



Safeguarding Adults at Risk Policy and Procedure

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Introduction

Values and principles

Everyone has the right to live a life free from harm and abuse. The purposes of this policy is to develop and embed a safeguarding ethos and inform staff of Stevenage Borough Council's commitment to ensure Stevenage is a safe place for *all* adults to live and work in.

Safeguarding adults at risk policy and procedures will be operated in line with Stevenage Borough Council's values of:

Excellent
Caring
Responsive
Innovative
One Team
Straightforward

Safeguarding aims to ensure that organisations work together to prevent abuse occurring and when abuse does occur adults at risk are protected from further harm. It makes sure that:

- the needs and interests of adults at risk are always respected and upheld;
- the human rights of adults at risk are respected and upheld;
- a proportionate, timely, professional and ethical response is made to any adult at risk who may be experiencing abuse;
- all decisions and actions are taken in line with the Mental Capacity Act 2005; each adult at risk maintains:
 - ✓ choice and control;
 - ✓ safety;
 - ✓ health;
 - ✓ quality of life;
 - ✓ dignity and respect.

There are six principles that drive this safeguarding culture:

Empowerment – presumption of person-led decisions and informed consent.

Prevention – it is better to take action before harm occurs.

Proportionality – proportionate and least intrusive response appropriate to the risk presented.

Protection – support and representation for those in greatest need.

Partnership – local solutions through services working with their communities, who have a part to play in preventing, detecting and reporting neglect and abuse.

Accountability – responsibility and transparency in delivering safeguarding.

For adults at risk of abuse and neglect this means that they:

- are asked about what outcomes they want from the safeguarding process and these outcomes directly inform the action taken as appropriate;
- receive simple and clear information about what abuse is, how to recognise the signs and where to seek help and support;
- know professionals are working in their interest and will only get involved when needed;
- receive help and support to report abuse and neglect and that they can take part freely, as much as they want, in the safeguarding process;
- know and understand that professionals will work together to get the best result to support them;
- understand the role of everyone supporting them.

Stevenage Borough Council is an extended partner of the Hertfordshire Safeguarding Adults Board (HSAB). Stevenage Borough Council's Safeguarding Adults at Risk Policy has been developed in line with the HSAB County wide guidance, *Safeguarding Adults at Risk: The multi-agency policy, procedure and practice for working with adults at risk of abuse and neglect in Hertfordshire 2019*. It must be followed by all Stevenage Borough Council staff working with adults at risk. This includes volunteers and Councillors.

Aims of adult safeguarding

The core aims of developing a safeguarding adult's culture are to prevent abuse and neglect wherever possible, whilst promoting an approach that focuses on improving life for the adults concerned. To do this, awareness must be raised so that communities, alongside professionals, play their part in preventing, recognising and responding to abuse and neglect.

At Stevenage Borough Council (SBC) all staff (including volunteers and councillors) share the responsibility to promote the welfare of adults at risk. The safeguarding code of conduct outlines what is required of staff and supports them in raising concerns without fear of reprisal.

Staff must not:

- Use their position to intimidate, bully, threaten, discriminate against, coerce or undermine adults at risk.
- Use restriction or restraint when interacting with adults at risk.
- Carry out their duties or volunteering whilst under the influence of any substance (alcohol, solvents or drugs).
- Behave or communicate with adults at risk in a way which seeks to build inappropriate relationships in order to abuse or put them at risk;
- Use a relationship with a service user or their family for personal gain;
- Encourage or assist others to break the law in any way;
- Give special rewards or privileges in an attempt to build inappropriate relationships with adults at risk;
- Engage in, or attempt to engage in, sexual or inappropriate relationships with adults at risk. This includes the use of suggestive conversations or comments in person, over the telephone, texting, on social media or in emails.

Further information on code of conduct can be found in SBC's corporate Employee's Code of Conduct which can be found on the intranet under Human Resources.

Training for staff

Stevenage Borough Council staff must be trained appropriately for their level of contact with adults in order to recognise abuse and neglect, with the ability to confidently raise concerns using the internal reporting procedures. All staff must complete mandatory online Introduction to Adult Safeguarding training as part of the induction process. There are two additional levels of awareness training to accommodate staff; with infrequent contact (level 1) and those staff with regular and intensive contact (Advanced). Further specialised training in Mental Capacity Act assessments is offered to front line staff working in high risk areas.

