

Parmiter's Almshouse & Pension Charity



Safeguarding Policy

INTRODUCTION

Parmiter's Almshouse and Pensioner Charity, ('the Charity'), is committed to protecting the welfare of beneficiaries, Trustees and others who directly or indirectly engage with the Charity's services and/or activities.

This Policy outlines the Charity's approach to safeguarding vulnerable adults (Adults at Risk), and its commitment to act promptly where abuse is suspected whoever the perpetrator may be.

As a provider of housing and other services for older people, the Charity has a very specific set of responsibilities for safeguarding adults at risk.

Day to day responsibility for overseeing this Policy is delegated to the Clerk to the Board of Trustees employed by the Charity's Agent. Details of any reports made to the relevant authorities will be provided to the Chair of the Board of Trustees following a referral, and to all Trustees at the first meeting of the full Board following the occurrence or sooner if required.

A copy of this Policy is posted on our website (www.parmitersalmshouseandpensioncharity.org.uk/) and made available upon request.

AIMS OF THE POLICY

This Policy aims to ensure that Trustees of the Charity and its Agent are aware of what "safeguarding" means and to understand the actions that should be taken if they have cause to suspect that an adult engaging with the Charity (directly or indirectly) is experiencing or is at significant risk of abuse or neglect.

LEGISLATION, ASSOCIATE GUIDELINES AND POLICIES

The main legislation upon which safeguarding Adults at Risk is underpinned is the Care Act 2014. Details of other policies and guidelines are referenced in **Annex 1** of this Policy

SAFEGUARDING PRINCIPLES

The recognised principals of Safeguarding are listed in **Annex 1** of this Policy

WHO DOES SAFEGUARING APPLY TO

Under the Care Act 2014, the definition of an Adult at Risk to whom the safeguarding legislation applies, is someone aged 18 or over who;

- has care and support needs,
- is experiencing, or is at risk of, abuse or neglect and
- is unable to protect themselves because of their care and support needs

See **Annex 1** of this Policy for a list of definitions

WHAT IS ABUSE

Abuse is a violation of an individual's human and civil rights by any other person or persons. It may consist of a single act, often in a relationship where there is an expectation of trust, which causes harm to an individual. It may be an act of neglect or failure to act.

The Department of Health in its 'No Secrets' 2000 report sets out the types of abuse and these are listed in **Annex 2** of this Policy

WHO HAS RESPONSIBILITY

Everyone has responsibility for safeguarding adults at risk from abuse and reporting any concerns. Trustees and their Agent will ensure that any suspicions concerning the abuse of an adult they have, or are raised with them, are addressed as a matter of urgency and are reported to the relevant authorities, when necessary, in line with this Policy.

TRUSTEE DESIGNATED SAFEGUARDING LEAD

The Designated Safeguarding Lead (DSL) appointed by the Trustees is Sheena Monilal. The DSL is charged with reviewing the Policy on a regular basis, ensuring all updates are incorporated and disseminated to all Trustees, and to carry out any other related tasks that Trustees deem necessary.

TRAINING

Trustees and their Agent are expected to have a basic awareness of signs and symptoms of abuse. The DSL should ensure that all Trustees and the staff employed by their Agent to support the work of the Charity have undertaken the appropriate training around Safeguarding Adults. Copies of the resultant certificates to be retained by the Clerk and be reviewed alongside the Policy in order to ensure that refresher training is provided when necessary.

PROCEDURE FOR REPORTING CONCERNS

Trustees recognise that they as individuals and their Agent have a duty to act on any concerns about potential abuse or neglect they have, or any disclosures or allegations - see **Annex 1** for guidance.

With the support of the DSL and the Clerk if necessary, the person reporting any abuse should take advice from the Local Authority's Safeguarding Adults Team, the Police, depending on what level of emergency exists and/or other appropriate organisations. When considering the best way forward the following should be adhered to:

How to respond if a disclosure has been received:

- Reassure the person concerned
- Listen to what they are saying
- Record what have been said/witnessed as soon as possible
- Remain calm and do not show shock or disbelief
- Tell them that the information will be treated seriously
- Don't start to investigate or ask detailed or probing questions
- Don't promise to keep it a secret

If abuse has been witnessed or has just taken place the priorities will be:

- To call an ambulance if required
- To call the police if a crime has been committed or the individual is in immediate danger
- To preserve evidence
- To keep all concerned safe

- To inform the DSL
- To record what happened in full

The alleged victim should be told who will be dealing with the information received and the action to be taken.

