

# INSPIRED SUPPORT

## Safeguarding Policy



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Approved by:	G. R. Lamb	Designation:	Director

Inspired Support's Service Manager - Autism Consultant and Deputy Safeguarding Lead receives email updates from Skills for Care, 39 Essex Chambers and the Social Care Institute for Excellence and will update this policy as needed prior to the review date.

## Safeguarding Vulnerable Adults Policy

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## Purpose and aim of the policy

Inspired Support is committed to safeguarding and promoting the welfare of young people and vulnerable adults, engaged in the breadth of its activities. All adults have the right to be safe from harm and should be able to live free from fear of abuse, neglect and exploitation.

The safeguarding policy aims to provide clear direction about expected understanding of, dealing with and responding to safeguarding issues.

The policy also aims to make explicit Inspired Support's commitment to the maintenance and development of good practice and sound procedures. The purpose of the policy is, therefore, to ensure that safeguarding concerns and referrals are handled sensitively, professionally and in ways that appropriately support the particular needs of an individual's wellbeing.

The safeguarding of the people in our care is the single most important aspect of our work.

Inspired Support fully recognises the contribution it can and should make to safeguard and support people in its care.

There are three key elements to our safeguarding policy:

1. **Prevention** (enhanced DBS which is renewed every three years), a strengths based approach which involves working with small group ratios, positive atmosphere, careful and vigilant working, support to people, providing good role models, individual risk assessments where appropriate, specific risk assessments for high risk activities).
2. **Protection** (mandatory training at the point of induction, evidence of self employed workers insurance, following agreed policies and procedures, ensuring staff are trained and supported to respond appropriately and sensitively to safeguarding concerns).
3. **Support** (people and staff who may have been abused).

This policy will be reviewed every 3 years or if there are any significant changes to legislation or good practice guidelines.

This policy links into Inspired Support's other relevant policies, procedures and processes (e.g. self-employed workers policy, positive and proactive support, working with challenging behaviour policy and our referral process) and relevant legislation. In the event of a safeguarding concern, Inspired Support will follow the processes detailed in the relevant local authority's safeguarding adults policy.

## Context

For the purpose of this document 'adult' means a person aged 18 years or over.

This policy and procedure is based on the need for collaborative partnerships and inter-agency working in responding to and having coherent strategies for managing investigations into allegations of abuse and the first priority should always be to ensure the safety and protection of our customers. To this end it is the responsibility of all staff to

act on any suspicion or evidence of abuse or neglect (see the Public Interest Disclosure Act 1998) and to pass on their concerns to a responsible person/agency.

## **Key Terms**

### Adult at Risk

The Care Act 2014 replaced the terminology “vulnerable adult” to “adult at risk” and they are defined as a person aged 18 or above who:

- Has needs for care and support, even if they do not have care services.
- And is experiencing or is at risk of abuse and neglect
- And as a result of their care and support needs, is unable to
- Protect themselves from the risk or experience of the abuse or neglect.

### Abuse

The Care Act 2014 gives guidance on what constitutes abuse stating:

“Abuse and neglect can take many forms. Local authorities should not be constrained in their view of what constitutes abuse or neglect, and should always consider the circumstances of the individual case”.

### Harm

This is the impairment of or an unavoidable deterioration in physical or mental health and the impairment of physical, intellectual, emotional, social or behavioural development.

## 1. Key Principles of Adult Safeguarding

The Care Act 2014 sets out six key principles of adult safeguarding: empowerment, prevention, proportionality, protection, partnership and accountability. Inspired Support recognises each and all of these principles in all of the work that we do. We believe in the principles of “making safeguarding personal” in that safeguarding should always be about the individual: it must be person led, focused on real outcomes and should always endeavour to empower people to make their own choices.

The guidance broadly describes the real life meaning of these six principles as follows:

Principle	How the principle may sound in practice
<b>Empowerment</b> – People being supported and encouraged to make their own decisions with informed consent.	“I am asked what I want the outcomes to be from the safeguarding process and these directly inform what happens.”
<b>Prevention</b> – It is better to take action before harm occurs.	“I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help.”
<b>Proportionality</b> – The least intrusive response should be identified and must be appropriate to the risk presented.	“I am sure the professionals will work in my interest and they will only get involved as much as needed”.
<b>Protection</b> – Support and representation for those in greatest need.	“I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want”.
<b>Partnership</b> – Communities have a part to play in preventing, detecting and reporting neglect and abuse.	“I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me”.
<b>Accountability</b> – Being accountable and transparent about safeguarding practices that are used to support people.	“I understand the role of everyone involved in my life and so do they”.

## 2. Legal framework

Inspired Support provides adult day services in Gateshead and Newcastle, providing services to people from all nearby North East local authority areas. Each local authority has its own safeguarding adults multi-agency procedural framework/interagency policy in place to ensure a consistent approach in responding to allegations of abuse. When allegations of abuse are made or where the risk of abuse is identified, the framework offers guidance to staff about the process which should be followed.