Contracted services

In line with the core standards set out by the HSAB, Stevenage Borough Council has a responsibility to ensure that in any services it commissions, safeguarding adults' standards are in place. Stevenage Borough Council can monitor the ability of the contracted provider to meet these standards through the contact/compliance monitoring process. This includes ensuring that:

- Commissioned services know about and adhere to relevant safeguarding adults at risk guidance.
- Senior managers of commissioned services are aware of their leadership role in; ensuring quality of the service provided; supervision and support of staff; and responding to concerns about an adult at risk.
- Services are providing service users and carers with relevant safeguarding information.

Stevenage Borough Council's commitment to making safeguarding personal

Stevenage Borough Council will endeavour to make safeguarding personal so that it is person led and outcome focused. This will be done by engaging the adult at risk in the decision making process to improve their quality of life, wellbeing and safety.

Stevenage Borough Council provides a range of support services to adults. To ensure adults at risk are safeguarded Stevenage Borough Council will actively make communities safer by identifying and responding to any signs of abuse, neglect and suspected criminal offences. Stevenage Borough Council will also work with adults at risk

of abuse and neglect to ensure they are aware of the support options available to them, taking care to consult with them fully before any action is taken. The only situation where consultation will not take place is where reasonable justification is evidenced to suggest that the adult may not have capacity to make any decisions or actions in their own best interest. Stevenage Borough Council will also ensure that any support offered is carried out in partnership with relevant agencies and that a collective approach is taken to provide this.

Stevenage Borough Council is committed to safeguarding adults at risk and has nominated an individual as a safeguarding lead who is responsible for not only embedding safeguarding practice but also evolving this practice in line with local and national developments. Safeguarding at Stevenage Borough Council is championed by the Chief executive Officer, Matt Partridge and the lead officer for safeguarding adults at risk is the Community Safety Manager Sarah Pateman. Every business unit within the Council has trained staff who can make effective decisions on concerns they may be presented with.

The law protecting adults

Care Act 2014

The *Care Act 2014* sets out a clear legal framework for local authorities and other statutory agencies on how to protect adults with care and support needs at risk of abuse or neglect. It encompasses the need for professionals to; prevent care needs becoming serious; inform and advise adults on making good decision about their care and support; and also outlines the duty for professionals to cooperate with each other in order to protect adults.

The *Care Act 2014* is designed to transform adult social care by ensuring greater multi-agency collaboration as directed by the Hertfordshire Safeguarding Adults Board. This gives Hertfordshire County Council (as the local authority) responsibility for:

- promoting individual well-being;
- preventing needs for care and support;
- promoting integration of care and support within health services;
- providing information and advice;
- promoting diversity and quality is provision of services.

As a partner of Hertfordshire County Council, Stevenage Borough Council must co-operate with Hertfordshire County Council Adult Care Services with any enquiries they make into an adult at risk, where Stevenage Borough Council is providing them a service.

Mental Capacity Act 2005

The *Mental Capacity Act 2005* provides a statutory framework to empower and protect people who may lack capacity to make some decisions for themselves and establishes a framework for making decisions on their behalf. The Act also makes provision for those who have capacity and want to make preparations for a time when they may lack capacity in the future.

The Act states that a person lacks capacity in relation to a matter if at the material time he/she is unable to make a decision for him or herself 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 own safety and how they live their lives. All interventions need 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.

All decisions taken in the safeguarding adults' process must comply with the five core principles of the Mental Capacity Act 2005:

- a person must be assumed to have capacity unless it is established that he lacks capacity;
- a person is not to be treated as unable to make a decision unless all practicable steps to help him do so have been taken without success;
- a person is not to be treated as unable to make a decision merely because he makes an unwise decision;
- an act done or decision made, under this act for or on behalf of a person who lacks capacity must be done, or made, in his best interests;
- before the act is done, or the decision is made, regard must be had to whether the purpose for which it is needed can be effectively achieved in a way that is less restrictive of the person's rights and freedom of action.

This means that:

- an adult at risk has the right to make their own decisions and must be assumed to have capacity to make decisions about their own safety unless it is shown otherwise;
- there should always be the assumption that an adult at risk has capacity to make the decision in question.

If there is evidence to suggest that a person may lack capacity then a capacity assessment should be carried out.

The MCA sets out a two stage test of capacity:

Stage 1 -There must be an impairment of, or disturbance in the functioning of, the mind or brain.

