Title of Policy:	**Safeguarding**
Section:	**Health and Safety**

Purpose

The purpose of this policy is to provide all employees with an understanding of the considerable importance it places on the safety of everyone connected with Carers Choices and its operations, providing information, instruction and guidance on the expected behaviours at all times.

Statement

Carers Choices understands and fully accepts its responsibility towards protecting the safety and well-being of everyone associated with its operations, including Clients (irrespective of age), staff and suppliers on a non-discriminatory basis.

Carers Choices' policy of zero tolerance towards abuse, maltreatment or neglect of any kind requires everyone who is employed or engaged by Carers Choices to accept a personal responsibility to ensure that any action, by anyone, which may be considered to be abusive is reported without delay in order that it may be properly investigated and appropriate action taken.

Any abusive action by an employee of Carers Choices will result in most cases, in their dismissal and reporting to the appropriate regulatory authorities and possibly the police. This policy will compliment but not override the local multi-Company policies and procedures for tackling abuse which apply to Carers Choices' Clients.

This policy document will be made available to anyone who requests it. Staff will be made aware of this policy and its contents upon joining Carers Choices, during regular training sessions and at any time that the policy is revised. The policy applies to all Clients, irrespective of age and demands that all matters relating to safeguarding are dealt with in an open, transparent and objective way.

Procedure and Guidance

What is safeguarding?

Safeguarding is defined as the action that is taken to promote the welfare of vulnerable people, including both adults and children and protect them from harm.

This means protecting them from abuse and maltreatment; preventing harm to their physical and mental health or development; ensuring that the care provided is safe and effective; and taking action to enable all vulnerable people to achieve the best outcomes.

What constitutes abuse?

Abuse and neglect take many forms. Abuse can lead to a violation of someone's human and civil rights by another person or persons. Abuse can be physical, financial, verbal or psychological. It can be the result of an act or a failure to act. It can happen when an *adult at risk** is persuaded into a financial or sexual exchange they have not consented to or can't consent to. Abuse can occur in any relationship and may result in significant harm or exploitation.

Some types of abuse are illegal and in these cases adults who lack capacity are protected by law the same as everyone else. If Carers Choices suspects that a crime against a Client has been committed, it will refer the matter to the police. Sometimes, an urgent referral is made for the safety of the adult at risk and/or to preserve evidence.

Abuse is a misuse of power and control that one person has over another. Where someone is dependent on another, there is the possibility of abuse or neglect unless enough safeguards are put in place.

Adult at risk

An "Adult at Risk" is defined as any person aged 18 years and over who is or may be in need of community care services by reason of mental health issues, learning or physical disability, sensory impairment, age or illness and who is or may be unable to

take care of him/herself or unable to protect him/herself against significant harm or serious exploitation.

Abuse can fall into the following categories:

Physical

This includes assault, hitting, slapping, pushing, giving the wrong (or no) medication, restraining someone or only letting them do certain things at certain times.

Domestic

This includes psychological, physical, sexual, financial or emotional abuse. It also covers so-called 'honour' based violence.

Sexual

This includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, taking sexual photographs, making someone look at pornography or watch sexual acts, sexual assault or sexual acts the adult didn't consent to or was pressured into consenting.

Emotional/Psychological

This includes emotional abuse, threats of harm or abandonment, depriving someone of contact with someone else, humiliation, blaming, controlling, intimidation, putting pressure on someone to do something, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or support networks.

Financial or material

This includes theft, fraud, internet scamming, putting pressure on someone about their financial arrangements (including wills, property, inheritance or financial transactions) or the misuse or stealing of property, possessions or benefits. The Office of the Public Guardian reports that this is the most common form of abuse they deal with.

Modern slavery

This covers slavery (including domestic slavery), human trafficking and forced labour. Traffickers and slave masters use whatever they can to pressurise, deceive and force individuals into a life of abuse and inhumane treatment.

Discriminatory

This includes types of harassment or insults because of someone's race, gender or gender identity, age, disability, sexual orientation or religion.

Organisational

This includes neglect and poor care in an institution or care setting such as a hospital or care home, or if an organisation provides care in someone's home. The abuse can be a one-off incident or repeated, on-going ill treatment. The abuse can be through neglect or poor professional practice, which might be because of structure, policies, processes and practices within an organisation.

Neglect and acts of omission

This includes ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, or not giving someone what they need to help them live, such as medication, enough nutrition and heating.

