



K|E Safeguarding Adults and Child Protection Policy

This policy is applicable to	Key Enterprises
Approved by	Trustees
Date approved	September 2018
Frequency of review	3 years
Date of next review	September 2021
Implementation date	September 2018
Key related documents	<ul style="list-style-type: none"> • Safeguarding procedure • Safeguarding reporting form • Data protection policy • Staff code of conduct • Compliments, complaints and suggestions policy • Whistleblowing policy • Health and safety policy • Lone working policy • Service user guide • Care Act 2014
Sources of best practice or guidance used in developing this policy	See references section
Safeguarding Lead	Kate Larkin Service Manager
Safeguarding Deputies	Anthony Robinson General Manager Martyn Richardson Supervisor
Trustee Specialising in Safeguarding	Jane Gallagher

Document change history		
Version number	Date	Changed sections

Definitions
The Care Act 2014 defines safeguarding as protecting a person's right to live in safety, free from abuse and neglect. This policy is written in accordance with statutory guidance under the Care Act 2014
Policy Statement
This policy sets out our commitment to take all reasonable steps to prevent and detect abuse and to raise alerts where abuse is suspected and/or reported. This policy must be read in conjunction with the Safeguarding Adults and Child Protection Procedure.
Purpose
<ul style="list-style-type: none"> • To protect people at risk of harm and abuse • To enable staff and volunteers to know what to do if they're worried • To provide support for staff and volunteers • To show the responsibility of the organisation • To conform with guidance stated in the Care Act 2014

Purpose of the Policy

1.1 This policy has been produced to safeguard and promote the wellbeing of service users, to protect them from abuse (with regard to the relevant legislation and issues of consent) and to support the abused person and their relatives. We believe in the following:

- Everyone has the right to live his or her life free from fear, violence or harm
- Everyone has the right to be protected from harm or abuse
- Everyone has the right to an independent lifestyle and the right to make choices, some of which may involve a degree of risk
- Actively promoting the empowerment and wellbeing of vulnerable service users through the services we provide
- Acting in a way that supports the rights of the individual
- Recognising people who are unable to take their own decisions and/or protect themselves, their assets and bodily integrity can be subject to abuse
- Recognising that the right to self-determination can involve risk
- Promoting the safety of service users
- Respecting the rights of the alleged perpetrator
- No child or young person should experience abuse of any kind. We have a responsibility to promote the welfare of all children and young people and to keep them safe

2.0 Policy Detail

2.1 We are committed to working collaboratively with our partner agents and statutory authorities to prevent or reduce the risk of abuse or the mistreatment of vulnerable adults and children. We will:

- Raise awareness and recognition of the issues involved
- Take action when abuse is suspected
- Ensure that staff have a knowledge and understanding of our policy and procedures through appropriate training
- Support monitoring, reviewing and evaluation of our own practices
- Ensure that service users and carers can access information about adult and child protection, this policy and the associated procedure and that we promote the wider safeguarding agenda
- Operate a safe recruitment practices and routinely take up and check references
- Support staff who raise concerns
- All staff receive regular support and supervision to help them identify and respond to possible abuse and neglect
- All staff at all levels have a shared responsibility to take appropriate action where there is a suspicion or allegation of abuse
- This policy also applies to any concerns relating to the child of a service user

3.0 Types of Abuse

3.1 We recognise the potential for adults and children to experience abuse. The Care Act stipulates that limitations should not be placed upon what constitutes abuse or neglect. Abuse and neglect include (take from the Care Act 2014):

- **Discriminatory abuse** – including forms of harassment, slur or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion
- **Domestic abuse** – including psychological, physical, sexual, financial, emotional abuse; so called ‘honour’ based violence
- **Financial or material abuse** – including theft, fraud, internet scamming, coercion in relation to an adult’s financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits
- **Modern slavery** – encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment
- **Neglect and acts of omission** – including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating
- **Organisational abuse** – including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one’s own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation
- **Physical abuse** – including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions
- **Psychological abuse** – including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks
- **Radicalisation** – the process of a person being influenced or coerced into supporting violent extremism including terrorism. Vulnerable individuals may be susceptible to exploitation / coerced into violent extremism by radicalisers
- **Self-neglect** – this covers a wide range of behaviour neglecting to care for one’s personal hygiene, health or surroundings and includes behaviour such as hoarding
- **Sexual abuse** – including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, sexual assault or sexual acts to which the person has not consented, was pressured to consent to, or where consent is withdrawn

3.2 Abuse can:

- Consist of a single act or repeated acts
- Be an act of neglect or an omission to act
- Be intentional or unintentional or result from lack of knowledge

3.3 Signs of abuse can include the following:

- Behavioural problems
- Mental health problems
- Physical signs
- Relationship difficulties
- Drug and/or alcohol problems
- Financial problems
- Self-harm
- Attempted suicide

