

Safeguarding adults at risk policy

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1. Introduction

The [Care Act 2014](#) builds on recent reviews and reforms, replacing numerous previous laws, to provide a coherent approach to adult social care in England including Safeguarding Adults. Part 1 of Act (and its statutory guidance) consolidates and modernises the framework of care and support law; sets out new duties for local authorities and partners, and new rights for service users and carers.

The [Care and Support Statutory Guidance](#) issued under the [Care Act 2014](#) replaced 'No Secrets' from April 2015.

The following safeguarding principles have been incorporated into the [Care Act 2014](#). These are:

- **Empowerment** – People being supported and encouraged to make their own decisions and informed consent.
“I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens.”
- **Prevention** – It is better to take action before harm occurs.
“I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help.”
- **Proportionality** – The least intrusive response appropriate to the risk presented.
“I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as needed.”
- **Protection** – Support and representation for those in greatest need.
“I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want.”
- **Partnership** – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
“I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me.”
- **Accountability** – Accountability and transparency in delivering safeguarding.
“I understand the role of everyone involved in my life and so do they.”

Another key principle throughout the safeguarding arrangements is a personalised approach to safeguarding. This signals a major change in practice with a move to a person centred approach.

This supports empowering people to speak out and to make informed choices with support where necessary and is inseparable from quality of life and dignity. Therefore, the primary focus / point of decision-making must be as close as possible to the adult and they must be supported to make their own choices.

This recognises that in safeguarding situations the adult must be involved at the earliest opportunity (unless doing so would put them at greater risk of harm) and they must be kept involved throughout the process to ensure that safeguarding is more person centred and more outcome focused.

The Care Act 2014 has placed adult safeguarding and adult safeguarding boards on a statutory basis, with duties to co-operate over the supply of information and rights to access to advocacy.

[Section 42 of the Care Act](#) requires Local Authorities on behalf of adults who fit the criteria, to carry out Statutory Enquiries. Local authorities may also **cause others to do so**, on their behalf. There is also provision for Non Statutory Enquiries in the Act.

The Care Act 2014 has also created a duty of candour on providers in respect of failings in hospital and care settings with a new offence for providers of supplying false or misleading information, in the case of information they are legally obliged to provide.

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Local adult safeguarding procedures co-ordinated by local authorities across the Trust has led to a range of different local arrangements to report and investigate in order to protect adults at risk of harm from abuse or neglect.

2. Purpose or aim

This overarching policy is to assist staff to effectively meet their statutory duty to protect and safeguard adults (particularly those who are vulnerable) from the age of eighteen years old onwards, working using Think Family principles to assess and manage risk in families.

This policy complements the local multi agency safeguarding adult policies and procedures and associated documents including those on Forced Marriage, Modern Day Slavery, Honour Based Violence, Prevent, Adult Sexual Exploitation and Female Genital Mutilation throughout the Trust by:

- defining the Trusts internal arrangements for Adult Safeguarding
- informing staff of the general principles to safeguard adults and effectively signposting staff into their local procedures for adult safeguarding and to access local contacts and leads.

The policy describes the support, advice, policies, and guidance available to staff, both internally and externally, in the effective safeguarding of adults within their practice.

Although not directly covered by adult safeguarding, it should be also noted that a duty to protect from abuse also extends to the care and transportation of deceased service users.

3. Scope

This policy applies to all staff (including bank and agency staff) and volunteers working with adults in the Trust.

4. Definitions

The adult experiencing, or at risk of abuse or neglect is now referred to as the adult.

The purpose of safeguarding adults is to prevent, detect and manage the risk of abuse or neglect of an adult, particularly where there is an increased level of vulnerability (either permanent or transitory).

Safeguarding enquiries carried out on behalf of adults who fit the criteria outlined in [S42 of the Care Act](#) or Statutory Safeguarding Enquiry. Local authorities are required by law to carry out safeguarding enquiries for these individuals or **cause others to do so**. The criteria for a section 42 enquiry are met if the adult:

- has needs for care and support (whether or not the local authority is meeting any of those needs) and;
- 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 of, or the experience of abuse or neglect.

Non Statutory Safeguarding Enquiries carried out on behalf of adults who do not fit the criteria outlined in Section 42 of the Care Act 2014 can be carried out by local authorities at their discretion or **cause others to do so** but are not required by law to carry out. These enquiries can relate to an adult who:

- is believed to be experiencing, or is at risk of, abuse or neglect, and;
- does not have care and support needs (but might have just support needs) i.e. carers .

