

A Quick Guide to the ELHAP Safeguarding and Adult Protection Policy

All staff, volunteers and work placements MUST follow these rules at ALL times:

What is a Concern or Adult Protection Issue?

A concern is whenever you are worried about a vulnerable adult at ELHAP. This could be a big or small concern. It could be about an adult service user not having enough lunch in their packed lunch or a adult service user saying that their parents sometimes fight with each other or seeing a bruise or cut on a adult service user's body.

Remember: It is not up to staff and volunteers to decide whether a concern is important enough to discuss and report. We always discuss all of our concerns with ELHAP senior staff, who then decide as to whether they need to pass the information onto the Social Work team.

If you are ever concerned about a vulnerable adult you MUST report your concerns straight away.

When should you discuss your concerns?

You MUST always tell senior staff about your concerns straight away and ALWAYS on the same day that you first became concerned. DO NOT leave it to the end of the day and NEVER leave it a day or two or even weeks.

You need to *try* to tell senior staff within one hour of first being concerned.

Remember: If you are busy working with an adult service user, you need to quickly ask for a break or tell a senior staff member that you have a concern and need to discuss it. You should always discuss these concerns discretely and privately. ***Do not discuss concerns in front of the service user.***

Share your concerns straight away and always within the day.

Who should you tell your concerns to?

You must tell a Project Worker or the Manager of your concerns. When you tell the Team Project Worker they will immediately discuss the concern with the Manager.

Being unsure about who to tell isn't a good enough reason to not share your concerns. Tell any senior member of staff.

IF YOU ARE EVER WORRIED OR UNSURE WHO TO TALK TO ABOUT YOUR CONCERN, YOU CAN ALWAYS COME TO THE MAIN OFFICE AND TALK TO ANY SENIOR STAFF

ALWAYS REPORT ANY AND ALL CONCERNS BY COMPLETING AN ELHAP CONCERN RECORD

Protecting vulnerable people from harm is the MOST IMPORTANT duty for all staff and volunteers. It is your PRIORITY to share your concerns.

Staff who fail to adhere to the above rules and to this policy will be subject to disciplinary action.

SENIOR STAFF Implementation Guide to the *ELHAP Safeguarding and Adult Protection Policy*

Before dealing with concerns

1. In the first instance, the senior member of staff responsible for the relevant project/service area takes a lead on dealing with the concern (i.e. Playworker for the Playground, Project Workers for the Day Service and Project Worker for the Transition Project). The relevant project/service area will be determined by the service user's attendance (i.e. if on this day the young person is attending the Transition Project then the Transition Project senior staff member will take the lead).
2. If the senior staff member cannot immediately deal with the concern, they must immediately, clearly and precisely refer the matter to the Manager (or the deputising person in the Manager's absence).
3. All concerns will be discussed and actioned in conjunction with the Manager (or the deputising person in the Manager's absence). If this is not possible, the senior staff member needs to immediately contact the relevant Social Work team for advice.
4. Any concerns or allegations against staff or volunteers must be immediately referred to the Manager (or the deputising person in the Manager's absence). If the concern or allegation is about the Manager or deputising Manager the matter must be immediately referred to an ELHAP Trustee and/or to the Redbridge Learning Disability Social Work Team (please see contact details at end of policy).

Dealing with concerns (to be completed as soon as possible)

1) Gather the facts of the concerns by ensuring that all staff concerned immediately complete witness statements that fully details the concerns and the context. These statements should:

- Be completed on lined paper
- Detail the facts of the concern as well as the context
- Location, times and dates must be included
- Not include personal opinions, beliefs, judgements (keep to the facts)
- Be signed and dated at the end, as well as the person's full name and their role at ELHAP

Remember staff and volunteers may need support to complete the witness statements but also may need support to process the concern (it can be very harrowing for staff and volunteers).

2) Check the "Child and Adult Protection Incidents and Concerns" Folder to identify whether there have been any previous concerns (related or unrelated) as well as how they were resolved. There may be a pattern of concerns or indeed a pattern of worry from a staff member.

