



Safeguarding Adults From Abuse Policy

December 2019

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1 Policy Statement

DENS houses, supports and empowers vulnerable single homeless people, and others in crisis, to transform their lives.

In the light of this Mission Statement, DENS recognises that all the people using its services have the same human value, rights and responsibilities as anyone else. They should be shown the same dignity and respect as others in society. DENS, therefore condemns all forms of abuse and neglect.

This policy conforms to the requirements of the Care Act 2014 and must be read with other DENS Policies and Procedures including Equal Opportunities, Equality and Diversity, Whistle Blowing and the Staff and Volunteer Handbooks.

The Hertfordshire Health & Community Services Safeguarding Adults at risk from Abuse Procedure will be used by DENS when there are concerns or allegations that an adult at risk is being abused.

2 Principals

DENS is committed to safeguarding adults at risk of abuse in line with the six core principles underpinning the approach to safeguarding outlined in the Care Act 2014

- **Empowerment** – Personalisation and the presumption of person-led decisions and informed consent
- **Prevention** – It is better to take action before harm occurs i.e. "prevention is better than cure"
- **Proportionality** – Proportionate and least intrusive response appropriate to the risk presented
- **Protection** – Support and representation for those in greatest need
- **Partnership** – Working closely with the statutory agencies and others in Hertfordshire in preventing, detecting and reporting neglect and abuse
- **Accountability** – Accountability and transparency in responding to safeguarding concerns

All actions taken under this Policy will also have full regard to the Mental Capacity Act 2005 and the accompanying Code of Practice

This policy is also based on the following values:

- All individuals, no matter how disadvantaged, should have the greatest possible control over their lives.
- People should be able to live as independently as possible and to make informed decisions about their own lifestyles.
- People's human and civil rights should be protected.
- In any intervention to reduce risk or respond to danger, care should be taken to ensure the least possible disruption to people's lives.
- People should be offered realistic alternatives if they are intimidated or afraid.
- All suspicion and allegations of abuse will be taken seriously and responded to swiftly and appropriately.
- All staff and volunteers have a responsibility to report concerns to the appropriate officer.

3 Aims

DENS is committed to:

- Preventing abuse from occurring within our organisation wherever possible,
- Ensuring that there is a consistent and effective response to any concerns, allegations or disclosures of abuse,
- Supporting staff in recognising, reporting & recording abuse and neglect
- Supporting Managers conducting enquiries into incidents of abuse and neglect
- Ensuring staff have a knowledge and understanding about safeguarding adults at risk from abuse and neglect.

In order to meet these aims DENS will:

- Take up two written references and undertake enhanced Disclosure and Barring Service checks on all new staff and volunteers.
- Ensure that all staff and volunteers working directly with clients are informed of DENS stand against abuse and neglect, and receive training in abuse awareness including instruction in what to do if
 - someone tells them that they are being abuse
 - they suspect that a person is being abused
 - a third party reports suspected abuse to them
- DENS will ensure "Safeguarding" is placed on every supervision and team meeting agenda.
- Staff will provide the necessary support to clients, their relatives and carers to assist them to uphold an abuse-free environment. This will include providing information at sign up, encouraging disclosures in support sessions and using posters, flyers etc to promote both internal routes for reporting concerns and the contact details for Hertfordshire's Safeguarding Team.
- DENS will take a victim based approach to reports of abuse and neglect. A person reporting an alleged incident of abuse or neglect will be treated with dignity and respect. Where an allegation has been made in good faith the person making the

allegation will be treated without prejudice in the future, even if the allegations prove to be unfounded.

- The alleged victim will be offered assistance where required (E.g. from an advocate) in order to make their allegation. The Care Act states that where the adult involved in the safeguarding process would have "substantial difficulty" in engaging in the safeguarding process they are entitled to a Care Act advocate if there is no other suitable adult (e.g. appropriate family member) to represent them. If the adult lacks capacity they are eligible for an Independent Mental Capacity Advocate (IMCA) whether or not they have suitable family/friends. In Hertfordshire, both the IMCA service and Care Act advocacy services are run by POHWER so there is a single access point for obtaining the relevant advocate Tel: 0300 456 2370 Email: pohwer@pohwer.net Text pohwer with your name and number to 81025
- DENS will be careful to protect the service user's right to confidentiality and indeed that of the alleged abuser, as an allegation may prove to be unfounded. Staff will not promise absolute confidentiality as the line manager must always be informed and external agencies may also need to be informed as outlined below even in certain circumstances where this goes against a client's wishes.
- DENS will consult with staff, volunteers, other professionals and service users about the operation of this policy.