Self-neglect

This covers a wide range of behaviour which shows that someone isn't caring for their own personal hygiene, health or surroundings. It includes behaviour such as hoarding. Abuse can take many forms. It might not fit comfortably into any of these categories, or it might fit into more than one. Abuse can be carried out by one adult at risk towards another. This is still abuse and should be dealt with. The adult at risk who abuses may also be neglecting him/herself which could also be reason for a safeguarding referral.

Other forms of abuse

Although it is not the case that all of the following forms of abuse are exclusively associated with **children**, they often are:

Online Abuse

Online abuse is any type of abuse that happens on the web, whether through social networks, playing online games or using mobile phones. Children and young people may experience cyberbullying, grooming, sexual abuse, sexual exploitation or emotional abuse

Child sexual exploitation

Child sexual exploitation (CSE) is a type of sexual abuse. Children in exploitative situations and relationships receive something such as gifts, money or affection as a result of performing sexual activities or others performing sexual activities on them.

Female genital mutilation

Female genital mutilation (FGM) is the partial or total removal of external female genitalia for non-medical reasons. It's also known as female circumcision or cutting.

Bullying

Bullying is behaviour that hurts someone else – such as name calling, hitting, pushing, spreading rumours, threatening or undermining someone. It can happen anywhere – at school, at home or online. It's usually repeated over a long period of time and can hurt a child both physically and emotionally. Bullying that happens online, using social networks, games and mobile phones, is often called cyberbullying. A child can feel like there's no escape because it can happen wherever they are, at any time of day or night.

Child trafficking and modern slavery

Child trafficking and modern slavery are child abuse. Children are recruited, moved or transported and then exploited, forced to work or sold.

Children are trafficked for:

- child sexual exploitation
- benefit fraud
- forced marriage
- domestic servitude such as cleaning, childcare, cooking, etc.
- forced labour in factories or agriculture
- criminal activity such as pickpocketing, begging, transporting drugs, working on cannabis farms, selling pirated DVDs and bag theft

Many children are trafficked into the UK from abroad, but children can also be trafficked from one part of the UK to another.

Grooming

Grooming is when someone builds an emotional connection with a child to gain their trust for the purposes of sexual abuse, sexual exploitation or trafficking. Children and young people can be groomed online or face-to-face, by a stranger or by someone they know - for example a family member, friend or professional. Groomers may be male or female. They could be any age. Many children and young people don't understand that they have been groomed or that what has happened is abuse.

Gang related activity including 'County Lines' exploitation

County Lines is where illegal drugs are transported from one area to another, often across police and local authority boundaries (although not exclusively), usually by young people or vulnerable adults who are coerced into doing so by gangs. The 'County Line' is the mobile phone line used to take the orders of drugs. This may also be linked with 'cuckooing', where gang members may effectively take control of a flat or other living space to further their control of a Client or vulnerable adult.

Signs that staff should be aware of and indicators which may suggest a risk of gang related activity such as County Lines exploitation or cuckooing:

- An increase in the number of visitors and cars coming to the premises
- New and regularly changing visitors
- Any evidence of substance misuse and/or drug paraphernalia

- Sudden or marked changes in the way young people or vulnerable adults dress or behave
- Unexplained, sometimes unaffordable new things (e.g clothes, jewellery, cars etc) which may be perceived as 'gifts' but are in fact payment for gang related activity
- Young people or vulnerable adults going missing, maybe for long periods of time, or being unable to explain where they have been
- Young people or vulnerable adults being picked up by, or otherwise seen in, different cars/taxis driven by unknown adults

Possession of knives or other weapons

If a knife or other weapon is found in possession of a Client or vulnerable adult, staff must treat this with the utmost seriousness. While it may be the case that there is no intention of a crime being committed (i.e. where there are no other indicators of exploitation or gang activity, or when it is explained as 'just being for protection') it is a serious safeguarding concern.

Possession of a weapon must be reported to management, the Client's social worker and considered for referral to the local safeguarding board and/or police.

Any knife of other weapon found should also be regarded as potentially being criminal evidence. Staff must confiscate any knives or weapons immediately, taking care to use gloves and seal the item in a food storage bag or other clean container. It should then be securely retained pending advice from safeguarding and the police about how to dispose of it.

Harmful sexual behaviour

Harmful sexual behaviour includes:

- using sexually explicit words and phrases
- inappropriate touching
- using sexual violence or threats
- full penetrative sex with other children or adults

Who might be an abuser?

Children and adults at risk can be abused by a wide range of people – anyone, in fact, who has contact with them. This includes family members, professional staff, paid care workers, other adults at risk, volunteers, other Clients, neighbours, friends and associates, people who deliberately take advantage of vulnerable people, strangers and people who see an opportunity to abuse. Abuse is always wrong, but it's especially worrying when carried out by someone in a position of power or authority over someone, who uses that power to harm an adult at risk.

