



Safeguarding Adults and Children Policy

Version:	1
Date of Board Approval & effective date:	20 th March 2024
Last Reviewed:	20 th March 2024
Next review date:	March 2026
Document owner	Housing Services Manager

1.0 Introduction

1.1 Empower Housing Association (EHA) has a vital role to play to keep our tenants, and people who live with them, safe so they may live free from abuse and neglect. 'Safeguarding' describes the action taken to ensure the safety and wellbeing of people and to protect them from harm, abuse or neglect. It is everyone at EHA's responsibility, with colleagues delivering frontline services more likely to witness or receive safeguarding concerns.

1.2 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 tenants.
- Always act in the tenant's best interests by making safeguarding personal to them.
- Keep tenants at the heart of everything we do, expecting colleagues to act if something doesn't seem right.
- Be responsive to the changing needs and vulnerabilities of our tenants; and
- Make safeguarding the responsibility of all EHA colleagues.

2.0 Scope of the Policy

2.1 This policy applies to tenants of EHA and any persons living within the household. Safeguarding allegations against colleagues will be treated seriously and will be dealt with under the Disciplinary Policy.

3.0 The Policy

3.1 Registered providers of social housing such as EHA are expected to have appropriate arrangements in place to provide for the safeguarding of adults and children. This is set out in the Children Act 1989, the Children Act 2004, (Children Acts), and the Care Act 2014 including supporting guidance.

3.2 The Acts place a legal duty on EHA to:

- Be alert to safeguarding concerns we encounter in performing our day-to-day functions.
- Have robust policies and procedures in place.
- Report concerns to the local authority.
- Share information with the local authority and relevant agencies; and
- Co-operate with the Local authority about safeguarding matters.

3.3 The Regulator of Social Housing's Neighbourhood and Community Standard requires that registered providers "co-operate with local partnership arrangements and strategic housing functions of local authorities where they are able to assist local authorities in achieving their objectives." This requirement is relevant in respect of local authorities' safeguarding function. This policy and associated procedures must be understood and followed by all EHA colleagues, to ensure that we meet our legal and regulatory requirements.

3.4 EHA is committed to improving outcomes for those experiencing abuse or neglect. We will use the six key principles that underpin all adult safeguarding work as our framework for safeguarding adults as required by the Care Act 2014 statutory guidance. The key adult safeguarding principles are set out in Appendix 1 with examples of what constitutes abuse and neglect are set out in Appendix 2.

3.5 **Mental capacity**

3.5.1 We will comply with the requirements set out in the Mental Capacity Act 2005. This includes assuming that tenants have capacity to make their own decisions in the first instance. Where a resident is found to lack capacity to make a decision then any action, or any decision made for or on their behalf, will be made in their best interests.

3.5.2 We will work collaboratively with regulatory bodies, other third parties and tenant representatives as appropriate.

3.6 **Preventing harm**

3.6.1 We will take action to prevent and minimise the risk of harm. This includes being alert to concerns about a tenant's welfare. We will do this by working closely with or sharing information with our colleagues and as appropriate with care providers, representatives and appointees.

We will train our colleagues to be able to identify, assess and report concerns early and encourage them to be aware of and act upon changes in behaviour that might suggest a cause for concern.

3.7 **Safeguarding arrangements**

3.7.1 We will establish clear lines of responsibility and accountability for the detection, recording and reporting of safeguarding concerns. This includes clear robust processes and timescales for sharing information with lead agencies and local safeguarding boards as appropriate.

3.7.2 EHA has a separate policy that specifically sets out its response to reports of domestic abuse affecting tenants.

3.7.3 EHA has a Modern Slavery and Human Trafficking Policy and is fundamentally opposed to slavery and human trafficking, and we will do what we can to ensure it is not taking place in our business or supply chains.

3.8 **Reporting to statutory agencies**

3.8.1 We will record and refer concerns, suspicions and allegations of abuse, harm or neglect to the lead statutory agency responsible for carrying out safeguarding assessments and enquiries. In most cases, this will be the local authority. We will record all decisions made not to refer a concern, the reasons why and any other action taken.

3.8.2 We will ensure that any systems relating to the recording of safeguarding matters are robust, secure and confidential. Data will only be shared in compliance with relevant Data Protection legislation unless the urgency of the

situation requires the sharing of information to prevent harm. We will ensure that there is a clear audit trail of the decision-making process regarding the sharing of information including personal and sensitive data.

3.9 Non-statutory arrangements

3.9.1 We will take appropriate action to support residents where we identify broader welfare concerns. This includes residents with welfare concerns where the referral has not been accepted by the local authority. This could include signposting to relevant support agencies.

3.10 Liaising with other agencies

3.10.1 We will engage with, and fully contribute to, multi-agency working in response to safeguarding or welfare concerns.