3) Discuss the concerns, along with the evidence, with the Manager to determine the appropriate course of action/ next step. This may be either immediately referring the matter to the relevant Social Work team or making contact with the parent/carer.

4) Complete an ELHAP Concern Record that summarises the details of the concern and actions. The original copy of the Concern Record must be given to the ELHAP Manager as soon as possible.

Discussions with Parents/Carers

In consultation with the Manager, the senior staff member may need to contact a parent/carer to discuss the concern. Such a discussion can take place if:

1. The concern does not involve sexual abuse
2. The concern does not involve or implicate the parent/carer
3. The service user is not in immediate or imminent danger or risk of harm

The senior staff member needs to discuss the concern with a parent/carer to:

- Validate the concern or clarify whether this is a safeguarding issue, a welfare issue or another issue.
- Identify any reasonable explanations or details
- To work in partnership with the parent/carer

Such discussions must be conducted in a professional manner, in a non-judgemental, respectful and sensitive manner. Whenever possible, these discussions should be undertaken with a senior staff witness so your conduct and approach can be witnessed.

Recording and Documenting

It is essential that the senior staff member takes a 'lead' on the concern and fully documents and records every action, giving appropriate details. It is important to remember that all the documents may need to be passed to the Social Work team so must show a full and professional record of every action and event.

The documents must be duplicated with the original being given to the ELHAP Manager (so it can be placed in the "Child and Adult Protection Incidents and Concerns" folder) and a second copy being placed in the service user's folder.

It is also essential that any telephone discussions or discussions with staff are fully recorded, detailing the discussion and identifying any witnesses.

Making a Referral to the Social Work Team

If the concern is serious, involves sexual abuse or if the service user is in immediate or imminent danger, this must be immediately referred to the relevant Social Work or NHS Team.

It is important to remember that making a referral to the relevant Social Work team is not about passing the referral on and 'washing our hands' of the concern. Often we will work in partnership with the Social Work team, following their advice and instructions. Since ELHAP works in partnership with the Learning Disabilities Social Work teams or Mental Health teams, staff must ensure that their conduct remains at the very highest professional standards.

Data Protection and Confidentiality rules are always suspended around safeguarding matters. This means that we pass on and share all our information with the relevant Social Work teams. However, we always maintain respect and privacy when discussing these matters at ELHAP, ensuring that discussions are conducted as privately as possible. Safeguarding matters are not to be discussed outside of ELHAP with any third parties except the relevant Social Work team or the Police.

Timelines

All concerns must be immediately dealt with and normally within one to two hours of the disclosure or concern being expressed/observed. Concerns must not be left to the end of the day or left because the senior member of staff is too busy. If there is a situation where the senior member of staff is too busy dealing with other crises or issues, then the matter must be referred to the Manager so they can immediately deal with the concern.

Referrals to the relevant social work team must be the highest priority and must be undertaken as soon as possible. Staff are reminded that making a referral after 4.00pm means the Social Work team probably cannot do anything that day. Therefore senior staff must ensure that referrals are made in a timely fashion.

Staff who fail to adhere to the above rules and to this policy will be subject to disciplinary action.



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ELHAP DAY SERVICE

FOR YOUNG PEOPLE AND ADULTS WITH DISABILITIES

ELHAP Safeguarding and Adult Protection Policy

Safeguarding Ethos

“Living a life that is free from harm and abuse should be a fundamental right for every person. We all need to act as good neighbours and citizens by looking out for one another and seeking to prevent circumstances that can easily lead to abusive situations and place adults at risk of harm. This is a fundamental principle of a caring, compassionate and fair society.

When abuse does take place, it needs to be dealt with swiftly, effectively and in a way that is proportionate to the issues, where the adult at risk stays as much in control of the decision-making as possible. The rights of the individual to be central to the process and heard throughout are a critical element of the drive towards more personalised care and support.”