Spotting signs of financial abuse

Given the age of many of Carers Choices' Clients and the possible onset of some form of dementia, Clients may become more susceptible to financial abuse. Financial abuse can occur by itself, but research has shown that where other forms of abuse take place, there is likely to be financial abuse too.
There are some signs that might show financial abuse is taking place, such as:

- A change in living conditions.
- Selling possessions.
- Being unable to pay bills, or an unexplained lack of money.
- Money being taken out of an account without a reason.
- Financial documents being lost without a reason.
- Someone being cut off from family, friends or their social network.
- The carer having more money to spend on things like clothes, travel or accommodation.
- Sudden changes to a bank account or how someone uses it.
- New, recent authorised signers on a Client or donor's account card.
- Money being taken without permission from the adult at risk's ATM card.
- Changes in how the ATM card is being used (such as more frequently or from different locations)
- Sudden or unexpected changes to someone's will or other financial documents.

If something on this list happens, it doesn't automatically mean someone is being abused.

Factors which have been shown to increase the chance of abuse include:

- an individual being over 75 and female
- organic brain injury (lower mental function due to illness)
- cognitive impairment (someone having trouble with memory, thinking skills or making decisions)
- physical, mental or emotional dysfunction, especially depression, recently losing a partner, not having friends or a social network, living alone, or not having contact with their children.

Restraint as a necessity to protect

While restraining an individual may constitute abuse, there are instances where restraint may be necessary to protect an individual from causing harm to themselves or others.

Restraint is only carried out as a last resort and only by staff trained to do so in a safe manner with the minimal amount of force applied.

In order for restraint to be considered necessary and a lawful act, a care provider such as Carers Chocies would need to apply to the local authority for an assessment to be carried out to evaluate the Client's mental capacity (or lack thereof). More information on our processes when assessing risk and applying restraint can be found in our Consent to Care and Challenging Behaviour policies.

Prevention

Prevention is better than cure. Carers Choices encourages a culture of promoting appropriate preventative measures to minimise the risk of future safeguarding issues or incidents.

The measures taken as part of our prevention culture include:

- Ensuring the recruitment process is based upon thorough background checks, including checking previous employment references, character references where necessary, complete employment history with any breaks in employment explained by applicants and a minimum five-year residential address history

- Ensuring DBS checks including Barred List checks are completed before new staff are permitted to work
- Ensuring DBS checks are repeated periodically, where possible using the DBS Update Service
- Carrying out a clear induction process in which safeguarding responsibilities and procedures are clearly explained to all staff
- Ensuring that safeguarding training is updated annually as part of mandatory training and is evaluated as part of the training process
- Ensuring that adequate staffing levels are in place at all times, with procedures in place to deal rapidly and appropriately with any shortages
- Ensuring any staff who leave Carers Choices have a thorough exit interview, giving them the opportunity to highlight any observations around training, supervision, staffing levels, conduct and other factors which may impact upon safeguarding
- Looking after staff welfare as well as that of Clients, as the emotional resilience and physical wellbeing of staff impacts upon their ability to work in the safest possible way
- To ensure detailed notes of any low-level or early concerns are kept and brought to the attention of management should staff become aware of concerning situations or behavioural changes which may be early indications of a potential safeguarding concern affecting a Client
- Reviewing policies and procedures on a regular basis to ensure they are not just compliant, but effective and appropriate to The Service being provided; where proactive safeguarding measures can be implemented, they should become part of Company policy to reinforce the importance of good practice
- To seek external support, including advice and evaluation of safeguarding measures where possible

Steps to be taken if abuse is happening or is alleged

All employees have a duty to report abuse of any kind and will be fully supported when doing so. Any concerns of abuse should be immediately reported to management, who will assess the risk using all available information and implement a course of action accordingly.

However, staff should not:

- directly challenge the person accused of abuse
- promise to keep abuse a secret
- pass comment or opinion when a person discloses an allegation of abuse
- undertake their own investigation, which could harm evidence or alert the abuser

1. Consider immediate risk/harm

Consideration of immediate risk and harm are always the first actions. Is someone hurt? In danger? Take steps to ensure safety and welfare is addressed initially.

2. Listen and reassure

At the outset it is important to listen carefully and attentively to what is being said and to reassure the person that the allegation is being taken seriously. It is important to explain that it is likely that information will need to be shared – **do not promise to keep secrets**. When and as soon as possible, take a note of what has been said as well as the time and date using the Incident Report book or other reporting and recording mechanisms available.

