



## **Safeguarding Policy - Adults and Vulnerable People**

### **1. Purpose**

- 1.1** This policy supports Community Interest Luton's role in safeguarding. It shows how Community Interest Luton will work with other agencies to recognise and manage suspicions, allegations and findings of abuse of adults and children at risk, who are within Community Interest Luton's remit.
- 1.2** Community Interest Luton is committed to the following principles in all aspects of its safeguarding work:
- Empowerment:** Putting people first and helping those who lack mental capacity feel involved and informed
- Protection:** Supporting victims so they can take action
- Prevention:** Responding quickly to suspected cases of abuse
- Proportionality:** Making sure what we do is appropriate to the situation and for the individual
- Partnership:** Sharing the right information in the right way
- Accountability:** Making sure all individuals and partner organisations have a clear role
- 1.3** Community Interest Luton supports the principles in the Care Act 2014 and believes that safeguarding is everyone's responsibility. We know how important it is for organisations to work together and create shared strategies to protect people.
- 1.4** We are committed to taking action quickly, effectively and professionally when abuse takes place.

### **2. What is Safeguarding?**

- 2.1** Safeguarding is a term we use to describe how we protect adults and children from abuse or neglect. It is an important shared priority of many public services, and a key responsibility of local authorities.
- 2.2** Safeguarding is about protecting certain people who may be in vulnerable circumstances. These people may be at risk of abuse or neglect due to the actions (or lack of action) of another person. In these cases, it is vital that public services work together to identify people at risk, and put steps in place to help prevent abuse or neglect.



**2.3** Adults and children at risk who are covered by Community Interest Luton's safeguarding policy will be referred to in this policy as 'clients'.

**2.4** The term 'adult at risk' is used in this policy to replace 'vulnerable adult'. This is because the term 'vulnerable adult' may wrongly imply that some of the fault for the abuse lies with the victim of abuse. We use 'adult at risk' as an exact replacement for 'vulnerable adult' as that phrase is used throughout existing government guidance.

**2.5** When we refer to 'staff' throughout this policy, this means Community Interest Luton's permanent, temporary and voluntary staff, Trustees, Advisors and contractors.

### **3. Our Areas of Responsibility**

**3.1** This policy relates to all forms of abuse. These are described in a later section.

**3.2** Most of Community Interest Luton's clients are adults. Where allegations of abuse relate to a child or young person, Community Interest Luton's will raise the issue with the police and/or the local Children's Safeguarding Board.

### **4. The Mental Capacity Act 2005**

**4.1** The Mental Capacity Act 2005 is a legal framework which protects people who may lack capacity to make decisions for themselves. It also sets out how decisions should be made on their behalf. The act covers all sorts of decisions, from life-changing events to everyday matters. All safeguarding decisions Community Interest Luton's takes must be in accordance with the act. The act says that:

*"... a person lacks capacity in relation to a matter if at the material time he is unable to make a decision for himself in relation to the matter because of an impairment of, or disturbance in the functioning of the mind or brain."*

**4.3** The presumption is that adults have mental capacity to make informed choices about their safety and how they live their lives. Mental capacity and a person's ability to give informed consent are at the heart of decisions and actions taken by Community Interest Luton's under this safeguarding policy. Every time we become involved on a safeguarding issue we need to take into account the ability of adults to make informed choices about the way they want to live and the risks they want to take.

This includes how able they are:

- To understand what is likely to result from or effect their situation
- To take action themselves to prevent abuse
- To take part as fully as they can in making decisions about getting other parties involved.



## 5. What is Abuse?

- 5.1** Abuse and neglect take many forms. Abuse can lead to a violation of someone's human and civil rights by another person or persons. Abuse can be physical, financial, verbal or psychological. It can be the result of an act or a failure to act.
- 5.2** It can happen when an adult at risk is persuaded into a financial or sexual exchange they have not consented to, or can't consent to. Abuse can occur in any relationship and may result in significant harm or exploitation.
- 5.3** Some types of abuse are illegal, and in these cases adults who lack capacity are protected by law the same as everyone else. If Community Interest Luton suspects that a crime against a client has been committed, we refer the matter to the police.
- 5.4** Sometimes, an urgent referral is made for the safety of the adult at risk and/or to preserve evidence.
- 5.5** Abuse is a misuse of power and control that one person has over another. Where someone is dependent on another, there is the possibility of abuse or neglect unless enough safeguards are put in place

