

Policy

Safeguarding

Date authorised	17 September 2019
Review date	2022

1. Policy statement and objectives:

Rosebery Housing Association's policy lays out our responsibilities as a social landlord to protect our residents, employees and visitors to our properties. It details the safeguards legally required for all our services. It reflects best practices and is compliant with Surrey and Sussex Multi-Agency Procedures.

As a Registered Provider we have a duty to report any concerns raised by staff or residents to an appropriate agency. There are a number of routes through which concerns raised in relation to our residents will be most appropriately handled, including via health and safety procedures, tenancy management, enforcement and the provision of tailored support to vulnerable people.

Our safeguarding policy and supporting procedures and guidance fit within this overall duty. They relate specifically to vulnerable adults and children who are being abused or neglected by others, or who are at risk of being abused or neglected by others.

We believe strongly that living a life that is free from harm and abuse is every person's fundamental right. We recognise too that safeguarding those at risk of abuse is everyone's responsibility. Across the organisation, we can all play a part in preventing, being alert to and responding appropriately to abuse or neglect.

Specifically, we aim to:

- raise awareness, through relevant policies, procedures and training, about the abuse or neglect of adults and children at risk;
- develop a culture that does not tolerate such abuse and which encourages people to raise concerns;
- prevent abuse from happening wherever possible;
- respond promptly and proportionately where abuse does occur, to stop the abuse from continuing and to ensure that the person harmed receives effective support;
- ensure that our residents understand what abuse is and how to report it.

Rosebery Housing Association offers support to individuals who may be vulnerable to abuse, but it is important to acknowledge that not all those receiving this support are vulnerable. It is equally important to recognise, and to value, the fact that many people are fully capable of protecting themselves by not consenting to certain situations or acts, despite factors such as disability or age.

2. Key Policy principles:

The following principles shape Rosebery Housing Association's approach to safeguarding. We recognise:

- The need to align our processes with Surrey and Sussex Multi-Agency Procedures;
- Our duty to be vigilant regarding the welfare of our residents and to train staff to recognise the signs of abuse and/or neglect. We recognise too that abuse may be committed by anyone including a member of staff, an agent or by others;
- Safeguarding is a multi-agency approach which depends on effective collaboration. We recognise the lead responsibility of local authorities in coordinating safeguarding work and our own role in alerting adult or children's services and the police of any concerns regarding safety. Any suspected or actual crime will be referred to the police;
- Appropriate information sharing between organisations is essential to safeguard people at risk and we will act in accordance with agreed inter agency information sharing protocols. Where possible we will seek a person's consent to share information. We cannot guarantee full confidentiality when our duty to safeguard an adult at risk, or the public interest, is greater than our responsibility to the individual;
- The need to ensure that our staff are confident in their knowledge and ability and fully equipped to minimize the risk of abuse from occurring and to respond to concerns of abuse. This will be achieved by training, targeted appropriately to specific roles, and through clear procedural guidance and supporting information;
- The need to ensure that contractors and sub-contractors have an effective safeguarding policy in place or, where not, that they are willing to work in accordance with our policy and processes;
- That good record keeping (clear, concise, factual and accurate) is essential in safeguarding, to assist in preventing abuse by identifying risks and patterns; and to ensure reports are appropriately documented to inform any actions and/or for reference within multi-agency procedures;
- The importance of monitoring all reports of suspected or known abuse, including their management and resolution;
- That anyone raising a safeguarding alert, allegation or concern in good faith should always be listened to, believed and assured that we will act on their concern;
- The importance of operating a victim-centered approach, which treats people with dignity, respect and without prejudice. We will respect the rights of the person causing harm, as far as is possible;
- The person must be at the centre of any safeguarding response and must stay as much in control of decision making as possible;
- Our responsibility to ensure, where a visitor or resident is a known risk to others, that a risk assessment is undertaken regarding the appropriateness of any proposed letting and to agree how risks will be managed. We will work in partnership with the relevant multi-agency public protection panel in this respect;
- The value in promoting safeguarding so that our residents and visitors can safeguard themselves and each other.

3. Scope:

This document attends to responsibilities of Rosebery Housing Association in ensuring that residents are protected from abuse as far as possible. The Policy and related procedure deals with the actions that are required to be taken should there be a suspicion or evidence that a resident is being abused.

This policy relates to:

- Adults and children living in our properties
- Adults and children visiting our properties and all of our services
- Staff, board members, contractors, sub-contractors and agents working for Rosebery Housing Association.

It is important that all staff, managers, directors, board members and contractors are aware that safeguarding is 'everyone's responsibility' and that we all have a duty to act on concerns of abuse or neglect.

