Safeguarding Adults Policy for England with procedures to follow in the event of a safeguarding situation for all employees, trustees and volunteers.

**1. Purpose**

One Big Happy take seriously, its legal and moral obligations to safeguard adults at risk of abuse and neglect. The charity is committed to 'zero-tolerance' of neglect and abuse of adults at risk in the communities it serves.

**2. Scope of Policy/ Who does this policy apply to?**

This policy applies to all individuals, regardless of their characteristics and to all employees and volunteers. One Big Happy recognise that its duty to protect adults at risk does not rely solely on contracted status. In any event, where there are concerns regarding an individual whom our employees, volunteers or trustees have come into contact with during their duties, One Big Happy will respond in accordance with national guidelines set out herein.

**3. Objectives**

The policy aim/objective(s) is to ensure everyone understands their role and responsibilities concerning safeguarding. It guides staff in taking the necessary steps to protect children and adults at risk from harm and it informs the individual and their families/representatives on how One Big Happy go about implementing key safeguarding law and government initiatives.

This policy is accessible to all staff, along with relevant learning resources distributed during induction, to enable them to:

* Reduce the likelihood of abuse or other forms of exploitation of individuals who may be at risk of harm
* Identify suspected or alleged abuse and take prompt action to make sure that ‘adults at risk’ are safe and that their rights are protected
* Support individuals to maintain control over their lives and to make their own choices as far as possible

**4. Main Policy Content**

**Principles**

Safeguarding is more than recognising and responding to allegations of abuse. It is about making sure that people are safe. Six principles underpin our approach to safeguarding:

**Empowerment**

One Big Happy gives participating individuals clear information about the charity and what to do if they have any concerns or a complaint.

Everyone’s needs are different and personal to them. With the ‘wellbeing principle’ in mind, One Big Happy will operate person-centred activities with preferences and outcomes that aim to achieve well-being.

One Big Happy staff and volunteers are trained to respect individuals identity, values, dignity, privacy and wishes. One Big Happy takes account of the cultural customs and beliefs of individuals when responding to safeguarding concerns.

One Big Happy promotes LGBT+ inclusive practice. One Big Happy staff will support individuals to express their sexuality.

One Big Happy assume that individuals have the mental capacity to make informed decisions about their lives.

**Prevention**

One Big Happy follows rigorous recruitment procedures to make sure that all of its staff and volunteers are suitable to work with all individuals

One Big Happy ensure that its staff and volunteers have the appropriate knowledge, skills and confidence to carry out their role effectively.

Staff and volunteers understand that they must follow specific procedures for delivering activities and for reporting concerns.

One Big Happy will provide support sessions so that they can discuss issues as they arise. Staff should not wait until for their support sessions to report Safeguarding concerns.

One Big Happy will regularly seek feedback from individuals participating in activities to make sure that they are satisfied with the activities being provided.

**Protection**

One Big Happy will support individuals to report abuse and to be involved in the safeguarding process, as far as they are able.

One Big Happy staff and volunteers are trained to recognise if an individual is at risk of being/ or has been abused and to respond appropriately (see procedures below for responding to abuse). The charity takes account of the different beliefs and values of individuals when responding to safeguarding concerns.

One Big Happy have clear reporting procedures for all staff where they can pass on any concerns and seek advice. staff and volunteers are required to report any concerns they have as soon as they are able.

One Big happy will provide individuals with information about advocacy services as appropriate.

One Big Happy actively work with other organisations, as appropriate, to protect adults within any multi-agency framework.

**Proporationality**

One Big Happy, in line with the principles of Making Safeguarding Personal (MSP), will encourage the ‘adult at risk' to be an active partner in the raising of a safeguarding concern. Whether the adult at risk has capacity or not, the safeguarding referral process will be explained to them as far as possible, with appropriate steps taken to involve them as much as possible. Safeguarding referrals enable the Local Authority to meet their legal duty under Section 42 of the Care Act 2014 to enquire and decide if there is anything that agencies can do to mitigate risk. Local Authority enquiries can range from a conversation through to a much more formal multi-agency action plan. Safeguarding interventions should be managed and administered in such a way as to comply with the Human Rights Act 1998, particularly, Articles 3, 5 and 8. Individuals should expect to feel empowered and supported during the safeguarding process; not controlled and disempowered.

One Big Happy staff and volunteers are aware that adults have the right to make their own decisions and can make choices to stay in abusive situations which may cause them harm. Where there are concerns that a child/young person living in the same household is at risk of harm, One Big Happy will immediately refer the matter to the children’s safeguarding team at the Local Authority.