Types of abuse include:

- Physical – including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions

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- Domestic abuse - including psychological, physical, sexual, financial, emotional abuse; so called 'honour' based violence
- Sexual – including rape, sexual assault, sexual acts carried out without the consent of the individual or where the individual was pressured into consenting
- Psychological – including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation, or withdrawal from services or supportive networks
- Financial or material – including theft, fraud, exploitation, pressure in connection with wills, property or 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
- Discriminatory abuse – including racist, sexist, that based on a person's impairment, and other forms of harassment, slurs, or similar treatment
- Organisational – can include any of the above. This may range from one off incidents to on-going ill-treatment sometimes intentional, but often unintentional and resulting from a lack of knowledge. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation
- Neglect and acts of omission – includes ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, withholding of the necessities of life, such as medication, adequate nutrition and heating
- Self-neglect – covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding

In addition to the types of abuse, there are also a range of related issues that may lead to abuse or neglect of an adult. These include:

- Prevent
- Forced marriage
- Female genital mutilation
- Adult sexual exploitation
- Modern Slavery

Whilst there are specific pathways to manage these issues, where the person at risk meets the criteria for adult safeguarding, an adult safeguarding referral should always be considered. Advice on managing these complex cases should be sought from the Trust Adult Safeguarding Team.

5. Policy description

This policy sets out internal and multi-agency arrangements to safeguard adults and sets out general principles, processes to safeguard adults, reporting and performance arrangements, defines the training requirements to safeguard adults, and signposts into the Trust and varying local multi agency procedures to safeguard adults.

5.1 General principles that underpin joint working with adults at risk

All people have the right to live their lives free from violence, exploitation, and abuse; this is underpinned by the duty on public agencies to intervene proportionately to protect the rights of citizens under the Human Rights Act (HRA) 1998.

Absolute rights under the HRA 1998 include Article 2: The Right to Life and Article 3: Freedom from Torture (including humiliating and degrading treatment)

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As long as it does not conflict with Articles 2 and 3, Article 8: The Right to Family Life is also important to safeguarding adults decisions in supporting the principle that all people have the right to live an independent lifestyle and to make choices, even if some of those choices involve a degree of risk.

Therefore all staff and volunteers must be aware that the right of all adults to be protected from abuse or neglect.

You should assume that people, have mental capacity to make decisions about their own well-being and safeguarding and wherever possible obtain informed consent to share information should be obtained from the person, unless if there is a high risk of serious harm to the individual or another adult or child. Where the person may lack capacity, a capacity assessment should be undertaken.

Any person making a report of abuse should be listened to, their information acted upon, and wherever appropriate they should be informed about the outcome.

People who are subject to safeguarding procedures have the right to be involved as fully as possible in all aspects of the process. People should be given relevant information (including [Trust](#) or multi agency safeguarding leaflets), assisted to identify and negotiate what outcomes they want as well as influence the process that professionals follow throughout the safeguarding process.

People should also be informed of their rights to advocacy (including potential access to IMCA/IMHA where relevant) to assist them in being actively involved in leading their own safeguarding assessments and planning.

Service users have the right to advice, support for human rights, protection of the law, access to the civil and criminal justice system, and access to independent translation services (not family), victim support services and advocacy services, in order to support their voice being heard in the adult safeguarding process.

The AWP **and** the relevant local multi agency policies, procedures and guidance must be followed when a safeguarding adult at risk concern is identified and managed.

The [Association of Adults Social Services](#) provides a range of guidance in relation to Safeguarding Adults thresholds guidance, which is available on Ourspace.

5.2 Supporting practice to safeguard adults

The Trust has an Adult Safeguarding Team for providing support and advice to staff and volunteers on safeguarding adults (including advice on specific cases).

The details on how to contact the Adult Safeguarding Team are available on [Ourspace](#)

Safeguarding adults issues should be routinely discussed as part of the supervision arrangements for all practitioners as set out in the Trust [Staff Supervision Policy](#). The practice outcomes from supervision should, in individual cases, be recorded in the relevant service user health and social care record.

All safeguarding concerns must be recorded. Full information on recording and storing documents is set out in “recording safeguarding information” pages which linked to all local safeguarding adults pages in [OurSpace](#)

The Trust provides a range of guidance and tools to support staff in their roles, whether they are raising a safeguarding concern, making enquires, or making a referral.