3.11 Colleague training

3.11.1 We will require that all EHA colleagues understand their role in relation to safeguarding. They will be trained to be competent at recognising abuse and neglect, and to be vigilant and able to respond appropriately to concerns. Mandatory training, including refresher training, will be provided for colleagues and will be appropriate for the nature of the role.

3.12 Contractors, suppliers and agents

All new contractors, suppliers and agents will be expected to understand and discharge their safeguarding responsibilities.

EHA require new contractors, suppliers and consultants to understand their responsibilities under the Modern Slavery Act 2015.

4.0 Responsibilities

4.1 Ultimate responsibility for safeguarding lies with EHA Board, who, on a day-to-day basis, delegate these responsibilities to EHA's Directors and Senior Management.

4.2 Senior Management are responsible for identifying a lead officer for safeguarding, ensuring the relevant procedures are in place to support colleagues in the recognition, management and reporting of safeguarding concerns and the relevant reporting to Board on the operation of this policy

5.0 Related Legislation, Regulation and Codes of Practice

- Children Act 1989 and 2004
- Human Rights Act 1998
- Mental Capacity Act 2005
- Children and Young Persons Act 2008
- Equality Act 2010
- Regulator of Social Housing's Neighbourhood and Community Standard 2012
- Working Together to Safeguard Children 2013 (Last updated 2019)
- Care Act 2014

- Care and Support Statutory Guidance (Last updated 2018) issued under the Care Act 2014
- Modern Slavery Act 2015
- Data Protection Act 2018
- General Data Protection Regulations 2018.
- Regulator of Social Housing Neighbourhood and Community Standard

6.0 Related Policies, Procedures and Documents

- Application for Housing Policy
- Anti-social Behaviour Policy
- Income Collection and Arrears Policy
- Disciplinary Policy (Staff Handbook)
- Equality, Diversity and Inclusion Policy
- Reasonable Adjustments Policy
- Domestic Abuse Policy

7.0 Reporting and Monitoring

7.1 An annual report including details of mandatory safeguarding training compliance, reported safeguarding incidents and action taken will be presented to the Senior Management team and Board.

In addition, Board will receive quarterly safeguarding reports as part of business assurance throughout the year.

8.0 Review

8.1 The policy will be reviewed every two years (or sooner if there is a change in regulation, legislation or codes of practice).

Appendix 1

The six principles of adult safeguarding

This information is taken from the Care and Support statutory guidance 2014 (updated October 2018) issued under the Care Act 2014. It sets out the six principles that underpin all adult safeguarding work. The principles apply to all sectors and settings including housing. The principles should inform the ways in which professionals and other employees work with adults.

Principle	Outcome	Customer Experience
Empowerment	People being supported and encouraged to make their own decision and informed consent	'I am asked what I want as the outcomes from the safeguarding process, and these directly inform what happens'
Prevention	It's better to take action before harm occurs	'I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help'
Proportionality	The least intrusive response appropriate to the risk presented	'I am sure that the professionals will work in my interest, as I see them, and they will only get involved as much as needed'
Protection	Support and representation for those in greatest need	'I get help and support to report abuse and neglect, I get help so that I am able to take part in the safeguarding process to the extent to which I want'
Partnership	Local solution through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse	'I know that employees treat any personal and sensitive information in confidence only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me'
Accountability	Accountability and transparency in delivering safeguarding	'I understand the role of everyone involved in my life and so do they'

Appendix 2

What constitutes abuse and neglect?

This information is taken from the “Care and Support statutory guidance 2014” (updated October 2018) issued under the Care Act 2014.

This includes the different types of abuse and neglect. It is not an exhaustive list but an illustrative guide as to the sort of behaviour which could give rise to a safeguarding concern.

Physical abuse including:

Assault, hitting, slapping, pushing, misuse of medication, restraint, inappropriate physical sanctions.

Domestic abuse including:

Psychological, physical, sexual, financial, emotional abuse, so called “honour based” violence.

Sexual abuse including:

Rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography, or witnessing sexual acts, indecent exposure, sexual assault, sexual acts to which the adult has not consented or was pressured into consenting.

Psychological abuse including:

Emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation, 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, the misuse or misappropriation of property, possessions or benefits.

Modern slavery including:

Slavery, human trafficking, forced labour and domestic servitude, traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Discriminatory abuse including forms of:

Harassment, slurs or similar treatment because of race, gender and gender identity, age, disability, sexual orientation; religion, marriage and civil partnership, pregnancy

Organisational abuse including:

Neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in someone’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; and the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Self-neglect

This covers a range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. An assessment should be made on a case-by-case basis. A decision on whether a response is required under safeguarding will depend on the adult's ability to protect themselves by controlling their own behaviour. There may come a point when they are no longer able to do this, without external support.