

Sunderland Carers' Centre



Safeguarding Policy

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1. Introduction

- 1.1 Everyone has the right to lead their lives free from violence and abuse. This right is underpinned by the duty on public agencies under the Human Rights Act (1998) to intervene proportionately to protect the rights of citizens.
- 1.2 Any adult at risk of abuse should be able to access public organisations for appropriate interventions which enable them to live a life free from violence, fear and abuse. It is recognised that some adults who may be eligible to receive health and social care services may be, and often are, vulnerable to the violation of their rights and to abuse, exploitation or mistreatment. Some of these people may need additional support to access such services and support systems.
- 1.3 Adults who ‘may be eligible for community care services’ are those whose independence and wellbeing would be at risk if they did not receive appropriate health and social care support. They include adults with physical disabilities, mental ill-health, learning disabilities or sensory impairments; howsoever those impairments have arisen e.g. either present from birth or due to advancing age, chronic illness or injury. Other people to consider include adults who misuse substances, adults whose behaviour/condition puts them at risk of abuse and some victims of domestic violence. It may also include carers: family and friends who provide personal care to adults on an unpaid basis. When an adult in this group is experiencing abuse, this will have a significant impact on their independence, health and wellbeing.
- 1.4 If all adults were able to effectively and independently access support to live safer lives at the time they needed it, there would be no need for policies and procedures such as this. However, the publication of ‘No Secrets’ (Department of Health 2000) was based on the premise that some groups of adults experience a higher prevalence of abuse than the general population and that they are also not easily able to access services to enable them to live safer lives. This group of adults were defined as ‘vulnerable adults’ within ‘No Secrets’.
- 1.5 Since ‘No Secrets’ was published, there have been some significant legal and policy changes relating to adult social and health care with a re-focusing of language and philosophy. The emphasis is now on supporting adults to access services of their own choosing, rather than intervening to provide protection. In this way, the adult remains at the centre of the process, rather than professionals ‘taking over’ and seeing protection as something that is ‘done to someone’.
- 1.6 In 2005, the then Association of Directors of Adult Social Services (ADASS) published the Safeguarding Adults National Framework of Standards Guidance for good practice and outcomes in adult protection work. This document draws together best evidence from practice and a set of aspirations in terms of partnership working into a set of practice standards to guide adult protection work.
 - The Disclosure and Barring Service (DBS). DBS helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children.
DBS is an executive non-departmental public body of the Home Office
<https://www.gov.uk/government/organisations/disclosure-and-barring-service>
 - Sunderland Safeguarding Adults Procedural Framework at – www.alertabuse.org.uk

- 1.7 Other significant statutes include: the Mental Health Act, 2007; the Safeguarding Vulnerable Groups Act, 2006; the Domestic Violence Crime and Victims Act, 2004; the Sexual Offences Act, 2003; the Disability Discrimination Act, 1998; the Public Interest Disclosure Act, 1998; and the Mental Capacity Act, 2005 (including the Deprivation of Liberty Safeguards, which were introduced into the Mental Capacity Act, 2005 through the Mental Health Act, 2007).
- 1.8 In recognition of the changing context, previous references to the 'protection of vulnerable adults' and to 'adult protection' work are now replaced by the new term: **Safeguarding Adults**. This phrase means all work which enables an adult "who is or may be eligible for social care or health services" to retain independence, wellbeing and choice **and** to access their human right to live a life free from violence, fear or abuse.

2. Policy Statement

- 2.1. This Policy Document sets out the agreement and principles embodied in the Sunderland Safeguarding Adults Procedural Framework. It is intended to set the context in relation to Safeguarding Adults and should be read in conjunction with the Framework.
- 2.2. This Policy Document should also be read in line with the Sunderland Carers' Centre Safeguarding Children and Young People policy and procedure.
- 2.3. Within the principles of this agreement, partnership agencies, including Sunderland Carers' Centre, have agreed to develop or re-develop their own internal guidance, to be incorporated into, and compatible with, the Procedural Framework.
- 2.4. Sunderland Carers' Centre will ensure that all staff become familiar with the Framework and Guidance.
- 2.5. The aims of the Policy and accompanying Procedural Framework are as follows and Sunderland Carers' Centre agrees to:

2.6 Raising Awareness

- 2.6.1 To raise awareness amongst staff, volunteers, carers and other members of the community that adults are abused, that this should be acknowledged and appropriate safeguarding measures should be implemented.
- 2.6.2 Ensure carers, service users, other family members and the wider community, receive information about how to raise concerns if they suspect or experience abuse.
- 2.6.3 Enable staff to recognise poor practice or abuse and respond appropriately, by ensuring they receive the necessary Safeguarding Adults training.
- 2.6.4 Raise the profile of safeguarding adults in all relevant internal and multi-agency communications.

2.7 Prevention

- 2.7.1 To ensure Sunderland Carers' Centre has appropriate and effective preventative measures in place to minimise the risk of abuse, including:

- 2.7.2** Ensure rigorous recruitment and selection practice and adherence to pre-employment checks e.g.: 2 references will always be taken up, Disclosure and Barring checks via the Disclosure and Barring Service (DBS) undertaken where applicable.
- 2.7.3** Ensure that all relevant staff and volunteers receive Safeguarding Adults training at the level appropriate to their role.
- 2.7.4** Promote the Sunderland Carers' Centre Whistleblowing policy and procedure which will be adhered to when staff raise concerns about the conduct of their colleagues or managers, ensuring that those who raise genuine concerns are protected and supported.
- 2.7.5** Publish a clear, accessible and well-publicised complaints procedure. This will include information about how to complain to external bodies such as regulators and service commissioners.
- 2.7.6** Ensure there are clear policies in place against discrimination and harassment towards any person (staff, volunteers, carers, service users) on any grounds including disability, age, race, faith, gender or sexuality.

2.8 Responding to Abuse

- 2.8.1** When abuse is reported, or suspected, to ensure that individuals receive a consistent, supportive and effective response from Sunderland Carers' Centre.

3. Statement of Commitment

- 3.1** Sunderland Carers' Centre has worked together in partnership to develop and adopt the multi-agency procedures relating to Safeguarding Adults in Sunderland. We agree to the following principles:
- 3.2** All adults have the right to live lives that are free from violence, harassment, humiliation, degradation, abuse and neglect.
- 3.3** All adults have the right to be safeguarded from harm and exploitation.
- 3.4** All adults have the right to an independent lifestyle and the right to make choices, some of which may involve a degree of risk.
- 3.5** As a partnership, we are therefore committed to making sure the multi-agency procedures become operational by:
 - 3.5.1** Ensuring that there is a consistent and effective response to any concerns, allegations or disclosures of abuse.
 - 3.5.2** Supporting staff and volunteers in recognising abuse and reporting concerns to the appropriate (Responsible) person who will investigate any reports of abuse and make a decision in line with Threshold Guidance as to whether a report needs to be sent to Sunderland Safeguarding Adults Team.
 - 3.5.3** Preventing or reducing the risk of abuse in our organisation.
 - 3.5.4** Ensuring that staff and volunteers have a knowledge and understanding of safeguarding policy and procedures through appropriate training.

- 3.5.5 Working in partnership with other agencies.
- 3.5.6 Ensuring that the public, carers and service users have access to information about safeguarding adults, the policy and procedures.
- 3.5.7 Contributing to Safeguarding Adults Strategy Discussion Meetings, Assessment/Investigation Meetings and contributing to Safeguarding Plans where necessary.
- 3.5.8 Ensuring that sufficient resources are made available to meet an identified strategic/forward plan.

4. Principles

- 4.1. Everyone has the right to live their lives free from violence and abuse. That right is underpinned by the duty on public agencies under the Human Rights Act (1988). This places a duty on public organisations to enable adults at risk of neglect or abuse to access the advice, support and interventions they need to minimise the risk of further abuse, and stop it wherever possible.
- 4.2 All adults are recognised as being entitled to the following:
 - 4.2.1 **Self-determination** – the individual’s right to self-determination will be respected and supported.