Full information and guidance, including on information sharing and consent issues, local contacts, flow charts, and document templates is available on the relevant local safeguarding adult pages in OurSpace.

5.3 Trust safeguarding adult responsibilities

The Trust has the following responsibilities in relation to adult safeguarding:

- All areas
 - Identifying concerns
 - Raising concerns
 - Making referrals
 - Working in partnership with the Local Safeguarding Adult Board
- Depending on local arrangements and procedures
 - Making enquiries
 - Chairing safeguarding meetings
 - Taking minutes of safeguarding meetings

Full details of how staff meet these responsibilities in practice are contained in the relevant local Safeguarding Adults pages on [OurSpace](#).

5.4 Adverse incident reporting of a safeguarding adult concern

An adult safeguarding concern requiring a referral to adult social care must be reported as an adverse incident in line with the Trust [Incident Policy](#).

If there is an allegation that a member of staff or volunteer has caused harm to an adult at risk this must also be reported immediately to Head of Safeguarding as the Trust Allegations Officer.

Selecting 'Safeguarding' as the 'cause group' on the electronic form enables staff to view the types of incident in a drop down list.

Appendix B8 of the Incident Policy (the Classification of Serious Incidents) identifies which incidents should be considered serious and graded as 'red'. The final grading of any of the following incident types will be determined in discussion with the Associate Director for Statutory Delivery and the Patient Experience Team, but should be initially graded as red and reported within 24 hours:

- Any allegation of abuse of an adult at risk or any service user by a member of AWP staff
- Any failure by AWP staff to follow procedure or acceptable practice which may have resulted in significant harm to or the death of an adult at risk.

Further detail on adverse incident reporting is available in the [Trust Incident Management Policy](#)

5.5 Working with multi agency partnerships

The Trust is a member of the multi-agency Local Safeguarding Adult Boards in:

- North Somerset
- Bristol
- South Gloucestershire
- Bath & North East Somerset
- Swindon
- Wiltshire

Additionally it links with local boards in other areas where AWP provides services. The relevant local Multi Agency Safeguarding Adult Policies and Procedures set out what AWP as an organisation, and its staff must do to safeguard adults in that area.

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The Multi Agency Safeguarding Adult Procedures and local authority contact details (including out of hours details) are available on the relevant local authority safeguarding adult page on OurSpace.

Where you identify safeguarding adult issues in a family or home, you should always check if there are other adults or children in the family or home, and consider further safeguarding adults alerts or child protection referrals.

6. Roles and responsibilities

Within AWP, safeguarding adult issues are managed through the terms of reference of the Trust Critical Incident Group, chaired by the Clinical Executive Directors, which reports to the Quality and Standards Committee and Board.

6.1 Director of Nursing and Quality

The Director of Nursing and Quality is the responsible Executive Director for adult safeguarding and reports to the Trust Board in this area of responsibility.

6.2 Associate Director of Nursing

The Associate Director of Statutory Delivery provides Trust wide strategic leadership to ensure the Trust meets its obligations to safeguard children and adults, as well as compliance with mental Health legislation including Mental Capacity Act and the Deprivation of Liberty Safeguards.

6.3 Head of Safeguarding and Named Professionals for Adult Safeguarding

The Trust Head of Safeguarding has responsibility for leadership in ensuring that practice in the Trust ensures effective safeguarding of adults, working in collaboration with a variety of healthcare professionals and other agencies to develop systems and frameworks to improve services for service users. Their role is to ensure the Trust provides safe effective and well led services which safeguard the vulnerable, and to ensure effective reporting to the Trust, Commissioners and the Local Safeguarding Adult Boards on safeguarding performance, including reporting and assurance on all relevant standards.

They are responsible for providing leadership, support and expert advice on safeguarding adults with regard to the Care Act 2014, Mental Capacity Act and Deprivation of Liberty Safeguards, Modern Slavery, MAPPA and Prevent, working in the Trust Safeguarding Service to manage the Trust Safeguarding Adult team and Named Professionals for Adult Safeguarding.

The Head of Safeguarding is expected to give robust, consistent expert advice in partnership with other specialist senior colleagues. Reinforcing the need to deliver high quality safe services in line with legislation and best practise

The Trust Named Professionals for Safeguarding will support the Head of Adult Safeguarding in supporting practice that ensures safe effective and well led services which safeguard the vulnerable, within local partnerships across the Trust area.

