

Dolphin Square Charitable Foundation & Subsidiaries

Adult and Children Safeguarding and Vulnerable Residents Policy

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Author:	Customer Services Director
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1. Introduction

Dolphin Living (meaning Dolphin Square Charitable Foundation and Dolphin Living Limited) homes has a vital role to play to keep our residents and people who live with them, safe so they may live free from abuse and neglect. We will work to safeguard children, young people and adults at risk from harm, and will respond appropriately if it occurs. Safeguarding describes the action taken to ensure the safety and wellbeing of people and to protect them from harm, abuse or neglect.

The Board are responsible for the strategic responsibility and monitoring of Safeguarding and Vulnerable adults and children.

Effective safeguarding is a shared responsibility. The policy applies to all staff, Managing Agents, contractors, volunteers and authorised third parties who individually and collectively have a responsibility to play a part in safeguarding the children, young people and adults who are at risk of abuse or neglect in our communities.

This policy aims to ensure that we will:

- Comply with legal and regulatory requirements.
- Aim to have robust safeguarding arrangements in place.
- Work in partnership with other agencies to reduce the risk of harm and abuse to residents.
- Always act in the resident's best interest by making safeguarding personal to them.
- Be responsive to the changing needs and vulnerabilities of our residents.
- Make safeguarding the responsibility of all Dolphin Living colleagues.
- Provide training to staff to raise awareness about safeguarding.
- Ensuring that all contractors and external partners understand our approach to safeguarding.

2. Objectives

This policy sets out Dolphin Living's approach to safeguarding children, young people, and adults at risk of abuse and or neglect from significant harm, abuse or neglect.

This policy covers staff employed by Dolphin Living and by Touchstone (Dolphin Living's managing agent), contractors and third parties who come into contact with Dolphin Living's residents. It should be read in conjunction with Touchstone's (Places for People) Vulnerable Customer's Policy (on request from Touchstone). All staff, volunteers and external partners therefore have a duty to safeguard and promote the welfare of residents as far as possible, to minimise the opportunities for abuse and or neglect.

All parties to whom this policy applies should be aware of their responsibilities and how to act in ways that protect themselves from wrongful allegations of abuse.

3. Definitions

Safeguarding means protecting a person's right to live in safety, free from abuse and neglect (including self-neglect).

In line with statutory provisions under the Care Act and other guidance, we support the six key principles which underpin safeguarding work:

1. Prevention – it is always preferable to act before harm occurs
2. Proportionality – the least intrusive response appropriate to the risk presented
3. Protection – support and representation for those in greatest need
4. Empowerment – people being supported and encouraged to make their own decisions and informed consent
5. Partnership – local solutions through services working with communities, who can have a key part to play in preventing, detecting and reporting abuse and neglect
6. Accountability – accountability and transparency in delivering safeguarding

We respect the leading role of local authorities and relevant support teams in coordinating safeguarding work and accept that a multi- agency approach depends on joint working.

We support this approach through alerting the relevant Local Authority Social Services (of concerns about adults or children) or the police (for any concerns regarding safety)

Child

The definition of a child is anyone who is aged up to 18 years. Safeguarding and promoting the welfare of children is defined as:

- protecting children from maltreatment.
- preventing impairment of children's health or development.
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes. (Working Together to Safeguard Children, DfE, 2015)

All children and young people have the right to be safe from harm and need safe environments to grow with confidence. Everyone is responsible for helping to keep children safe. Safeguarding children and young people means protecting them from any potential source of harm.

Vulnerable Adult: A vulnerable adult in the UK is defined as a person aged 18 or over who may need care and support due to age, illness, or disability. They may be unable to protect themselves from harm or exploitation because of their situation.

A wide range of groups are captured by this definition, including people with alcohol and drug addictions, mental health issues & older people with support needs. Indicators of vulnerability show themselves through rent arrears, anti-social behaviour, property condition, complaints, domestic violence and gas access issues.

We acknowledge that people may be vulnerable for reasons other than those specifically with protected characteristics covered by the Equality Act 2010.

We do not assume that whole groups of people are vulnerable. We also accept that vulnerability need not be a permanent state, and that people may be vulnerable at different times for different reasons (e.g. bereavement, relationship breakdown, times of financial hardship, ill health and at times where circumstances are beyond their control such as a pandemic).

Adult

Will be considered at risk of harm for the purpose of the above provided that;

- the adult is being harmed (or is likely to be) by the behaviours of another person, or
- the adult is participating in (or is likely to participate in) actions which results in (or is likely to result in) self-harm.

Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action. This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear, or unrealistic about their personal circumstances

Abuse: Is a single or repeated act or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to a person and without limitation include the behaviours listed below:

Adult Abuse

Physical – including hitting, slapping, pushing, misuse of medication, inappropriate restraint.

Psychological or emotional – including threats of harm or abandonment, harassment, verbal abuse and isolation.

Sexual abuse – including rape, inappropriate touching, sexual acts with a minor (under 16 yr)

Financial or material abuse-Taking money, goods or property without permission.

Domestic abuse– any of the above Abuse types between adults who are or have been intimate partners or family members.

