

## SAFEGUARDING ADULTS POLICY

Version	Date Approved	Presented by	Date to be reviewed	Reviewed and approved by	Next review date
1	January 2026	Jackie Blackburn (Safeguarding Lead)	January 2027	Moya Woolven (CEO)	January 2028

### KEY ROLES:

Safeguarding Trustee: Megan Jones

Accountable Safeguarding Senior Staff: Moya Woolven – CEO

Safeguarding Lead: Jackie Blackburn

## **Policy statement**

Basis Yorkshire believes that everyone has the right to live a life free from abuse and neglect and to be treated in a dignified manner that respects and promotes their human rights.

### **What is safeguarding?**

Safeguarding is everybody's business in protecting an adult's right to live in safety, free from abuse and neglect. Basis Yorkshire are committed to providing accessible services to all ensuring that all staff have a practical knowledge of how to prevent and stop and reduce harm to adults at risk. Basis Yorkshire is committed to Making Safeguarding Personal and supporting the rights and safety of adults at risk.

The safety and wellbeing of all adults (including adults with care and support needs) is paramount (for the purposes of this policy, an adult is an individual who has reached their 18th birthday).

Basis Yorkshire is committed to safeguarding the rights and safety of adults. This Policy aims to protect adults who are at risk of all forms of harm or abuse, through the process of identifying, investigating, managing and preventing such abuse (the Basis Yorkshire Safeguarding (Children and Young People) Policy addresses the safeguarding principles relating to children and young people). Harm may relate to physical, emotional, sexual abuse and neglect, as well as harm caused by a person's drug or alcohol use, domestic violence or substance abuse in the family.

Although reference is made in this procedure to its application to adults with care and support needs (also known as an "adult at risk"), it is expected that this Safeguarding (Adults) Policy will be applied in the same terms to any adult that is exposed (or potentially exposed) to actual (or the risk of) abuse or neglect.

Any action taken to protect an individual's interests will be taken regardless of their age, sex, gender reassignment, marriage/civil partnership, pregnancy, disability, race, religion or sexual orientation.

This policy applies to all individuals providing support to Basis Yorkshire service users, including permanent or temporary employees, workers, volunteers, sub-contractors and to all senior managers with defined responsibilities.

We are committed to working in partnership with adults at risk, carers, families, communities and partner organisations to ensure best process and outcomes are achieved to safeguard adults at risk.

Basis Yorkshire operates a zero tolerance of abuse and neglect policy within the organisation in line with the Professional Conduct Policy. Basis Yorkshire's policies and procedures are designed to ensure that all Basis Yorkshire services and Partnerships are compliant with the Care Act 2014. Basis Yorkshire expects all partner organisations to adopt a robust approach to safeguarding adults at risk. This will be reflected in all sub-contracting arrangements and required assurances.

Team members must not discriminate or harass either in employment practice or in the provision of services by reference to the protected characteristics as outlined in the Equality Act 2010 (see Basis Yorkshire Professional Conduct Policy).

## **Safeguarding roles**

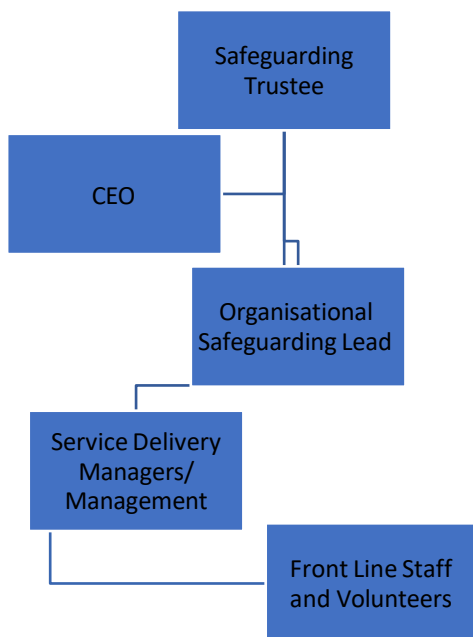
**1.1** Safeguarding roles within Basis Yorkshire allow for effective coordination and communication in relation to the protection and safeguarding of adults, children and young people.

