

# **Spectrum Policy**

## **Safeguarding and Protection from Abuse, Vulnerable Adults and Children**

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Printed paper copies of this procedure are **uncontrolled**.  
The current version of this procedure is available on the Group Intranet site

Version Number	Date Amended	Comments	Date Approved	Author	Approved by
1	April 2010	Replaces Safeguarding and New Group policy	May 2010	John Wright	Group Board

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# 1. Purpose

This policy applies to all Spectrum Group Companies, properties and any accommodation directly managed by the Group and applies to safeguarding and protection from abuse for vulnerable adults and children. This Policy applies to the Group's customers including:

- residents living in the Group's properties
- clients who are not resident in a property owned by the Group but who receive a service from the Group
- any person who, prior to the commencement of receiving the service, is seen to be a client of the Group e.g. applicants for either housing or the support service.

This policy has been developed to ensure the Group comply with current legislation, Supporting People Framework, Tenant Services Authority Standards, associated Housing Corporation guidance and good practice, and includes:

- recognising the Group's duty of care to protect residents and clients and people visiting the Group's properties
- ensuring where abuse can be interpreted as criminal activity, the Group will alert the Police and/or relevant agency
- ensuring that, where the perpetrator of abuse is a resident in the Group's properties, this is acted upon
- a commitment to safeguarding the welfare of vulnerable adults and children using or visiting the service
- a commitment to working in partnership to protect vulnerable adults and children from abuse
- ensuring staff are aware of the policies and procedures and understand their professional boundaries
- ensuring residents or clients understand what abuse is and know how to report concerns
- ensuring staff are fully committed to taking appropriate action to safeguard and protect vulnerable adults and children from abuse
- pro-actively managing incidents of alleged abuse by working in partnership with other agencies, and the wider community

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- supporting, and contributing towards relevant multi-agency protocols and agreements, for example, the ‘No Secrets’ agreement
- working with relevant agencies with the aim of achieving tenancy sustainability and taking a victim-centred approach.

The Group strives to achieve the following Mission:

‘To be recognised and respected for providing quality homes and services. Empowering people, supporting active communities and building better futures’.

This policy supports the Group’s overarching plans and strategies to deliver quality services and ensure accessibility to these services for all the Association’s customers.

## 2. Definitions

### 2.1 Abuse

The Department of Health “No Secrets” guidance defines abuse as:

‘a violation of an individual’s human and civil rights by any other person or persons’.

Acts of abuse may consist of a single act or repeated acts and can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it.

### 2.2 Forms of abuse

There are many ways in which abuse can occur which can include:

- physical abuse or harm, including hitting, slapping, pushing, kicking, misuse of medication or inappropriate sanctions or restraint. This may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a vulnerable adult or child whom they are looking after
- sexual abuse, including rape and sexual assault or sexual acts to which the vulnerable adult or child has not consented to, or could not consent to, or was pressured into consenting to e.g. fondling, offensive or suggestive language, inappropriate touching. This may also include non-contact activities, such as involving vulnerable adults or children in looking at, or in the production of pornographic material or watching sexual activities, or encouraging the person to behave in sexually

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inappropriate ways.

- psychological abuse, including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or support networks
- financial or material abuse, including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions or the misuse or misappropriation of property, possessions or benefits
- neglect and acts of omission, including ignoring medical or physical care needs, failure to provide access to appropriate health, social care, or educational services, the withholding of the necessities of life such as medication, adequate nutrition and heating. These may not always be deliberate but may be by default where the abuser is not able to provide the care needed and may not recognise the need for that care to be given
- discriminatory abuse, including racist, sexist, or based on a person's disability, and other forms of harassment slurs or similar treatment
- institutional abuse, including, neglect and poor professional practice that may take the form of isolated incidents of poor or unsatisfactory professional practice or may be pervasive ill treatment or gross misconduct.

## 2.3 Safeguarding and protection

Safeguarding: is a general responsibility and includes measures to prevent or minimise the potential for abuse occurring.

Protection: is a statutory responsibility in individual cases where risk of harm is identified.

## 2.4 Vulnerable adult

The Department of Health defines a vulnerable adult as 'a person aged over 18 years who is in need of community care services by reason of mental or other disability, age or illness; who is unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'

There are many ambiguities and tensions about the concept of 'vulnerable adults at risk'. On the one hand there is a strong belief in the right to privacy and to live life according to the individual's choice. On the other hand dependency of many individuals means that they may be powerless to look after themselves against circumstances where protection is warranted

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## 2.5 Child protection

Children are defined as those aged under 18 years of age.

For child protection issues services can be considered as one of four types including:

- services where children are known to live
- services where children may live
- services where children may visit
- services where children neither live or visit, but clients may have access to children.

Children and young people have the right to a safe environment. The Group recognise the importance of working together with other agencies, to protect children and young people from harm and to promote their welfare.