These guidelines are designed to identify the roles and responsibilities of workers/volunteers within this process. The Safeguarding Adults Procedural Framework/Interagency Policy should be read in conjunction with these

**guidelines. It outlines relevant pieces of legislation, good practice guidance, definitions and categories of abuse and documentation in relation to Safeguarding Adults.**

**The legislation below has informed the content of the policy and procedures:**

**Care Act 2014 and Statutory Guidance issued under the Act**

**This sets out rules and guidance on all aspects of safeguarding and repeals the No Secrets guidance (2000). The content of the Act informs the major parts of this policy.**

**Mental Capacity Act 2005 (MCA)**

**The MCA 2005 was enacted to protect individuals and their freedoms. It empowers individuals to retain freedom of choice and, when choices cannot freely be made, it seeks to make sure that decisions are taken in the individual's best interests. Any decision taken on behalf of an individual who lacks capacity to make a specific decision must be based on their wishes so far as is possible. Best interest rules must be followed when making decisions for an adult who lacks capacity.**

**The Act is also a useful guide to interactions with people who may lack capacity. Everyone working with someone who might be considered to be vulnerable must have a working knowledge of the Act. The Act also complements Inspired Support's other policies and its ethos. Therefore, it is included here both for information purposes and to note that Inspired Support's staff/volunteers will act within its principles at all times.**

**Part 1 of the Mental Capacity Act 2005**

**The Principles outlined in the Mental Capacity Act are:**

- A person must be assumed to have capacity unless it is established that he/she lacks capacity.
- A person is not to be treated as unable to make a decision unless all practicable steps to help him/her make the decision have been taken without success.
- A person is not to be treated as unable to make a decision merely because he/she makes an unwise decision.
- An action taken, or decision made, under this Act for, or on behalf of a person who lacks capacity, must be done, or made, in his/her best interests.
- Before the action is undertaken, or the decision is made, regard must be had to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive of the person's rights and freedom of action.

**People who lack capacity**

- For the purposes of this Act, a person lacks capacity in relation to a matter if, at the material time, they are unable to make a decision for themselves in relation to the matter because of an impairment of, or a disturbance in the functioning of the mind or brain.
- It does not matter whether the impairment or disturbance is permanent or temporary.
- A lack of capacity cannot be established merely by reference to –
  - A person's age or appearance, or
  - A condition of theirs, or an aspect of their behaviour, which might lead others to make unjustified assumptions about their capacity.

The Act also introduced Independent Mental Capacity Advocates who can be appointed if circumstances warrant an independent voice for someone considered to lack capacity.

### **Deprivation of Liberty Safeguards, Code of Practice 2008**

This sets out key provisions for the protection of those in some residential settings and hospitals who are deemed not to have capacity. It is a set of safeguards which ensure individuals are not unnecessarily deprived of their freedoms. Should a situation arise where a deprivation of liberty is required, such as to fulfil medical treatment, it must usually be authorised by the Local Deprivation of Liberty Team or, ultimately, the Court of Protection.

### **Safeguarding Vulnerable Groups Act 2006 and Protection of Freedoms Act 2012**

The purpose of this Act is to prevent harm from occurring to adults at risk by preventing those who may cause harm from being employed or volunteering in roles where they are in contact with them. An enhanced DBS check will be sought for everyone who will work with adults in our care, or adults at risk with whom we come into contact through our organisation.

The Protection of Freedoms Act 2012 brought together the agencies which now undertake DBS checks and issue certificates.

### **The Human Rights Act 1998**

This gives legal effect in the UK to the fundamental rights and freedoms contained in the European Convention on Human Rights (ECHR). The Act applies to all public authorities, such as central government departments, local authorities and NHS Trusts, and other bodies performing public functions. These organisations must comply with the Act, and an individual's human rights, when providing a service or making decisions that have a decisive impact upon an individual's rights. The Care Act extends the scope of the Human Rights Act. This incorporates registered care providers, both residential and non-residential, providing care and support to an adult, or support to a carer, where the care and support is arranged or funded by the Local Authority, including Direct Payment situations (Local Government Association, 2014). It does not incorporate entirely private arrangements concerning care and support.

Although the Act does not apply to private individuals or companies, except where they are performing public functions, public authorities have a duty to promote the human rights of individuals and this entails a duty to stop people or companies abusing an individual's human rights. For example, a public authority that knows an adult is being abused by their privately funded carer has a duty to protect the adult from inhuman or degrading treatment.

The Human Rights Act covers everyone in the United Kingdom, regardless of citizenship or immigration status. Anyone who is in the UK for any reason is protected by the provisions of the Human Rights Act.

### **The Public Interest Disclosure Act 1998 (PIDA)**

This created a framework for whistleblowing across the private, public and voluntary sectors. The Act provides almost every individual in the workplace with protection from victimisation when they raise genuine concerns about malpractice in accordance with the Act's provisions. All organisations must have a Whistleblowing Policy in place.

### **The Equality Act 2010**

The principles of the Equality Act 2010 underpin this policy: it covers everyone in Britain and protects people from discrimination, harassment and victimisation.

## **3. The role of workers and volunteers**

The directors are accountable for ensuring that Inspired Support has clear and effective policies and procedures in place and that they comply with legislation and good practice guidelines. All workers and volunteers working on behalf of Inspired Support have a duty to promote the welfare and safety of vulnerable adults.

Workers and volunteers may receive disclosures of abuse and observe vulnerable adults who are at risk. This policy will enable workers/volunteers to make informed and confident responses to specific adult protection issues.

## **4. Training and Development**

Inspired Support's Designated Safeguarding Leads receive training relevant to their role. The organisation also ensures that all of its self-employed mentors and volunteers receive mandatory safeguarding training through the induction process and all workers will be responsible for completing their training updates as required. All self-employed mentors are trained to Safeguarding Adults Level 2 as a minimum requirement. The directors will keep a record of training and training updates for each worker. All service areas have a copy of the Local Authority's safeguarding adults framework decision making tool.