Social Care Institute of Excellence (2012)

ELHAP aims to keep service users safe by adopting the highest possible standards and taking all reasonable steps to protect people from harm.

The purpose of this Safeguarding Adults Policy is to set a clear protocol of action and a framework of ELHAP’s responsibilities and duties in relation to service user’s welfare.

ELHAP aims to put service user’s needs first at all times. We aim to encourage service users to be confident and assertive, and to develop a trusting and respectful relationship with people in our care, so that they know they will be listened to and believed.

Introduction

This policy was developed in accordance with current legislation (Human Rights Act 1998, Mental Capacity Act 2005, Health and Social Care Act 2008 and related legislation) as well as the following guidance:

- No secrets: guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse (Department of Health, 2000)
- Safeguarding adults: a national framework of standards for good practice and outcomes in adult protection work (Association of Directors of Adult Social Services, 2005)
- Redbridge Safeguarding Adults Strategy:2010 -2013 (London Borough of Redbridge, 2010)
- Protecting adults at risk: London multi-agency policy and procedures to safeguard adults from abuse (Social Care Institute for Excellence with the Pan London Adult Safeguarding Editorial Board, January 2011)
- Protecting adults at risk in London: Good practice resource (Social Care Institute of Excellence, October 2012)

Please note that ‘service user’ refers to any person using ELHAP services who is aged 18 years and over. For safeguarding issues relating to children and young people who use ELHAP services, please refer to the ELHAP Safeguarding Children Policy.

Key Principles of Safeguarding Adults

In May 2011, the Department of Health released the statement of government policy on adult safeguarding, which set out six key safeguarding principles:

- Empowerment: a presumption of person-led decisions and informed consent.
- Protection: support and representation for those in greatest need.
- Prevention: it is better to take action before harm occurs.
- Proportionality: a proportionate and least intrusive response appropriate to the risk presented.
- Partnership: local solutions achieved via services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
- Accountability: accountability and transparency in delivering safeguarding.

Your responsibilities

All staff and volunteers within ELHAP have a responsibility for the safety and wellbeing of service users and colleagues. Your responsibilities when you have safeguarding concerns are to:

- Assess the situation i.e. are emergency services required?
- Ensure the safety and wellbeing of the individual
- Establish what the individual's views and wishes are about the safeguarding issue and procedure
- Maintain any evidence and follow internal procedures for reporting incidents/risks
- Remain calm and try not to show any shock or disbelief
- Listen carefully and demonstrate understanding by acknowledging regret and concern that this has happened
- Inform the person that you are required to share the information, explaining what information will be shared and why
- Make a written record of what the person has told you, using their words or what you have seen as well as your actions

Information Sharing

Whenever ELHAP is concerned about a service users welfare, it is our duty and responsibility to share our concerns with the appropriate authorities, and we do not require parents' or carers' permission to do so. Informed consent should be obtained from the service user but, if this is not possible and other vulnerable adults are at risk, it may be necessary to override this requirement

The Data Protection Act 1998 is not a barrier to sharing information – it simply provides a framework to ensure that information is shared appropriately. It reinforces common sense rules of information handling, and helps us strike a balance between the many benefits of public organisations sharing information and maintaining safeguards and privacy of the individual.

Seven Golden Rules for Information Sharing

1. Remember that the Data Protection Act is not a barrier to sharing information
2. Be open and honest with service users about what information can be shared and in what circumstances
3. Seek advice if you are in any doubt
4. Share information with consent, where appropriate and where possible
5. Consider safety and well-being and who may be affected by your sharing this information
6. Necessary, proportionate, relevant, accurate, timely and secure: ensure that the information is only shared with people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is securely shared
7. Keep a record of your decision and reasons for sharing information

Accidents, Incidents & Pre-existing injuries and illnesses

If a service user suffers an accident, incident or illness whilst under the care of ELHAP, we will:

1. Ensure that the service user is given the appropriate care and treatment
2. Call the emergency contact for parents/carers to inform them of the incident
3. Keep detailed records of any action in the ELHAP accident report form

ELHAP will inform the relevant local authority if there is any serious accident or injury that happens to a service user under our care.