4 Which Adults need safeguarding?

Legally all children in England or Wales are regarded as vulnerable until their 18th birthday, so are automatically included in safeguarding children protocols. In contrast the Care Act Statutory Guidance does not offer blanket protection. It applies when an adult:

1. Has needs for care and support (*whether or not the local authority is meeting any of those needs*)
2. Is experiencing, or at risk of, abuse or neglect
3. As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

It is important to note that DENS consider staff members, volunteers and other service users as potentially vulnerable from improper suggestions or false accusations being made against them.

5 Definition of Abuse

- The Care Act Statutory Guidance states that "Local authorities **should not limit** their view of what constitutes abuse or neglect, as they can take many forms and the circumstances of the individual case should always be considered"
- The Care Act Statutory Guidance notes that "Exploitation" is a particularly common theme
- Abuse may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when an adult at risk is persuaded to enter into a

financial or sexual transaction to which he or she has not consented, or cannot consent.

- Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it.
- Abuse may consist of a single incident or be systematic and repeated.
- Abuse may be intentional or unintentional and the victim may or not recognise that abuse is occurring

The main forms of abuse are:

- Physical abuse - Examples include: Slapping, pushing, kicking, rough handling, misuse of medication, inappropriate sanctions or misuse of restraint.
- Sexual abuse - Examples include: Rape, sexual assault, female genital mutilation or sexual acts to which the adult at risk has not consented, could not consent or was pressured into consenting. Non-contact abuse such as voyeurism, involvement in pornography and comments, jokes or innuendos that cause harm.
- Psychological/Emotional/Mental abuse - Examples include: verbal assault or intimidation, deprivation of contact, threats of harm or abandonment, humiliation or blaming, overriding of consent, choices or wishes, making someone feel worthless, frightened or unloved.
- Financial abuse - Examples include: theft, fraud (including internet, postal and doorstep scams), exploitation, controlling behaviour including not allowing an adult self management of their finances where they have capacity and pressure in connections with wills, property, possessions or benefits.
- Neglect and acts of omission - Examples include: ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.
- Discriminatory abuse - This abuse is usually motivated by discriminatory and oppressive attitudes towards race gender, culture background, religion, physical and/or sensory impairment, sexual orientation and age.
- Organisational abuse - This may take the form of isolated incidents of poor or unsatisfactory professional practice at one end of the spectrum, through to persuasive ill treatment or gross misconduct. Rigid rules, fixed routines etc
- Domestic Violence - This may include physical, sexual, emotional or financial abuse within a domestic setting including honour based violence and the offence of coercive and controlling behaviour in intimate and familial relationships introduced by the Serious Crime Act 2015.
- Modern Slavery - An umbrella term for the activities involved when one person obtains, moves or holds another person in compelled service. It includes human trafficking, domestic servitude, being forced into sex work or other exploitative work and/or being kept in squalid living conditions.
- Self-neglect - Including neglect by the person of their personal care, nutritional needs or healthcare needs or neglect of their environment such as living in squalid conditions or hoarding. Although recognised within the Care Act 2014 as a safeguarding concern the revised statutory guidance published in March 2016 states

that not all self neglect cases will require a section 42 enquiry, but need consideration on a case by case basis.

- **Extremism** - In addition to the ten categories listed in the Care Act above, safeguarding also needs to tackle extremism. Adults at risk of Abuse may be targeted by extremists, so professionals need to familiarise themselves with the Prevent Agenda.

Risk of abuse is greater when:

- The vulnerable person is socially isolated.
- A pattern of family violence exists or there is a previous history of any form of abuse.
- Drugs or alcohol are misused.
- Relationships are placed under stress.

6 Definition of Safeguarding

“Safeguarding means protecting an adult’s right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult’s wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action.”
Care Act Statutory Guidance

7 Who are the abusers?

Adult(s) at risk of abuse and neglect may be abused by a wide range of people including relatives and family members, professional staff, volunteers, other service users, friends and associates and people who deliberately exploit vulnerable people and strangers.

