

Safeguarding Adults Policy

Housing Management Policy 6

Keniston Housing Association

1. Introduction

At Keniston we believe every person has the right to live in safety; free from harm, abuse and neglect.

We work with a range of adults, children and young people who may be at risk of abuse or neglect and so it is essential that we have mechanisms in place to minimise the risks of harm and abuse occurring and, where concerns exist, to ensure that appropriate action is taken to address them.

Safeguarding is about people and organisations working together to prevent and stop the risks and experience of abuse or neglect, while ensuring the person's wellbeing is promoted.

Legislation such as the Care Act 2014 (and associated guidance) and Human Rights Act 1998 inform our approach to safeguarding adults.

This policy should be read in conjunction with the Safeguarding Children policy:

Other related documents:

- Whistleblowing Policy
- Domestic Abuse Policy
- Code of Conduct
- Data Protection Policy
- Equality, Diversity and Inclusion Policy
- Harassment & Hate Crime Policy
- Recruitment Policy

2. Scope

The purpose of this Policy is to set out Keniston's approach to safeguarding adults, preventing abuse and neglect and responding to concerns or allegations of abuse and neglect where these arise.

This policy applies to all staff and board members.

We expect our contractors to have their own safeguarding policy and procedures or adhere to our own.

3. Our approach

Our approach reflects the statutory guidance where we operate. It meets legislative and regulatory requirements, including those set out in (but not limited to):

- The Care Act 2014 and Care and Support Statutory Guidance,
- Mental Capacity Act 2015
- The Equality Act 2010
- Human Rights Act 1998
- Data Protection Act 2018

Keniston recognises that safeguarding is everyone's responsibility and that anyone can witness or become aware of an adult being at risk.

Our adult safeguarding work is underpinned by six key principles;

Empowerment: Residents will be supported and encouraged to make decisions regarding what outcomes they want from safeguarding interventions.

Protection: We ensure timely and effective actions are taken to address safeguarding concerns and protect individuals from harm including conducting investigations and implementing measures to prevent further harm.

Prevention: It is better to take action before harm occurs. We focus our interventions for adults at risk on taking proactive measures to identify and reduce potential risks of harm.

Proportionality: Interventions must represent the least intrusive response appropriate to the risk presented.

Partnership: Collaboration and partnership working is essential in safeguarding. We work in partnership with other agencies to respond to suspicions or incidents of abuse or make safeguarding enquiries in accordance with statutory procedures.

Accountability: Everyone has a responsibility to act in the best interests of adults at risk. This includes being accountable for decisions, actions, and outcomes, and promoting a culture of openness and learning from mistakes.

We take a person-centred approach when working with individuals, family members and their representatives. We balance an adult's right to choose the lifestyle they want with our professional duty of care to prevent and reduce the risk of abuse, harm or neglect to those who are less able to protect themselves.

We work from a position that adults have the right to make their own decisions but remain alert to the possibility that some decisions may be made as a result of exploitation, coercion, grooming, or duress, and we will act on those concerns to safeguard the person being abused or harmed. We take action against the perpetrators of abuse, harassment and unlawful activity related to antisocial behaviour wherever possible, through our Anti-Social Behaviour and Harassment & Hate Crime policies.

We recognise the emotional impact on staff of recognising and reporting safeguarding concerns. Employee support will be available through line managers and in line with our Employee Assistance Programme (EAP).

4. Key terms

Abuse and Neglect (within the context of safeguarding adults)

Abuse refers to any action or lack of action that results in harm or distress to an adult at risk. This harm or distress may be caused intentionally or unintentionally. Abuse is a violation of an individual's human and civil rights by any other person or persons.

Abuse can take various forms. More information on the categories of abuse and types of harm can be found under 'Appendix A'.

Abuse cannot be excused for any cultural or religious reason and should always be reported.

Abuse may also include Violence Against Women and Girls which refers to crimes predominantly, but not exclusively, experienced by women and girls. A full definition is included in the VAWG guidance note. Please refer to our Domestic Abuse Policy.

Adult at Risk

An adult at risk is any person who is aged 18 years or over, and at risk of abuse or neglect because of their needs for care and or support.

The Care Act 2014 defines an adult at risk as someone who:

Has care and support needs: This could include individuals with physical, sensory, cognitive, or mental health impairments, or those with learning disabilities. It also encompasses individuals who are frail or elderly.

Is experiencing, or at risk of, abuse or neglect: Abuse or neglect can take various forms including physical, psychological (emotional), sexual, financial. It also includes neglect or acts of omission that may harm the individual's well-being. More information on the categories of abuse and types of harm can be found under 'Definitions' in appendix A.

Is unable to protect themselves against the abuse or neglect: This aspect emphasises the vulnerability of the individual and the need for intervention to ensure their safety and well-being.

Care and Support needs (within the context of safeguarding adults/Care Act 2014)

This relates to individuals who require additional support to manage their day-to-day life and meet their basic needs. It may be more difficult for someone with care and support needs to protect themselves from being mistreated or meet their own needs without causing harm.