Record Keeping

Records will be kept whenever there are any concerns that might indicate possible abuse or neglect.

This includes physical presentations on the service user's body, change in moods or behaviour, and any concerns around parental behaviour or non-attendance.

Records will include specific and objective accounts including:

- Date & Time of observation
- Name of service user(s) involved
- What staff or volunteers saw
- Recording exact records of the actual words of the service user(s)
- Recording exact records of staff or volunteers responses
- Staff/Volunteer interpretations
- Actions and responses taken

Definitions of Abuse

Abuse may be:

- A single act or repeated acts
- An act of neglect or a failure to act
- Multiple acts, for example, an adult at risk may be neglected and also being financially abused.

There are many different types of abuse and the ten most prominent types are as follows:

1. Significant harm
2. Physical abuse
3. Sexual abuse
4. Psychological/Emotional abuse
5. Financial abuse
6. Neglect or acts of omission
7. Discriminatory abuse
8. Institutional abuse
9. Domestic violence
10. Radicalisation

1. Significant harm

In determining what justifies intervention and what sort of intervention is required, *No secrets* uses the concept of 'significant harm'. This refers to:

- Ill treatment (including sexual abuse and forms of ill treatment which are not physical)
- The impairment of, or an avoidable deterioration in, physical or mental health and/or
- The impairment of physical, intellectual, emotional, social or behavioural development.

The importance of this definition is that in deciding what action to take, consideration must be given not only to the immediate impact on and risk to the person, but also to the risk of future, longer-term harm.

2. Physical abuse

Examples of physical assault are hitting, pushing, pinching, shaking, misusing medication, scalding, the misuse or illegal use of restraint, inappropriate sanctions, exposure to heat or cold and not giving adequate food or drink.

Restraint: Unlawful or inappropriate use of restraint or physical interventions and/or deprivation of liberty is physical abuse. Someone is using restraint if they use force, or threaten to use force, to make someone do something they are resisting, or where a person's freedom of movement is restricted, whether they are resisting or not. Appropriate use of restraint can be justified to prevent harm to a person who lacks capacity as long as it is a proportionate response to the likelihood and seriousness of the harm.

3. Sexual abuse

Some examples of sexual abuse/assault include the direct or indirect involvement of the adult at risk in sexual activity or relationships which:

- They do not want or have not consented to
- They cannot understand and lack the mental capacity to be able to give consent to
- They have been coerced into because the other person is in a position of trust, power or authority, for example, a care worker.

They may have been forced into sexual activity with someone else or may have been required to watch sexual activity.

All staff should be aware of their individual roles and responsibilities to maximise all evidential opportunities to assist any investigation of a sexual nature and the importance of immediate response, recording and reporting.

4. Psychological/Emotional abuse

This is behaviour that has a harmful effect on the person's emotional health and development or any form of mental cruelty that results in:

- mental distress
- the denial of basic human and civil rights such as self-expression, privacy and dignity
- negating the right of the adult at risk to make choices and undermining their self-esteem
- isolation and over-dependence that has a harmful effect on the person's emotional health, development or well-being.

Psychological/emotional abuse results from threats of harm or abandonment, being deprived of social or any other sort of contact, humiliation, blaming, controlling, intimidation, coercion and bullying. It undermines the adult's self-esteem and results in them being less able to protect themselves and exercise choice. It is a type of abuse that can result from other forms of abuse and often occurs at the same time as other types of abusive behaviour.

5. Financial abuse

Financial abuse is a crime. It is the use of a person's property, assets, income, funds or any resources without their informed consent or authorisation. It includes:

- theft
- fraud
- exploitation
- undue pressure in connection with wills, property, inheritance or financial transactions
- the misuse or misappropriation of property, possessions or benefits
- the misuse of an enduring power of attorney or a lasting power of attorney, or appointeeship.