**1.2** All team members are responsible for safeguarding and Basis Yorkshire’s cultural approach to safeguarding will prioritise the welfare of adults, children and young people; encouraging team members to be questioning and curious and supported to be confident in challenging where necessary.

**1.3** The Safeguarding Lead will work closely with bodies including the local Safeguarding Partnership, Local Authority Adult and Children’s Social Care Teams, Multi-agency safeguarding Hubs (MASH) and the Local Authority Designated Officer (LADO), within agreed local statutory protocols and procedures.

**1.4** The Safeguarding lead can contact the LADO for advice and guidance on any concerns relating to staff or volunteers.

**1.5** Safeguarding leadership roles are made up of Strategic and Governance roles, Operational roles and front-line expertise. Basis Yorkshire’s structure and lines of escalation and accountability in relation to our approach to Safeguarding is as follows:



### **1.6 Responsibilities**

It is the responsibility of the Safeguarding Trustee and CEO to:

- Oversee Basis Yorkshire’s approach to safeguarding.
- Ensure that Basis Yorkshire’s designated Senior Safeguarding Lead is adequately skilled and equipped to fulfil their role.
- Refer prescribed information to the Disclosure and Barring Service (DBS).
- Escalate any organisational risks regarding the safeguarding of children or adults to the Board as necessary.

**It is the responsibility of the Safeguarding Lead to:**

- Develop organisational procedures, practice and guidance for safeguarding that are aligned to local safeguarding protocols.
- Ensure that monitoring and review systems are in place to incorporate new guidance and legislation.
- Issue operational guidance, promote good practice, monitor safeguarding performance and make policy recommendations.
- Ensure that a mechanism is in place to report safeguarding incidents to the Basis Yorkshire CEO and Board where appropriate.
- Report all safeguarding incidents in line with company protocol and keep the CEO, board and where appropriate commissioners informed of all serious reports.
- Promote the development of initiatives to protect adults, children and young persons at risk.
- Provide guidance across the organisation on specific matters and liaise with Caldicott Guardian for complex cases in relation to information sharing
- Share learning from SCR across the organisation
- Ensure that staffing structures are in place to fulfil our Safeguarding responsibilities.
- Act as a Safeguarding expert to Management and frontline staff.
- Implement operational guidance, promote good practice, monitor safeguarding performance and make policy recommendations.
- Promote the development of initiatives to protect adults, children and young persons at risk.
- Ensure adequate Quality Assurance processes are in place locally in-line with strategic objectives.

**It is the responsibility of Service Managers to:**

- Provide support and advice to colleagues with regards to all safeguarding matters, including support during investigations into allegations of suspected abuse.
- Act as an expert within local services when determining whether to make a referral by liaising with relevant external agencies.
- Provide first line of negotiation if differences arise between agencies/service providers.
- Contact the Organisational Lead for Safeguarding when advice and support is required.
- Promote a safeguarding culture within the service.
- Ensure that service users are, wherever possible, involved in the planning and implementation of their individual safeguarding care plans.
- Create and maintain links with local statutory agencies, including the Police, Social Services, Local Safeguarding Teams and Local Authority Designated Officers.
- Ensure that safeguarding is a regular agenda item in team meetings and team member supervision.

- Ensure a regular safeguarding meeting takes place or that safeguarding is discussed as an agenda item in another meeting (for example service leadership and management meetings) to monitor safeguarding concerns and incidents.
- Maintain an active safeguarding register or ensure that all service user safeguarding concerns and referrals are documented on the case management system safeguarding module.
- Ensure annual safeguarding audits are completed and improvement action plans implemented.
- Ensure that training needs are escalated and addressed

**It is the responsibility of Front-line Workers to:**

- Report any concerns relating to the safeguarding of adults, children and young people immediately to their line manager, or other more senior person.
- Report all safeguarding incidents in line with company protocol and keep the Safeguarding Lead informed of all serious reports.
- Take all reports of suspected abuse seriously
- Ascertain if an individual is living with or has access to children and/or an adult at risk.
- Ensure alleged victims are safe as soon as abuse is reported.
- Immediately report potentially serious crimes to the Police.
- Record information accurately and factually on safeguarding registers
- Participate in multi-agency investigations, where required.