It is best practice to receive consent from the individual before proceeding. However, consent can be overridden if there is a good reason to do so, e.g.

- It's in the individual's best interest
- They do not have the mental capacity to understand what is happening to them
- There is a risk of harm to others
- A crime has been committed or the individual is in immediate danger

The DSL and the Clerk should be informed immediately of any safeguarding issue that have arisen and they should be updated on the progress of any allegations. If there is no immediate risk, but a police response is required, call 101 or report the issue via the Police websites.

WHO TO REPORT TO

If the person taking action to prevent possible abuse found it necessary to call the Police or other emergency services, the incident should be reported to the local Safeguarding Adults Board via the adult social services team of the relevant Local Authority. Any serious incidents of this nature must also be reported to the Charity Commission.

Local Authorities have a duty to hold a formal "Adult Safeguarding Enquiry" in response to concern about abuse or neglect regarding an adult with care and support needs who is unable to protect themselves from the abuse or neglect or the risk of it.

If having gone through the procedures described in '**Procedure For Reporting Concerns**' above there is ample evidence of alleged abuse, the information gathered should be used to complete the information required in the forms provided for this purpose on the relevant Local Authority's website.

The Council must undertake "Section 42 Enquiries" under the Care Act, or cause them to be made, "whenever they have reasonable cause to suspect abuse or neglect in relation to an adult and the local authority thinks it necessary to enable it to decide what (if any) action is needed to help and protect the adult."

Details of the London Borough of Tower Hamlets and Essex County Council Adult Social Care Teams are in **Annex 3** of this Policy.

The Charity will work in partnership with lead agencies and other relevant partners to ensure that any referrals are dealt with as quickly as possible and result in a positive outcome for the alleged victim.

CONFIDENTIALITY

The gathering, storing and processing of personal data (including sensitive personal data) is covered under the Charity's Data Protection and Privacy policy, including the physical and electronic storage of data.

The importance of data security for individuals, in addition to GDPR considerations, is important for the immediate safety of individuals who may be fleeing serious violence.

There are times in which confidentiality cannot be guaranteed to individuals, e.g. if there is a suspicion of abuse and information needs to be passed to relevant agencies.

COMPLAINTS

Being involved in a safeguarding process can be difficult for any individual who has experienced neglect or abuse, and the people who care for them.

There may be occasions when the individual, a family member or their carer makes a complaint about the Charity's involvement in their case, because they are dissatisfied about their experience or the outcome of the safeguarding process.

Where this occurs, they should be directed to the Charity's Complaints Policy.

BREACHES OF POLICY

Failure to comply with this Policy by either a Trustee or their Agent must be reported to the Chair of the Board of Trustees – or Vice-Chair if the Chair is involved.

If upon investigation it is established that the incident is serious, the Chair is duty bound to refer it to the Charity Commission. Guidance on how to proceed with this titled '**How to Report a Serious Incident In Your Charity**' and '**Deciding What To Report**' can be found on the Charity Commission's website.

ADULT SAFEGUARDING LEGISLATION

Care Act 2014
Safeguarding Vulnerable Groups Act 2006
Health and Social Care Act 2012
Mental Capacity Act 2005
Equality Act 2010
Human Rights Act 1998
Data Protection Act 2018
Public Interest Disclosure Act 1998
The Protection of Freedoms Act 2012
Domestic Violence, Crime and Victims (Amendment) Act 2012
Sexual Offences Act 2003

SAFEGUARDING PRINCIPLES

Empowerment - Presumption of person-led decisions and informed consent. People should be supported in making their own decisions and informed choices, including those related to risk and their own perceived vulnerability. If decisions are made without taking account of the victim's views this may infringe their human rights and jeopardise other qualities of life.

Protection - support and representation for those in greatest need.

Prevention - it is better to take action before harm occurs. Prevention of neglect, harm and abuse is a primary objective.