8 Indicators of abuse

Whilst many of the usual signs of potential abuse are inappropriate when dealing with our client group the following are specific areas, which could be cause for concern and would require further investigation (but should not be considered an exhaustive list):

- Injuries inconsistent with explanations offered.
- Sudden weight loss or gain.
- Nervous/fearful watchfulness.
- Discomfort when sitting or walking.
- Bed-wetting when incontinence has not been diagnosed.
- Sudden changes in appearance and personal hygiene.

9 Responding to suspicions or allegation of abuse

- Staff will contact the emergency services immediately where their presence is required (e.g. a person has been injured and requires an ambulance or someone is at risk of an imminent violent attack and a police presence is required.)
- Following a disclosure staff will explain to the client that they will need to discuss the concerns raised with a Manager at DENS. If consent has not been given to pass concerns on to the Statutory Authorities, it will be necessary to go against the alleged victim's wishes where:
 - Concerns are in the Public Interest (i.e. too big to ignore, which includes any situation where a crime may have been committed).
 - They are not the only ones affected and risks to others needs to be considered.
 - Staff assess that they are unable/incapable of making an informed decision for themselves as per the two stage test outlined in the Mental Capacity Act
- Where consent was not given this should always be mentioned when raising the Section 42 concern with the Statutory Authorities.
- Staff will inform their Line Manager or if unavailable the appropriate on call manager, who will make the initial risk assessment and decide on further action required with or without the consent of the alleged victim.
- Staff will write a report as quickly as possible after talking to their Line Manager while the information is still fresh, being careful to stick to the facts rather than expressing opinions. As far as possible staff will use the client's own words even if this includes foul or abusive language or terms the staff member did not understand.
- Where outside bodies need to be contacted this should be done without delay. The following should be contacted as required
 - The Health & Community services safeguarding team
 - The Police if there is a suspicion that a crime may have been committed
- Where a section 42 enquiry is led by Health & Community services or the police (who take the lead if they suspect a crime has been committed) conduct an investigation, DENS will participate fully in all strategy meetings.
- Staff will be careful to protect any forensic evidence

10 Investigation of abuse

Where a member of staff is suspected of abuse the following action should be taken:

- Raise a Section 42 concern as described in section 9 above with the appropriate Authorities listed in section 11 below and seek advice as to the timing of any internal enquiries so they do not prejudice any criminal investigation being conducted by the Police so far as is possible.
- DENS will nominate a Manager, or Board Member, to consider the allegation.
- The nominated person should interview the member of staff with a witness present.
- The nominated person should make arrangements for interviewing the suspected

victim if approved by the Safeguarding Team &/or Police. This should be done with a witness, an independent staff member, and a third party providing support for the victim present.

- The purpose of the meeting is not to investigate but to establish the facts and whether there are grounds for the allegation.
- Assess the needs of the vulnerable person for protection, support and redress.
- Make decisions with regard to what follow up action should be taken with regard to the alleged abuser(s).
- DENS will cooperate fully with any external enquiries being conducted by Health & Community Services or investigation being conducted by the Police.
- Confidentiality is crucial to all our work and relationships and the DENS confidentiality policy should be adhered to except where the welfare of children or adults at risk of abuse takes precedence over it. Information should be shared on a strictly need to know basis with the appropriate agencies.

11 Contact Information

Any allegation of alleged abuse to a person over 18 years old needs to be reported to the Client Services Team at Herts CC on 0300 123 4042 (01992 555506 textphone for deaf and hard of hearing people only).

They have experienced social care staff who are trained to handle this type of issue and will discuss the outline of your concerns and contact the relevant people to investigate matters further. The client services team operates Monday to Friday 8am to 8pm and on Saturday 9am to 4pm. Outside these times Hertfordshire's emergency duty team can be contacted using the telephone numbers above.

Action on Elder Abuse can be contacted on 0808 808 8141 (Monday – Friday 9am – 5pm). This national helpline will respond to concerns about all adults at risk of abuse.

If there is an immediate danger to life, a risk of injury, or a crime is taking place the Police should be called - dialling 999.

Status	Date	Author	Board Approval	Date for next review
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