**1.7** All team members, irrespective of role, are required to be familiar with the policies, procedures and guidance on safeguarding and ensure that their practices are in line with these.

**1.8** All team members are responsible for feeding back any improvements that could be made to this policy (and its associated procedure) or problems they've found when trying to implement it.

## **2. Policy Principles**

**2.1** Basis Yorkshire has adopted Making Safeguarding Personal (MSP) principles from the DH Statutory Guidance to The Care Act, 2014, as the foundation of working to safeguard adults at risk:

- Empowerment – Presumption of person led decisions and informed consent.
- Prevention – Recognising signs of abuse and neglect, taking action before harm occurs and promoting resilience and self-determination.
- Proportionality – Proportionate and least intrusive response appropriate to the risk presented.
- Protection – Support and representation for those in greatest need and a co-ordinated response to adult safeguarding
- Partnership – Working with partner agencies to share information and make local solutions.
- Accountability – All team members and partner agencies are clear in understanding what is expected from them and what their responsibilities are within safeguarding. There is transparency in delivering a safeguarding response.

### **2.2 The Care Act and Guidance state that safeguarding:**

- Is person led
- Engages the person from the start, throughout and at the end to address their needs
- Is outcome focused
- Is based upon a community approach from all partners and providers

### **2.3 Risk Management**

Safeguarding is fundamentally managing risk about the safety and wellbeing of an adult in line with the above principles.

The aim of risk management is:

- To promote and thereby support inclusive decision making as a collaborative and empowering process which takes full account of the individual's perspective and views of the primary carers
- To enable and support the positive management of risks where this is fully endorsed by the multiagency partners as having positive outcomes
- To promote the adoption by all staff of 'defensible decisions' rather than 'defensive actions'

Effective risk management strategies identify risks and provide an action or means of mitigating against identified risk and have a mechanism in place for early escalation if the mitigation is no longer viable. Contingency arrangements should always be part of risk management.

## **3. The Care Act 2014**

**3.1** The Care Act 2014 sets out five aims of co-operation between partners which are relevant to care and support, although it should be noted that the purposes of co-operation are not limited to these matters. The five aims include:

- Promoting the wellbeing of adults needing care and support and of carers;
- Improving the quality of care and support for adults and support for carers (including the outcomes from such provision)
- Smoothing the transition from children to adults' services
- Protecting adults with care and support needs who are currently experiencing or at risk of abuse or neglect and
- Identifying lessons to be learned from cases where adults with needs for care and support have experienced serious abuse or neglect

Organisations that refuse to comply with requests for co-operation or information should provide written reasons for the refusal.

### **3.2 Wellbeing Principle:**

The wellbeing principle applies in all cases where carrying out any care and support function, or decision making, or safeguarding. It applies equally to adults with care and support needs and their carers.

- Personal dignity (including treatment of the individual with respect)
- Physical and mental health and emotional wellbeing
- Protection from abuse and neglect
- Control by the individual over day-to-day life (including over care and support)
- Provided and the way it is provided)
- Participation in work, education, training or recreation
- Social and economic wellbeing
- Domestic, family and personal relationships
- Suitability of living accommodation
- The individual's contribution to society

**3.3** There is no hierarchy in the areas of wellbeing listed above – all are equally important. There is also no single definition of wellbeing, as how this is interpreted will depend on the individual, their circumstances and their priorities.

**3.4** Wellbeing is a broad concept applying to several areas of life, not only to one or two. Therefore, using a holistic approach to ensure a clear understanding of the individual's views is vital to identifying and defining wellbeing in each case.

## **4 Adults with care and support needs (an “adult at risk”)**

**4.1** The adult safeguarding duties under the Care Act 2014 apply to an adult, aged 18 or over, who:

- has needs for care and support (whether or not the local authority is meeting any of those needs) and;
- is experiencing, or at risk of, abuse or neglect; and

- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

**4.2** Care and support is the mixture of practical, financial and emotional support for adults who need extra help to manage their lives and be independent.