## **5. Definition of abuse?**



“Abuse is a violation of an individual’s human and civil rights by any other person or persons” and may result in significant harm to, or exploitation of, the person subjected to the abuse.

It is important to note that:

- Abuse may consist of a single act or repeated acts.
- Abuse can be intentional or unintentional or result from a lack of knowledge
- Abuse can be an act of neglect, an omission or failure to act.
- Abuse can cause harm temporarily or over a period of time.
- Abuse can occur in any relationship.
- Abuse can be perpetrated by anyone, individually or as part of a group or organisation.
- Some forms of abuse are crimes.

Information about forms of abuse can be found in appendix 1.

## 6. Duty of Care

It is considered part of the ‘Duty of Care’ that workers are responsible for bringing to the attention of their line manager, suspicions or allegations of abuse of any vulnerable adult in their care. Failure to act could imply a member of staff’s agreement to the abuse and Inspired Support has a whistle-blowing policy in place to encourage good practice and deter poor practice and serious malpractice.

## 7. Whistle-blowing

Whistle-blowing is a process that enables all workers to raise serious concerns and to have these concerns properly addressed. There may be allegations or concerns of abuse which implicate a worker. A worker may have concerns about the conduct or behaviour of a colleague. Despite working closely together or even socialising outside of work, the Duty of Care necessitates the matter being raised, in accordance with the Safeguarding Adults Procedures.

Front-line workers are often the first to see or suspect misconduct but are often worried about raising concerns. Any concerns that are raised will be taken seriously, and both the alerter and the alleged perpetrator will be protected through the investigative process as far as possible and sensitive information regarding the concern will be shared with other mentors on a strict need to know basis as per principle 4 in information sharing.

The Whistle-Blowing Policy which is available to all and is designed to support workers to come forward with their concerns, and relay confidence that they will be supported throughout the process.

## 8. Principles in Information Sharing

When sharing information, Inspired Support acts at all times within all legislative, common law and other related provisions concerning information processing and sharing including, but not limited to, the Data Protection Act 2018 and General Data Protection Regulations. Workers, Trustees and volunteers must be mindful of, and act within, the rules set out in our Data Protection Policy. We also use the Caldicott Principles as a guide to good practice when determining the sharing of information in connection with safeguarding concerns. These principles are as follows:

**Principle 1 – Justify the purpose(s) for using confidential information**

Every proposed use or transfer of personal confidential data within or from an organisation should be clearly defined, scrutinised and documented. Continuing uses should be regularly reviewed by an appropriate guardian.

**Principle 2 – Don't use personal confidential data unless it is absolutely necessary**

Personal confidential data items should not be included unless it is essential for the specified purpose(s). The need for individuals to be identified should be considered at each stage of satisfying the purpose(s).

**Principle 3 – Use the minimum necessary personal confidential data**

Where use of personal confidential data is considered to be essential, the inclusion of each individual item of data should be considered and justified. This is so that the minimum amount of personal confidential data is transferred or accessible as is necessary for a given function to be carried out.

**Principle 4 - Access to personal confidential data should be on a strict need-to-know basis**

Only those individuals who need access to personal confidential data should have access to it, and they should only have access to the data items that they need to see. This may mean introducing access controls or splitting data flows where one data flow is used for several purposes.

**Principle 5 - Everyone with access to personal confidential data should be aware of their responsibilities**

Action should be taken to ensure that those handling personal confidential data are made fully aware of their responsibilities and obligations to respect patient confidentiality.

**Principle 6 – Understand and Comply with the law**

Every use of personal confidential data must be lawful. Every organisation should have someone who handles personal confidential data and is

responsible for ensuring that the organisation complies with legal requirements.

**Principle 7 - The duty to share information can be as important as the duty to protect customer confidentiality**

Health and social care professionals should have the confidence to share information in the best interests of their customers within the framework set out by these principles. They should be supported by the policies of their employers, regulators and professional bodies.

**Principle 8 – Inform customers about how their confidential information is used**

A range of steps should be taken so that customers can have clear expectations about how and why their confidential information is used, and what choices they have about this. These steps will vary depending on the use: as a minimum, this should include providing accessible, relevant and appropriate information – in some cases, greater engagement will be required.

Inspired Support recognises that safeguarding vulnerable adults raises significant issues in relation to information sharing, especially when trying to balance an adult's right to free choice, including the choice about sharing of information, with the responsibility to keep people safe. Inspired Support recognises that adults who have capacity are free to make certain choices which objectively could be considered as abuse or neglect, and they may object to further sharing of information. However, it is also recognised that there might be circumstances where, despite the choices made by the adult, information can be shared in the context of safeguarding.

If an issue arises where there is a serious conflict between safeguarding an adult and that adult's rights to consent, either to the behaviour or the sharing of information, then the Inspired Support will seek legal advice.

Inspired Support recognises that where:

- There is a real risk of harm,
- There is a risk of harm to the wellbeing and safety of the adult or others,
- Other adults or children could be at risk from the person causing harm,
- It is necessary to prevent crime or if a crime may have been committed, or,
- The person lacks capacity to consent.

The safety of the adult must be considered to be paramount and consideration should be given to as to whether a referral to the relevant Local Authority is required using the relevant local authority's safeguarding adults procedures framework, or a report should be made either in an emergency via 999/101. Inspired Support recognises that the police and local authority adult safeguarding team (MASH) are trained to deal with such disclosures in line with all relevant statutory and common law rules.