## 2.6 Protection from abuse protocols/agreements

The Group is party to a number of multi-agency protection from abuse protocols and agreements, including the 'No Secrets' agreements which aim to:

"create a framework for action within which responsible agencies work together to ensure a coherent policy for the protection of vulnerable adults at risk of abuse and a consistent and effective response to any circumstances giving ground for concern or formal complaints or expressions of anxiety'.  
(Department of Health)

## 2.7 Criminal Record Bureau Disclosures

Criminal Record Bureau (CRB) disclosures can be sought by the Group to help assess the suitability of applicants for positions of trust.

The Independent Safeguarding Authority (ISA) will work closely with the CRB when undertaking the vetting process or reaching the decision to put a person on the barred list.

There are three levels of disclosure of information that can be sought which include:

- Basic Disclosures: Details of all 'unspent' convictions held on the police national computer. The employer needs the prior consent from the applicant to obtain a basic disclosure

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- **Standard Disclosures:** These are primarily for posts that involve working with children or vulnerable adults. The Standard Disclosure contains details of all convictions held on the police national computer including current and "spent" convictions as well as details of any cautions, reprimands or final warnings.

If a position involves working with vulnerable adults or children, the Disclosure will indicate whether the person is on the list of those who are barred from working with children.

- **Enhanced Disclosures:** These are for posts involving far greater degree of contact with children or vulnerable adults. In general the type of work will involve regular caring for, supervising, training or being in sole charge of such people.

This level of Disclosure involves an additional level of check to those carried out for the Standard Disclosure. An Enhanced Disclosure includes a check on local police records.

### **3. Legislation, Regulatory and Good Practice Requirements**

This policy complies with and aims to support:

- Anti-social Behaviour Act 2003
- Children Act 1989 and 2004
- Protection of Children Act 1999
- Data Protection Act 1998
- Chartered Institute of Housing, Good Practice Brief : Equality, Diversity and Good Relations in Housing (April 09)
- Department of Health, 'No Secrets guidance
- Housing Act 1996 (as amended by the Homeless Act 2002)
- Housing and Regeneration Bill 2008
- Housing Corporation Good Practice Note 8 Equality & Diversity
- Housing Corporation Regulatory Code and Guidance 2005
- Human Rights Act 1998

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- Department of Health, No Secrets Agreement
- Protection from Harassment Act 1997
- Safeguarding and Vulnerable Groups Act 2006
- Supporting People Quality Assessment Framework
- Protection from Abuse Protocols.

## 4. Safeguarding and Protection from Abuse

The Group will treat the issue of safeguarding and protection from abuse for vulnerable adults and children as a serious issue and one that cannot be ignored.

The Group recognises that it is the responsibility of all staff to act on any suspicion, or evidence of abuse or neglect, and concerns must be passed to a responsible person/agency.

The Group are fully committed to taking a pro-active approach in safeguarding and managing incidents of abuse.

### 4.1 Incidents of abuse, residents and clients

The Group will take a pro-active approach when dealing with incidents of abuse including:

- nominating a Safeguarding and Protection from Abuse Champion
- ensuring staff are appropriately trained to recognise and deal with incidents of abuse quickly and effectively and that staff follow good practice guidelines when dealing with incidents of abuse
- taking action that is proportionate to the frequency and/or amount of contact the staff have with residents, service users, and customers, and takes into account the level of potential identified risk
- taking all disclosures of abuse seriously, whether the incident is recent or is disclosed many years after the abuse occurred
- referring incidents of abuse to the appropriate agencies in accordance with the relevant protocols or agreements
- undertaking Criminal Records Bureau (CRB) disclosure checks for all staff where a Supporting People Contract is in place and, where appropriate for staff who may be in a position of dealing directly with

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vulnerable adults or children

- ensuring that where appropriate, any volunteer acting on behalf of, or any person providing a service on behalf of the Group has an up to date CRB disclosure, and that where this is not the case, not allowing that person to act on behalf of, or provide a service on behalf of the Group
- ensuring staff are fully aware of the need to maintain the highest standards of confidentiality in order to ensure the safety and well-being of both victims and staff, see Disclosure of information 4.4
- being part of appropriate information sharing, specialised protocols and service level agreements
- undertaking comprehensive risk and support planning where incidents of abuse are identified
- taking a victim-centred approach, promoting an environment of trust and respect, and working with relevant agencies to ensure appropriate support is available
- recognising that a child experiencing abuse is a child in special circumstances and may be a child in need of protection
- taking a multi-agency approach in holding perpetrators accountable for their actions and ensuring that the full range of civil and criminal remedies can be pursued
- monitoring all reports of abuse to ensure any trends are identified and corrective action can be taken
- being sensitive to the diverse needs of victims and children irrespective of gender, race, religion, age, disability, or sexual orientation
- responding to reports of abuse quickly and in accordance with agreed service standards and monitoring satisfaction with the process
- supporting, in liaison with the appropriate local authority, a transfer where a move to alternative accommodation is appropriate due to the seriousness of the situation.

## **4.2 Incidents of abuse, staff**

The Group recognises that all staff have a personal, professional and ethical responsibility to conduct themselves in a responsible manner at all times and to protect the interests of residents and clients. The Group also recognise that staff may themselves be a victim of abuse.