Modern slavery pursuant to the Modern Slavery Act 2015- A global problem that transcends age, gender, and ethnicities, including here in the UK. It can include victims who have been brought from overseas and people in the UK who are forced to illegally work against their will in many different sectors, including brothels, cannabis farms, nail bars and agriculture - can be physical, emotional, psychological or financial.

Discriminatory abuse: Harassment, slurs or similar treatment, racism, gender and gender identity, ageism, disability, sexual orientation, religion.

Organisational or institutional abuse: Neglect and poor care practice, neglect as a result of the structure, policies, processes and practices within an organisation.

Self-neglect: Neglecting to care for personal hygiene, health or for personal surroundings (including hoarding).

Coercive Control: An act, or a pattern of acts, assaults, threats humiliation and intimidation or other abuse that is used to harm, frighten, or punish their victim. The controlling behaviour is designed to make a person dependent by isolating them from support, exploiting them, depriving them of independence and regulating their everyday behaviour.

Cuckooing: A form of crime, termed by the police, in which drug dealers take over the home of a vulnerable person to use it as a base for drug trafficking.

Child Abuse

Physical Abuse: This happens when a child has been hurt or injured, and it is not an accident. Physical abuse does not always leave visible marks or injuries.

Child Sex Abuse: Sexual abuse happens when an adult, teenager or child uses their power or authority to involve child in sexual activity.

Emotional Abuse: This happens when a child is treated in a way that negatively impacts their social, emotional, or intellectual development.

Neglect: This happens when a child's basic needs are not met, affecting their health and development.

Online abuse: Online abuse is any type of abuse that happens on the web, whether through social networks, playing online games or mobile phones.

Child exploitation: Child sexual exploitation is a type of sexual abuse in which children are sexually exploited for money, power, or status.

Female genital mutilation (FGM): This is the partial or total removal of external female genitalia for non-medical reasons.

Bullying or cyberbullying: Bullying can happen anywhere - at school, home or online - causing physical and emotional harm.

Child trafficking: A type of abuse where children are recruited, moved, or transported and then exploited, forced to work, or sold.

Grooming: Children and young people can be groomed online or in the real world, by a stranger or by someone they know - for example, a family member, friend or professional.

Harmful sexual behaviours: Children and people who develop harmful sexual behaviours harm themselves and others.

4. Legal and regulatory framework

The processes for safeguarding and promoting the welfare of children and adults at risk are covered by extensive legislation. This policy has been developed so that it complies with the legal framework.

Care Act 2014 The Care and support statutory guidance states that 'all workers need to be vigilant about adult safeguarding concerns and that safeguarding practice should be underpinned by the six safeguarding principles: Empowerment, Prevention, Proportionality, Protection, Partnership, Accountability.

The Mental Capacity Act (MCA) 2005 sets out the role everyone plays in safeguarding. It applies to everyone involved in the care, treatment and support of people aged 16 and over living in England and Wales who are unable to make all or some decisions for themselves. It also sets out the types of abuse identified in statutory provisions and guidance.

Other legal frameworks:

- Mental Capacity Act - Deprivation of Liberty Safeguards (DoLS)
- Children Act 1989, and Children Act 2004
- Protection of Children Act 1999
- Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005:
- Care Act 2014
- Counter Terrorism and Security Act 2015
- Female Genital Mutilation Act 2003
- Modern Slavery Act 2015

5. Identifying and recording Safeguarding issues

We take all reports of abuse or suspected abuse very seriously and all staff and our Managing Agents are required to report safeguarding concerns. Procedure produced for staff.

If any concerns, suspicions, or allegations of abuse arise, staff are expected to discuss any concerns with their manager who will confirm whether a safeguarding referral should be made. If a decision is made that a referral should be carried out then the staff member has a legal duty to make the referral to the statutory agency responsible for carrying out the assessment, this is normally the local authority and/or the Police.

Where a safeguarding issue is potentially identified staff must ensure that their recording of facts, incidents, assessments, referrals and case discussions are all sufficient, accurate, concise, up-to-date, legible, dated and factual. Opinions must be kept to a minimum and substantiated with factual experience. These records must be stored securely in a manner that upholds their right to privacy and security.

These records must be available to the individual on request (not third-party information) and may be used as evidence in civil or criminal prosecutions or in disciplinary proceedings.

Records must be coordinated by Touchstone. A record should be made of all decisions whether to refer or not and the reasons for the decisions. Where a safeguarding referral is made, the referral will be recorded factually and appropriately, containing records of any incidents that have occurred and the reasons for the referral.

It is essential that all Operational staff are competent in recognising and responding to Abuse. Safeguarding training will be provided to all staff encountering adults and children, with refresher training provided to all staff where the highest risk is identified.

6. Informed Consent

Adults

The Care Act 2014 sets out the importance of putting the individual at risk at the centre of the safeguarding process. For this reason, wherever possible, consent should be obtained when making an adult safeguarding referral.

If consent is not obtained and a referral is made due to one or more of the below factors, the adult should be advised that it has been referred. If there is uncertainty, Adult Social Care Services should be consulted.