3. When Urgent reporting is required

The police should be contacted immediately if a crime has been committed or if it is suspected a crime has been committed or the Client is considered to be in immediate danger of harm.

Ideally, such action should only be taken after consultation with the Manager, although in extreme cases and to deal with an emergency situation, this may not be possible. If the police are informed, the Manager will inform the Care Quality Commission without delay.

4. Use the Whistleblowing policy and procedure

Staff should refer to the Whistleblowing policy and procedure for steps on how to report safeguarding concerns within Carers Choices. If the Client is not in immediate danger

staff must refer the matter to the Manager who is responsible for consulting local adult protection procedures applying to Carers Choices.

5. Contact the adult protection team

The Manager will contact the local adult protection team to take advice. This will help inform how the investigation should proceed and who will take responsibility for different aspects of the investigation.

6. Contact the Care Quality Commission

The Manager will contact the Care Quality Commission to say consideration is being made in making an adult protection report.

7. Suspension and investigation

Carers Choices will consider suspension of the worker as part of the investigatory process and will follow the procedures laid down internally in dealing with disciplinary matters.

8. Inform the insurer

Carers Choices' insurer will be informed about the investigation at an early stage.

9. Follow police advice

In cases where the police are involved, they may wish to conduct a criminal investigation and require a provider not to pursue internal investigations which may hamper the evidence. Carers Choices will always follow the police advice.

9. Consider referral to a barring list operated by the Disclosure and Barring Service (DBS)

Referrals to these lists should follow the DBS's own guidance, which states that generally they should be made once the disciplinary process has concluded and there is evidence that a referral should be made.

10. Take legal advice during any disciplinary process

In cases where the dismissal of an employee is the possible outcome of a disciplinary investigation and procedure, Carers Choices will ensure that it accurately follows its own disciplinary process. This should help in establishing fairness in respect of any sanction or dismissal, although legal advice will be taken in more difficult cases. Dismissal must always be fair and proportionate to the allegation investigated. There may be other sanctions, including a written warning, for example where this is considered most appropriate to the circumstances.

11. Record keeping

Carers Choices will ensure that all allegations and incidents are recorded both in-house and on the personal file of the Client.

All details relating to safeguarding will be retained in line with data protection legislation and stored securely. For paper records, these will be stored within locked cabinets in locked rooms with access only available to senior managers. Electronic records will be kept in password protected files on password protected devices. Emails must be sent using secure standards which could include encryption e.g., egress switch. All attachments must be password protected.

Carers Choices will follow the guidance of “Safeguarding adults: sharing information”

https://www.scie.org.uk/safeguarding/adults/practice/sharing-information/

A lesson-learned process will always be conducted in order to continually improve the actions of The Service.

12. Keep the Client informed

Carers Choices will keep the Client informed of what is happening and will endeavour to ensure that their safety, security and care does not lapse in the course of what may be an unsettling time for them. Carers Choices will inform the Client of the outcome of investigations and the complaints procedure should they be unhappy with the outcome.

13. Safeguarding where allegations are made against the manager, DSO or Nominated Individual, or any individual related thereto

Where any staff member, including senior staff members or directors, are connected to allegations, the following will apply. This same procedure will also be applicable where any party connected to an allegation is closely related to any senior staff or directors, as this could potentially represent a conflict of interest which must be carefully managed to ensure the impartial investigation and resolution of any such allegations.

1. **Immediate Reporting**

    - Carers Choices will ensure all relevant bodies connected to safeguarding are informed in line with the reporting procedure within 24 hours.
    - All suspensions and HR management actions will be transparent and shared as per multi-agency protocols. This includes situations where individuals are required to move roles or locations but are not formally suspended.

2. **Suspension Process**

    - Where allegations relate to a senior staff member, Carers Choices will immediately consider suspension in line with employment law and Company disciplinary procedures.
    - Suspension is a neutral act and is not an indication of guilt. It is undertaken to protect both the individual concerned and the integrity of the safeguarding investigation.
    - The decision to suspend will be documented, with reasons recorded and communicated to the individual concerned in writing.

3. **Replacement of Senior Roles**

    - Carers Choices will appoint replacement people to assume the senior roles in the event of suspension of the Manager, DSO, Director, Nominated Individual, or other company officer and will share this information.

- If necessary, replacement staff will be externally appointed to ensure impartiality and independence.
- External appointments may be temporary and where necessary will involve the appointment of experienced care consultants who have documented prior experience of the roles and responsibilities in question as a means to overcome the potential difficulties of hiring new appointees in these challenging and possibly transient circumstances.