As set out above, Inspired Support recognises that there are circumstances where adults may disclose that they are being abused or neglected, but they may not want it

to be reported. While it is important to respect the adults wishes and confidentiality, if their circumstances could put someone else at risk of serious harm or there is clear evidence of an imminent risk of serious harm, and no alternative (or less intrusive method of preventing that harm) it may be in the public interest to disclose information to the relevant authorities.

## **9. Record Keeping and GDPR**

All personal information regarding a vulnerable adult, including that which identifies them, will be retained in line with Inspired Support's Record Keeping and GDPR and Data Protection Policy. All written records will be kept in a secure area and system which is access controlled. We will ensure that access is available for those who need to know, but for all others it will remain absolutely confidential. For full information about data protection, please see our data policies and procedures.

Good record keeping is an essential part of the accountability and maintaining proper records is vital to an individual's safety. If records are inaccurate, future decisions may be wrong and harm may be caused to the individual. Where an allegation of abuse is made, all organisations have a responsibility to keep clear and accurate records. It is fundamental to ensure that evidence is protected, and records show what action has been taken, what decisions have been made, and why.

It is equally important to record when actions have not been taken and why. For example, if an adult with care and support needs with mental capacity chooses to make decisions that professionals consider to be unwise.

Inspired Support will ensure that the following key questions are answered, and abided by, when determining what information to record, store and share:

- What information do workers need to know in order to provide a high-quality response to the adult concerned?
- What information do workers need to know in order to keep adults safe under Inspired Support's duty to protect people from harm?
- What information is not necessary?
- What is the basis for any decision to share, or not share, information with a third party?

It is unlawful to disseminate defamatory information in any media including internet sites (see E-Safety policy for further information including specific legislation). All personal and sensitive information regarding mentors and volunteers will be retained in line with Inspired support's Record Keeping and GDPR and Data Protection Policy, and Inspired Support's Whistle blowing policy.

## **10. Roles and Responsibilities**

It is the legal responsibility and duty of care of every member of staff to respect the rights of individuals and protect them from harm at all times. The ADASS (Association of Directors of Adult Social Services) gives clear guidelines on the

thresholds of harm and neglect with each level initiated providing a graduated response according to the perceived level of risk.

Where an allegation arises from suspicions of abuse, the worker who first becomes aware of the allegation, the 'Alerter,' must bring this immediately or as soon as practically possible to the attention of a Designated Safeguarding Lead.

The Designated Safeguarding Lead will ensure that any reported incidents of abuse follow the Local Authorities Safeguarding Adults Procedural Framework/Interagency Policy, and will contact the relevant Local Authority on day 1 in order to ascertain whether the abuse meets criteria, where there is doubt that it does so. The Designated Safeguarding Lead will respond to the alerter within 24 hours of reporting the abuse.

Designated Safeguarding Leads are:

- Richard Lamb (07825 958024)
- Stu Herring (07531 906026)

In the absence of both of the Designated Safeguarding Leads, the deputy Designated Safeguarding lead should be contacted:

- Mel Winship (07956 327276)

### ***10.1 Procedure in the event of a disclosure***

A disclosure happens when:

- a. The adult communicates that they have been (or are worried they may be abused or neglected, or
- b. Any other person reveals that they have seen an incident of abuse or neglect, or found evidence that indicates it may be, or is occurring.

A disclosure can be verbal or written and it can relate to abuse that is happening now, may happen in the future or historical abuse. Disclosing can be very traumatic for the adult, and often they will have spent some time thinking about whether or not to tell someone what has happened, is happening or what they are worried about. It is important that the person making the disclosure is supported and all reasonable and practical steps to safeguard the person at risk are taken.

The first person becoming aware of potential abuse does not have the responsibility to make a judgment about the validity of allegations or the seriousness of such, but must respond to these allegations.

- If the alerter goes directly to the local authority, their timeframes will be followed.
- If the alerter makes those allegations known to the Designated Safeguarding Lead, they will refer to the relevant Local Authority's safeguarding adults

framework and if necessary, contact the local authority on day 1, for their guidance, and respond to the alerter within 24 hours.

When presented with an allegation or suspicion of abuse, the alerting member of staff should assess whether anyone is at risk or is in immediate danger then take any reasonable steps within their role to protect any person who may be at immediate risk or harm. Any offences of a sexual nature will require expert advice from the police.

### **10.2 Responding appropriately to an allegation of abuse**

- Assure the person that you are taking them seriously.
- Listen carefully to what they are telling you, stay calm and don't interrupt them.
- Do not give promises of complete confidentiality.
- Only gather as much information as is necessary to be able to report onwards to the Designated Safeguarding Lead. If there is a need to clarify something that has been said, open ended questions should be asked such as "what did you mean by that?"
- Ask them what they want to happen next and reassure them that they will be involved in decisions about what will happen to them.
- Explain that you will try to take steps to protect them from further abuse.
- Ascertain and establish the basic facts and assess whether emergency services are required and if needed call them.
- Make careful notes and obtain agreement on them if the individual has capacity.
- Do not confront the alleged abuser or alert the alleged abuser to the disclosure in any way.
- Do not be dismissive of the disclosure or ignore the concern
- Remember the need for ongoing support.

**It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred.**

#### **Making a record of the disclosure**

A written record of the disclosure must be made as a matter of urgency as soon as possible after it is made, preferably within 24 hours to ensure that detailed information, events or facts are not forgotten. Where relevant all records should contain the following information:

- a. The date, time and location the disclosure was made.
- b. Who made the disclosure.
- c. The facts that have been provided.
- d. The evidence that has been seen (including any injuries or witnesses).
- e. The views and wishes of the adult.