If the adult does not want the referral to be made, then their wishes should be honoured unless:

- they or others are in physical danger / at serious risk; and/or,
- it is the opinion of staff, after assessing their mental capacity that the adult is unable to make/incapable of making an informed decision for themselves.

If no referral is made, in line with the adult's wishes, then all other courses of action should be considered, including support from other agencies. Records must be kept of all decisions, including taking no further action.

Children

When making a safeguarding referral it would be appropriate to inform a parent, guardian or carer of a referral being made. However, there are some occasions when consent is not required, including: if it places the child/young person at significant harm or could delay support. In these situations, it is important you record the reasons for not seeking consent on the referral form.

You must apply the Data Protection Act 2018 which includes 'Safeguarding of children and individuals at risk' as a condition that allows practitioners to share information without consent. Where possible, and if it will not cause further harm, keep the adult informed of your actions.

7. Staff

There may be exceptional instances when a staff member is involved in the abuse of an adult at risk or a child. All staff members take responsibility to report any concerns immediately via Dolphin Living's Whistleblowing Policy. Normal disciplinary procedures would apply to investigate any allegation.

In addition, if any staff member has a concern regarding a colleague and their wellbeing they should report immediately to their line manager, or another available manager.

8. Residents

Allocations

We seek to identify and support the needs of potential vulnerable residents at the earliest opportunity, either at the application stage, viewing stage, at the offer of a tenancy, at the sign up or during a home visit. All potential residents are asked to provide details of any needs to enable us to tailor our service accordingly to meet those needs.

Tenancy Management

Both Dolphin and our managing agent, Touchstone, aim to identify any potential support needs throughout the period of a resident's tenancy. This will be assessed in terms of the resident's ability to sustain a tenancy or any potential threat of harassment, intimidation or other vulnerability they may have. Other considerations include whether the resident has any illness or disability that may prevent them from carrying out all their tenancy conditions satisfactorily.

Our managing agent is likely to have the most face-to-face contact with our resident and are briefed and trained to identify the main indicators of vulnerability.

Dolphin Living and Touchstone will work with specialist agents to offer additional support as appropriate.

Adaptations for Vulnerable Residents

We will, wherever possible, assist independent living by enabling our residents to remain in their homes through the use of aids and adaptations. We will help residents access financial assistance through maximisation of grants and relevant welfare benefits and regard adaptations as a key component of our asset management approach.

Minor adaptations (up to £500) such as signs, grab rails, visual smoke alarms, door-handles, silent bells & lever/mixer taps with Thermostatic Mixer Valve will be funded by Dolphin Living.

Minor/Major adaptations (over £500) such as showers, ramps, and stair lifts would be subject to an occupational therapist assessment before being considered for the adaptation.

The resident will need an accompanying occupational therapist OT assessment with recommendations to allow them to approach the local council to apply for the Disabled Facilities Grant (DFG).

Person Centred Fire Risk Assessments

Where we are informed that a resident may have difficulty in safely evacuating their home, we will complete a person-centred fire risk assessment (PCFRAs). PCFRAs help to identify residents who are at higher risk from fire in their own home, whether this is due to their behaviours or their ability to respond and escape from a fire for example residents with disabilities. The PCFRA focuses on three key areas.

1. An increased fire risk
2. Ability to react to a fire or alarm
3. Ability to respond and escape a fire
4. Ability to leave the building due to lift failure

Residents in blocks who raise concerns they have in self-evacuating in the event of an emergency will have the assessment conducted.

Assisted Evacuation – Personal Emergency Evacuation Plan

Where it is known or reported that residents have specific vulnerabilities that may affect their ability to escape safely in the event of a fire, this should be assessed at any general property inspection, home visit or upon sign-up.

A Personal Emergency Evacuation Plan (PEEP) is a bespoke escape plan which is created to assist individuals who may require additional support during a general emergency evacuation of a building. Common examples of disabilities or impairments that may require a PEEP include:

- Mobility impairments
- Sight impairments
- Dexterity impairments
- Hearing impairments
- Cognitive impairments

It is the duty of the Managing Agent to complete any PEEP's or PCFRA's that may be required and to ensure that it is shared with the London Fire Brigade to enable them to deliver emergency services.

9. Equality and Diversity

This policy aims to ensure those most at risk are protected from abuse and / or neglect. It supports and is compatible with Dolphin Living Equality & Diversity Policy.

A key principle of safeguarding is that people are listened to, have their views considered, are supported to make their own decisions and are always treated with dignity and respect.

Any interventions will involve a review of the individual's situation to avoid discrimination on the grounds of any of the protected characteristics.

10. Data Protection

The data collected is necessary for us to perform our duties and meet our legal compliance obligations. We will only process sensitive personal data if a resident has explicitly consented to its processing. All data held will comply with Dolphin Living's Data Protection Policy.

11. Policy Review

Due to the importance of safeguarding in our work, and the role our staff and Managing Agents take, this policy will be reviewed annually to ensure we are continually learning from case management and delivering a robust and effective system for managing safeguarding disclosures and alerts.