Proportionality - Proportionate and least intrusive response appropriate to the risk presented. Safeguarding must be built on proportionality and a consideration of people's human rights.

Partnership - local solutions through services working with their communities as communities have a part to play in preventing, detecting and reporting neglect and abuse.

Accountability – safeguarding practice and arrangements should be accountable and transparent.

DEFINITIONS OF AN ADULT AT RISK

- An Adult at Risk is a person aged 18 or over who is in need of care and support regardless of whether they are receiving them, and because of those needs are unable to protect themselves against abuse or neglect.
- Abuse is a violation of an individual's human and civil rights by another person or persons. See **Annex 2** for further explanations.
- Adult safeguarding is protecting a person's right to live in safety, free from abuse and neglect.
- Capacity refers to the ability to make a decision at a particular time, for example when under considerable stress. The starting assumption must always be that a person has the capacity to make a decision unless it can be established that they lack capacity (MCA 2005).

ANNEX 2

EXAMPLES OF ADULT ABUSE

Adult abuse can take several forms and the following outlines ten types of abuse with examples and possible signs to look out for:

Type of Abuse	Examples	Possible Signs
Physical	Hitting, biting, misuse of medicines, inappropriate moving and handling techniques and inappropriate restraint	Unexpected injuries or illness, bruising/finger marks, broken bones, withdrawal
Psychological	Using threats, intimidation or humiliation. Withholding pleasurable foods, activities or social contacts. Preventing person from expressing an opinion or their wishes	Fear of certain people/places, mood swings, crying or getting upset over ordinary things, increase in difficult behaviour
Financial	Taking money or possessions, misuse of welfare benefits, and lasting Power of Attorney.	Unexplained or sudden inability to pay bills, reluctance to spend money and loss of possessions
Sexual	Making someone take part in any sexual act they have not consented to or do not understand.	Unexpected sexual language. Difficulty or pain when using the lavatory, in possession of unexpected money or presents
Neglect	Carer not meeting a person's care needs, not providing adequate food, drinks, heating, clothing and personal care	Poor physical condition and personal hygiene, dirty or wet clothing, weight loss/evidence of malnutrition, mental/physical ill health, unusual behaviour
Discriminatory	Any abuse based on discrimination such as not providing culturally appropriate meals, inappropriate nicknames, degrading discriminatory comments.	Negative self-image, self-injury/harm, mood swings, fear of certain people or places
Institutional	Repeated poor practice throughout an organisation, inflexible services based on needs of staff/managers rather than on the needs of individuals in their care.	No opportunity for making decisions, personal possessions, poor physical health/self-harm, weight loss, withdrawn, rocking or repetitive movements
Self-Neglect/Harm	The person not looking after themselves, eating and drinking sufficiently and does not seem interested in doing so. Failure to take medication, physical environment is hazardous/unhygienic	Unkempt appearance, weight loss, evidence of alcohol or drug abuse such as empty bottles
Domestic	Violence, threatening behaviour, blackmail, curtailing freedom of seeing family or friends	Partner or family member seen acting in a controlling/overbearing way, visitors discouraged, person refuses to be seen alone, isolation and depression
Modern Slavery	Human trafficking for forced labour or sex. Domestic servitude. Buying women for marriage. Bonded labour/debt bondage	Workers have little income/freedom, depression/social isolation, self-harm, confiscation of passports, may be held in actual captivity

LOCAL ADULT SOCIAL CARE CONTACTS

The contact details for the Local Adult Social Care Teams are:

London Borough of Tower Hamlets

Day time tel. no. – 0300 303 6070

Emergency Out of Hours (5pm to 9am and weekends) - 020 7364 4079

Email – enquiry@towerhamletsconnect.org

Website - https://www.towerhamlets.gov.uk/!gnl/health__social_care/Health-and-adult-social-care/Staying-safe/I-want-to-report-a-concern.aspx

Essex County Council

Day time tel. no. - 0345 603 7630

Emergency Duty Service Out of Hours (5pm to 8.45am and weekends) - 0345 606 1212

Email – socialcaredirect@essex.gov.uk

Website - <https://www.essex.gov.uk/adult-social-care-and-health/report-concern-about-adult/report-concern-about-adult>