Stage 2 - There must be an inability to make the decision in question as a result of the impairment of, or disturbance in the functioning of, the mind or brain.

In addition, a person is not able to make a decision if they are unable to:

- understand the information relevant to the decision **or**;
- retain that information long enough for them to make the decision **or**;
- use or weigh that information as part of the process of making the decision; **or**
- communicate their decision (whether by talking, using sign language or by any other means such as muscle movements, blinking an eye or squeezing a hand).

Deprivation of Liberty Safeguards 2008

The *Mental Capacity Act 2005* and Deprivations of Liberty Safeguards (MCA DoLS) will protect people who need to be cared for in a restrictive way and cannot make decisions about their care or treatment. MCA DoLS must be used if people need to have their liberty taken away in order to receive care and/or treatment that is in their best interests and protects them from harm.

Disclosure and Barring Service

Stevenage Borough Council is committed to safer recruitment and will take reasonable steps to ensure that staff working with adults, are safe to do so. Posts will be appropriately assessed to determine their level of contact with adults at risk. Where required Stevenage Borough Council will vet potential employees using the Disclosure and Barring Service (DBS) to support safer recruitment decisions and prevent unsuitable people from working with at risk groups. There are three types of check:

- Standard check - this will check for spent and unspent convictions, cautions, reprimands and final warnings.
- Enhanced DBS check - the same as the standard check plus any additional information held by local police which is reasonably considered relevant to the post being applied for.
- Enhanced with list checks – same as the enhanced check, but includes a check of the DBS Barred lists.

All disclosures for unsupervised work with adults at risk, that meet the definition of regulated work, will be at an enhanced level.

Additionally, all individuals recruited to Stevenage Borough Council undergo pre-employment referencing covering a three year period.

Further information on the Recruitment Process and pre-employment checks can be found in the Stevenage Borough Council Recruitment Policy.

Abuse

Who is an adult at risk?

An adult at risk of abuse and neglect is any person aged 18 years or over who:

- has needs for care and support;
- is experiencing or is at risk of abuse and neglect;
- as a result of those needs is unable to protect him/herself against abuse or neglect, or the risk of it.

What is abuse?

The Department of Health defines abuse as “a violation of an individual’s human and civil rights by another person or persons”. This can be recurrent and frequent or can be a single incident.

Categories of abuse

Physical abuse – including assault, hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.

Domestic abuse – including psychological, physical, sexual, financial, emotional abuse;

Honour based abuse - a crime or incident which has or may have been committed to protect or defend the honour of the family and/or community.

Female genital mutilation - a range of procedures which; involve partial or total removal of the external female genitalia for non-medical reasons.

Forced marriage - a marriage conducted without the valid consent of one or both parties and where duress is a factor.

Sexual abuse - including rape and sexual assault or sexual acts to which the adult at risk has not consented, or could not consent or was pressured into consenting, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography, witnessing sexual acts or indecent exposure.

Psychological/emotional abuse - including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber abuse, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

Financial or material abuse - including theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Modern slavery – encompasses slavery including human trafficking, forced labour, debt bondage, sexual exploitation, criminal exploitation and domestic servitude.

Discriminatory abuse – including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.

Organisational abuse - including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, or in relation to care provided in one's own home.

Neglect and acts of omission - including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Self-neglect – a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.

The categories listed above are not exhaustive but give an indication of the behaviours that could cause a safeguarding concern, including radicalisation, hate and mate crime.

Abuse and neglect take many different forms and may be criminal activity. In any case abuse and neglect will not be tolerated and any suspected criminal activity will be reported appropriately.

Signs and indicators of abuse

Abuse is not always easy to identify. In some instances the nature of the abuse may not be visible and the victim of abuse is often afraid to speak out. There are some common signs of abuse which may suggest that abuse has occurred. Further information about the categories of abuse and neglect can be found in SBC's Signs and Indicators of Adult Abuse and Neglect guidance.

Where does abuse happen? And by whom?

Abuse and harm can be experienced in any setting; a person's home (including supported housing schemes, nursing and care homes); in hospital, at work or in community areas. Adults can experience abuse by a number of people, known to them in varying capacities. Perpetrators of abuse may include, family members, friends, neighbours, paid or unpaid professionals, volunteers other vulnerable adults and strangers who set out to deliberately exploit people. It is essential that in any case where abuse is suspected that the concern is treated seriously and action is taken to investigate and prevent abuse from occurring.

