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## **Safeguarding Policy**

**SER-POL-19**

**Version 4.0**

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**Date approved: 25 February 2020**

**Approved by: Audit and Risk Committee**

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## **1. Introduction**

- 1.1 This policy sets out how the Trust will identify and report safeguarding concerns for children and adults.
- 1.2 The Trust will work with others as part of the Manchester Safeguarding Partnership (MSP) to safeguard and promote the welfare of adults, children, young people and their families.
- 1.3 This policy applies to adults, children and young people that live in, or visit, our properties and use our services.
- 1.4 The Trust expects all employees, volunteers and contractors working on our behalf to be able to identify report and act on safeguarding concerns.

## **2. Relevant Legislation and Definitions**

- 2.1 The Trust has responsibilities under the Children Acts 1989 and 2004 to safeguard children at risk of abuse and neglect and under the Care Act 2014 and the Mental Capacity Act 2005 to safeguard adults with care and support needs.
- 2.2 Southway as part of the MSP defines safeguarding as protecting a child or adults right to live in safety, free from abuse and neglect. Organisations and communities should work together to support children and young people to make decisions about the risks they face in their own lives, and protect those who lack the capacity to make these decisions.
- 2.3 The Care Act 2014 states that safeguarding duties apply to an adult (over the age of 18 who
  - Has care and support needs (whether or not the Local Authority is meeting any of those needs)
  - Is experiencing, or at risk of abuse or neglect and
  - As a result of those care and support needs is unable to protect themselves from either the risk, or experience of abuse or neglect.
- 2.4 The Care Act introduced six principles for working with adults with care and support needs:
  - Empowerment
  - Prevention
  - Proportionality

- Protection
- Partnership
- Accountability

2.5 Safeguarding Children is defined in Working Together to Safeguard Children 2015 as:

Protecting children from maltreatment

Preventing impairment of children's health and development

Ensuring that children grow up in circumstances consistent with the provision of safe and effective care

Taking action to enable all children to have the best outcomes.

2.6 The Mental Capacity Act (MCA) 2005 provides the legal framework for establishing if people can make a specific decision themselves. There are 5 principles of the MCA:

- A person must be assumed to have capacity unless it is established that they lack capacity
- A person must not be treated as unable to make a decision unless all practicable steps to help them have been taken without success
- A person is not to be treated as unable to make a decision merely because they make an unwise decision
- Any act done or decision made for, or on behalf of, a person who lacks capacity must be in their best interests
- Any act done or decision made for, or on behalf of, a person who lacks capacity should be the least restrictive of their rights and freedoms

2.7 Abuse is any behaviour that deliberately or unknowingly causes a person harm or endangers their life and is a violation of a person's human and civil rights by another person or persons. It may consist of a single act or repeated acts. The types of abuse and indicators are listed in the Safeguarding Procedure.

### **3. The Trust's Approach**

3.1 Trust employees, volunteers and contractors visiting our homes and delivering services in our neighbourhoods will understand their role in reporting safeguarding concerns.

- 3.2 Trust employees will record and refer all concerns, suspicions or allegations of abuse or neglect.
- 3.3 Where someone is in immediate danger or discloses abuse that is a criminal offence we will report this to the Police using 999.
- 3.4 The Trust will report concerns of abuse and neglect to partners that have statutory responsibility to investigate safeguarding referrals, the Local Authority and Police. In most cases this will be done with the consent of the adult or family, unless they lack capacity or there is an overriding risk to a child or an adult with care and support needs.
- 3.5 The Trust will share information for the purposes of safeguarding and respond to requests for information from the Local Authority and MSP as part of a safeguarding children or adult enquiry, learning case review or serious case review.
- 3.6 The Trust will ensure that all staff understand that data protection does not prevent the sharing of information where it would safeguard children and adults with a care and support need.
- 3.7 The Trust's internal procedure will detail the clear lines of responsibility for reporting, processing and monitoring safeguarding.
- 3.8 The Trust has a designated Safeguarding Lead at Senior Manager level. The Safeguarding Lead will attend relevant multi-agency forums and be responsible for ensuring the organisation is kept up to date with legislative changes and learns from best practice.

#### **4. Safe Recruitment**

- 4.1 Southway's recruitment processes will include Disclosure and Barring Service (DBS) checks at either Standard or Enhanced levels for new staff where it has been identified and agreed by Southway's Vetting and Barring provider (SterlingBackcheck) that the post being recruited to is a position that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act regulations.
- 4.2 Staff subject to DBS checks will be required to advise their managers of any investigations and/or convictions that may impact upon their job role immediately.4.3 Managers will, following consultation with Human Resources, take appropriate action, up to and including dismissal to protect vulnerable adults and children.
- 4.3 Southway will ensure DBS checks are updated every 3 years.

## **5. Whistleblowing**

- 5.1 Southway's Whistleblowing Policy encourages and supports staff to report concerns about the conduct of staff members.
- 5.2 Southway will report any safeguarding concerns raised about the conduct of staff members to the Local Authority Designated Officer (LADO) and act in accordance with the LADO's advice and guidance.

## **6. Staff Training and Continuous Improvement**

- 6.1 The Trust will provide a procedure, training and guidance to new and existing staff on:
- The types of abuse
  - Where abuse occurs and by whom
  - Recognising the signs of abuse
  - Reporting safeguarding concerns internally and to statutory bodies
  - How to deal with a disclosure of abuse
- 6.2 All Trust employees, volunteers and contractors will be provided with role appropriate training.
- 6.3 The Trust will implement learning points from relevant reports, Serious Case Reviews and best practice.
- 6.4 The Trust will complete self-assessments and carry out internal audits of its safeguarding procedures and practices and implement recommendations.
- 6.5 The Trust will periodically report Safeguarding activity to the People and Places Committee including:
- Number of Concern Reports recorded
  - Evaluation of investigated cases and alerts and lesson learnt
  - Compliance with policy and procedures

## **7. Equality and Diversity**

- 7.1 An Equality Impact Assessment has been completed to ensure that all appropriate actions are put in place to support those tenants who have protected characteristics.

## **8. Related Policy Documents**

- Anti- Social Behaviour Policy
- Domestic Abuse Policy

- Hate Crime Policy
- Single Equalities Scheme
- Customer Care (Everyone Matters) Policy
- Data Protection and Information Sharing Policy
- Whistleblowing Policy
- Tenancy Support Policy
- Recruitment and Selection Policy

<b>POLICY REVIEW HISTORY</b>	
<i>To be completed during each review</i>	
<p><b>Previous versions</b> (version number – approved by – approval date – title if different)</p> <p>v1 – Board – 23/11/2010 – Safeguarding Children and Vulnerable Adults Policy  v2 – Board – 18/11/2013 – Safeguarding Children and Adults at Risk Policy  V3 – Audit and Risk Panel November 2016 – Safeguarding Policy  V4 – Audit and Risk Committee February 2020</p>	
<b>Date of last EIA:</b>	February 2020
<b>Review lead by:</b>	Claire Davies
<b>Main points or amendments made and reasons</b>	
<p>Sections changed to be consistent with other policies:  Introduction  Relevant Legislation and Definitions – includes Care Act 2014 and the Mental Capacity Act 2005 which will be more relevant to the management of the extra care schemes  The Trust’s Approach – covers roles and responsibilities and partnership working  Safe Recruitment – DBS  Training and Continuous Improvement – includes reporting</p>	
<b>Next review due:</b>	Q4 2022/23
<b>Approval level:</b>	Audit and Risk Committee