6.4 Local Delivery Unit Management teams

Local Delivery Unit Management teams are responsible for:

- Safeguarding practice in their geographical area
- Supporting representation of the Trust on local Safeguarding Adult Boards
- Ensuring compliance with relevant standards to support reporting to the Trust, Commissioners and the LSAB on safeguarding performance.

6.5 Team Managers (Safeguarding Champions) and Volunteer Co-ordinators

The Team Manager (or their delegated safeguarding champion) are responsible for acting as a team reference resource on safeguarding issues, provision of required data, implementation of audits and relevant training planning, cascade of information, safe recruitment and workforce issues, and support and supervision to their team on safeguarding issues. They are also responsible for ensuring all referrals are reported using the Incident Reporting System.

6.6 All staff working with children and families

All staff working with children and families are responsible for ensuring that their practice is compliant with the Trust policy to safeguard adults and safeguard children, use Think Family principles, the relevant risk assessment and management elements of the Trust Care Programme Approach and Risk Policy and that they adhere to the local safeguarding procedures, including the duty to report and escalate concerns.

6.7 All staff and volunteers

All staff and volunteers are responsible for ensuring that they understand and comply with Trust and local policy and procedures to safeguard adults.

7. Training

The Trust's overarching policy for training is the [Learning and Development Policy](#) and this should be read in conjunction with this policy.

Additionally the Trust's [Training Matrix](#) describes the minimum statutory, mandatory and required training for all staff groups in respect of safeguarding adults at risk.

The Learning and Development Policy also describes the Trust's arrangements for training, in particular how there are processes in place to ensure staff receive the training they require and how non-attendance is followed up. These arrangements are further supported by management supervision and appraisal processes.

The Trust Head of Adult Safeguarding has agreed the training standard with the Learning and Development Team and training standards have been informed by national and statutory requirements, professional standards and national best practice. This also takes into full account the training strategies and standards of the local Safeguarding Adult Boards in setting standards for training.

The Trust Head of Adult Safeguarding participates in a programme of continuous professional development to ensure they remain up to date and keep abreast of developments in this field.

8. Monitoring or audit

Compliance with the policy will be monitored through a variety of different mechanisms, as follows.

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An annual assurance report on safeguarding adults will be provided to the Quality and Standards Committee and Board. Exception reports will be made through the Head of Adult Safeguarding as required between annual reports to the Critical Incident Oversight Group.

The Trust Board will make an annual declaration in respect of safeguarding adult compliance as part of its declaration on compliance with Care Quality Commission's Essential standards of quality and safety including Regulation 13 (Safeguarding) and other relevant statutory standards in relation to safeguarding adults.

The Trust's arrangements for safeguarding adults will be evaluated annually against various external standards, to include regular South West performance framework audits and other multi agency audits and this performance information is available internally and externally.

The Trust benchmarks its performance quarterly in relation to safeguarding adults with other health trusts through consideration of the safeguarding performance standards in its NHS Contract and through consideration of annual reports by safeguarding adult boards. This is included within the annual assurance to the Quality and Standards Committee and board.

Periodically Commissioners, Local Safeguarding Adult's Boards, and Multi agency CQC inspections audit the Trust's arrangements for adult safeguarding adults or adult safeguarding adult reviews.

The Trust Head of Adult Safeguarding will review patient and staff experience data (e.g. Safeguarding Service contact data and referral rates, alert rates and other data) on a rolling quarterly basis to assess feedback on the success of the implementation in practice of this policy.

The Trust's performance in meeting its safeguarding duties and responsibilities is reported annually through the annual reports of the local safeguarding adult boards. This information, and the local Adult Safeguarding Boards business plans, are reported annually to the Quality and Standards Committee.

The Learning and Development department will maintain records of safeguarding adult training and follow up non-attendees. The training programme is routinely evaluated by participants. This information is shared internally and externally through lead commissioners, and reported annually to the Quality and Standards Committee and Board.

The Trust undertakes regular audits of its arrangements for safeguarding adults. It does this on a case basis jointly with local authority partners and through internal audits and staff surveys.

At practice level, it is recognised that dealing with safeguarding adults issues may be emotionally upsetting for staff and volunteers involved. Managers must therefore ensure that when considering safeguarding adults issues are a core part of each individual's supervision arrangements, as well as ensuring best practice in safeguarding adults in that they ensure support is provided when necessary to the staff or volunteers involved.

Managers should provide debriefing if required after any particular distressing incident, and consider the use of Occupational Health in relation to work related distress caused safeguarding issues and incidents.

