

OP03 Safeguarding Adults**1. Policy Statement**

- 1.1 In line with Regulation 13 of the Health & Social Care Act 2008 (Regulated Activities) Regulations 2014, Shared Lives South West endeavours to safeguard people who use services from suffering any form of abuse or improper treatment while receiving care and treatment.
- 1.2 Shared Lives South West recognises a person's right to live in safety, free from abuse and neglect.
- 1.3 Whilst Safeguarding Adults remains a statutory duty of the local authority, the purpose of this policy is to ensure that Shared Lives South West and its staff, Carers and volunteers, understand their role in the safeguarding process and what they should do if they suspect someone is being abused or at risk of abuse.

2. Safeguarding Adults Principles

- 2.1 Safeguarding applies to any adult who has needs for care and support (whether or not the local authority is meeting those needs) and is experiencing, or at risk of abuse or neglect and, as a result of their care needs, is unable to protect themselves. This will apply to anyone using a Shared Lives South West service.
- 2.2 The local authority must arrange, where appropriate, for an independent advocate where there is a safeguarding incident and the individual has substantial difficulty in being involved. This may apply where the Shared Lives Carer is the alleged abuser and the individual has no close relative or friend to support them. The Shared Lives Carer can never be the advocate.
- 2.3 There are six key principles that underpin all adult safeguarding work:
 - Empowerment – Person-led discussion and informed consent
 - Prevention – Inform people about abuse and how to seek help
 - Proportionality – The least intrusive appropriate response to the presented risk
 - Protection – Support people to report abuse and take part in the safeguarding process
 - Partnership – Local solutions working with communities
 - Accountability – Transparency in delivering a safeguarding process

3. Practice Guidance

- 3.1 It is the legal responsibility of Shared Lives South West to promote the wellbeing of those using the service, prevent harm and respond effectively in the event of any concerns being raised.

- 3.2 Shared Lives South West recognises our obligation to the Care Quality Commission's Key Lines of Enquiry and take steps to ensure:
- That people are protected from bullying, harassment, avoidable harm and abuse that may breach their human rights.
 - That the risks to individuals are managed so that freedom is supported and respected.
 - That the service provides sufficient numbers of suitable staff to keep people safe and meet their needs.
 - That peoples' medicines are managed safely.
- 3.3 Shared Lives South West supports those using the service to take responsible risks in the context of their personal support plan and in accordance with any risk assessments.
- 3.4 Shared Lives South West will adhere to safe recruitment practices for staff, Carers and Support Carers, and will offer regular supervision and support to all groups. This includes obtaining DBS checks, public liability insurances, references and compulsory training.
- 3.5 Shared Lives South West will provide regular training for staff, Carers, Support Carers and volunteers to safeguard the people they support. Training will also be provided in order to ensure understanding of the Mental Capacity Act and how it applies to the individuals we support. Safeguarding Adults training and Mental Capacity Act training is required to be renewed every three years as a minimum. It is the responsibility of the staff member, Carer or volunteer to ensure they attend training in order to remain compliant. In addition, key topics are refreshed earlier during supervision, appraisal or contact visits.
- 3.6 Shared Lives South West has a statutory duty to refer all reports and allegations of abuse involving anyone who uses the service and ensures that staff members are aware of the process of how to submit and record such notifications.

4. Reporting Abuse

- 4.1 Shared Lives South West has a zero tolerance of abuse and will always respond to concerns raised.
- 4.2 Shared Lives South West recognises the various types of abuse as defined in the Care Act 2014: Physical abuse, domestic abuse, sexual, psychological, financial or material, modern slavery, discriminatory, organisational, neglect or acts of omission and self-neglect. Additionally, online or digital abuse is increasingly recognised, examples being scams and cyber bullying.

