

BOSP ADULT SAFEGUARDING POLICY

Policy Statement

It is our policy to fully comply with the safeguarding requirements of the Care Act 2014 as expressed in the statutory Care and Support Guidance, and any revisions that may be made to the guidance.



Definition

Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect, while at the same time making sure that the adult's well-being is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action.

Safeguarding duties apply to an adult who:

- Has need for care and support (whether or not the local authority is meeting any of those needs);
- Is experiencing, or is at risk of abuse or neglect;
- As a result of those needs is unable to protect themselves against the abuse or neglect or the risk of it

Our aim

BOSP staff and volunteers form part of the wider safeguarding system. We aim to:

- Ensure that the well-being of adults is paramount at all times
- Maximise people's choice, control and inclusion and protect their human rights
- Work in partnership with others in order to safeguard adults
- Ensure safe and effective working practices are in place
- Support staff working within BOSP

BOSP has two designated Safeguarding Leads, Activity Coordinator Emily Bell and CEO Jodie Connelly, trained to Level 3, who co-ordinate and oversea safeguarding, and a Safeguarding Deputy, Sarah Pearce, Level 2. These members of staff have suitable experience, training and expertise, and are responsible for liaising with the local multi-agency protocols. Dee Horton is our Safeguarding Trustee.

BOSP's Safeguarding Leads and Safeguarding Trustee are committed to reviewing its Adult Safeguarding policy and procedures annually. The policy and its procedures, setting out what to do if someone has concerns, are available on BOSP's website www.bosp.co.uk or from The BOSP Office and in the Staff Handbook.

Statutory Framework

BOSP works with key local partners to safeguard adults, including a co-ordinated offer of early help when additional needs or concern are identified.

<https://www.essexsub.org.uk/professionals/guidance-policies-protocols/>

BOSP's Safeguarding Adults Policy and Procedures comply with all relevant legislation and all action is taken with the following guidance:

- Southend, Essex and Thurrock (SET) Safeguarding Adults Guidelines July 2020

<https://www.essexsab.org.uk/media/2798/set-safeguarding-adult-guidelines-final-050820-pdf.pdf>

- Care Act 2014 Guidance - <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#using-the-care-act-guidance>
- Mental Capacity Act (MCA) 2005, including the Liberty Protection Safeguards 2021
- SET MCA policy and guidance
<https://www.essexsab.org.uk/media/2495/set-mcadol-guidancejan18-v2.pdf>

Out of Area Safeguarding (Adults) Protocol

All Local Authorities are required to produce safeguarding guidance. When necessary, we will liaise with local 'Placing' or 'Host' authorities outside Southend, Essex and Thurrock (SET), ensuring all protocols are followed.

Making Safeguarding Personal

Making Safeguarding Personal (MSP) is a person centered approach which means that adults are encouraged to make their own decisions about how they live their lives and how they manage their safety and are provided with support and information to empower them to do so.

This approach recognises that adults have a general right to independence, choice and self-determination including control over information about themselves.

All staff/volunteers at BOSP strive to deliver effective safeguarding consistent with all the principles below.

- **Empowerment** – empowered to make their own decisions and informed consent
- **Prevention** – take action before harm occurs
- **Proportionality** - here our response is proportional to the risk (least intrusive)
- **Protection** – good robust responses to concerns. What can we do/who can we work with immediately to make the situation safe?
- **Partnerships** – local solutions, good relationship with other organisations
- **Accountability** – be wholly transparent and responsible, **including Duty of Candour** (being open and honest when something goes wrong with a service users' treatment or care, including apologies)

Consent and Mental Capacity Awareness

To ensure that we make safeguarding personal and meet the 6 principles above, BOSP will seek the consent of the adult at the heart of the safeguarding enquiry before taking action or sharing information.

