

CONSUMER DUTY POLICY - ADULT SAFEGUARDING

POLICY AND PROCEDURES



LOCATION	SHAREPOINT > STAFF > DOCUMENTS > GENERAL > POLICIES AND PROCEDURES > POLICIES		
LAST APPROVED	JUNE 2023	REVIEW CYCLE	APRIL/JUNE
RELATED POLICIES AND PROCEDURES			
Child safeguarding Policy	Whistle blowing Policy		
Data Protection Policy	Anti-Bullying & Harassment Policy		
Health and Safety Policy	Safer Recruitment Policy		
Induction Policy	Consumer duty policy – vulnerable adults		

OUR COMMITMENT TO SAFEGUARDING

Churches Housing Action Team (CHAT) recognises the need to provide a safe and caring environment for children, young people and adults at risk of harm. We acknowledge that children, young people and adults at risk of abuse can be the victims of physical, sexual and emotional abuse, and neglect. We accept the UN Universal Declaration of Human Rights and the International Covenant of Human Rights, which states that everyone is entitled to “all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”. We also concur with the Convention on the Rights of the Child which states that children should be able to develop their full potential, free from hunger and want, neglect and abuse. They have a right to be protected from “all forms of physical or mental violence, injury or abuse, neglect or negligent treatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s), or any other person who has care of the child.” We have therefore adopted the procedures set out in this safeguarding policy in accordance with statutory guidance. We are committed to building constructive links with statutory and voluntary agencies involved in safeguarding.

OUR COMMITMENT TO SAFEGUARDING ADULTS AT RISK OF ABUSE

This policy and procedures document have been developed in order to safeguard the welfare of any adults at risk of harm with whom CHAT has contact, as well as to protect the staff and volunteers, which also includes trustees.

The policy and procedures outlined in this document comply with the guidance contained in the Safeguarding Vulnerable Groups Act 2006 and the Care Act 2014 which states that ‘Safeguarding means protecting an adult’s right to live in safety, free from abuse and neglect. It is about 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 wellbeing is promoted...’. As a charity based on Christian values this policy is also prepared in conjunction with the guidelines issued by the Diocese of Exeter.

CHAT is committed to:

- endorsing and following all national and local safeguarding legislation and procedures, in addition to the international conventions outlined above.
- providing all staff and volunteers with regular on-going training and guidance that is appropriate to their role on Safeguarding of adults at risk of harm. This will cover: a) the various types and definitions of abuse; b) appropriate ways of working; and c) procedures for dealing with suspicion or disclosure of abuse. This will be reviewed regularly and refreshed every 2 years.

CONSUMER DUTY POLICY - ADULT SAFEGUARDING

POLICY AND PROCEDURES



- ensuring that procedures are produced on the following issues: a) recruitment and support of staff and volunteers; b) guidance on working with young people for staff and volunteers; c) abuse – suspicions and allegations – what to do.
- Ensuring at least one trustee on the board has relevant experience and/or training and is designated to support the staff and ensure a culture of safeguarding is developed throughout the organisation
- ensuring that this policy and procedures document is brought to an individual staff member and volunteer's attention prior to the commencement of their employment (paid or unpaid).
- ensuring the implementation of robust procedures for responding to suspicion or evidence of abuse or neglect.
- creating a culture of heightened awareness and sensitivity
- designating at least one person as the Designated Adult Protection Officer (DAPO) and supporting them in their role and in any action they may need to take
- ensuring that those involved with adults at risk understand they have a duty not only to protect the adults from abuse but also that this duty is more than non-participation in abuse, it includes a duty to act where abuse is seen to be, or suspected to be taking place.
- ensuring that staff and volunteers protect all adults at risk of harm attending our venues and events from physical, financial, material, psychological, sexual or discriminatory abuse, self-harm, inhuman or degrading treatment through deliberate intent, negligence or ignorance using risk assessments where appropriate.
- ensuring that the safer recruitment procedures are adhered to for staff and volunteers as detailed in our safer recruitment policy
- ensuring that all reasonable measures are taken to make sure that the premises are welcoming and inclusive and meet the requirements of the Equality Act 2010 and all other relevant legislation,
- developing best practice in this area and reviewing safeguarding policies and procedures annually as part of this process.