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Where an incident of abuse involves a member of staff, either as a victim or as a perpetrator, action will be taken in accordance with the relevant policies and procedures.

### 4.3 Safeguarding

The Group will take a pro-active approach to safeguarding residents and clients from the potential for abuse to occur. This approach will include:

- ensuring new residents are fully aware of their tenancy or occupancy obligations and the Group's commitment to dealing with abuse before they move into their new home
- providing information to residents about safeguarding and protection from abuse including information leaflets for new residents, posters in communal areas and information in the residents handbook
- where there is a potential risk identified making referrals to the appropriate agencies
- ensuring support needs and/or the need for protection is identified and is accessed by working in partnership with other specialist agencies, and that where appropriate this is on-going
- providing advice and assistance and a supportive environment, which encourages people to report abuse to the police and other relevant agencies
- using publicity in the residents newsletter 'Your Voice' and other appropriate methods such as newspaper articles, to raise awareness of abuse, how to report abuse, and to provide information about available support and specialist agencies
- providing a communal policy folder for elderly persons' schemes and other identified schemes, so residents are able to easily access this and other associated policies.

### 4.4 Disclosure of Information

The Group will not disclose information to other agencies without the prior consent of the victim, except where a person is considered to be at risk, or if there is a risk of serious harm to anyone involved in the situation, or when required to do so by law or by an order of a court

The Group will be party to relevant protocols and formal agreements to ensure that, where appropriate, information can be shared with other agencies. Any disclosure of information will be undertaken in accordance with

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the relevant policy, procedure, protocol or formal agreement.

#### **4.5 Training**

The Group will ensure staff have ongoing training with regard to the range of remedies and services that are available and how to use them, as well as, an understanding of the cost and the limitations of invoking those remedies. It is the aim that all relevant staff will be trained to take the most appropriate and effective action in all circumstances. The training will include:

- where appropriate, detailed training of the Safeguarding and Protection from Abuse, Vulnerable Adults and Children Policy and related policies and procedures is undertaken as part of the planned induction programme for new staff
- ensuring best practice, new legislation and case law is disseminated to relevant staff and is communicated effectively by either service area team meetings, briefings, legal briefings or the internal intranet
- identifying on-going training needs and arranging appropriate training, as required, for staff, residents and Board members.

#### **4.6 The Right to Appeal**

Any appeal against the decision to take action, or otherwise, against a perpetrator of abuse will be dealt with in accordance with the Associations' Appeals Procedure.

#### **4.7 Monitoring and Control**

Monitoring of incidents of abuse and the effectiveness of actions taken will be undertaken by the relevant Service Managers as part of regular performance reviews with staff.

Individual incidents of abuse will be reported to the Associations' Boards on an exception basis.

A review of actions taken and their effectiveness will be undertaken on an annual basis and reported to the Associations' Boards.

#### **4.8 Equality, Diversity and Inclusion**

This policy has been developed to ensure the Group provide equality of access and service delivery and includes:

- ensuring that no customer is disadvantaged irrespective of their race, gender (including gender reassignment), religion or belief, colour,

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ethnic or national origin, sexual orientation, marital status, age, disability, or social position in accordance with Spectrum Housing Group Equality, Diversity and Inclusion Policy

- ensuring specific communication or support requirements and equal access to the service is available
- identifying and addressing any inequality of access to the service
- recording and monitoring incidents of abuse and the actions taken to ensure no individual or group is excluded.

#### **4.9 Equality Impact Assessment**

This policy has had an equality impact assessment that has identified that this policy does not discriminate either directly or indirectly and does not disadvantage any individual or group.

#### **4.10 Responsible Officers**

SHG Champion	MD Signpost HA
MHA	The Neighbourhood Manager responsible for supported housing
SCP/SHA	Divisional Director responsible for housing management
WCHA	Supported Housing Manager

### **5. Related Documents**

This policy should be read in conjunction with the following Spectrum Housing Group (SHG) policies and supporting procedures

1. Anti-fraud Statement
2. Bullying and Harassment Policy
3. Code of Conduct for Board Members and Employees
4. Confidentiality, Privacy and Data Protection Policy
5. CRB Handling Information Policy
6. CRB Recruitment Policy
7. Disciplinary and Dismissal Policy and Procedure
8. Equality, Diversity and Inclusion Policy
9. Grievance Policy & Procedure
10. Handling Disclosure Information Procedure
11. Hospitality and Gifts Policy
12. Openness and Accountability Policy
13. Secure Storage, Handling, Use, Retention and Disposal of Disclosures and Disclosure Information Policy
14. The Recruitment of Ex-offenders Policy
15. Recruitment and Selection Code of Practice and Guidance notes

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## 16. Whistle Blowing Policy

This Policy should be read in conjunction with the Group's policies and procedures that cover:

1. Anti-social Behaviour
2. Allocations and Lettings
3. Child Protection from Abuse
4. Community Involvement
5. Financial Inclusion
6. Resident Involvement
7. Professional Conduct and Boundaries

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