4. **Responsibility for External Reporting and Liaison**

- Where the allegation concerns the Registered Manager, responsibility for raising concerns externally and liaising with safeguarding authorities will automatically pass to the Nominated Individual.
- Where the allegation concerns both the Registered Manager and the Nominated Individual, the Company will appoint an external safeguarding professional or independent consultant to assume responsibility for reporting and liaison with the Local Authority Safeguarding Team, the Care Quality Commission (CQC) and any other relevant bodies.
- The replacement person or external appointee will act as the single point of contact for all external agencies, ensuring full cooperation and impartial handling of the safeguarding process.

5. **Cooperation with Local Authority Safeguarding Enquiries**

- Carers Choices will provide full liaison and cooperation with any Local Authority that is, or may be, making a child or adult safeguarding enquiry.
- The key liaison will ordinarily be the RSM and DSO, followed by the Nominated Individual. In the event that any of these roles are themselves connected with the allegations, replacement liaison roles will be identified and communicated to all parties involved.
- Carers Choices will comply fully with any directions from the Local Authority Safeguarding Team, including evidence gathering, provision of records, or staff interviews. Where these directions involve HR or disciplinary actions, the Company will seek legal advice to ensure compliance with employment law while giving priority to safeguarding responsibilities.

Supporting Clients to raise concerns

It can be incredibly difficult and traumatizing for anyone who has suffered abuse to raise a concern or allegation in relation to that abuse, especially if it is recent or ongoing.

In the event of a Client indicating they have experienced or are currently experiencing abuse, they will be reassured and encouraged by staff to report that concern. Whether the concern relates to an individual person or an organization, it is crucial to take necessary actions to ensure the Client's safety and wellbeing and to help the Client understand in advance that steps will be taken to assist and safeguard them throughout the process.

Our commitment is to proactively address the situation and provide as much support as is practical and appropriate to the Client before, throughout and after the process of reporting a concern or allegation of abuse. We have six priorities when supporting a Client who may wish to raise a concern of this nature.

1. Ensuring Safety

The safety of our Clients is paramount. As per the procedure set out above, we will take immediate steps to ensure their safety by reporting all allegations to the relevant authorities at the earliest opportunity, as well as implementing appropriate measures, e.g., implementing alternative care arrangements or helping the Client to seek alternative accommodation, if necessary, to mitigate any risks associated with the allegation. This will be made known to Clients who indicate they may be at risk in order to reassure them that Carers Choices will actively take steps to keep them safe if they do come forward to raise a concern or make an allegation.

2. Transparent Communication

Clients will be made aware of how to raise concerns, complaints or safeguards during the assessment period. Written information will be given to all Clients to assist them to raise concerns including information on how to raise issues outside Carers Choices e.g., the local authority or CQC. We understand the importance of keeping Clients informed about the process.

In the event of a safeguarding incident, we will provide clear and timely communication, explaining the steps involved, the investigation process and any potential outcomes. Our aim is to ensure that our Clients feel supported and have a clear understanding of what to expect. We will share any knowledge of the Client's communication needs and preferences with other agencies involved in any investigation to ensure that all parties communicate with the Client in the most effective and reassuring manner.

3. Signposting to Support Services

We recognise the importance of providing comprehensive support beyond our own services. We will signpost our Clients to relevant support services, such as victim support organisations, counselling services or legal assistance, to ensure they have access to the additional support they may need. A list of nationwide charities and support services can be found in the next section of this policy.

4. Risk Mitigation

We are committed to identifying and mitigating any risks associated with the allegation. This includes closely monitoring the situation, assessing any potential continuation or escalation of abuse, identifying any risks related to potential retribution or victimization and taking other appropriate steps to prevent further harm to our Clients. We will work collaboratively with relevant authorities and agencies to ensure the safety and wellbeing of Clients who are at increased risk as a result of any of the circumstances described in this policy.

5. Confidentiality

We understand the sensitive nature of any situation where abuse is alleged to have taken place and we are committed to maintaining confidentiality at all points in the process. Our team members will reassure Clients that we as a Company will handle all information and discussions with the utmost discretion. We will only share information on a need-to-know basis and adhere to strict confidentiality protocols to protect our Clients' privacy.

6. Ongoing Support

We will ensure Clients are aware that our support does not necessarily end with the resolution of the allegation. We will endeavour to continue to provide ongoing support to our Clients, ensuring they have access to the necessary resources and assistance to recover from any harm caused by abuse.