CHAT recognises that this safeguarding policy is just one means of promoting safeguarding. Good communication is essential both to those we wish to protect, to everyone involved in working with adults at risk and to all those with whom we work in partnership. They also recognise that many current and potential abusers do not possess criminal records and that the best way to prevent the abuse of adults is through good management practice and continuous provision of support, guidance and supervision of staff and volunteers.

EX OFFENDERS STATEMENT

Old, minor and unrelated offences will not prohibit otherwise suitable people from work with adults. However, it is policy that all people with positive or blemished DBS checks will undergo a risk assessment from the Manager who may seek advice from the designated safeguarding trustee.

PROCEDURES FOR SAFEGUARDING ADULTS AT RISK

Recruitment and support of staff and volunteers

In accordance with the Safeguarding Vulnerable Groups Act 2006, CHAT will vet and register all individuals who want to work or volunteer with vulnerable people. The new Disclosure and Barring Service which came into force in 2013 aims to improve employment vetting practices. This covers

CONSUMER DUTY POLICY - ADULT SAFEGUARDING

POLICY AND PROCEDURES



all those who currently work or volunteer, or seek to work or volunteer with children and/or adults at risk of harm. *Please see Safer recruitment policy and procedures for more information*

All staff and volunteers will be made aware of these policies and procedures (and others where necessary to the role including confidentiality and data protection). They will be expected to attend awareness sessions on safeguarding. All frontline staff and volunteers will receive training on how to identify abuse and gain knowledge and understanding of the relevant procedures for reporting concerns. If appropriate to the role they will then receive Level 2 training with a refresher every 2 years. The DAPO and deputy will be trained at Level 3, with a refresher every 2 years.

CHAT will ensure that there is a culture where safeguarding matters are discussed in an appropriate way, training is available and supervision and support given.

Role of the Designated Adult Protection Officer (DAPO)

The DAPO can be approached by any member of staff about a safeguarding concern for an adult. They will:

- assist with your induction when you join the organisation
- listen to your concerns about an adult who may be at risk
- listen to your concerns and allegations made against volunteers, staff, including the manager and trustees about an adult
- keep your concerns confidential at all times and pass on information where necessary and only on an agreed need to know basis in accordance with keeping adult safe from harm
- Support any team member in reporting their concerns to Care Direct or to a Local Authority Designated Officer (LADO) where appropriate (See Appendix One for contacts), and follow the statutory guidelines and recommendations.
- record/log all reports and concerns and store in a designated confidential place in line with GDPR regulations. (Data Protection)

In most cases the DAPO will be the person who assists, except when the allegation or concerns are relating to

- a member of staff or volunteer (the Manager or designated safeguarding trustee must be contacted)
- a person is known to the DCAO (the deputy must be contacted)
- a trustee or the Manager (the designated safeguarding trustee or Chair of Trustees must be contacted)

Where the DAPO is not available the deputy will assume that role. The DAPO, deputy DAPO, Manager and designated trustee can all deal with a concern ensuring that there is no delay in dealing with any concerns or allegations. If these people are not available, the member of staff or volunteer should not delay in reporting any suspicions or concerns.

CODE OF CONDUCT

CHAT seeks to undertake to follow the principles found within the 'Abuse Of Trust' guidance issued by the Home Office and it is therefore unacceptable for those in a position of trust to

CONSUMER DUTY POLICY - ADULT SAFEGUARDING

POLICY AND PROCEDURES



engage in any behaviour which might allow a relationship of an intimate, or sexual, nature to develop with a known vulnerable adult or child for as long as the relationship of trust continues. People in a position of trust should always be aware of how behaviour can be interpreted and follow the specific guidelines for the activities they are involved in at all times.

Whilst this policy is in place to protect the adults at risk and the workers it is noted that we cannot plan for every situation. In the event of any concerns the Designated Adult Protection Office must be notified as soon as possible.

WHISTLE BLOWING BY STAFF, VOLUNTEERS, CLIENTS AND MEMBERS OF THE PUBLIC

It is, of course, the right of any individual as a citizen to make a direct referral to the safeguarding agencies or seek advice from adult protection organisations and charities; it is the hope that staff and volunteers of CHAT will use this procedure, commonly known as whistle blowing. If however, the individual with the concern feels that the Designated Adult Protection Officer has not responded appropriately, or where they have a disagreement with the DAPO as to the appropriateness of a referral they are free to contact an outside agency direct. We hope by making this statement that CHAT demonstrate its commitment to effective safeguarding and the protection of all those who are vulnerable. See Whistle blowing Policy for more information

WORKING WITH OFFENDERS

When someone attending CHAT or activities run by CHAT is known to be a risk to adults or children, then CHAT will arrange to supervise the individual concerned and offer support. However, in CHAT's safeguarding commitment to protect adults at risk and children, CHAT will set boundaries for that person which they will be expected to keep. We will work closely with the Statutory agencies in such situations.