How to raise a concern

All Stevenage Borough Council staff are responsible for raising a concern internally when they have a concern about an adult at risk. There are designated staff across the Council to support staff with their concerns and to decide whether or not a referral is to be made or an inquiry initiated. These trained staff include; Community Safety team, Housing Officers across the Housing and Investment Business Unit as well as Designated Senior Persons employed in other Business Units. These members of staff are responsible for considering the options available to safeguard the adult's wellbeing depending on the circumstances around the concern and following the referral pathway - *Appendix A*. If it has been decided that a referral to Hertfordshire's Adult Care Services (ACS) is required to start the County's safeguarding investigation process then a referral must be made either by phone to the 24hr telephone number 0300-123-4042 or by completing the concern form procedure. There are 4 stages of ACS safeguarding adults process, which require partnership working, to prevent adults at risk from experiencing abuse and neglect, this can be viewed in detail at *Appendix B*.

Record keeping

It is vital that any incident that causes concern is written up as soon as possible (no later than 24 hours) after the information is obtained. This record is to include any observations made and must be passed to the relevant designated staff (regardless of whether it has met the ACS safeguarding threshold). The designated staff member is responsible for ensuring that the concern is recorded centrally on Stevenage Borough Council's secure electronic system so this can be monitored and updated when actions are taken. The record must include:

- Date and time of the incident.
- Name, date of birth, address and contact details of the adult at risk.
- Exactly what the adults at risk said, using their own words about the abuse and how it occurred or exactly what has been reported to you.
- Appearance and behaviour of the adult at risk.
- Any injuries observed.
- Verbal or written consent from the adult at risk to take action.
- The views of the adults at risk on any action to be taken.

- Full name and job title of the staff member raising the concern and making the record.

The record should be factual. However, if the record does contain opinion or assessment this should be clearly stated and justified using factual evidence.

If the designated staff has decided that the concern has met the threshold for the ACS safeguarding investigation, a referral must be made via the Hertfordshire County portal. The submission must be downloaded and saved on the secure electronic recording system. A hard copy of the Concern form may be emailed to Adult Care services, should there be any technical limitations to online submission. The portal can also be used to make referrals for Care and support assessments if the risks are not deemed to meet safeguarding threshold. Advice and guidance from ACS may be obtained by telephone if required.

Information sharing

Stevenage Borough Council is committed to working with our partners to ensure information is not withheld unnecessarily as this may lead to abuse and neglect not being dealt with in a timely manner. It is important to remember that adults at risk must be fully informed about information that is recorded about them and as a general rule, be asked for their permission before information about them is shared with colleagues or another organisation – **however** there may be justifications to override this requirement; if they place themselves at further risk of harm, or if others are placed at risk. All information must be shared within the guidelines of Data Protection, however, this must not pose a barrier to information sharing.

Consent

In all safeguarding work it is always essential to consider whether the adult at risk is capable of giving informed consent in relation to the investigation and safeguarding plan. If they are capable, their verbal and ideally their written consent should be sought. Where an adult at risk with capacity has made a decision that they do not want action to be taken and there are no concerns with public interest (others are not placed at risk of harm) their wishes must be respected. The adult at risk must be given information and have the opportunity to consider all the risks and fully understand the likely consequences of that

decision over the short and long term. If they still refuse any intervention, their wishes will be respected unless there is a:

- public interest concern and not acting will put other adults or children at risk;
- duty of care to intervene, for example, a crime has been or may be committed.

In these circumstances immediate action must be to ensure the safety and wellbeing of those at risk and where necessary emergency services contacted if they are in immediate danger.

In instances where consent is not sought written justification must be provided outlining the reasons why action was taken without consent.

Allegations about a member of staff

Staff are trained to recognise and respond to abuse and neglect, along with understanding safer working practice. It is essential that when an allegation is made against a staff member alleging that they have harmed an adult at risk or behaved inappropriately in anyway, the Designated Senior Manager (DSM) for Safeguarding in Human Resources, or their manager, is alerted immediately. In the absence of the DSM the Deputy DSM should be contacted. In any situation where staff do not feel it appropriate to discuss their concern with their manager or the DSM, the concern can be raised to the Assistant Director of Finance by telephone, email or post by following the whistleblowing policy – *Appendix C*.