6. Neglect or acts of omission

Neglect is the failure of any person who has responsibility for the charge, care or custody of an adult at risk to provide the amount and type of care that a reasonable person would be expected to provide.

Behaviour that can lead to neglect includes including ignoring medical or physical needs, failing to allow access to appropriate health, social care and educational services, and withholding the necessities of life such as medication, adequate nutrition, hydration or heating.

Neglect can be intentional or unintentional. Intentional neglect would result from:

- Wilfully failing to provide care
- Wilfully preventing the adult at risk from getting the care they needed
- Being reckless about the consequences of the person not getting the care they need.

7. Discriminatory abuse

Discriminatory abuse exists when values, beliefs or culture result in a misuse of power that denies opportunity to some groups or individuals. It can be a feature of any form of abuse of an adult at risk, but can also be motivated because of age, gender, sexuality, disability, religion, class, culture, language, 'race' or ethnic origin.

It can result from situations that exploit a person's vulnerability by treating the person in a way that excludes them from opportunities they should have as equal citizens, for example, education, health, justice and access to services and protection.

8. Institutional abuse

Institutional abuse is the mistreatment or abuse or neglect of an adult at risk by a regime or individuals within settings and services that adults at risk live in or use, that violate the person's dignity, resulting in lack of respect for their human rights. Institutional abuse occurs when the routines, systems and regimes of an institution result in poor or inadequate standards of care and poor practice which affects the whole setting and denies, restricts or curtails the dignity, privacy, choice, independence or fulfilment of adults at risk. Institutional abuse can occur in any setting providing health and social care.

9. Domestic violence

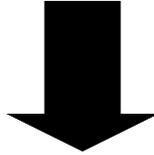
Domestic violence is defined as 'any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members regardless of gender or sexuality'. Whatever form it takes, domestic abuse is rarely a one-off incident and should instead be seen as a pattern of abusive and controlling behaviour through which the abuser seeks power over the victim. Domestic abuse occurs across society, regardless of age, gender, 'race', sexuality, wealth and geography.

10. Radicalisation

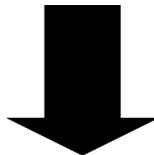
Service users may be susceptible to exploitation into violent extremism by radicalisers. Violent extremists often use a persuasive rationale and charismatic individuals to attract people to their cause. The aim is to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause.

Adult Protection Procedures

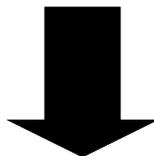
We identify concerns that a service user may have been abused or is at risk of significant harm



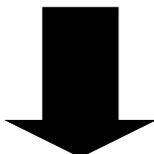
We support the service user to understand that the information about the abuse will need to be shared, but that it will only be shared with other people who need to know, such as a line manager and other appropriate professionals



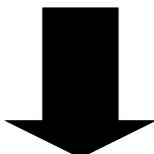
We record our concerns in detail, including records of date, time, place, people present, what was said or observed, the decision-making process regarding referral



We talk about our concerns with a Duty or Allocated Social Worker and follow up with a written referral to the appropriate Social Work Team



We seek and follow advice from the Social Worker about discussing the abuse or concerns with the service user's parents and carers



We attend case conferences and core groups, as required, and continue to share information with appropriate professionals, and to work to support the service user and her/his family

ELHAP Safeguarding & Allegations Against Staff Policy

ELHAP has a responsibility to report concerns about professional conduct of colleagues or associates whose behaviour might harm a service user.

All allegations against ELHAP staff and volunteers should be dealt with fairly, quickly and consistently, in a way that provides effective protection for the service user, and at the same time supports the person who is subject to the allegation.

Guidance recommends that most allegations should be thoroughly investigated by the local authority.

Confidentiality

It is important not to discuss the allegation with anyone other than the Local Authority Safeguarding Adults Team.