INFORMATION SHARING

Where it is necessary to share information for safeguarding purposes, staff and volunteers should follow the following guidelines:

- Explain openly and honestly what information you will share, with whom and why. The only time that you should not do this is if letting them know may leave someone at risk of significant harm.
- You should respect the wishes of the adult involved if they do not want information shared unless someone will be placed at risk by not sharing the information.
- If in doubt speak to the DAPO or Care Direct or a LADO (contacts in Appendix One)
- Make sure the information you share is accurate, up to date, necessary and share only with those who need to know.
- You should always record the reason for your decision, whether you shared the information or not.

Ongoing support

- Sometimes the relevant authorities may be unable to get involved because the situation is not serious enough or because of lack of information. In this case, you should continue to follow up your concerns and collect further information. This may mean reviewing your support plan and risk assessments. If you feel your concerns are not being heard please consult the CHAT Whistleblowing Policy

CONSUMER DUTY POLICY - ADULT SAFEGUARDING

POLICY AND PROCEDURES



- Where an investigation is being carried out, staff should ensure the welfare of any adult or child at risk remains paramount. Measures should be put in place to ensure safety and wellbeing in full cooperation with any course of action recommended by
- Care Direct, the LADO or the Multi Agency Safeguarding Hub (MASH) if they are involved.
- Where sexual exploitation and/or trafficking is suspected, careful consideration should be given to the effect any action might have on the outcome of any investigation and/or the safety of the person involved. Staff should cooperate fully with the relevant authorities ensuring that information sharing protocols and Risk Management Procedure are closely followed.

SUPERVISION

Regular supervision sessions are mandatory for all frontline staff and volunteers in the organisation and safeguarding concerns are routinely discussed during these sessions. Staff responsible for supervision, receive training on supervision skills. Staff members are also offered external supervision which is taken up at the discretion of each staff member.

RECORDING AND STORAGE OF CONFIDENTIAL INFORMATION

All members of staff have responsibility for highlighting all safeguarding concerns/allegations on the client's individual record on the AdvicePro Database under 'social issue'. However, no confidential information or named individuals, or details that are not relevant to the case should be recorded here.

All confidential records related to concerns and allegations, or adult/child protection reports, reviews and case conference notes are stored securely in the designated location by the DAPO or by the manager (if it relates to a member of staff or volunteer). The details that a referral has been made will be noted on AdvicePro but details will not be recorded on AdvicePro.

ABUSE – SUSPICIONS AND ALLEGATIONS - WHAT TO DO

Who is an adult at risk?

An adult at risk is a person aged 18yrs or over who is or may be in need of community care and services by reason of mental or other disability, age or illness, and who is or may be unable to care of him or herself or unable to protect him or herself against significant harm or exploitation. (Lord Chancellor's Dept. 1997)

- has learning disabilities
- suffers from mental illness e.g. dementia
- has physical disability
- is a substance misuser
- is homeless
- is in an abusive relationship

Definition of abuse

'The violation of an individual's human and civil rights by any other person or persons'. ('No Secrets', DoH 2000)

CONSUMER DUTY POLICY - ADULT SAFEGUARDING

POLICY AND PROCEDURES



It is the moral and professional responsibility of everyone to act on any suspicion or evidence of abuse and to pass on their concerns to the DAPO. It is not your responsibility to investigate.

Abuse 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 transaction or sexual act to which s/he has not consented or cannot consent to. Abuse may consist of a single act or repeated acts.

The main different forms of abuse are:-

Physical – including hitting, slapping, pushing, kicking, misuse of medications, restraint or inappropriate sanctions.

Sexual – including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, sexual assault or sexual acts to which the person has not consented, could not consent to, or was pressurised into consenting to.

Psychological – including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or withdrawal from services or supportive networks.

Financial or Material – including theft, fraud, exploitation, internet scamming, pressure in connection in relation to an adult's financial affairs with wills/legacies, inheritance, property or financial transactions or the misuse or misappropriation of property, possessions or benefits.