If anyone else has additional information about the disclosure or the abuse or neglect that may have taken place, they should make their own record. All records should be

legible and signed and dated by the author who must be aware that any written account may be required later as part of a legal action.

Written accounts about concerns and disclosures of abuse are strictly confidential. Safeguarding records will be kept separate from routine customer records and within a secure setting. Access to the records will be restricted. It is the responsibility of the person receiving the written account to file it appropriately and in line with Data Protection, taking into account Inspired Support's confidentiality and filing procedures.

### **10.3 Decision**

Once all information and evidence has been gathered and considered, the designated safeguarding lead must evaluate the information gathered and make a decision on whether or not to progress to the next stage of notification. In order to make this decision, the designated safeguarding lead must determine whether abuse or the possibility of abuse can or cannot be ruled out and consider the least intrusive response appropriate to the risk presented. The designated safeguarding lead should seek support and advice if necessary in making this decision.

When it has been determined that the adult is covered under the safeguarding adults procedures and abuse **cannot** be ruled out given the information gathered, then a decision must be taken to proceed to notification and forwarded to the safeguarding adults team.

When it has been determined that the adult is covered under the safeguarding adults procedures but abuse **can** be ruled out at this stage, there will be no need to proceed to notification.

## **11. The role of key individual agencies**

### ***Adult Social Services***

The Care Act 2014 provides a clear legal framework for how local authorities and other parts of the system should protect adults at risk of abuse or neglect. Each local authority must lead a multi-agency local adult safeguarding system that seeks to prevent abuse and neglect and stop it quickly when it happens. The Care Act requires that each local authority must: make enquiries, or ensure others do so, if it believes an adult is subject to, or at risk of, abuse or neglect, and each local authority will have their own processes for doing so. An enquiry should establish whether any action needs to be taken to stop or prevent abuse or neglect, and if so, by whom.

All local authorities have a Safeguarding Adults Board, which oversees multi-agency work aimed at protecting and safeguarding vulnerable adults. It is normal practice for the board to comprise of people from partner organisations who have the ability to influence decision making and resource allocation within their organisation.

### ***The Police***

The police are a key safeguarding partner. Whether to involve the police will depend on a number of factors, including:

- The views and wishes of the adult at risk.
- Whether a criminal offence as defined by law has been disclosed.
- The exact circumstances surrounding each individual case of suspected abuse or neglect.

In general terms, if there is a reasonable suspicion that a crime may have been committed and the harm caused to the adult concerned was deliberate, malicious or reckless, then it is sensible to have a discussion with the local police. The response to the concern should adopt the principle of proportionality – that the response should be the least intrusive and the most appropriate to the seriousness of the situation – should underpin the decision made.

The police may need to be involved in an emergency situation if there are concerns that an adult is at immediate risk of serious harm and their involvement at the earliest opportunity will ensure that key forensic evidence is not lost or damaged. Where a crime is identified, the police will be the lead agency and they will direct investigations in line with legal and other procedural protocols.

## **12. Complaints Procedure**

Inspired Support has a complaints procedure which enables any person to raise concerns or complaints. Complaints are respected by Inspired Support as they can serve to draw practice or standards to our attention so that they can be rectified, modified and improved.

Complaints will be monitored so that we can identify patterns of concern, training needs etc.

## **13. Trips and Activities**

Before any trip out with customers, a robust risk assessment must be produced in relation to the specific activity and the individuals and workers involved (see risk assessment policy for further information).

## **14. Health and Safety**

Inspired Support has a Health and Safety Policy which sets out in a separate document the actions taken to ensure that all of our customers and workers occupy safe and well managed premises. The Policy addresses all aspects of health and safety including the storage of toxic substances, Fire Precautions etc. The Health and Safety Policy is reviewed on an annual basis.

## **15. Behaviour**

Inspired Support has a written Positive and Proactive Support Policy and a Working with Challenging Behaviour policy, which sets out the service's framework for supporting behaviours of concern.

## **16. Equality, Diversity and Inclusion**



Inspired Support has a written Equality, Diversity and Inclusion policy which contains further information about its duties under the Equality Act 2010.

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## Appendix 1

### **Definitions of Abuse and Neglect**

Defining abuse or neglect is complex and depends on many factors. The term “abuse” can be subject to wide interpretation. It may be physical, verbal or psychological, or it may occur where a person is persuaded to enter into a financial or sexual transaction to which they have not consented or cannot consent to.

Incidents of abuse may be one-off or multiple and affect one person or more. Professionals and others should look beyond single incidents or individuals to identify patterns of harm. Repeated instances of poor care may be an indication of more serious problems and of what we describe as organisational abuse. In order to see these patterns, it is important that information is recorded and appropriately shared.

Abuse or neglect may be the result of deliberate intent, negligence or ignorance. Exploitation can be a common theme in the experience of abuse or neglect. Whilst it is acknowledged that abuse or neglect can take different forms, the Care Act guidance identifies the following types of abuse or neglect:

- Physical abuse.
- Domestic violence.
- Sexual abuse.
- Psychological abuse.
- Financial or material abuse.
- Modern slavery.
- Discriminatory abuse.
- Organisational abuse.
- Neglect and acts of omission.
- Self-neglect.