**Partnership**

Effective partnership working requires organisations to work closely together to support and safeguard adults at risk of abuse and neglect. One Big Happy will work with other agencies to prevent the abuse and neglect of adults at risk in the communities it serves and to achieve the individual's desired outcomes following a safeguarding enquiry. It should be noted that the Local Authority has lead responsibility for safeguarding enquiries. Where criminal activity is suspected the police will usually lead an enquiry. These statutory agencies have the power to request and receive information from organisations that will support their key functions. One Big Happy will ensure that information sought by the Local Authority, Police and or other statutory agencies involved in the safeguarding process is shared in accordance with principles set out in the Data Protection Act 2018.

Where an adult at risk exercises their right to refuse to engage with a Local Authority safeguarding enquiry and has the capacity to do so, One Big Happy will continue to promote ideas for their protection and support.

**Accountability**

One big happy staff and volunteers understand what is expected of them when faced with safeguarding concerns. The charity recognises its responsibilities toward adults at risk, act upon them and accept collective responsibility for local safeguarding arrangements.

**Sharing information**

One Big Happy respect the right of individuals to decide what information is shared about them. However, it recognises that early sharing of information in the best interests of a person is key to effective safeguarding practice. One Big Happy staff and volunteers advise individuals and others who provide them with information that raises safeguarding concerns, that the information will be passed on to the CEO, who will refer to the relevant authority where necessary.

To safeguard individuals, One Big Happy will only share information:

* When there is a clear and legitimate purpose
* When a criminal offence has/will be committed
* On a ‘need to know’ basis with the relevant authorities, and in a secure manner
* One big happy staff and volunteers will not attempt to gain consent from an individual when to do so would place them or others in the household at further risk.

The Data Protection Act 2018 includes ‘safeguarding of individuals at risk’ as a condition that allows practitioners to share information without consent. One Big Happy will always share information with the relevant authority promptly to avoid unjustified delays in making enquiries about allegations of abuse. One Big Happy reports and the information that it shares will clearly distinguish the facts from opinions.

**VOLUNTEERS AND STAFF responsibilities**

Volunteers are in a key position to prevent abuse from occurring and to empower the person at risk to take action where concerns arise. Their role is to:

* **Recognise** when there is a safeguarding concern
* **Reassure** the individual and make sure that they are in no immediate danger
* **Report** the concerns without delay;
* **Record** what has happened

**Recognising potential abuse**

Make sure that you are aware of the types of abuse and the possible signs and symptoms (see appendix 1 and refer to learning material provided during training sessions).

Be alert whilst not jumping to any conclusions/maintain professional curiosity.

If you have concerns but are unsure whether or not they are safeguarding related, always report to and seek advice and guidance from your manager.

**Reassure/Report**

You may receive information about a safeguarding matter from:

* Something you have seen or heard
* Disclosure from an individual
* Information from another professional. Perhaps a friend, neighbour or relative of the individual

If an individual makes an allegation of abuse, be sensitive and supportive so that they feel safe to tell you about their concerns. It is often very difficult for someone to disclose that they are being or have been abused. They may feel very frightened, upset or embarrassed and ashamed of what has happened. They may even feel that they are responsible in some way.

Reassure the individual that you are taking them seriously and that they have done the right thing in sharing their concerns with you. Listen carefully to what they are saying, stay calm and get a clear and factual picture of their concerns. Do not be judgmental and try to keep an open mind. Do not ask leading questions or try and investigate the matter.

Be honest and tell the individual that you will have to report the allegation to your manager. Never promise confidentiality and do not make assurances that you are not able to keep.

Make sure that the individual is comfortable and is in no immediate danger.

If the situation indicates the need for urgent medical attention, contact an ambulance immediately. Or if there is a risk of immediate harm, contact the police.

If you believe that a criminal offence is about to be committed or may have been committed, contact the police. Be careful not to disturb any evidence. The police will be able to advise what action you may need to take to preserve evidence.

Never discuss the safeguarding concerns with the alleged perpetrator or others (except for those noted above).

If a third party shares concerns about an adult’s safety, you must never ask them to make a self-referral to the local authority or police. Do not rely on the person to report their concerns, you must share information you have received relating to safeguarding matters, with the manager, in all instances.

You must verbally report all safeguarding concerns to the CEO immediately or if this is not possible, within 2 hours. if the allegations relate to the CEO, report to the trustees directly. If it relates to a trustee report the matter directly to the local authority.  Concerns about an adult at risk of abuse or neglect outside office hours should be reported to the local authority out of hours team (also known as the emergency duty team).

Staff and volunteers who report concerns are protected under the Public Interest Disclosure Act 1998

Make an accurate and factual record of exactly what you have heard or seen straight away. Describe allegations using the individual’s own words as far as possible. Avoid using emotive language, judgements or interpretations. Record what you did, who you reported the matter to, the time and any response. Sign and date the report.