9. References

[A Decade of Serious Case Reviews, Hull Safeguarding Adults Board, July 2014.](#)

[Anti – Social Behaviour, Crime and Policing Act 2014](#)

[Care Act 2014](#) , HMSO, June 2014.

[Care and Support Statutory Guidance](#) issued under [Care Act 2014](#), Department of Health, 2014

[Care Programme Approach and Risk Policy](#)

[Criminal Justice and Courts Act 2015](#)

[Criminal Justice and Courts Act 2015 Statutory Guidance](#) issued under [Criminal Justice and Courts Act 2015](#), Ministry of Justice, 2015

[Equalities Act 2010](#)

[Female Genital Mutilation Act 2003](#)

[Human Rights Act 1998](#) placed a positive duty on public bodies to act in compliance with the 1950 European Convention on Human Rights

[HM Government national guidance on FMG](#)

[HM Government: The Right to Choose: Multi-agency statutory guidance for dealing with forced marriage](#)

[Making Safeguarding Personal 2013/14](#), LGA and the Association of Directors of Social Services

[Mental Capacity Act 2005 including Deprivation of Liberty Safeguards Policy](#)

[MCA Code of Practice](#).

[Modern Day Slavery Act 2015](#)

[SCIE: Think child, think parent, think family](#)

[National Competence Framework for Safeguarding Adults](#) , Bournemouth University (2010)

[Safeguarding Adults: A National Framework of Standards for good practice and outcomes in adult protection work](#) , The Association of Directors of Social Services (2005)

[Safeguarding Adults and Domestic Abuse](#)

[Social Care Institute for Excellence has produced a variety of resources to support the introduction of the Care Act 2014](#)

[South West Safeguarding Adults Thresholds Guidance](#) (2011), The Association of Directors of Social Services

Other statutes relating to the this area of work, include the [Domestic Violence, Crime and Victims Act 2004](#), the [Sexual Offences Act 2003](#), the [Disability, Discrimination Act 1998](#) and the [Public Interest Disclosure Act 1998](#).

10. Associated and Related Procedural Documents:

[Guidelines on Working to Safeguard Adults](#) [Key modular guidance]

[Safeguarding Children Policy](#)

[Guidelines on working with families to protect children](#) [Key modular guidance]

[Prevent and Pursue Procedure](#)

[Domestic Abuse Procedure](#)

[No Response and police welfare check requests procedure](#)

[Guidance on managing disclosure of historical abuse](#)

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Version History				
Version	Date	Revision description	Editor	Status
2.0	26 Nov 2008	Approved by Board	MD	Approved
3.0	01 Mar 2011	Approved by the Quality and Healthcare Governance Committee	MD	Approved
3.1	15 Dec 2011	Changes to name to reflect national policy and governance arrangements approved by the Mental Health Legislation and Safeguarding Management Group	MD	Approved
3.2	14 Feb 2013	Admin amendments to reference additional associated and related procedural documents agreed for the Executive Lead	MD	Approved
4.0	13 March 2013	Annual review of policy by Quality and Safety Committee, amended to reflect multi agency policy changes, local arrangements to manage alerts, separation of policy and procedural content, and amendments by the Committee	MD	Approved
4.1	12 May 2014	Annual review of policy with administrative changes only, approved by Acting Director of Nursing	MD	Approved
5.0	15 July 2014	Annual review of policy by Quality and Safety Committee	MD	Draft
5.1	7 August 2014	Further review of policy incorporating legal, process and practice changes agreed by Trust Safeguarding Management Group	MD	Draft
6.0	19 August 2014	Approved by Quality and Standards Committee	MD	Approved
6.1	31 March 2015	Administrative changes to policy to reflect changes introduced by Care Act 2015	MD	Approved
7.0	1 September 2015	Approved by Quality and Safety Committee	MD	Approved
8.0	15 December 2016	Annual review of policy with administrative changes only, approved by Director of Nursing and Quality	FM	Approved
8.1	22 Sept 2017	Added Guidance on managing disclosure of historical abuse link to related documents	MD	Approved
9.0	15 December 2017	Annual review of policy with administrative changes only.	FM	Approved
9.1	13 November 2018	6 month extension approved by Nursing Director to allow full review of safeguarding processes	AM	Approved
9.2	21 December 2018	Amended to show revision to recording of safeguarding referrals	AM Associate Director of Nursing	Approved
9.3	3 September 2020	Extended until March 2020	JK Nursing Director	Approved