

INFORMATION

Policy Name	Safeguarding Policy
Policy Reference	PHL POL 38
Date of Issue	August 24
Approved by	Board
Date of Approval	24 th October 2024
Review Date	24 th October 2027
Version Number	1
Lead Officer	Extra Care Operations Manager

Version	Date	Changes
1	10 August 24	No changes first issue

Relevant National Standards or Regulation	• Tenancy Standard • Neighbourhood and Community Standard • Transparency Influence and Accountability Standard
--	--

1. Introduction

This policy sets out guidelines for safeguarding vulnerable adults and children to ensure that employees know how to recognise signs of abuse and neglect and, where they do occur, that there is appropriate response to protect those affected in our homes and communities from further harm.

Preferred Homes Limited (PHL) recognises that it has a significant role to play in safeguarding vulnerable adults and children at risk as part of its day-to-day work. It is our aim to develop an environment in which abuse is not tolerated in any form.

This policy applies to all employees whether employed directly by PHL, a "sub-contractor" carrying out works on behalf of PHL, or any other individual who are responsible for properties managed or owned by PHL.

2. Purpose

To establish a policy for Safeguarding Children and Adults at risk which is relevant to and, as a minimum, delivers legislative and regulatory compliance in relation to Safeguarding.

The purpose of this policy is to:

- Comply with legal and regulatory requirements
- Aim to have robust safeguarding arrangements in place

- Work in partnership with other agencies to reduce the risk of harm for our customers
- Always act in the customers best interests by making safeguarding personal for the customer
- Make Safeguarding the responsibility of all PHL employees
- Ensure that PHL employees and staff employed by any sub-contractors working on PHLs behalf are aware of the types of abuse that can occur.
- Develop a culture that does not tolerate such abuse, and which encourages people to raise concerns
- Prevent abuse from happening wherever possible
- Encourage PHL employees and staff employed by sub-contractors working on PHL behalf to respond promptly and proportionately where abuse does happen, to make the necessary referrals and engage the appropriate authorities, to stop the abuse continuing and to ensure the person harmed receives effective support

3. Definitions

Term	Description
Child	The 'Working Together to Safeguard Children, 2018' document defines a child as being anyone who has not yet reached their 18th birthday. The fact that a child has reached 16 years of age, is living alone, is in further education, is a member of the armed forces, is in hospital, is in prison or in a young offenders' institution is irrelevant – they are still defined as children under the Children Act 1989.
Vulnerable Adult	A vulnerable adult is a person aged 18 years or over who is or may be at risk of harm through abuse, exploitation or neglect because of a: • physical disability • physical or mental illness • learning difficulty • reduced physical or mental capacity due to older age dependency on alcohol, illegal drugs or medication
Abuse or Neglect	There is no statutory definition of abuse or neglect. It can be described as a violation of individuals' human and/or civil rights by any other person or persons who cause harm to a person in need of care and support. It may be a single or repeated acts or omissions occurring within a personal or close relationship where there is an expectation of trust.
Modern slavery and human trafficking	This is a broad term used to encompass the offences of slavery, servitude and forced or compulsory labour and human trafficking. The term extends to slavery-like practices such as debt bondage, sale or exploitation of children and forced or servile marriage. While varied in nature, all involve one person depriving another person of their liberty, in order to exploit them for personal or commercial gain

Safeguarding	The Care and Support statutory guidance 2014 issued under the Care Act 2014 defines safeguarding as “Protecting an adult’s right to live in safety, free from abuse and neglect.”
Safeguarding Adults Board (SAB)	SABs were established by the Care Act 2014. The main purpose of a SAB is to enable the local authority to assure itself that local safeguarding arrangements are in place. In particular that action is taken to help and protect adults in its area who has needs for care and support. The adult may be experiencing, or at risk of abuse or neglect, and as a result of their care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect. Each local authority must set up a SAB.
Safeguarding Children’s Board (SCB)	SCBs were established by the Children Act 2004. Local authorities are required to establish one in their area. They are multi-agency bodies involving agencies such as the police, health service and the probation service and others. Their role is to: • Co-ordinate what is done by everyone on the SCB to safeguard and promote the welfare of children in the area; and • Make sure that each organisation acts effectively when they are doing this. SCBs also publish policies and procedures for child protection in their area.
Section 11 Audit	Section 11 of the Children Act 2004 places a range of duties on organisations and individuals to ensure their functions and any service that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.
Section 42 Enquiry	Section 42 of the Care Act 2014 requires that each local authority must make enquiries, or cause others to do so, if it believes an adult has care and support needs, and believes the adult is experiencing or is at risk of, abuse or neglect and, as a result of those needs, is unable to protect themselves against the abuse or neglect or the risk of it.
Serious Case Review	A serious case review in England is held after a child or vulnerable adult dies or is seriously injured under circumstances where abuse or neglect are thought to be involved. Its purpose is to learn lessons to help prevent future similar incidents.

4. Abuse

Abuse is a violation of an individual’s human and civil rights by any other person or persons. Friends, strangers, family members, and professional staff can all be guilty of abuse.