Since the Act came into force in 2015, however, other types of abuse have since been recognised, including criminal and sexual exploitation and cuckooing.

### Possible Indicators of Abuse and Neglect

- Unexplained or inappropriately explained injuries.
- An adult exhibiting untypical self-harm.
- Unexplained cuts or scratches to mouth, lips, gums, eyes or external genitalia.
- Unexplained bruising to the face, torso, arms, back, buttocks, thighs, in various stages of healing.
- Collections of bruises that form regular patterns which correspond to the shape of an object or which appear on several areas of the body.

- Unexplained burns on unlikely areas of the body (e.g. soles of the feet, palms of the hands, back), immersion burns (from scalding in hot water or liquid), rope burns, or burns from an electrical appliance.
- Unexplained or inappropriately explained fractures at various stages of healing to any part of the body.
- Medical problems that go unattended
- Injuries that remain untreated.
- Sudden and unexplained urinary and/or faecal incontinence.
- Evidence of overusing or underusing medication.
- The adult flinches or shy's away from physical contact.
- The adult appears frightened or subdued in the presence of particular people.
- The adult asks not to be hurt.
- The adult may repeat what the person causing harm has said (e.g. 'Shut up or I'll hit you').
- Reluctance to undress or uncover parts of the body.
- The adult wears clothes that cover all parts of their body or specific parts of their body.
- Changes in the adult's behaviour.
- Verbal and psychological abuse, intimidation and humiliation in front of other people.
- Untypical ambivalence, deference, passivity, or resignation.
- The adult appears anxious or withdrawn, especially in the presence of the alleged abuser.
- Low self-esteem.

## **Physical abuse**

Physical abuse includes assault, hitting, slapping, pushing, kicking, misuse of medication, being locked in a room, inappropriate sanctions or force-feeding, inappropriate methods of restraint, and unlawfully depriving a person of their liberty.

## **Domestic abuse**

Many people think that domestic abuse is restricted to abuse between intimate partners, but it also extends to other family members. Family members are defined as: mother, father, son, daughter, brother, sister and grandparents, whether directly related, in-laws or step-family.

Domestic violence and abuse includes any incident or pattern of incidents of controlling, coercive or threatening behaviour or violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members, regardless of gender or sexuality. It also includes honour-based violence, female genital mutilation and forced marriage.

Coercive and controlling behaviour in intimate and familial relationships was introduced into the Serious Crime Act 2015. The offence will impose a maximum 5 years imprisonment, a fine or both.

Coercive or controlling behaviour is a core part of domestic violence. Coercive behaviour can include:

## **Sexual abuse**

For the purposes of this policy, “consent” is defined as having the freedom and capacity to choose to engage in sexual activity. Consent may be given to one sort of sexual activity but not another, and can be withdrawn at any time during sexual activity and each time activity occurs. A person only consents to a sexual activity if they agree by choice to that activity, and has the freedom and capacity to make that choice. The age of consent is 16.

Sexual abuse includes rape, indecent exposure, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

It includes penetration of any sort, incest and situations where the person causing harm touches the abused person’s body (e.g. breasts, buttocks or genital area), exposes his or her genitals (possibly encouraging the abused person to touch them) or coerces the abused person into participating in or looking at pornographic videos or photographs. Denial of a sexual life to consenting adults is also considered abusive practice.

Any sexual relationship that develops between adults where one is in a position of trust, power or authority in relation to the other (e.g. a day centre worker, social worker, residential worker, health worker etc.) may also constitute sexual abuse.

### Sexual Harassment

For the purpose of this policy, “sexual harassment” refers to unwanted conduct of a sexual nature that occurs online or offline. Sexual harassment is likely to violate a person’s dignity, make them feel intimidated, degraded or humiliated, and create a hostile, offensive, or sexualised environment. If left unchallenged, sexual harassment can create an atmosphere that normalises inappropriate behaviour, but may lead to sexual violence.

## **Psychological abuse**

Psychological abuse includes emotional abuse and takes the form of threats of harm or abandonment, deprivation of contact, humiliation, rejection, blaming, controlling, intimidation, coercion, indifference, harassment, verbal abuse, including shouting or swearing, cyber bullying, isolation or withdrawal from services or support networks.

Psychological abuse is the denial of a person’s human and civil rights, including choice and opinion, privacy and dignity and being able to follow one’s own spiritual and cultural beliefs or sexual orientation.

It includes preventing the adult from using services that would otherwise support them and enhance their lives. It also includes the intentional and/or unintentional withholding

of information, such as information not being available in different formats, languages, etc.

### **Financial or material abuse**

This includes 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, or the misuse or misappropriation of property, possessions or benefits.

### **Modern slavery**

Modern slavery encompasses slavery, human trafficking, forced and compulsory labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

A large number of active organised crime groups are involved in modern slavery. However, it is also committed by individual opportunistic perpetrators.

There are many different characteristics that distinguish slavery from other human rights violations. However, only one needs to be present for slavery to exist.

Someone is in slavery if they are:

- forced to work - through mental or physical threat;
- owned or controlled by an 'employer', usually through mental or physical abuse or the threat of abuse;
- dehumanised, treated as a commodity or bought and sold as 'property'; or
- physically constrained or have restrictions placed on his/her freedom of movement.

Modern slavery takes various forms and affects people of all ages, gender and races.

Human trafficking involves an act of recruiting, transporting, transferring, harbouring or receiving a person through a use of force, coercion or other means, for the purpose of exploiting them. Trafficking can be domestic or it can involve trafficking adults into the UK.