An adult with care and support needs may be:

- An older person,
- A person with a physical or learning disability or sensory impairment,
- Someone with mental health needs, including dementia or a personality disorder,
- A person with a long-term health condition,
- Someone who misuses substances or alcohol to the extent that it affects their ability to manage day to day living,
- A carer providing unpaid care to a family member or friend.

5. Key responsibilities

Reporting and responding to safeguarding concerns

All staff have a duty to act upon and report actual, suspected or allegations of abuse in line with this policy.

We respond to safeguarding concerns, incidents and allegations promptly in a considered and proportionate manner.

We understand and work in line with Local Safeguarding Adults Board (LSAB) procedures, ensuring that safeguarding concerns are reported in line with local arrangements. If we believe a crime has been committed, we will report it to the Police.

We do not assume that someone else will pass on information critical to keeping an adult safe and should share the information with relevant authorities when appropriate.

Partnership working

We work in partnership with other agencies and relevant partners, to respond to suspicions or incidents of abuse or make safeguarding enquiries in accordance with statutory procedures. Where appropriate, staff will support and participate in Local Authority safeguarding investigations.

We investigate reported incidents ensuring we do not compromise Police or Local Authority investigations. We understand information sharing, joint working and communication are essential in keeping people safe and we work to build and maintain good professional relationships to support the safeguarding process.

Where appropriate we will provide or refer the resident to additional support services.

We support staff to ask questions and challenge referral decisions or actions they do not agree with.

Recording and sharing of information

We record incidents and allegations of abuse, harm, or neglect, as promptly, clearly and accurately as possible. We record and share information appropriately with other professionals and statutory agencies that safeguard adults, children and young people.

We will respect the wishes of the resident in relation to what information we share and with whom, where possible. However, Keniston will work in line with the Data Protection Act 2018, which allows for disclosure of personal data without consent where there is good reason to do so and as necessary to protect the vital interests of an at-risk individual. Where we have a concern that the resident or customer may be suffering or is at risk of abuse or neglect, their safety must be the over-riding priority. We share information with statutory authorities where there is any indication of abuse or neglect.

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We maintain accurate records of safeguarding activities to document actions taken to respond to actual, suspected or allegations of abuse, harm or neglect, which is in collated form reported to our Board on an annual basis.

6. Understanding the Mental Capacity Act

We have a duty to comply with the Mental Capacity Act and the Act applies if there is any doubt that the person has the mental capacity to make decisions about sharing information or about their own safety. If you are unsure about an individual's mental capacity you should seek support from the local authority Adult Social Care service.

The Act states that a person is unable to make their own decision if they cannot do one or more of the following four things:

- understand information given to them
- retain that information long enough to be able to make a decision
- weigh up the information available to make the decision
- Communicate their decision – this could be by talking, using sign language or even simple muscle movements such as blinking an eye or squeezing a hand.

Every effort should be made to find ways of communicating with someone before deciding they lack capacity to make a decision, based solely on their inability to communicate. You will also need to involve family, friends, carers or other professionals.

The assessment must be made on the balance of probabilities – is it more likely than not that the person lacks capacity? You must be able to show in your records why you have come to your conclusion that capacity is lacking for the particular decision.

Every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless it is proved otherwise. This means that you cannot assume that someone cannot make a decision for themselves just because they have a particular medical condition or disability.

A person must be given all practicable help before a decision is made that they lack capacity. Anyone treats them as not being able to make their own decisions. This means you should make every effort to encourage and support people to make the decision for themselves ('gentle persistence'). If lack of capacity is established, it is still important that you involve the person as far as possible in making decisions.

Anything done for or on behalf of a person who lacks mental capacity must be done in their best interests.

Someone making a decision or acting on behalf of a person who lacks capacity must consider whether it is possible to decide or act in a way that would interfere less with the person's rights and freedom, or whether there is a need to decide or act at all. Any intervention should be weighed up in the particular circumstances of the case.

7. Prevent

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The Government Prevent programme highlights that some adults may be vulnerable to radicalisation and involvement in terrorism. Prevent is the Government's strategy to stop people becoming terrorists or supporting terrorism, in all its forms. Prevent works with individuals and communities by using voluntary early intervention to encourage them to challenge extremist and terrorist ideology and behaviour.

Keniston recognises that it plays a key role in supporting residents who may be at risk of radicalisation. We believe that community engagement is essential, and we will work closely with local voluntary and community groups as well as Local Authorities and the Police to meet their duties under the Counter Terrorism and Security Act 2015 to prevent people from being drawn into terrorism.

8. Prevention and Awareness

Our approach includes a range of actions:

- Keniston will request criminal records checks processed through the Disclosure and Barring Service as part of our recruitment process, for staff whose role requires personal contact with residents.
- The Association will publicise this policy
- Safeguarding Adults at Risk will be included as an aspect of the 6 monthly Support Plan for our sheltered residents.
- We ensure dangerous offenders as defined by the Criminal Justice Act 2003 are not offered tenancies in locations offering access to children
- We aim for all relevant staff to understand the importance of our safeguarding role and our responsibilities
- We will ensure that we record tenants who are vulnerable e.g. disability or mental health on our system.