Organisations offering support to victims of abuse

Below is a list of reputable UK charities and support services that provide help to victims of different forms of abuse. We will ensure this list is kept up to date, available to all staff and circulated as needed, so that staff can encourage Clients to seek independent support in relation to abuse they have suffered.

National Domestic Abuse Helpline (run by Refuge) - Provides support and advice for victims of domestic abuse. Helpline: 0808 2000 247 (24-hour helpline).

Rape Crisis England & Wales - Provides support and information for survivors of rape and sexual abuse. Helpline: 0808 802 9999 (12-2:30pm and 7-9:30pm daily).

Survivors UK - Offers support for male survivors of rape and sexual abuse. Helpline: 0203 598 3898 (Monday to Friday, 9:30am-5:30pm).

Women's Aid - Provides support and refuge for women experiencing domestic abuse. Helpline: 0808 2000 247 (24-hour helpline).

Men's Advice Line - Offers support and advice to male victims of domestic abuse. Helpline: 0808 801 0327 (Monday to Friday, 9am-5pm).

National Stalking Helpline - Provides advice and support to victims of stalking. Helpline: 0808 802 0300 (Monday to Friday, 9:30am-4pm).

The Silver Line - Offers support and friendship to older people experiencing abuse or loneliness. Helpline: 0800 4 70 80 90 (24-hour helpline).

Samaritans - Offers emotional support to anyone in distress, including those affected by abuse. Helpline: 116 123 (24-hour helpline).

National LGBT+ Domestic Abuse Helpline - Provides support and advice to LGBT+ individuals experiencing domestic abuse. Helpline: 0800 999 5428 (Monday to Friday, 10am-5pm).

Karma Nirvana - Offers support and advice to victims of honour-based abuse and forced marriage. Helpline: 0800 5999 247 (Monday to Friday, 9am-5pm).

Childline - Provides support and advice for children and young people on a range of issues, including abuse. Helpline: 0800 1111 (24-hour helpline).

NSPCC (National Society for the Prevention of Cruelty to Children) - Offers support and advice to and in relation to children and young people who have experienced abuse. Helpline: 0808 800 5000 (24-hour helpline).

Please note that this is not an exhaustive list and there are many other local and specialised charities and support services available. Staff will encourage and, with consent, actively assist Clients to reach out to local authorities or to search for additional services and resources specific to their area and/or type of abuse suffered.

Conflicting allegations

In the event that two Clients make conflicting safeguarding allegations against one another, Carers Choices will immediately conduct a risk assessment to appraise whether either of the Clients are exposed to risk of danger directly or indirectly from the other Client. In the event that a danger to either party is assessed as likely, Carers Choices will consider measures to separate the two Clients and mitigate the risk. Depending on the severity of the allegations, consideration should be given to removing one or both of the Clients from The Service.

If potential conflict between the two Clients could also adversely affect the safeguarding of other Clients in The Service this should also be risk assessed and acted upon accordingly.

If none of the Clients in question are at risk, the two conflicting allegations should be investigated equally. It is at Carers Choices' discretion whether one officer of Carers Choices should investigate both allegations simultaneously, weighing up all relevant information and applying it to investigation of both claims, or whether two separate

officers of Carers Choices conduct investigations of the two allegations independently of one another. In either case the same investigative procedures should be followed to ensure a fair conclusion is drawn.

The Mental Capacity Act 2005

The Mental Capacity Act 2005 is a legal framework which protects people who may lack capacity to make decisions for themselves. It also sets out how decisions should be made on their behalf. The act covers all sorts of decisions, from life-changing events to everyday matters. All safeguarding decisions must be in accordance with the act. The act says that:

"… a person lacks capacity in relation to a matter if at the material time he is unable to make a decision for himself in relation to the matter because of an impairment of, or disturbance in the functioning of the mind or brain."

The presumption is that adults have mental capacity to make informed choices about their safety and how they live their lives. Mental capacity and a person's ability to give informed consent are at the heart of safeguarding decisions.

Every time Carers Choices becomes involved in a safeguarding issue it needs to take into account the ability of adults to make informed choices about the way they want to live and the risks they want to take. This includes how able they are:

- to understand what is likely to result from or affect their situation
- to take action themselves to prevent abuse
- to take part as fully as they can in making decisions about getting other parties involved

Where we believe there is a concern we will, in a manner appropriate to the communication style and understanding of the Client, ask them for their consent to make a referral to Safeguarding.

To ensure this consent is informed, we will utilise easy-read documents, along with pictures and podcasts sourced from the local Safeguarding authority – this will enable our Clients to understand what abuse is, the types of abuse and who they can tell to get help. Staff will then listen to the person and clarify any aspect of the safeguarding

reporting process they are unsure of, before confirming with them which next steps they wish to take.