What constitutes Abuse and Neglect:

Physical Abuse	Includes: Assault, hitting, slapping, pushing, misuse of medication, restraint, inappropriate physical sanctions.
Domestic Abuse	Psychological, physical, sexual, financial, emotional abuse, coercive control, so called “honour based” violence.
Sexual Abuse	Rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography, or witnessing sexual acts, indecent exposure, sexual assault, sexual acts to which the adult has not consented or was pressured into consenting.
Psychological abuse	Emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation, unreasonable and unjustified withdrawal of services or supportive networks.
Financial abuse	Theft, fraud, internet scamming, coercion in relation to an adult’s financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, the misuse or misappropriation of property, possessions or benefits.
Modern Slavery	Slavery, human trafficking, forced labour and domestic servitude, traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.
Discriminatory abuse	Harassment, slurs or similar treatment because of race, gender and gender identity, age, disability, sexual orientation; and religion.
Organisational abuse	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.
Self-neglect	This covers a range of behaviour neglecting to care for one’s personal hygiene, health or surroundings and includes behaviour such as hoarding. It should be noted that self-neglect may not prompt a section 42 enquiry. An assessment should be made on a case-by-case basis. A decision on whether a response is required under safeguarding will depend on the adult’s ability to protect themselves by controlling their own behaviour. There may come a point when they are no longer able to do this, without external support.

4.1 Recognising the Signs of Abuse

PHL expects all individuals working for us or for sub-contractors working on our behalf to be alert to both actual and suspected abuse. This is particularly relevant for those who have

personal contact with residents, particularly those that visit residents in their own homes. Awareness of the home environment is important; if individuals identify that children or vulnerable adult living in unhygienic or dangerous conditions, and/or where care needs appear to be neglected the concern should be escalated in line with this policy.

4.2 Responding to suspected abuse or neglect

PHL employees play an important role in building and maintaining partnerships with local authorities and key specialist agencies and will work with them as required to safeguard children and vulnerable adults.

If an employee suspects abuse or has received a report of abuse they will:

- Report it to a senior staff member immediately. We will not investigate suspected abuse or neglect. Safeguarding of children and vulnerable adults is a complex area which must be dealt with by the appropriate agencies and channels
- Refer any concerns over the abuse or neglect of a child or a vulnerable adult to the relevant Local Authority, Children or Adult services where appropriate and the Police if there is a suspected or actual crime.
- Local Authorities have the lead responsibility in coordinating safeguarding work, establishing safeguarding boards and to develop multi agency policies and procedures to provide a framework for partner organisations to work together.
- Relevant information sharing protocols should be followed where they exist. Where possible a person's consent should be sought to share information, but full confidentiality cannot be guaranteed when the responsibility to safeguard the adult or child at risk is greater than the responsibility to the individual.
- Record any discussions and actions carried out following suspected or alleged abuse or neglect accurately, thoroughly and promptly
- Fully co-operate with any agencies involved with cases of alleged abuse or neglect.
- Work with other agencies to investigate any alleged breach of tenancy agreement and take action through policies and procedures where appropriate

5. Equality Diversity and Inclusion

The policy complies with the requirements of the Equality Act 2010 to ensure equality of treatment for all customers without discrimination or prejudice. Domestic abuse can be experienced by anyone, including those with protected characteristics and males.

Issues around diversity have been considered around access to and delivery of any services covered by the Policy. An EIA has been undertaken on this Policy. On request, PHL will provide translations of all its documents, policies and procedures in various languages and other accessible formats.

6. Employee Training, Recruitment and Conduct

As part of their induction, employees will be required to read and understand all relevant policies and procedures provided, including this policy. Employees will be trained in the implications and processes involved with the safeguarding of vulnerable adults and children and will be trained in how to identify signs of abuse and neglect. Employees who have

regular contact with children and/or vulnerable adults are suitably vetted and checked by the Disclosure and Barring Service.

Where a person suspected of abuse or neglect is a member of staff, a disciplinary investigation will be carried out immediately. If a member of staff suspects that any other member of staff is involved in abuse or neglect, they should report this through the correct channels as detailed in the Whistleblowing Policy.

All subcontractors are encouraged to have an effective safeguarding policy in place or where not, they should be willing to work in accordance with this policy.

7. Legislation and Regulation

This policy should be read in conjunction with the legal and regulatory documents listed below:

Public Interest Disclosure Act (1998)

Mental Capacity Act (2005) – the Mental Capacity Act (2005), and supporting Code of Practice (2016),

Data Protection Act (2018) – governs the protection of personal data.

Human Rights Act (1998) - includes a duty on public bodies to intervene proportionately to protect the rights of citizens.

The Care Act 2014

Associated Policies

Anti-social behaviour and Hate Crime

Domestic Abuse

Hoarding Policy

Equality Diversity and Inclusion

Data Protection

8. Data Protection

It is recognised that incidents of Safeguarding are extremely sensitive, private incidents for survivors to report and PHL shall maintain the confidentiality of a disclosure regarding violence to the extent allowed by law and unless to do so would result in significant risk of harm to any person on any cases that are reported.

PHL will however, share relevant information with local agencies such as the police, Serious Safeguarding Review and other groups where necessary, to deal with cases more effectively by either gathering extra evidence to carry out enforcement measures against the perpetrator or sharing information in the interests of the survivor and/or their dependants

to provide better or more effective support. The principles of UK GDPR and PHL Data Protection Policy will apply to this Policy.

9. Policy Review

PHL will review and update this policy in accordance with its legal obligations and may amend, update or supplement it from time to time and at least every 3 years or earlier, if required by changes in legislation or technology underlying its document management system