- 4.3 Shared Lives Carers are responsible for reporting concerns or allegations to their Shared Lives Coordinator as soon as possible. The immediate safety of those involved will be assessed and action taken to ensure their well-being and security. Agreements will be reached on the next steps of the process.
- 4.4 Shared Lives staff and Carers are required to keep appropriate records of any disclosure or observations. The words of the individual reporting the concern or allegation must be used. It should be kept safe as it may be required during an enquiry. It should be shared with any relevant professionals in line with confidentiality rules.
- 4.5 Shared Lives South West will contact the local authority for the individual who is at risk immediately or within 24 hours of receiving information relating to allegations of abuse.
- 4.6 SLSW staff or Carers will gain consent of the person being supported to inform the local authority or inform the person we support that a referral is being made, if consent is negated by wider or transferable risk.
- 4.7 The local authority must make enquiries once a referral is submitted. This should establish what actions, if any, need to be taken to stop or prevent abuse or neglect and who should undertake those actions. There is a duty to continue the enquiry, and necessary actions, to ensure the safety and protection of the adult. Any actions must be undertaken before the enquiry can be closed.
- 4.8 The local authority must discuss with the individual or advocate whether further enquiry is needed. One or more of the following may occur:
- A Safeguarding plan may be implemented for the individual
 - Disciplinary action for the alleged abuser
 - Complaints procedure
 - Service improvement
 - Criminal investigation
 - Mediation or conflict resolution
- 4.9 If a safeguarding plan is needed, it must give clear timescales for monitoring and review as well as clearly stating who the lead professional is. All professionals involved must be clear about their role, responsibility and actions.
- 4.10 Shared Lives South West are required to work in conjunction with the local authority to assist with information gathering, enquiries and reporting as well as agreeing actions to achieve desired outcomes.

4.11 Shared Lives South West Staff should follow the '**Incidents and Notifications guidance**' and use the 'Provider notification information' which are stored on the SLSW database in Documents>Notifications, along with any further supporting information as provided by SLSW. Contact information for each relevant local authority are detailed within this guidance.

5. Individuals alleged to be responsible for abuse or neglect

5.1 Where this person is a Shared Lives Carer:

- The scheme first needs to define whether they will continue in their role or whether changes need to be made.
- The Carer may be allocated a different Shared Lives Co-ordinator to maintain impartiality.
- In conjunction with the local authority, Shared Lives South West must determine whether the individual needs to be removed from the Carer's home. This would result in the Carer's payments ceasing and will only take place after consultation with the individual and/or their advocate. The Carer may then be suspended.
- If the individual stays within the Carer's home, a decision will be made to determine if monitoring needs to be increased.
- Where the alleged victim has been assessed as lacking the capacity to keep themselves safe from a specific individual, action will be taken in their best interests within the framework of the Mental Capacity Act.
- There may be a criminal investigation.

5.2 Where this person is a member of staff at Shared Lives South West, the scheme may suspend them or temporarily make alterations to their job role to avoid further risk. Disciplinary action will be taken where appropriate.

5.3 Where this person is external to Shared Lives South West e.g. a family member or day service staff, work will be undertaken with the individual and/or their advocate to ensure their safety. Shared Lives South West and the local authority will work with the relevant organisation and adhere to their own internal procedures.

5.4 Where a person has been proven responsible for causing abuse or neglect, a criminal investigation may ensue. Dismissal or de-approval may also occur or alternatively, if the person remains in post, additional training and monitoring will occur.

6. Referral to the Disclosure and Barring Service

6.1 Shared Lives South West has a legal duty to make a referral to the Disclosure and Barring service if a Shared Lives Carer, staff member or volunteer has been dismissed, or would have been if they did not leave

voluntarily, after causing harm or risk of harm to an adult or child with care and support needs.

6.2 A registered manager is responsible for making the referral.

7. Confidentiality

7.1 Information will only be shared on a need-to-know basis, or when SLSW are legally obligated to, and when it is in the best interests of the individual who may be at risk and/or other vulnerable people.

7.2 Informed consent should be obtained where possible before sharing information.

7.3 It is inappropriate to give assurance of absolute confidentiality, particularly where others may be at risk. Where information has been shared, all parties involved should be notified.

7.4 Shared Lives South West has a whistle blowing policy which provides guidance and supports staff, Carers and volunteers to inform Shared Lives South West about any concerns they have regarding the behaviour and practice of any member of Shared Lives South West.

8. Review

8.1 This policy will be reviewed every two years, or earlier if required.

9. Responsibilities

9.1 The Registered Manager has overall responsibility for the implementation of this policy, and for ensuring that the organisation is compliant with safeguarding legislation.

9.2 All operational staff are responsible for ensuring that all safeguarding matters are notified to CQC and other relevant organisations, and that this policy is followed in the approach to handling safeguarding.

9.3 All staff, Carers and volunteers are responsible for undertaking safeguarding training and understanding the principles of this policy.