Adults at risk may not give their consent to a concern being raised, a safeguarding enquiry or the sharing of safeguarding information for several reasons. Reassurance and appropriate support in line with SET guidance below, section 3.4; may help to change their view on whether it is best for the adult at risk to share information:

<http://www.thurrocksab.org.uk/wp-content/uploads/2020/08/SET-safeguarding-adult-guidelines-FINAL-002-2020>

However, there are circumstances where staff can override a decision to refuse consent, for example, a life-threatening situation, if staff are implicated or if the person alleged to have caused harm has care and support needs. Considerations, circumstances for overriding consent, decisions for no intervention and actions taken will be fully recorded. Additionally, when consent cannot be obtained because the adult lacks capacity to give it, but the best interests of the individual or others at risk of harm require action from us. This will be the case for many young adults who attend BOSP.

In these cases, the Mental Capacity Act should be followed and documented.

The Mental Capacity Act 2005 has had a recent amendment inserted called the Mental Capacity (Amendment) Act 2019 and included the newly updated Liberty Protection Safeguards, which replaces the previous Deprivation of Liberty.

For individuals over 18 years, without capacity, their main carer/guardian should have sought a court order so they can advocate on their behalf. BOSP are required to see this document. However, we are still able to work in our service users' best interests until we receive this.

Types of Abuse and Neglect

- **Physical** – including hitting, slapping, pushing, misuse of medication, inappropriate restraint
- **Sexual** - including rape, Indecent exposure, subject to pornography, witnessing sexual acts, sexual assault or sexual acts the adult has not/cannot consent to
- **Psychological or emotional** – including threats of harm or abandonment, humiliation, harassment, verbal abuse, cyber bullying, deprivation of contact, coercion, harassment, verbal abuse, isolation
- **Financial or material abuse** – theft, fraud, exploitation, scamming, misuse or misappropriation of property or wills, including 'cuckooing' where a vulnerable person's home is taken over by criminals and their benefits or similar are stolen. This can also include using the home as a base for drug dealing
- **Neglect and acts of omission** – including withholding the necessities of life such as medication, food or heating, ignoring medical or physical care needs
- **Discriminatory** – including harassment or slurs, discrimination on grounds of race, gender, and gender identity, disability, sexual orientation, religion and other forms of harassment, slurs or similar treatment
- **Organisational** – including neglect or poor practice due to lack of training, insufficient policies and procedures, or when regimented systems in place are detrimental to the service user
- **Domestic** – including psychological, coercive control, physical, sexual, 'honour' based abuse, forced marriage, FGM, financial or emotional abuse between two adults who are or have been intimate partners or family members
- **Modern slavery** – includes very little or no pay, sex work, domestic servitude, excessively long and unusual working hours, poor physical health, not in control of own money, no financial records or ID documents, human trafficking
- **Self-neglect** – wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding (hoarding would need to be risk assessed - can the room be used for its intended purpose? Is there a fire or health risk?)

BOSP understands that adults with special educational needs and disabilities face additional safeguarding challenges. Barriers can exist when recognising abuse and neglect in this group. This can include:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the individual's disability, without further exploration
- That they are more prone to isolation than others
- The potential to be disproportionately impacted by things like bullying without outwardly showing signs

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

Patterns of abuse vary and include:

- Serial abuse in which the perpetrator seeks out and 'grooms' individuals. Sexual abuse sometimes falls into this pattern as do some forms of financial abuse;
- Long-term abuse in the context of an ongoing family relationship such as domestic violence between spouses or generations or persistent psychological abuse; or
- Opportunistic abuse such as theft occurring because money or jewellery has been left lying around

BOSP Organisational Responsibilities

BOSP is committed to ensuring that it meets its responsibilities in respect of adult safeguarding through the provision of support and training to staff/volunteers. Therefore, BOSP will ensure that:

- BOSP signs up to and accepts the principles set out within the SET guidelines;
- Action is taken to identify and prevent abuse from happening;
- BOSP's Safeguarding Adults procedures are followed;
- BOSP responds timely and appropriately when abuse has or is suspected;
- BOSP exercises professional curiosity (using capacity and communication skills to explore and understand what is happening within an adult, rather than making assumptions or accepting things at face value);
- BOSP understands how diversity, beliefs and values of people who use our services may influence the identification, prevention and response to safeguarding concerns;
- All staff and volunteers are carefully recruited, have verified references and have full and up to date Disclosure and Barring Service checks;
- Staff and volunteers are made aware of the main indicators of abuse and are aware of their statutory requirements in respect of the disclosure or discovery of abuse;

- Staff and volunteers are given a copy of BOSP's Adult Safeguarding Policy during their induction, and have its implications explained to them;
- Support Workers attend a trial day where they are paired with a 'buddy mentor' to risk assess their performance and suitability;
- Staff and volunteers are made aware of their safeguarding training responsibilities and complete on-line safeguarding training, with Senior Team staff who are Group Leaders/Supervisors trained to Level 2. This is then supplemented by annual group training in Safeguarding issues, providing any relevant information and guidance;
- Staff are provided with regular supervision and management support commensurate with their responsibilities in relation to Adult Safeguarding, and their requirement to maintain caring and safe relationships. Staff are reminded during session de-brief meetings that if they have any safeguarding concerns to speak to the Supervisor on duty/Adult Safeguarding Lead (not to be disclosed to the whole group);
- Staff are aware of procedures in place to record details of visitors to the setting and to ensure that BOSP has control over who comes into the setting so that no unauthorised person has unsupervised access to our service users;
- Personal mobile phones are locked away during the session. Contact instead is made by walkie talkies between workers in different rooms, with the BOSP mobile retained by the Supervisor should carers/parents wish to make contact or for emergency use. Photographs are only allowed to be taken using the BOSP camera in-line with parent/carers signed consent forms. The camera is kept in a locked cupboard when not in use and is regularly downloaded, with images being saved to a restricted file.

Safe Caring

The staff/volunteers at BOSP are familiar with the organisation's Adult Safeguarding procedures and understand the importance of participating in training and guidance in the principles of safe caring. To this end:

- Staff and volunteers will follow BOSP's safeguarding policies and procedures at all times, remain alert to the possibility of abuse, neglect and self-neglect and work collaboratively with other agencies to safeguard and protect the welfare of people who use BOSP's services
- Every effort will be made to avoid or minimise time when members of staff or volunteers are left alone with a service user. If staff are alone with a service user, the door of the room should be kept open, and another member of staff/worker should be informed
- Staff/volunteers will never carry out a personal task for a service user that they can do for themselves
- Where this is essential, staff/volunteers will help a service user whilst being accompanied by a colleague. Unless a service user has a particular need, staff/volunteers should not accompany service users into the toilet
- If a service user makes inappropriate physical contact with a member of staff, student or volunteer, this will be recorded fully on an Incident Record

- Staff are aware of the boundaries of appropriate behaviour and conduct. They will be mindful of how and where they touch service users, given their age and emotional understanding. Unnecessary or potentially inappropriate physical contact will be avoided at all times (as outlined in the Staff Handbook - Physical Touch Guidelines)
- We may on occasion request confirmation from a staff member/volunteer's GP that they are fit for work, to identify whether there are any causes for concern about an individual's health that might affect their suitability to look after vulnerable adults. To safeguard the people in our care, sessional work will not be offered to staff until this has been confirmed

Immediate action by person/manager raising the concern

- Make an evaluation of the risk and take steps to ensure that the adult at risk is in no immediate danger and arrange any medical treatment if necessary
- If a crime is in progress or life is at risk, dial 999
- Encourage and support the adult at risk to report to the police if a crime is suspected and not an emergency situation (dial 101 or complete the online form)
- Take steps to preserve any evidence if a crime may have been committed, and preserve evidence through recording
- Ensure that others are not in danger
- Establish what the adult at risk views/wishes are about the safeguarding issue, including trying to obtain consent to raise a concern
- Seeking consent with the adult at risk to share information, explaining what information will be shared and why