Discriminatory abuse – including forms of harassment, slurs or similar treatment because of race, gender and gender identity, age, disability, sex orientation or religion.

Neglect and Acts of Omission – including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of basic necessities of life including medication, food and heating.

Organisational abuse – including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes or practices within the organisation.

Domestic Abuse – including psychological, physical, sexual, financial, emotional abuse; so called 'honour' based violence.

Modern Day Slavery - There are several types of MDS which include: Child trafficking (or adults) where under 18s are moved either internationally or domestically so they can be exploited. This exploitation may involve forced labour to pay off debts for someone and the child is forced to work against their will. Sexual exploitation when children (or adults) are forced to perform non-consensual or abusive sexual acts against their will such as prostitution, escort work and pornography. Criminal exploitation when children (or adults) are forced into crimes such as cannabis cultivation or pick pocketing. Domestic servitude where children (or adults) are forced to carry out housework and domestic chores with little or no pay, restricted movement and minimal privacy. See Appendix two for more information.

Self-neglect - this covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.

Spiritual abuse – is a subtle but nevertheless extremely damaging use of spiritual authority to persuade a person to act in ways which are damaging to his or her individual identity and integrity, in the name of obedience to a higher purpose.

CONSUMER DUTY POLICY - ADULT SAFEGUARDING

POLICY AND PROCEDURES



Breast Ironing (Children) This is where a girl's breasts are bound tightly to stop them growing with a view to keeping her 'childlike' for the benefit of abusing males. There have been a known 1000 girls in the UK subjected to this abuse to date.

Forced Marriage (can affect both children and adults) It usually affects females forced to marry males without their (the females) consent.

Female Genital Mutilation (FGM) (can affect both children and adults) FGM is illegal and involves the mutilation and circumcision to females both adult and child. It causes alteration and injury for non-medical reasons.

Honour Based Violence (Adult) These are practices used to control behaviour within families to protect cultural and religious beliefs or honour. This is achieved via emotional, physical, sexual, kidnap and locking up.

Radicalisation (generally adult but could be child) This is carried out with the notion towards violent, extremism and terrorism via exploitation. This can be carried out by friends, family or groups through face-to-face approaches, the internet, social media and online gaming. Any or all of these types of abuse may be the result of deliberate intent, negligence or ignorance. Abuse may sometimes be multiple e.g. physical, psychological and financial.

Who abuses and where?

Adults at risk may be abused by a wide range which could include relatives, friends, support employees, professional workers, volunteers, other people supported, neighbours and those who deliberately exploit vulnerable people and strangers.

Abuse may happen in many settings including: the family home, supported housing, a carer's home, within residential care settings, at work and educational settings, in community settings (e.g. churches or day centres)

Legal Perspective

Some abuse will constitute a criminal offence and therefore, adults at risk, as with all other citizens, are entitled to a protection from the law. These include assault, sexual assault, rape, theft, fraud or other forms of financial exploitation and certain forms of discrimination. Criminal offences must, therefore, be referred to the police as a matter of urgency and whilst criminal investigations by police take priority over all other lines of enquiry, we may also conduct an internal investigation concurrently if it will not prejudice any legal/criminal proceedings.

Early referral to the Police will enable them to establish whether a criminal act has been committed; also their involvement will help to ensure that forensic evidence is not lost or contaminated. Police officers have considerable skill in investigating and interviewing. Police involvement will not always result in criminal proceedings.

DUTY TO REPORT

Everyone has a duty to report suspicions and disclosures of abuse of adults at risk immediately; failure to do so is a failure of our duty to care. It is not the responsibility of those working in a voluntary or paid capacity to judge whether abuse has taken place. All staff working in both voluntary and paid capacity, must act and make sure action is taken. Every allegation/suspicion of abuse involving a vulnerable adult must be treated seriously and reported.

Detailed procedures where there is a concern about an adult at risk

The person in receipt of allegations or suspicions of abuse should report concerns as soon as possible to the relevant person who is nominated to act on their behalf in dealing with the

CONSUMER DUTY POLICY - ADULT SAFEGUARDING

POLICY AND PROCEDURES



allegation or suspicion of neglect or abuse, including referring the matter on to the statutory authorities.