Useful Resources

Linked/related legislation and policy guidance

[Safeguarding Adults at Risk: The multi-agency policy, procedure and practice for working with adults at risk of abuse and neglect in Hertfordshire 2019](#)

[Care Act 2014](#)

[Adult Safeguarding: Statement of Government Policy 2013](#)

[Handling cases of forced marriage: multi-agency practice guidelines 2014](#)

[Female genital mutilation: guidelines to protect children and women 2014](#)

[Serious Crime Act 2015](#)

[Human Rights Act 1998](#)

[Equalities Act 2010: guidance](#)

[Safeguarding Vulnerable Groups Act 2006](#)

[Disability Discrimination Act 1995](#)

[Data Protection Act 1998](#)

[Making every contact count: A joint approach to preventing homelessness 2012](#)

[Modern Slavery](#)

[Counter Terrorism](#) follow below link

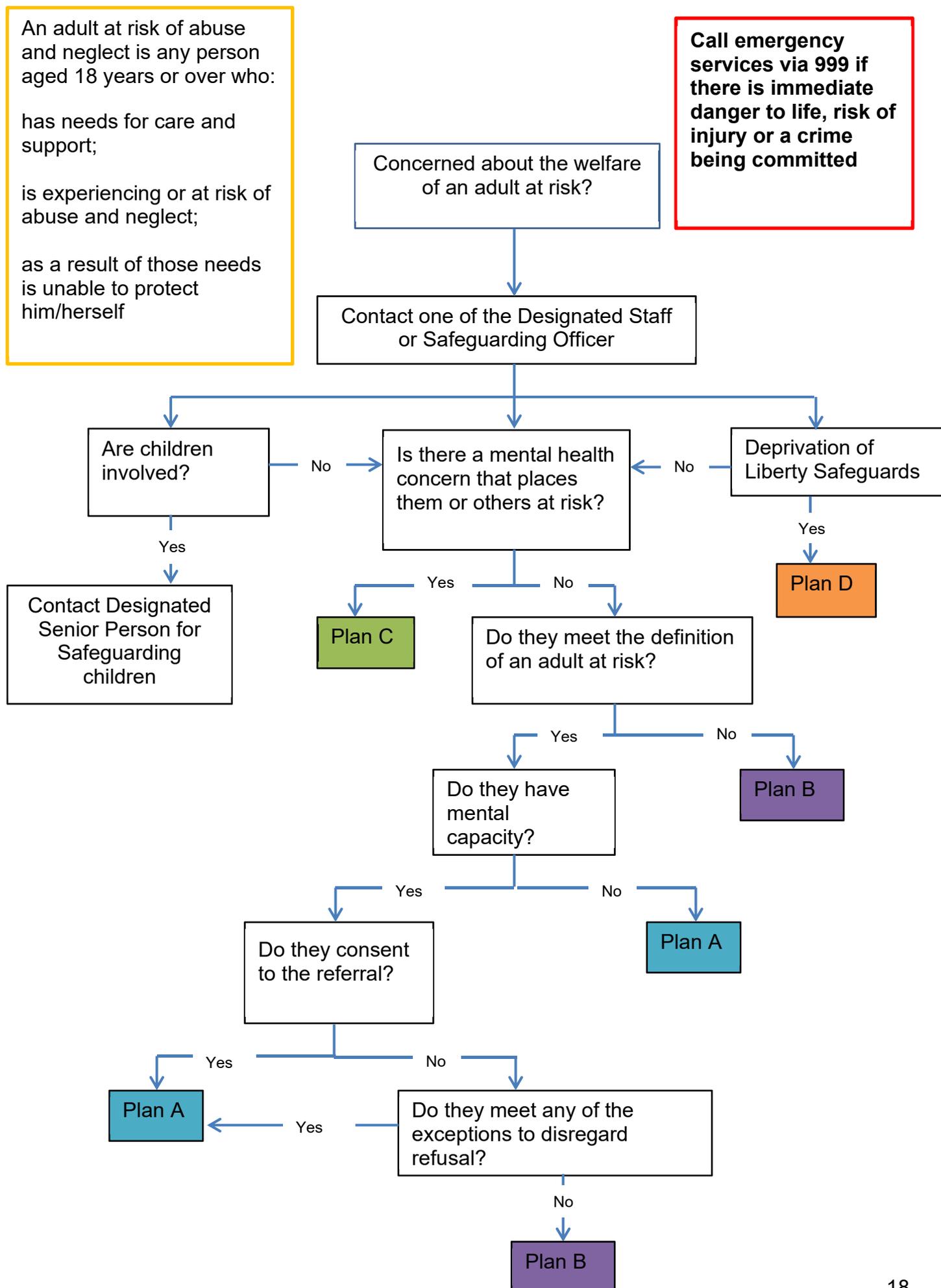
<https://www.itai.info/what-is-prevent/>