4. Legal and regulatory framework and guidance:

Care Act (2014)

The Act creates a legal framework for how local authorities, other agencies and organisations should work together to protect adults at risk of abuse or neglect. There are six guiding key principles:

- Empowerment
- Prevention
- Proportionality
- Protection
- Partnership
- Accountability

[Statutory Guidance on Care Act 2014 \(Safeguarding\)](#)

Working Together to Safeguard Children (2018)

This sets out how organisations and individuals should work together to safeguard and promote the welfare of children and young people in accordance with the Children Acts 1989 and 2004. It provides a national framework within which agencies and professionals at local level - individually and jointly - draw up and agree ways of working together.

[Working together to safeguard children](#)

Mental Capacity Act (2005)

The Act and supporting Code of Practice provide a framework to empower and protect people who may lack capacity to make decisions for themselves. The Deprivation of Liberty Safeguards are an amendment to the Mental Capacity Act (2005).

[Mental Capacity Act Code of Practice](#)

Framework of Standards (2005)

These are issued by the Association of Directors of Social Services (ADSS). The national framework is comprised of eleven sets of good practice standards in safeguarding adults.

[Framework of Standards \(2005\)](#)

Children Acts (1989 and 2004)

These Acts relate to local authority responsibilities to improve the wellbeing of children, which includes protection from harm and neglect

[Children Act 1989](#)

[Children Act 2004](#)

Data Protection Act 2018 (DPA 2018) and the General Data Protection Guidance (GDPR)

This Act governs the protection of personal data. It is not a barrier to sharing information but provides a framework to ensure that personal information about a person is shared appropriately. **[Information Commissioners Office Guide to Data Protection Act](#)**

Public Interest Disclosure Act (1998)

This places a duty on everyone to report something that leaves someone at risk, and protects the individual from discrimination as a result of that disclosure.

[Public Interest Disclosure Act 1998](#)

Human Rights Act (1998)

This Act includes a duty on public bodies to intervene proportionately to protect the rights of citizens.

[Human Rights Act 1998](#)

Protection of Freedoms Act 2012

This Act enables organisations to make safer recruitment decisions by identifying candidates who may be unsuitable for work involving children or [vulnerable adults](#) through the Disclosure and Barring Service.

[Protection of Freedoms Act 2012](#)

5. Responsibilities:

This policy applies to staff, contractors, sub-contractors and agents working on Rosebery Housing Association's premises.

The overall responsibility of the policy and supporting procedures lies with the Head of Housing and Customer Experience who is responsible for ensuring the policy is reviewed at appropriate intervals and submitted to the Board for ratification.

6. Cross reference:

Reference should also be made to the following policies and other documents:

- Safeguarding Vulnerable Adults and Children Procedure and Appendices
- Health and Safety Policy
- Residents Health & Safety Policy
- Licence Agreements and Tenancy Agreements
- Residents' Handbooks

- Procurement Policy
- Staff Handbook
- People Strategy
- Whistleblowing Policy
- Surrey and Sussex Multi-Agency – Policy and Guiding Principles

7. Value for Money:

Rosebery Housing Association is committed to value for money. We recognise that preventative work (such as raising awareness and training staff to be alert to signs of abuse) will be more effective and cost effective than managing a crisis situation requiring intensive intervention. In the delivery of this policy we will take advantage of the free training, guidance and publicity resources available via our local Safeguarding Boards.

8. Definitions:

Safeguarding: This means protecting an adult's and child's right to live in safety, free from abuse and neglect. Safeguarding involves people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's well-being is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action.

Adult: anyone over the age of 18.

Children: refers to children who have not yet reached their 18th birthday. However, certain legislation (for example the Children's Act 2004) includes reference to duties towards young people who are 18, 19 and 20, who have been looked after by the local authority after the age of 16 or who have a learning disability. The Care Act also references this group.

Adult at risk: this term is increasingly replacing the term 'vulnerable adult'. The provisions for safeguarding adults at risk of abuse or neglect contained within the Care Act 2014, apply:

Where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there) -

- has needs for care and support (whether or not the authority is meeting any of those needs);
- is experiencing, or is at risk of, abuse or neglect;
- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

Just because a person is old, frail or has a disability, they are not inevitably 'at risk'. The extent to which someone is at risk will be determined by a range of factors including personal characteristics (such as mental capacity, ability to communicate, degree of physical dependency) and factors associated with their situation (such as extent of their support network and their access to information).

Disclosure: this is when one person tells another that they have been a victim of abuse.

Alerting: this is the process of reporting concerns of actual or suspected abuse or neglect to the relevant authority. Any immediate protection needs will be identified and addressed.

Abuse: this is a violation of an individual's human and civil rights by any other person or persons. Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological; it may be an act of neglect or an omission to act; or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person who is subjected to it.

Abuse may include:

- Physical abuse
- Psychological abuse
- Financial or material abuse
- Sexual abuse
- Discriminatory abuse
- Neglect and acts of omission
- Self-neglect
- Female genital mutilation
- 'Honour'-based abuse
- Organisational abuse
- Modern slavery
- Human trafficking
- Hate crime
- Mate crime
- Domestic abuse
- Controlling behaviour
- Forced marriage
- Online abuse

See procedures for more detail.