If an identified victim of human trafficking is also an adult with care and support needs, the response will be coordinated under the adult safeguarding process. The police are the lead agency in managing responses to adults who are the victims of human trafficking.

There is a national framework to assist in the formal identification of victims and help to coordinate the referral of victims to appropriate services. This is known as the National Referral Mechanism.

Signs of various types of slavery and exploitation are often hidden, making it hard to recognise potential victims. Victims can be any age, gender or ethnicity or nationality. Whilst by no means exhaustive, some common signs that may indicate modern slavery are:

- An adult is not in possession of their legal documents (passport, identification and bank account details) and they are being held by someone else.
- The adult has old or serious untreated injuries and they are vague, reluctant or inconsistent in explaining how the injury occurred.
- The adult looks malnourished, unkempt, or appears withdrawn.
- They have few personal possessions and often wear the same clothes.
- The clothes they do wear may not be suitable for their work.
- The adult is withdrawn or appears frightened, unable to answer questions directed at them, or speak for themselves and/or an accompanying third party speaks for them. If they do speak, they are inconsistent in the information they provide, including basic facts such as the address where they live.
- They appear under the control and influence of others, rarely interact and appear fearful of people.
- They are fearful of people in general and the authorities in particular.
- The adult perceives themselves to be in debt to someone else or in a situation of dependence.

### **Discriminatory abuse**

This includes discrimination on the grounds of race, faith or religion, age, disability, gender, sexual orientation and political views, along with racist, sexist, homophobic or ageist comments or jokes, or comments and jokes based on a person's disability or any other form of harassment, slur or similar treatment.

Hate crime can be viewed as a form of discriminatory abuse, although it will often involve other types of abuse too. It also includes not responding to dietary needs and not providing appropriate spiritual support. Excluding a person from activities on the basis they are 'not liked' is also discriminatory abuse.

Indicators for discriminatory abuse may not always be obvious and may also be linked to acts of physical abuse and assault, sexual abuse and assault, financial abuse, neglect, psychological abuse and harassment, so the indicators listed above may also apply to discriminatory abuse.

An adult who is suffering discriminatory abuse may also:

- Reject their own cultural background and/or racial origin or other personal beliefs, sexual practices or lifestyle choices.
- Make complaints about the service not meeting their needs.

### **Organisational abuse**

Organisational abuse is the mistreatment, abuse or neglect of an adult by a regime or individuals in a setting or service where the adult lives or that they use. Such abuse violates the person's dignity and represents a lack of respect for their human rights.

Organisational abuse may range from one-off incidents to ongoing ill-treatment. It can occur through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Organisational abuse occurs when the routines, systems and regimes of an organisation result in poor or inadequate standards of care and poor practice, which affect the whole setting and deny, restrict or curtail the dignity, privacy, choice, independence or fulfilment of adults with care and support needs.

### **Neglect and acts of omission**

Neglect and acts of omission include ignoring medical, emotional or physical care needs, failing to provide access to appropriate health, social care or educational services, and the withholding of the necessities of life such as medication, adequate nutrition and heating. Neglect also includes a failure to intervene in situations that are dangerous to the person concerned or to others, particularly when the person lacks the mental capacity to assess risk for themselves.

Neglect and poor professional practice may take the form of isolated incidents or pervasive ill treatment and gross misconduct. Neglect of this type may happen within an adult's own home or in an institution. Repeated instances of poor care may be an indication of more serious problems. Neglect can be intentional or unintentional.

### **Self-neglect**

Self-neglect entails neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. It is also defined as the inability, intentional or unintentional, to maintain a socially and culturally accepted standard of self-care with the potential for serious consequences to the health and wellbeing of the individual and sometimes to their community.

Self-neglect may not prompt a section 42 enquiry, and an assessment will 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. However, there may come a point where they are no longer able to do this without external support.

Indicators of self-neglect may include:

- Living in very unclean, sometimes verminous circumstances;
- poor self-care, leading to a decline in personal hygiene;
- poor nutrition;
- poorly healing sores;
- poorly maintained clothing;
- isolation;
- failure to take medication;
- hoarding;
- neglecting household maintenance; or
- portraying eccentric behaviour/lifestyles.

Poor environments and personal hygiene may be a matter of personal or lifestyle choice or other issues, such as insufficient income.

## **Exploitation**

Abuse of adults with care and support needs often occurs within a context of exploitation.

Exploitation can be seen as an act where someone will use another person for profit, labour, sexual gratification or some other personal or financial advantage. As such, exploitation can take many forms and result in different types of harm, such as financial, emotional/psychological or sexual. These types of abuse have been covered in the sections above, but some forms of criminal exploitation are explained in the paragraphs below.

### *Sexual Exploitation*

The sexual exploitation of adults with care and support needs involves exploitative situations, contexts and relationships where adults with care and support needs, or a third person or persons, receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money, attention, understanding, company) as a result of performing sexual activities, and/or having others performing sexual activities on them.

Sexual exploitation can occur through the use of technology without the person's immediate recognition. This can include being persuaded to post sexual images or videos on the internet or send them on a mobile phone with no immediate payment or gain, or being sent such an image by the person alleged to be causing harm. In all cases, those exploiting the adult have power over them by virtue of various factors, including their age, gender, intellect, physical strength, and/or economic or other resources.