It is recognised that with self-determination comes a degree of risk, which sometimes means the person may choose to remain in a situation that professionals perceive to be unsafe. The wishes and choices of the person who may be experiencing abuse will be respected, unless there is a responsibility to override them. This does not take away the professional’s responsibility to work to minimise or manage the risk whilst supporting the individual’s freedom of choice. The individual’s capacity to make a given decision must also be assessed.

An individual’s wishes cannot undermine an organisation’s legal or statutory duty to act.

- 4.2.2 **Rights** – the maintenance of all entitlements and responsibilities associated with citizenship, including civic, legal and human rights.
- 4.2.3 **Independence** – the opportunity to think and act without reference to another person.
- 4.2.4 **Privacy** – the right to be alone or undisturbed and free from intrusion.
- 4.2.5 **Dignity** – the right to be respected.
- 4.2.6 **Partnership** – the right to be kept informed of and involved in all aspects of care and support.
- 4.2.7 **Minimum intervention** – no intervention beyond the necessary or desired level as agreed within the context of a safeguarding plan or care plan.

4.2.8 Equal opportunities – the safeguarding process should aim to take into account each person’s unique individuality and to avoid discrimination because of race, religion, age, ethnicity, gender, disability, sexuality or language.

4.3 If abuse is suspected, the alleged victim should have wherever possible:

4.3.1 The right to be safeguarded from abuse.

4.3.2 Their needs regarded as paramount.

4.3.3 The right to be taken seriously.

4.3.4 The right to be kept informed of processes and outcomes, as appropriate.

4.3.5 The right of access to independent advocacy and/or support particularly where there is an issue about mental capacity.

4.3.6 The right to appropriate information to raise their awareness of what constitutes abuse.

4.3.7 The right to accessible information on the Safeguarding Adults process.

4.3.8 The right to privacy and confidentiality throughout the safeguarding process, except where there is a requirement to override.

4.3.9 The right for arrangements to be made with them to promote safety and welfare in both the short term and long term.

4.3.10 The right to be involved in decisions regarding themselves, made as a result of the safeguarding process.

4.4 Carers should have wherever possible:

4.4.1 Support when suspected abuse is reported.

4.4.2 Their views and opinions taken into consideration.

4.4.3 The right to be kept informed of processes and outcomes where it does not conflict with the best interests of the alleged victim.

- 4.5 Staff or volunteers should have wherever possible:
 - 4.5.1 Training, support and guidance on the safeguarding adults process.
 - 4.5.2 Training to raise awareness of issues of abuse.
 - 4.5.3 Support when they report suspected/alleged abuse.
 - 4.5.4 The right to be kept informed of processes and outcomes, subsequent to their reporting of suspected/alleged abuse, where it does not conflict with the best interests of the alleged victim.
- 4.6 The perpetrator, where they may also be seen to be vulnerable, should have wherever possible:
 - 4.5.5 The right of access to independent advocacy or support.
 - 4.5.6 The right to be kept informed of processes and outcomes where it does not conflict with the best interests of the alleged victim.
 - 4.5.7 Appropriate support, treatment or provision as identified through the safeguarding process and implemented within the context of care planning.
- 4.6 Throughout all safeguarding adults work, information will be shared, based on the following principles of confidentiality:
 - 4.6.1 Confidentiality will not be confused with secrecy.
 - 4.6.2 Informed consent should be obtained but if this is not possible, and other adults are at risk, it may be necessary to override the requirement.
 - 4.6.3 It is inappropriate for agencies to give absolute confidentiality in cases where there are concerns about abuse, particularly when other people may be at risk.
 - 4.6.4 Any exchange of information will be in accordance with the Data Protection Act 1998, the Human Rights Act 1998, and Caldicott Guidance.

5. Freedom of Information Request

- 5.1 Any person requesting to see information relating to the Safeguarding Adults process in line with the Freedom of Information Act 2000, will be directed to contact the Safeguarding Adults Team.

6. Review of Policy

This policy will be reviewed on two yearly basis.

Reviewed September 2014

Next Review September 2016

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