## 6. Types of Abuse

- 6.1 Physical:** This includes assault, hitting, slapping, pushing, giving the wrong (or no) medication, restraining someone or only letting them do certain things at certain times.
- 6.2 Domestic:** This includes psychological, physical, sexual, financial or emotional abuse. It also covers so-called 'honour' based violence.
- 6.3 Sexual:** This includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, taking sexual photographs, making someone look at pornography or watch sexual acts, sexual assault or sexual acts the adult didn't consent to or was pressured into consenting.
- 6.4 Psychological:** This includes emotional abuse, threats of harm or abandonment, depriving someone of contact with someone else, humiliation, blaming, controlling, intimidation, putting pressure on someone to do something, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or support networks.
- 6.5 Financial or material:** This includes theft, fraud, internet scamming, putting pressure on someone about their financial arrangements (including wills, property, inheritance or financial transactions) or the misuse or stealing of property, possessions or benefits.
- 6.6** Shortlisting and interviewing will be carried out by more than one person, where possible.



**6.7 Modern slavery:** This covers slavery (including domestic slavery), human trafficking and forced labour. Traffickers and slave masters use whatever they can to pressurise, deceive and force individuals into a life of abuse and inhumane treatment.

**6.8 Discriminatory:** This includes types of harassment or insults because of someone's race, gender or gender identity, age, disability, sexual orientation or religion.

**6.9 Organisational:** This includes neglect and poor care in an institution or care setting such as a hospital or care home, or if an organisation provides care in someone's home. The abuse can be a one-off incident or repeated, on-going ill treatment. The abuse can be through neglect or poor professional practice, which might be because of structure, policies, processes and practices within an organisation.

**6.10 Neglect and acts of omission:** This includes ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, or not giving someone what they need to help them live, such as medication, enough nutrition and heating.

**6.11 Self-neglect:** This covers a wide range of behaviour which shows that someone isn't caring for their own personal hygiene, health or surroundings. It includes behaviour such as hoarding.

**6.12 Abuse can take many forms.** It might not fit comfortably into any of these categories, or it might fit into more than one. Abuse can be carried out by one adult at risk towards another. This is still abuse and should be dealt with. The adult at risk who abuses may also be neglecting him/herself which could also be reason for a safeguarding referral.

## 7. Who might be an abuser?

7.1 Adults at risk can be abused by a wide range of people – anyone, in fact, who has contact with them. This includes family members, professional staff, paid care workers, other adults at risk, volunteers, other service users, neighbours, friends and associates, people who deliberately take advantage of vulnerable people, strangers and people who see an opportunity to abuse.

7.2 Abuse is always wrong, but it's especially worrying when carried out by someone in a position of power or authority over someone, who uses that power to harm an adult at risk.

## 8. Our role in safeguarding adults at risk

8.1 The ways we work to prevent abuse include:

- Making sure systems are in place to prevent or reduce the possibility of a member of Community Interest Luton's staff abusing an adult at risk



- Working with other agencies, including adult social services and the police.
- Become informed about abuse and safeguarding and promote awareness to our networks.
- Responding appropriately to victims who may access any of our services.
- Inviting the local Safeguarding teams to our staff.
- Attending accredited Safeguarding training and keep up to date with new legislation in this area.
- Educating other staff about effects of domestic violence on adults and children and the warning signs.
- Evaluating our policies and procedures and how they may impact victims who access our services.

## 9. Dealing with Abuse

### 9.1 We'll look at a range of ways to put things right where abuse has been discovered. We may:

- Conduct interviews with staff concerned.
- Organise meetings with a 'serious incident' management team consisting of members of the Board to investigating any allegation and agree actions.
- Temporarily suspend any of the alleged members of staff / volunteers while the investigation takes place.
- If the allegation is against a visitor to the centre, we may ban them from returning.
- Meet with Police authorities to discuss the incident, prepare an intelligence report and seek their guidance.
- Liaise with mental health agencies to see how we can mitigate any further issues occurring.
- Review the effectiveness of our incident management systems.