### *Criminal Exploitation*

Criminal exploitation occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child, young person or an adult, including those with care and support needs, into any criminal activity:

- (a) In exchange for something the victim needs or wants, and/or
- (b) For the financial or other advantage of the perpetrator or facilitator, such as to support serious organised crime and/or terrorism, and/or
- (c) Through violence or the threat of violence to ensure compliance.

Because they are more likely to be easily detected, individuals who are exploited are more likely to be arrested and criminalised for criminal behaviour, than those individuals or groups who are exploiting them.

Individuals who are being criminally exploited can be involved, linked to or considered to be, by themselves or others, as part of a "gang" (taken from research and publication by



Factor et al: 2015). It is important when children or adults, including those with care and support needs, identify or are identified as being affected or involved with gang-related activity that involves the use of actual or threatened violence and/or drug dealing, that professionals also consider that they may be victims of criminal exploitation.

Criminal exploitation is broader than, but often part of, organised crime and county lines.

### *Organised Crime and County Lines*

Organised crime is “serious crime planned, coordinated and conducted by people working together on a continuing basis. Their motivation is often, but not always, financial gain.” Organised crime groups are “organised criminals working together for a particular criminal activity or activities.”

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other forms of “deal lines”.

They are likely to exploit children and adults, including those with care and support needs, to move, locally supply and store the drugs and money. They will often use coercion, intimidation, violence (including sexual violence) and weapons.

### *Cuckooing*

The term ‘cuckooing’ is “named after the nest stealing practices of wild cuckoos. It describes the situation where a county lines dealer ‘takes over’ accommodation located in the provincial drugs market, using it as a local dealing base.” (Coomber and Moyle: 2017).

An individual or group can do this by taking over the homes of local adults and families, including children and adults with care and support needs, through an abuse of power or vulnerability by coercion, control and/or force so that they can provide a base for the supply of drugs into the local community. This places the adult and/or families at an increased risk of eviction if they are in social or privately rented housing, and isolation from their communities due to the anti-social activity it can create. Cuckooing often forms part of wider ‘county lines’ activity and is also a form of criminal exploitation.

### *The Context of Criminal Exploitation*

Criminal exploitation, including cuckooing, can include several different types of abuse. The types of abuse that can often be present, or relied upon for the purposes of power, include:

- Modern slavery and trafficking.
- Domestic abuse.
- Sexual abuse, including sexual exploitation.
- Physical abuse.
- Psychological abuse.
- Financial abuse.
- Neglect, including self-neglect.

- Emotional abuse.

Criminal exploitation can involve complex and organised abuse involving one or more abusers and several children and/or adults, including those with care and support needs.

Criminal exploitation can take place outside of the family or home environment. It is often a combination of the interplay between the relationships and circumstances both inside and outside of the family/home environment that can lead to a child or adult being criminally exploited.



## **SAFEGUARDING REPORT**

<b>Name:</b>	<b>Date of Birth:</b>
<b>Date:</b>	<b>Carefirst ID:</b>

### **Identification of risk:**

Who is at risk?	
What is the foreseeable risk?	

Details of the safeguarding incident:
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**Action taken to minimise the risk of harm and safeguard the individual:**

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**Was the incident reported to Social Services or other professional body?**

Yes	No	Date	Name/Contact details

**Is there carer involvement and were they informed of the incident?**

Yes	No	Date	Name/Contact details

**Signed:** \_\_\_\_\_

## **LOCAL SAFEGUARDING AUTHORITY CONTACT DETAILS**

### **Newcastle:**

0191 278 8377 (Monday-Friday, 8am-5pm)

0191 278 7878 (Evenings and Weekends)

Text: 07968474891 (Monday-Friday, 8am-5pm)

Email: [scd@newcastle.gov.uk](mailto:scd@newcastle.gov.uk)

Online: <https://mycarenewcastle.org.uk/form/SAIE?latest=true#!/>

### **Gateshead:**

0191 433 7033 (24 hours)

Online: <https://www.gateshead.gov.uk/article/10277/Safeguarding-concern>

### **Northumberland:**

Onecall: 01670 536 400

Text phone: 01670 536 844

Email: [safeguardingreferrals@northumberland.gov.uk](mailto:safeguardingreferrals@northumberland.gov.uk)

### **North Tyneside:**

0191 643 2777 (office hours)

0330 333 7475 (Evenings and weekends)

Online:

<https://mycare.northtyneside.gov.uk/web/portal/pages/safeguardingreport#assess>

### **South Tyneside:**

0191 424 6000 (Monday to Thursday - 8.30am to 5pm, Friday - 8.30am to 4.30pm)

0191 456 2093 (Outside of the above office hours)

Online:

[https://www.southtyneside.gov.uk/13750?\\_ga=2.214015575.1377370728.1664281287-2138004532.1664281287&\\_gl=1\\*yiwqh1\\*\\_ga\\*MjEzODAwNDUzMi4xNjY0Mjg3\\*\\_ga\\_DNGKJ1HWT8\\*MTY2NDI4MTI4Ny4xLjEuMTY2NDI4MTUxMC4xNi4wLjA](https://www.southtyneside.gov.uk/13750?_ga=2.214015575.1377370728.1664281287-2138004532.1664281287&_gl=1*yiwqh1*_ga*MjEzODAwNDUzMi4xNjY0Mjg3*_ga_DNGKJ1HWT8*MTY2NDI4MTI4Ny4xLjEuMTY2NDI4MTUxMC4xNi4wLjA)

## **INSPIRED SUPPORT INTERNAL PROCEDURE FOR SAFEGUARDING**