Stevenage Borough Council: Safeguarding Children Policy 2019

Recruitment and Selection within Stevenage Borough Council 2013

Appendices

Appendix A: Safeguarding adults at risk referral pathway



If the concern involves a member of staff contact the Designated Senior Manager (DSM) for Safeguarding in Human Resources 01438 242164 or Deputy Designated Senior Manager (DDSM) for Safeguarding 01438 242458

Plan A

Make a safeguarding referral to the most appropriate service:

1. Health and Community Services – 0300 123 4042
2. Hertfordshire Partnership Foundation Trust (HPFT) (mental health concern) – 0300 777 0707
3. Safeguarding Adults From Abuse Team (abuser is in a position of trust) – 01707 354556.

Plan B

Without consent:

Provide useful contact details

With consent:

Refer to an appropriate service for support e.g.

- General Practitioner
- Hertfordshire Partnership Foundation Trust
- CRI Spectrum - Hertfordshire Drug and Alcohol Services
- Herts Help
- Age UK
- Stevenage Borough Council Supported Housing
- Hertfordshire Independent Living Service
- Hertfordshire Home Safety Service

Plan C

Mental Health Risk

Immediate risk:

Contact emergency services

Low risk

Refer to General Practitioner

Contact HPFT's Single Point of Access Team

Plan D

Deprivation of Liberty Safeguards (DOLS)

1. Inform hospital or care home immediately
2. Contact Hertfordshire Supervisory Body - 01438 843800

Appendix B: Safeguarding adults process

Safeguarding is everyone's responsibility. Stevenage Borough Council staff, regardless of their position, have a duty to raise a concern they have by making a referral. Hertfordshire's Adult Care Services (ACS) has the lead responsibility for deciding how to proceed and ensuring effective arrangements are in place for safeguarding adults at risk by holding strategy discussions, case conferences and undertaking investigations; however Stevenage Borough Council staff may be called upon to assist with investigations. There are four stages of the ACS safeguarding adults process, that require partnership working, to prevent adults at risk from experiencing abuse and neglect:

Stage	Action	Timescale
Concern	Raise concern with ACS or HPFT	
Enquiry	<ul style="list-style-type: none"> • Decision on how to proceed • Initial conversation with adult • Strategy meeting/ discussion • Investigation • 1st Case conference • Subsequent Case Conferences • Distribution of approved minutes 	<p>Within 2 working days</p> <p>Within 2 working days</p> <p>Within 5 working days from decision to proceed</p> <p>Agreed at strategy stage Agreed at Strategy (within 3months)</p> <p>Maximum time between case conferences 4 months. Within 10 working days of meeting. If draft minutes are sent out an additional 5 days can be added to ensure accuracy.</p>
Closure	Closing the enquiry	On completion of enquiry.
Review of Safeguarding plan	Review of Safeguarding plan	Within 3 months of closure.

During each of these four stages, key considerations are:

- supporting and enabling the adult at risk to achieve outcomes that they see as the best for them, where possible;
- assessing and addressing risk;
- taking action to protect and support the adult at risk;

- whether a formal mental capacity assessment is needed in regard to specific decisions;
- whether the adult at risk should be represented by an advocate and/or an independent mental capacity advocate (IMCA)
- taking appropriate action for the person causing harm;
- giving timely feedback to the referrer;
- taking appropriate action with a service and/or its management if they have been culpable, ineffective or negligent;
- identifying any lessons to be learnt for the future, including recommendations for any changes to the organisation and service delivery;
- whether there are concerns about a provider which need investigation under the serious concerns procedures.

Appendix C: Whistleblowing procedure

Whistleblowing refers to a disclosure, by an employee, of mismanagement, corruption, illegal activity, or some other wrongdoing. Disclosures can also be made in confidence directly to the Assistant Director Finance, in person, by telephone on 01438 242933 or the fraud hotline on 0800 0520263, by email whistleblowing@stevenage.gov.uk or by writing to Assistant Director of Finance, Daneshill House, Danestrete, Stevenage, Herts SG1 1HN)