**4.3** An adult with care and support needs may be someone who is:

- elderly and frail;
- a person with a physical disability, a learning disability or difficulty, or a sight or hearing difficulty;
- someone with mental-health needs, including dementia or a personality disorder;
- a person with a long-term health condition; or
- someone who has issues with substance use.

**4.4** Care and support is the mixture of practical, financial and emotional support for adults who need extra help to manage their lives and be independent – including older people, people with a disability or long-term illness, people with mental health problems, and carers. Care and support includes assessment of people’s needs, provision of services and the allocation of funds to enable a person to purchase their own care and support. It could include care home, home care, personal assistants, day services, or the provision of aids and adaptations

## **5 Types and indicators of abuse and neglect**

**5.1** The Care and Support Statutory guidance identifies types of abuse, but also emphasises that organisations should not limit their view of what constitutes abuse or neglect. The specific circumstances of an individual case should always be considered. All three factors need to be satisfied for a safeguarding enquiry to be addressed in accordance with Section 42 of the Care Act.

Defining abuse or neglect is complex and rests on many factors. The term “abuse” can be subject to wide interpretation. It may be physical, verbal or psychological, it may be an act of neglect, or occur where a person is persuaded to enter into a financial or sexual transaction to which they have not, or cannot consent.

**5.2** Patterns of abuse vary and include:

- Serial abusing in which the perpetrator seeks out and ‘grooms’ individuals. Sexual abuse sometimes falls into this pattern as do some forms of financial abuse;
- long-term abuse in the context of an ongoing family relationship such as domestic violence between spouses or generations or persistent psychological abuse; or
- Opportunistic abuse such as theft occurring because money or jewellery has been left lying around.

**5.3** Incidents of abuse may be one-off or multiple, and affect one person or more. Professionals and others should look beyond single incidents or individuals to identify patterns of harm. Repeated instances of poor care may be an indication of more serious problems and of what we now describe

as organisational abuse. In order to see these patterns it is important that information is recorded and appropriately shared.

**5.4 Abuse or neglect** may be the result of deliberate intent, negligence or ignorance. Exploitation can be a common theme in the experience of abuse or neglect. Whilst it is acknowledged that abuse or neglect can take different forms, the Care Act guidance identifies the following types of abuse or neglect:

#### **Physical abuse**

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

#### **Domestic Violence and Abuse**

Including psychological, physical, sexual, financial, emotional abuse, so called 'honour' based violence. Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between partners or family members

#### **Sexual abuse**

Including rape and sexual assault, indecent exposure, sexual harassment, sexual teasing or innuendo, subjection to pornography or witnessing sexual acts, or sexual acts to which the adult has not consented or was pressured into consenting.

#### **Sexual Exploitation**

Involves exploitative situations, contexts and relationships where adults at risk (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. It affects men as well as women. People who are sexually exploited do not always perceive that they are being exploited.

#### **Psychological abuse**

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

#### **Modern Slavery**

Including slavery, 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.

#### **Human Trafficking**

Human trafficking is actively being used by Serious and Organised Crime Groups to make considerable amounts of money. This problem has a global reach covering a wide number of countries. It is run like a business with the supply of people and services to a customer, all for the purpose of making a profit. Traffickers exploit the social, cultural or financial vulnerability of the victim and place huge financial and ethical obligations on them. They control almost every aspect of the victim's life, with little regard for the victim's welfare and health.

#### **Financial or material abuse**

Including theft, fraud, exploitation, internet scamming, coercion in relation to an adult's financial affairs or arrangements, such as connection with wills, property, inheritance or financial transactions, or the misuse of property, possessions or benefits.

### **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.

### **Discriminatory abuse**

Including discrimination on grounds of race, gender and gender identity, disability, sexual orientation, religion, and other forms of harassment, slurs or similar treatment.

### **Organisational abuse**

Including neglect and poor care practice within an institution or specific care setting like a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to ongoing ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

### **Self-neglect**

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

### **Mate Crime**

A 'mate crime' as defined by the Safety Net Project is 'when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual.' Mate crime is often difficult for police to investigate, due to its sometimes ambiguous nature, but should be reported to the police who will make a decision about whether or not a criminal offence has been committed. Mate Crime is carried out by someone the adult knows and often happens in private. In recent years there have been a number of Serious Case Reviews relating to people with a learning disability who were murdered or seriously harmed by people who purported to be their friend.