If service users or parents/carers want to discuss the allegation past the initial raising of their concerns with ELHAP, they should be advised to speak to the Local Authority Safeguarding Adults Team as discussions between ELHAP and the family could compromise any investigation.

It is not ELHAP's place to investigate the allegation and doing so could compromise any future police investigations and the local authority's ability to effectively safeguard adults.

Recording

ELHAP will keep detailed records of the allegation made and our actions, including any advice taken by Local Authority Safeguarding Adults Team. ELHAP will make this recording available to the Allegations Investigation, as required.

Criteria for an Allegation

An allegation is information or a concern which suggests that an employee or volunteer working with service users has:

Behaved in a way that has harmed, or may have harmed, a service user

Possibly committed a criminal offence against, or related to, a service user

Behaved towards a service user or service users in a way that indicates that he or she is unsuitable to work with vulnerable people

If the allegation against an ELHAP staff or volunteer does not fit one or several of these criteria, ELHAP will refer to the ELHAP Complaints Procedure or Disciplinary Procedure.

Allegations Procedure

An allegation is made against an ELHAP employee or volunteer by a service user, a parent/carer or another professional



ELHAP will consider whether the allegation fits the criteria of alleged harm caused to a service user (If not, ELHAP will implement the ELHAP complaints procedure or disciplinary procedure).

This will normally be undertaken by the ELHAP Director or an ELHAP Trustee.



ELHAP will contact the Local Authority or NHS Safeguarding Team and refer the allegation to them



Following advice from the Local Authority or NHS Safeguarding Team, ELHAP will suspend the employee or volunteer for the period of the investigation



The Local Authority or NHS Safeguarding Adults Team will conduct Strategy Meeting(s) and directs ELHAP to conduct investigations, gather further evidence, report to Police, CQC etc



If agreed by the Strategy Meeting, ELHAP may continue internal proceedings, i.e. disciplinary hearing



Any final decisions, including disciplinary hearing conclusions, must be referred to the ELHAP Board of Trustees for agreement



Employees who have been dismissed or have serious allegations upheld may need to be referred to DBS (the employee may be barred from working with vulnerable people by DBS)

The designated adult protection officers

ELHAP designated adult protection officer:

Robert Dighton (ELHAP Director)

ELHAP designated deputy adult protection officer:

Tara Tod (ELHAP Projects Manager) and Kelvin Ha (Senior Team Leader)

The role of the designated adult protection officer is vital in safeguarding adult's wellbeing and health. Their duties include:

- Delivering the safeguarding adult's policy on a day-to-day basis
- Conforming to and following legislation and best practice guidance
- Identifying and overcoming barriers to disclosures
- Effectively handling disclosures, allegations and complaints
- Investigating and gathering evidence in a professional, calm and objective manner
- Making referrals and working with other agencies in a timely and appropriate manner
- Providing advice and guidance to staff and volunteers
- Acting as a role model of best practice
- Ensuring staff and volunteers are appropriately trained

Important Contacts

Redbridge

Tel: 020 8708 7333 (Monday to Friday, 9.00am to 5.00pm)
or 020 8554 5000 outside of office
Email: adults.alert@redbridge.gov.uk

Waltham Forest

Tel: 020 8496 3000
Email: safeadults@walthamforest.gov.uk

Local Police

Ring 101 (or 999 in an emergency)

MENCAP Direct

Tel: 0808 808 1111 (Monday to Friday, 9am—5pm)
Email: help@mencap.org.uk
Web: www.mencap.org.uk

Ann Craft Trust

Tel: 0115 9515400 (Mon to Thurs, 9am—5pm, Fri 9am—4pm)
Email: ann-craft-trust@nottingham.ac.uk
Web: www.anncrafttrust.org

Care Quality Commission

Tel: 03000 616161 (Monday to Friday, 8.30am—5.30pm)
Web: www.cqc.org.uk

Implemented by the ELHAP Director on Thursday 8th June 2017. This policy and procedure will be reviewed annually.