**CEO responsibilities** have a legal responsibility to:

* Make arrangements to safeguard the people who use their services against abuse or neglect
* Ensure that all staff and volunteers are trained to fully understand the types of abuse and harm that adults at risk may be exposed to, their responsibilities and their duty to report allegations or suspicions of abuse/neglect.
* provide leadership support at all times that the service is being delivered.
* Prioritise safeguarding concerns and report without delay.
* Be aware of how to make referrals to the statutory safeguarding leads in your areas.
* Co-operate with and participate in multi-agency forums to protect adults at risk of abuse.
* Share information concerning an adult at risk in accordance with the Data Protection Act 2018.
* Make the dignity, privacy and safety of individuals paramount. Respect their choices as far as possible and only take action that is in their best interests.
* Keep written records of any allegation of abuse, neglect or other harm, and of the action taken in response.
* Assess potential risks to individuals in instances when staff or volunteers have behaved in such a way that did not involve a child/young person or an ‘adult at risk,’ but indicated, nevertheless, that risk may be posed to vulnerable persons by a person in a position of trust.

**Receiving an alert**

* **Decide** what will happen next and how they will be kept informed of the outcome
* The CEO will need to clarify and understand the nature of any concerns received in order to decide what action you need to take and whether to refer the matter to the local authority.
* Do not raise matters directly with the alleged perpetrator (for example their relative or friend) as this may contaminate any evidence.

**Support for the individual**

Consider how to support the individual. Offer them information about sources of support outside the service, for example, independent advocacy services and/or independent mental health advocacy services where relevant.

Family, friends and other relevant people who are not implicated in the allegation of abuse often have an important part to play in the safeguarding process and can provide valuable support to the individual. In some cases, they can also assist in managing the risk.

Seek consent from the adult to report concerns where possible. Ensure that the interests of the adult at risk are given overriding consideration in making decisions to seek consent before reporting to the local authority. Where the adult at risk has mental capacity and gives their consent, and there are no evidential constraints, consult family/friends of their choice. If the adult does not have the mental capacity to give their consent, then only consult family and friends if it is in the individual’s best interests. i.e. in line with the principles of the Mental Capacity Act 2005.

Record your decision about whom you have consulted and why ensuring you have kept the individual informed about each step.

**Notification and referrals**

**Local authority:**

Refer cases of suspected/alleged abuse/neglect to the adult safeguarding team at the local authority in which the individual is resident immediately or within 4 hours. Use the relevant local referral process, this may be a specific referral form or a telephone call. Check their website for details. Appendix 2 contains a list of the type of information that the local authority may ask for. If there is uncertainty as to whether to report concerns, seek advice from your local authority. Seeking advice does not of itself constitute a report. Record the outcomes of discussions held.

Where it is suspected/alleged that an adult is at risk from extremist narratives or being radicalised, managers should inform the local authority/adult safeguarding team and supply them with a copy of any recorded observations. CEO and any senior staff must familiarise themselves with local arrangements for implementing the prevent strategy (a strand of CONTEST, Government counter-terrorism strategy). Key personnel and processes for raising concerns, and practical guidance on how to make a referral, may differ by region.

**Office of the Public Guardian:**

If the safeguarding allegation is about someone who has power of attorney or is a court-appointed deputy under the Mental Capacity Act 2005, One Big Happy will inform the Office of the Public Guardian (OPG). They manage the register of attorneys and court-appointed deputies. They will investigate reported safeguarding concerns on behalf of the Public Guardian.

**Insurance company:**

One Big Happy will advise their insurance company in line with the requirements of its policy.

**Records**

One Big Happy will record all details of the alleged abuse, the actions that were taken and the outcomes. The record must include a chronology of the allegation/incident; persons involved; dates; times, who was consulted, why and when and any other additional information. The records must be a factual account and include what was said/observed, by whom, when and how (e.g. by phone, by letter, face to face). Where requested, present the One Big Happy record along with, where applicable, the signed report and accompanying documents hand-delivered by the employee, to the local authority/police.

Records relating to substantiated allegations against employees must be kept in their personnel file at least until they reach normal retirement age, or for 10 years if that is longer. Keep concerns relating to an employee’s behaviour around adults at risk in their employee file. Details of allegations that are found to be malicious should be removed from the employee file and destroyed immediately.

Records for adults at risk must be kept or disposed of following the General Data Protection Regulation 2016 and the Data Protection Act 2018. Information relating to adult safeguarding concerns and referrals must not be kept in a concerns and complaints folder/filing system. Separate safeguarding concerns and referral information from the individual's general records. One Big Happy will seek advice from the local authority/care regulator with regard to timescales for the retention of safeguarding records for adults at risk. Retention periods may differ according to circumstance. When the retention period is over, safeguarding records relating to the adult at risk should be shredded or incinerated in the presence of the care manager or franchise owner. Alternatively, a specialist company can be employed to destroy confidential material.

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