The following procedures should then be followed:

- Whilst allegations or suspicions of abuse will normally be reported to the DCPO (or other relevant person) if they cannot be contacted the reporting should not be delayed and the same reporting process and procedures listed below followed. The DAPO, deputy DAPO, Manager and designated safeguarding trustee are all available.
- The DAPO will wherever possible take advice from Care Direct (0345 1551 007 - day or out of hours 0345 6000 388), or the police can be contacted for advice on 101 or 999 for emergencies. All contact details are listed at the end of this section In Appendix One.
- The manager and/or the Chair of Trustees will be informed unless s/he are directly involved.
- The alleged victim's personal safety must be ensured.
- If medical help is needed and sought inform the doctor of any suspicions.
- Where a medical examination is required, this will be arranged immediately following consultation with Care Direct, as issues of capacity to consent may be relevant.
- Take advice from the listed agencies as to whether relatives or carers should be informed.
- If an accusation is made against a worker whether a volunteer or paid member of staff including the manager or the DAPO, the concerns must be referred to the Local Authority Designated officer (LADO) on 01392 384964 and follow their advice which may well be that person with allegations against them must be suspended from their duties pending an internal or criminal investigation.
- Where required the insurance company, Charities Commission and any other agency required should be informed.
- Make notes as soon as possible (preferably within one hour of the person talking) including a description of any injury, its size, and a drawing of its location and shape on the persons body, using a body map if needed.
- Write down exactly what has been said, when s/he said it, what was said in reply and what was happening immediately beforehand (e.g. a description of an activity).
- Write down dates and times of these events and when the record was made. Also write down any action taken and keep all handwritten notes even if subsequently typed up. These notes should be passed on to the DAPO to assist them should the matter need to be referred further.
- All documents should be signed, dated and kept for an indefinite period in a secure place.

CHAT will support the DAPO in their role and accept that any information they may have in their possession will be shared in a strictly limited way on a need-to-know basis.

Everyone who makes an allegation, complaint or raises a concern should be assured that they will be taken seriously and their comments will be treated as confidentially as soon as possible.

The role of the Designated Adult Protection Officer (or whoever else is reporting) is to collate and clarify the precise details of the allegation or suspicion and pass this information on to statutory agencies who have a legal duty to investigate. Do not investigate the concerns. Suspicions must not be discussed with anyone other than those nominated in this document and not brought to wider team meetings or recorded on client notes unless absolutely necessary.

APPENDIX ONE – CONTACT DETAILS

CONCERNS FOR ADULTS

CHAT Designated Child/Adult Protection Officer	Alison Padfield Alison.Padfield@chatmid.co.uk
CHAT Deputy Designated Child/Adult Protection Officer	Sharon Hayes-Vallance Sharon.hayes-vallance@chatmid.co.uk
Manager	Alison Padfield Alison.Padfield@chatmid.co.uk
Designated Trustee for Safeguarding	Jennifer Tower jennifer.tower@chatmid.co.uk
Support and Advice Team Leader	Denise.Henson@chatmid.co.uk
Chair of Trustees	Simon Friend Simon.friend@chatmid.co.uk
Devon Safeguarding Adults Board	https://www.devon.gov.uk/devonsafeguardingadultsboard/
Devon Safeguarding Adults Partnership	https://www.devonsafeguardingadultspartnership.org.uk/
Devon Care Direct	0345 1551 007
Emergency Duty Team	0345 6000 388/0845 6000 388
Police non-emergency	101
LADO enquiries	01392 384964 https://new.devon.gov.uk
Elder Abuse advice	www.elderabuse.org.uk
Age UK	www.ageuk.org.uk
Domestic Abuse Helpline for pros and inds	0345 155 1074
National Domestic Abuse Helpline 24 hrs	0808 2000 247
Women's Aid	www.womensaid.org.uk
Restored- Women's domestic abuse support	www.restoredrelationships.org
Rape Crisis, Devon	0808 802 9999
Action on Elder Abuse Helpline	0808 808 8141
Survivors of childhood abuse	0808 8010331
Cruse bereavement helpline	0808 808 1677
Spiritual Abuse support	www.spiritualabuse.com
Modern Slavery advice 24 hrs	08000 121 700 www.modernslavery.co.uk
Fearless Domestic Abuse	0345 155 1074

CONSUMER DUTY POLICY - ADULT SAFEGUARDING POLICY AND PROCEDURES



<https://www.fear-less.org.uk/REVISIONS>

June 2023

Minor changes and updates of contact names and numbers
Renamed policy – Consumer Duty – Adult Safeguarding