation.

Home visits – Staff and volunteers are not permitted to take a child or young person when visiting someone at home.

Office visits – If there is no way of avoiding it because of parental or caring responsibilities and a client needs to bring a child or young person to the office when they come for an appointment, they are responsible to keep that child or young person with them at all times. Staff and volunteers will not take responsibility for looking after them. This also applies to prospective volunteers attending the Welcome Session

Intergenerational projects – Age UK Waltham Forest may take part in a number of intergenerational projects. Where this involves long term involvement of staff or volunteers or older people, it is a requirement that they be DBS checked additionally for working with children. Age UK Waltham Forest will carry out the checks for staff and volunteers but the school or similar institution has a duty to carry out the checks on any older people participating in the project. Where there is brief involvement by a staff member, volunteer or older person in an intergenerational project, there is no requirement for a DBS check; they will be supervised and monitored by a teacher or other responsible adult

Where safeguarding referrals are made to Age UK Waltham Forest or where a staff member or volunteers suspects a safeguarding concern and where it is known that there is a child or young person within that household, the referral of the vulnerable

adult will also include reference to the presence of the child or young person so that any subsequent enquiry by the relevant local authority may involve a member of the Children's Safeguarding Team as well as that for vulnerable adults

Staff and volunteers who do not usually work with young people in an intergenerational context, but whose role requires a DBS check, will only be checked for working with vulnerable adults.

Working Together to Safeguard Children (2018) places a duty upon all organisations to:

- share information at an early and timely stage
- work together with other organisations (multi-agency working)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/942454/Working_together_to_safeguard_children_inter_agency_guidance.pdf

The guidance places upon the local authority a duty to assess children and young people at risk under the Children Act 1989. Age UK Waltham Forest has a duty to work with the Children's Safeguarding Team when an assessment is made, if required.

The guidance also requires all local authorities to have a Safeguarding Children's Board. It also requires Adult Social Services Teams to work with Children's Safeguarding Team where a referral of a vulnerable adult may be in a situation where a child or young person is also at risk.

Making referrals

Where concerns are raised with regard to the welfare of a child or young person who may live at the same address as the vulnerable adult being referred, this is to be included in making the referral of the vulnerable adult. This will be done through the relevant Adults Safeguarding Team, in the expectation that the latter will liaise with the Authority's Child Protection Team.

In most circumstances, where there is concern raised in the context of an intergenerational project, it will be the duty of the school or similar provider to make the safeguarding referral to the relevant local authority's Child Protection Team. If, for some reason this is not done, Age UK Waltham Forest will make the referral.

In any context where a staff member or volunteer has concerns about a child or young person's welfare not linked to one of its projects or services, Age UK Waltham Forest will report this directly to the local Children's Safeguarding Team, providing as much detail as is available.