3.4 People who live in accommodation and/or receive services provided by us should do so in an environment that is safe and free from abuse. All staff have a responsibility to safeguard children and adults who are at risk of and/or are experiencing abuse or neglect

3.5 We will safeguard children and adults from abuse by taking all reasonable steps to prevent and detect abuse and raise alerts where abuse is suspected

3.6 This will be achieved by all staff following the procedure set put in the Safeguarding Adults and Child Protection Procedure

3.7 We will continue to work in partnership with statutory and other agencies in performing out obligations to safeguard children and adults

4.0 Who is at Risk?

4.1 A vulnerable adult at risk is a person ages 18 or above who is, or may be eligible for community care services and whose independence and wellbeing is at risk due to abuse or neglect

4.2 Children and young people – individuals who have not yet reached their 18th birthday

4.3 A person may be at risk or vulnerable because they:

- Have learning or physical disabilities
- Have mental health problems
- May be old, frail or ill
- Can't always take care of themselves or protect themselves without help

4.4 Additionally some children are particularly vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues

4.5 It must not be assumed that someone is automatically at risk because of age, disability or gender

5.0 Safeguarding Lead/Deputies

5.1 We have staff who are designated safeguarding leads/deputies they receive and act on alerts raised, but also have a role in advising and supporting other staff.

5.2 The safeguarding lead is Kate Larkin, Service Manager. The deputy safeguarding leads are Anthony Robinson, General Manager and Martyn Richardson, Supervisor. Jane Gallagher is the Trustee Specialising in Safeguarding.

6.0 Monitoring and Review

6.1 This policy will be reviewed at least every 3 years. The review will be brought forward if there are significant changes to good practice, regulatory or legislative requirements

7.0 Equality and Diversity

7.1 This policy is implemented in line with the Equality and Diversity Policy and associated legislation. Consideration will be given to all protected characteristics under the Equality Act 2010 to eliminate discrimination, advance equality of opportunity and foster good relations

8.0 Data Protection and Privacy

8.1 We have a clear policy on data protection and sharing data with other partners/outside agencies under the requirements of the Data Protection Act 1998

9.0 References

9.1 Legal powers to assess and intervene are not contained in one specific piece of legislation. Some exist in criminal law, some in civil law and others in legislation that imposes statutory duties and/or legal frameworks on authorities for assessment, provision of services and protection as well as registration and inspection of services

9.2 Protection is available through the criminal and civil courts both to protect the person being abused and to take action against the abuser

9.3 Legislation, Regulations and Powers

- Carers (Recognition and Services) Act 1995 – requires that the needs of carers are assessed
- Children Act 1989
- Children Act 2004
- Children and Families Act 2014

- Court of Protection (England and Wales) High Court – can make arrangements to manage the financial affairs of someone who lacks mental capacity. A power of attorney, enduring power of attorney and the appointee system of the department of social security may be helpful in some instances of financial abuse
- Data Protection Act 1998
- Equality Act 2010
- Family Law Act 1996 – may be used against a wide range of abusers who live with the abused person
- General Data Protection Regulation (GDPR)
- Health Services and Public Health Act 1968 – allows local authorities to promote the welfare of older people
- Human Rights Act 1998 – allows everyone basic rights
- Lord Chancellors Office of the Public Guardian – helps protect people who lack capacity
- Mental Capacity Act 2005 – protects vulnerable adults who lack capacity to make decisions for themselves about their care and treatment due to disability, mental illness, brain injury or dementia. A person found guilty of neglect or ill treatment of a person who lacks capacity faces stronger penalties
- Mental Health Act 1983 – can be used where a person is mentally ill and believed to be ill-treated or neglected
- NHS and Community Care Act 1990 – which requires local authorities to undertake an assessment of need
- Offences Against the Person Act 1861, Domestic Violence and Matrimonial Proceedings Acts and the Sexual Offences Act can also be used in certain circumstances
- Protection of Freedoms Act 2012
- Public Interest Disclosure Act 1998 – protects employees disclosing a public concern providing they are acting reasonably
- Safeguarding Vulnerable Groups Act 2006
- Sexual Offences Act 2003
- The Care Act 2014
- United Convention of the Rights of the Child 1991
- Working Together to Safeguard Children – a guide to interagency working to safeguard and promote the welfare of children – HM Government 2015

9.4 This policy will be implemented in conjunction with relevant K|E policies

9.5 This policy will be implemented in conjunction with the safeguarding policies and procedures of relevant local authorities

PLEASE NOTE: If you have any Safeguarding concerns, the Safeguarding Procedure will guide you through what you need to do. The Safeguarding Lead or Deputies will be available to provide support.