9. Safeguarding Learning

All staff will receive refresher training in Safeguarding every three years. All staff who are in contact with residents will attend training appropriate to their role.

Keniston is committed to learning from incidents in order to continuously improve our safeguarding work. Good practice and lessons learned from safeguarding incidents will be shared.

10. Whistleblowing

We have a Whistleblowing Policy in place if there is any suspicion that a resident is being abused by a staff member.

Dealing with allegations against staff

Any member of staff who has a concern about another member of staff with regard to safeguarding adults, should report it as soon as possible in line with our Whistleblowing Policy. The matter will be reported to the appropriate agency before an internal investigation takestake place.

11. Legislation and Regulation

- Counter Terrorism and Security Act Prevent Duty 2015
- Care Act 2014

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- Mental Capacity Act 2005
 - Modern Slavery Act 2015
 - Modern Slavery and Human Trafficking: National Referral Mechanism
 - London Multi-Agency Adult Safeguarding Policy & Procedures
 - Local Adult Safeguarding Board policies
 - Data Protection Act and General Data Protection Regulation

12.

Equality, Diversity and Inclusion

Everyone at Keniston, our external partners and customers are required to:

- Treat people fairly, give equal access to jobs, homes, services and contracts without discrimination, harassment, bullying and prejudice, and meet diverse needs through reasonable adjustments whenever possible and appropriate.
- Not discriminate against any individuals or groups, not tolerate attitudes and behaviours that amount to or could result in discrimination and swiftly handle any reports of victimisation, bullying or harassment.
- Acknowledge and value the differences by recognising people's individual circumstances, unique aspirations and needs and responding appropriately.
- Comply with relevant legislation, statutory codes and guidance designed to promote equality of opportunity and eliminate discrimination, such as the Equality Act 2010, Housing and other Regulatory Standards, and the Housing Ombudsman's Complaints Handling Code.

This policy was agreed by Management Team on 24th June 2024

Next review date: June 2027.

Appendix A: Other definitions

Cuckooing:

This is where a person befriends an individual before using the property for exploitative and often illegal purposes. This may include drug-taking/dealing, sexual prostitution, or simply preventing access to parts of the accommodation to the tenant. Intimidating and aggressive behaviour which impacts a person's ability to access their property is also considered a type of cuckooing.

Radicalisation:

Radicalisation is the process by which a person comes to adopt increasingly extreme political, social, or religious ideals. This can, in extreme cases, result in support of terrorism. Extremism covers vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.

County Lines:

Criminal exploitation and drug trafficking involving exploitation of vulnerable adults, children and young people who are coerced and manipulated into criminal activities involving the movement of illegal drugs.

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Coercive control:

A purposeful pattern of behaviour which takes place over time in order for one individual to exert power, control or coercion over another. The perpetrator chooses to carry out these behaviours. It is a form of domestic abuse.

Hoarding:

A type of self-neglect. It is the excessive collection and retention of any material to the point that it impedes day-to-day functioning and access to core household facilities such as washing, cooking and sleeping.

Mate Crime:

When a person is harmed or taken advantage of by someone they thought was their friend. People with learning disabilities, autism, mental ill health and some elderly people are particularly vulnerable to 'mate crime'. It may not be an illegal act but still has a negative effect on the individual.

Elder abuse:

A single or repeated act or lack of appropriate action, occurring within any relationship where there is an expectation of trust (and), which causes harm or distress to an older person. It may include physical abuse, financial abuse, neglect, psychological abuse and/or sexual abuse.

Female Genital Mutilation (FGM):

This involves procedures that intentionally alter or injure female genital organs for non-medical reasons. The Female Genital Mutilation Act 2003 makes it illegal to practice FGM in the UK, or to take girls who are British Nationals or permanent residents of the UK abroad for FGM, whether or not it is lawful in another country. UK communities at risk of FGM include Kenyans, Somalis, Sudanese, Sierra Leoneans, Egyptians, Nigerians and Eritreans. Those from non-African communities that are at risk of FGM include Yemeni, Kurdish, Indonesian and Pakistani women.

Self-harm:

Self-harm is when a person hurts themselves intentionally. This is often a way of coping with difficult feelings or situations, painful memories or trauma. Self-harm can present in many forms including cutting, pinching, burning, hitting or punching oneself and hair pulling (not an exhaustive list). Excessive use of alcohol and/or drugs and people putting themselves into harmful situations, where they may be subjected to physical or sexual abuse, can also be considered a type of self-harm.

Suicide:

Suicide involves a person intentionally ending their own life. Suicidal feelings can range from a person having fleeting or general thoughts of ending their own life, right through thinking of or planning ways to end their own life.

Think Family:

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Think Family recognises and promotes the importance of a whole-family approach with services working with both adults and children to take into account family circumstances and responsibilities. Look beyond the immediate person that concerns relate to take the wider family dynamic into consideration.