If consent is obtained from the Client, we will make the referral. If consent is not obtained, we will conduct a risk assessment and if there is an immediate or ongoing risk that is severe, we will make the Safeguarding referral as a duty of care to the individual.

If a Client has been assessed as not having mental capacity, then decisions will be made in their best interests. Carers Choices will work with those interested parties involved in the care of the Client, including Local Safeguarding Boards.

Decision Making and Responsibilities Process

When dealing with safeguarding concerns, disclosures, or investigations the following will apply:

1. The Safeguarding Lead named below is responsible for managing safeguarding issues with Carers Choices.
2. The Registered Manager named below is ultimately responsible for safeguarding and delegates this duty to the Safeguarding lead.
3. Both roles can be carried out by the same person.
4. The nominated individual will supervise the management of the regulated activity and step in where a complaint has been made about the Registered Manager or a safeguarding body has raised concerns about the safeguarding lead.
5. A chronology will be created and maintained for each safeguarding issue which includes what decisions were made by whom.
6. Where there is conflict between a local company safeguarding policy and a local authority multiagency safeguarding policy the local authority policy will take precedence.
7. Where advice from safeguarding / public protection team is in conflict with HR practices or legislation advice from HR legal team should always be sought.
8. Actions agreed by multiagency safeguarding teams directed at Carers Choices will be followed, however as this is likely to involve HR issues Legal advice should be sought.

Where any staff member including senior staff members or directors are connected to allegations the following will apply. This same procedure will also be applicable

where any party connected to an allegation is closely related to any senior staff or directors, as this could potentially represent a conflict of interests which must be carefully managed to ensure the impartial investigation and resolution of any such allegations.

- Carers Choices will ensure all relevant people in connection to the safeguarding are informed in line with the reporting procedure within 24 hours.
- The company will follow their own policy relating to suspensions and ensure human resource management actions are transparent and shared as per multi-agency protocols, including where people are required to move roles or locations but are not formally suspended.
- If the individuals in senior management roles are under investigation and suspension, the company will seek to appoint the deputy manager to carry on the day-to-day operations until the investigation is concluded. All information will be shared with the relevant people to ensure transparency.
- Carers Choices will liaise and provide any information requested and cooperation with any local authority which is or may be making a safeguarding enquiry. Key liaison people will be identified and names communicated to all parties involved.

Safeguarding Children

This policy is for Adult domiciliary care providers registered for 18-65 and over 65 years of age. Safeguarding children is everyone's responsibility. It is the responsibility of Carers Choices and its staff to be vigilant to any safeguarding concerns identified within the course of our work.

Concerns could be related to something seen or heard within the home or service of someone we care for. This could be the child of a service user or a relative or visitor. Concerns could also arise from conversations with people we support where they have identified something of concern and need support to raise this. Concerns could also arise from the individual themselves where they discuss or disclose abuse.

The following points must always be considered.

- Immediate risk requires an immediate response. In active situations always act to protect individuals from harm. Call 999 and make a report to protect a child at risk.
- In non-immediate situations seek guidance from your manager without delay.

The safeguarding lead for your organisation and the details of your local authority children's safeguarding team appear below.

Local Safeguarding Team Contact Information

Name of Local Authority	Office Address, Phone Number and Email Address of Adult Safeguarding Team	Office Address, Phone Number and Email Address of Children's Safeguarding Team
Essex County Council	*Office Address:* ESAB Support Team, E3 (Zone 1), County Hall, Chelmsford, Essex, CM1 1QH *Phone Number:* 03330 131 019 *Email Address:* ESAB@essex.gov.uk	*Office Address:* Essex Safeguarding Children Board, Room CG04 County Hall Chelmsford CM1 1QH *Phone Number:* 0333 013 8936 *Email Address:* escb@essex.gov.uk

Company Safeguarding Lead

Name of Safeguarding Lead	Job Title of Safeguarding Lead	Office Address, Phone Number and Email Address of Safeguarding Lead
Sharon Box	*Rainbow Centre & Young Carers Manager*	*Office Address:* *The White House, Kiln Road, Benfleet, Essex SS7 1BU* *Phone Number:* *01268 881137*