## 10. Getting other agencies involved

- 10.1** Local authority adult social services take the lead in coordinating the multi-agency approach to safeguard adults at risk. Initial investigations can be undertaken by any agency, however the agency most closely involved with the client may be best placed to lead this investigation at first, with action, information sharing and advice from adult social services at all stages of an investigation.
- 10.2** After discussion with a line manager or senior colleague, any suspected abuse can be referred by Community Interest Luton to the appropriate adult social services by making a Safeguarding Adults At Risk referral (SAAR).
- 10.3** The adult social services' response will be within a framework based on the Care Act/ Social Services. The local authority will agree any investigation through its strategy meeting and discussion process so that initial enquiries don't put any police investigation at risk.

## 11. Reporting abuse to the police

- 11.1** If an incident of abuse is thought to be a criminal offence, Community Interest Luton's will refer it to the police. Examples of action that may be criminal include: physical assault, psychological assault, sexual assault and rape, theft, fraud or other forms of financial exploitation, and certain forms of discrimination on the grounds of race or gender.

## 12. Sharing information

- 12.1** Community Interest Luton's manages its customers' information according to the law and in line with the organisation's values of being open and honest.
- 12.2** If we have sensitive personal information about people, including personal identity information and information about health and financial issues, we make sure there's no unauthorised access, loss, misuse, amendment or disclosure of this information.
- 12.3** When safeguarding adults at risk, we sometimes need to share personal or sensitive information to someone from another organisation. Community Interest Luton will only do this where the law says we can, and where sharing the information is in the client's best interests, including where it might prevent a crime taking place.
- 12.4** Where abuse is alleged or suspected, Community Interest Luton will share information between relevant professionals so we can protect the individual concerned, or other people. Anyone who is being abused or is suspected of being abused, has a right to expect that we will protect their privacy. This goes for their families and carers too.
- 12.5** Under certain circumstances, we can share information with other people or agencies, according to the Data Protection Act 1998. Data can be shared with third parties 'in the vital interest of the data subject' or 'in the public interest' (for example, in the interest of the client or other people in the same care setting). Sharing information, or asking for information to be shared with Community Interest Luton, might be appropriate if, for



example, there is a potential risk to others from the alleged abuser. Any information about the suspected abuse should be shared with the social services department or police investigating the case.

**12.6** Community Interest Luton will share information with professional and regulatory bodies if it's in the public interest. These bodies include the Solicitors Regulation Authority, the Disclosure and Barring Service, the Care Quality Commission (England) and the Care and Social Services Inspectorate (Wales).

**12.7** If we're going to share personal or sensitive information, we'll do it (where possible) with the person's agreement. If they don't agree, we decide whether releasing information would be in their best interests. If sharing information is in the public interest we may feel that the need to release the information is more important than the views of the person concerned. Where adults lack mental capacity to safeguard themselves, others will need to make decisions for them according to the Code of Practice and in the person's best interests. We respect the rights of 'whistleblowers' and of people accused of carrying out abuse.

**12.8** We'll always share information which safeguards adults at risk, and children, on a 'need to know' basis. We'll take care to make sure any information we share is correct.

### **13. Assessing and responding to the level of risk**

**13.1** We'll take all suspicions or allegations of abuse seriously.

**13.2** Community Interest Luton's staff know that the needs of the adult or child at risk are of the highest importance.

**13.3** We'll always try to act in the best interests of the adult or child at risk, while remembering that the Mental Capacity Act 2005 supports involving people who lack mental capacity, in decisions which affect them. Where an individual has capacity and is not being pressured, threatened, frightened or bullied, that person has the right to make an unwise decision.

**13.4** We'll respond quickly to all allegations that abuse has happened, or is likely to happen.

### **14. Roles and responsibilities of Community Interest Luton's staff**

**14.1** Community Interest Luton's staff will do whatever is in their power to guarantee the safety and protection of adults and children at risk. This policy is adopted by the management board and leadership team. They will spread the messages in it and make sure that all staff adhere to it.

#### **14.2 The Line Manager is responsible for:**

- Making sure that staff are fully aware of the safeguarding policy