Reporting a Safeguarding Concern

- Staff/volunteers are encouraged and supported to trust their professional judgment and if they suspect abuse has, or is taking place, to report this
- Staff/volunteers are to report concerns of actual or suspected abuse at the earliest opportunity to the Supervisor present at the session. The Supervisor will report to a Safeguarding Lead or deputy in their absence.
- However, if an allegation of abuse is made against the Supervisor, the incident should be reported directly to BOSP's Safeguarding Lead. If the allegation is against one of the Safeguarding Leads, the second Safeguarding Lead will then assume responsibility for the situation and BOSP's Safeguarding Trustee will be informed
- A BOSP Safeguarding Incident Form will be completed by the staff involved. Information recorded will include full details of the alleged incident, details of all the parties involved, any evidence or explanations offered by interested parties, relevant dates, times, locations and body maps, if required. In the event of there being a witness to an incident, they should also complete an Incident Record Form
- The Supervisor and the Safeguarding Lead will be responsible for ensuring that written records are dated, signed and kept confidentially

- The Safeguarding Lead will then complete BOSP's Safeguarding Incident Log and, following the SET Guidelines, they will exercise their professional curiosity, contacting Essex LADO (Local Authority Designated Officer) if guidance is still needed, and if necessary, complete a Safeguarding Adult Concern form (SETSAP) for referral to the local authority(s) to assess and possibly investigate. Once Case Closure is complete all relevant parties will be informed

Dealing with Allegations of BOSP's Workforce

- All allegations made by an adult against a member of staff/volunteer will be fully recorded, including any actions taken, on an Incident Record Form and BOSP's Safeguarding Incident Log
- BOSP will take appropriate action in relation to the findings of any investigation into allegations of abuse, consistent with its duties to protect the safety of adults and uphold fair processes for staff and volunteers
- Any member of staff or volunteer under investigation for the alleged abuse of a vulnerable adult will be subject to the provisions of the Staff Disciplinary Policy
- We will notify the Disclosure and Barring Service of any person who is dismissed from our employment, or resigns in circumstances that would otherwise have led to dismissal for reasons of safeguarding concern

Dealing with Allegations of a Person who also has Care and Support Needs

- A review of what support and action may help them not to abuse others
- Where possible there should be a co-ordinated approach and partnership working
- Consideration will be given to the balance of power as part of the reporting process
- Where both parties are receiving service from BOSP, staff will discuss cases and consider joint assessment and support plans where appropriate

Whistleblowing

We want everyone at BOSP to feel able to report safeguarding concerns. However, members of staff/volunteers who feel unable to raise these concerns internally will be supported if they make a disclosure under the Public Interest Disclosure Act. Please see BOSP's Whistleblowing Policy for more information.

Confidentiality

Adults at risk have the right to expect that information (provided by them as well as others) will be treated respectfully and that their privacy will be maintained. Staff will ensure that all concerns, allegations and investigations are treated with sensitivity and confidentiality, and only shared with those who need to know.

Essex

Monday to Thursday: 8:45am to 5:30pm

Friday: 8:45am to 4:30pm

Telephone: 0345 603 7630

Out of Hours contact: 0345 606 1212

Email: Socialcaredirect@essex.gov.uk www.essex.gov.uk

Post: Social Care Connect, Essex House, 200 The Crescent, Colchester, Essex, CO4 9YQ

Southend

Telephone: 01702 215008 (option 1) **Out of Hours contact:** 0345 606 1212

Email: accessteam@southend.gov.uk www.southend.gov.uk

Thurrock

Telephone: 01375 511000

Out of Hours contact: 01375 372468

Email: Thurrock.First@thurrock.gov.uk www.thurrock.gov.uk

Safeguarding Adult Concern Form – SETSAF:

<https://www.essexsab.org.uk/professionals/reporting-concerns/>

If at risk of immediate harm, dial 999

Essex Police contact number 101 or 01245 491491