		Email Address: *Sharon.Box@carerschoices.org*

Important Company Contacts for Safeguarding Purposes

Name of Contact	Job Title of Contact	Office Address, Phone Number and Email Address of Contact.
Sharon Box	*Nominated Individual*	*Office Address:* *The White House, Kiln Road, Benfleet, Essex, SS7 1BU* *Phone Number:* *0300 3021212* *Email Address:* *sharon.box@carerschoices.org*
Sharon Box	Registered Manager	*Office Address:* *The White House, Kiln Road, Benfleet, Essex, SS7 1BU* *Phone Number:* *03003021212* *Email Address:*

		sharon.box@carerschoices.org

Safeguarding Boards

Role and duties of Local Safeguarding Adults Boards

Overarching purpose

The overarching purpose of an SAB is to help and safeguard adults with care and support needs. It does this by:

- assuring itself that local safeguarding arrangements are in place as defined by the Care Act 2014 and statutory guidance;
- assuring itself that safeguarding practice is person-centred and outcome-focused;
- working collaboratively to prevent abuse and neglect where possible;
- ensuring agencies and individuals give timely and proportionate responses when abuse or neglect have occurred;
- assuring itself that safeguarding practice is continuously improving and enhancing the quality of life of adults in its area.

The SAB must lead adult safeguarding arrangements across its locality and oversee and coordinate the effectiveness of the safeguarding work of its member and partner agencies.

This will require the SAB to develop and actively promote a culture with its members, partners and the local community that recognises the values and principles contained in 'Making Safeguarding Personal'. It should also concern itself with a range of issues which can contribute to the wellbeing of its community and the prevention of abuse and neglect, such as:

- the safety of people who use services in local health settings, including mental health;
- the safety of adults with care and support needs living in social housing;

- effective interventions with adults who self-neglect, for whatever reason;
- the quality of local care and support services;
- the effectiveness of prisons in safeguarding offenders;
- making connections between adult safeguarding and domestic abuse.

Local Safeguarding Children's Boards

Section 13 of the Children Act 2004 requires each local authority to establish a Local Safeguarding Children Board (LSCB) for their area and specifies the organisations and individuals (other than the local authority) that should be represented on LSCBs

Statutory objectives and functions of LSCBs

An LSCB must be established for every local authority area. The LSCB has a range of roles and statutory functions including developing local safeguarding policy and procedures and scrutinising local arrangements. The statutory objectives and functions of the LSCB are described in the box below.

Statutory objectives and functions of LSCBs

Section 14 of the Children Act 2004 sets out the objectives of LSCBs, which are:

- to coordinate what is done by each person or body represented on the Board for the purposes of safeguarding and promoting the welfare of children in the area; and

- to ensure the effectiveness of what is done by each such person or body for those purposes.

Regulation 5 of the Local Safeguarding Children Boards Regulations 2006 sets out that the functions of the LSCB, in relation to the above objectives under section 14 of the Children Act 2004, are as follows:

1(a) developing policies and procedures for safeguarding and promoting the welfare of children in the area of the authority, including policies and procedures in relation to:

(i) the action to be taken where there are concerns about a child's safety or welfare, including thresholds for intervention;

(ii) training of persons who work with children or in services affecting the safety and welfare of children;

(iii) recruitment and supervision of persons who work with children;

(iv) investigation of allegations concerning persons who work with children;

(v) safety and welfare of children who are privately fostered;

(vi) cooperation with neighbouring children's services authorities and their Board partners;

(b) communicating to persons and bodies in the area of the authority the need to safeguard and promote the welfare of children, raising their awareness of how this can best be done and encouraging them to do so;

(c) monitoring and evaluating the effectiveness of what is done by the authority and their Board partners individually and collectively to safeguard and promote the welfare of children and advising them on ways to improve;

(d) participating in the planning of services for children in the area of the authority; and

(e) undertaking reviews of serious cases and advising the authority and their Board partners on lessons to be learned.

Carers Choices will co-operate fully with local Safeguarding Boards and respect and work within local policies and procedures aimed at ensuring that the obligations and aims of the Boards are met, fully and consistently and that everyone associated with Carers Choices (Clients, staff and service providers) are protected from any form of abuse.

CQC Registration and Inspection Compliance

Key Questions and Quality Statements applicable to this Policy	Care Quality Commission (Registration) Regulations 2009 applicable to this Policy
Safe • Safeguarding	

Legislative Compliance

Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 applicable to this Policy	Other legislation relevant to this Policy
Regulation 10: Dignity and respect Regulation 12: Safe care and treatment Regulation 14: Meeting nutritional and hydration needs Regulation 13: Safeguarding service users from abuse and improper treatment Regulation 17: Good governance Regulation 19: Fit and proper persons employed	The Mental Capacity Act 2005

Policy Reviewed on Date of Implementation by the Following Company Officer:

Full name:

Paul Ramsden

Job Title:

CEO

Signature:

P. Ramsden