### **Restraint**

Unlawful or inappropriate use of restraint or physical interventions. In extreme circumstances unlawful or inappropriate use of restraint may constitute a criminal offence. Someone is using restraint if they use force, or threaten to use force, to make someone do something they are resisting, or where an adult's freedom of movement is restricted, whether they are resisting or not.

### **Hate Crime**

A hate crime is defined as 'Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.' (Metropolitan Police 2021). Hate crime can fall into one of three main types: physical assault, verbal abuse and incitement to hatred.

## **6 Identifying Perpetrators**

**6.1** Should anyone within Basis Yorkshire reasonably suspect or become aware of an adult service user being the perpetrator of abuse, the Safeguarding Leads and Service Manager should be informed to provide advice and how to manage the situation when required. For allegations against team members and a Person in a Position of Trust (PiPoT) see section 7.4.

## **7 General principles: safeguarding adults (including adults with care and support needs)**

**7.1** Basis Yorkshire will actively work together with other professionals to protect adults (including adults with care and support needs) within an inter-agency framework based on the Care Act 2014 statutory guidance and relevant best practice guidance.

**7.2** We will actively promote the empowerment and wellbeing of those who are thought to be at risk, through the services we provide. The Mental Capacity Act principles will underpin work with adults at risk.

**7.3** Our team members will act in a way that supports the rights of the individual to lead an independent life based on self-determination and personal choice, and recognise people who are unable to take their own decisions and/or protect themselves, their assets and/or bodily integrity.

**7.4** We will ensure that, when the right to an independent lifestyle and choice is at risk, the individual concerned receives appropriate help, including advice, protection and support from relevant agencies.

**7.5** Team members will participate fully with statutory agencies in any adult protection enquiries and decision-making processes, as outlined in Basis Yorkshire's internal safeguarding procedures and local multi-agency protection procedures. Competing section 42 enquiries where required by the local authorities.

**7.6** Team members will maintain full and accurate written records of any concerns identified directly by them, or reported to them by others, regarding the protection of adults, within the framework of the Data Protection Act 2018, UK GDPR and Human Rights Act 1998. Team members will also record decisions, action taken and outcomes.

**7.7** Team members will share appropriate information in a timely way and discuss any concerns about any adult at risk with their supervisor and local authority Adult Social Care/Safeguarding team.

**7.8** All service users will be provided with written information about Basis Yorkshire's policy on confidentiality, including how we will handle issues of adult protection.

**7.9** Basis Yorkshire procedures are consistent with the information sharing and multi-agency protocols of Local Safeguarding Adult Boards and current legislation.

**7.10** Supervision of team members (including volunteers) will be used as a means of identifying and monitoring the wellbeing and safety of adults directly using Basis Yorkshire's services.

**7.11** Basis Yorkshire will ensure that its team members understand the law and statutory requirements and use them appropriately so that persons thought to be at risk of abuse receive the protection of the law.

**7.12** In applying these principles, team members will balance the requirements of confidentiality within a framework of managerial support with the consideration that, to protect persons thought to be at risk of abuse, it may be necessary to share information.

**7.13** Commissioning Contract Managers will be notified of issues relating to adults at risk as and when appropriate in accordance with local contractual arrangements.

## **8 General provisions**

**8.1** All team members will be vigilant for signs of adult neglect or abuse.

**8.2** Basis Yorkshire will ensure that issues of safeguarding receive continuous attention, and we will regularly review the way the organisation operates to support this principle.

**8.3** Any child, young person or adult using Basis Yorkshire services and any one acting on behalf of such a child, young person or adult, may use Basis Yorkshire's complaint process and feedback processes to comment on any aspect of the service they receive.

**8.4** Any allegation of abuse made in relation to a member of staff/team member shall be reported to the Service Manager without delay. This will then be discussed with the Safeguarding Lead and CEO for further action which will include HR processes.

For allegations made against a Person in a Position of Trust (PiPoT) advice should be sought from the Local Safeguarding Adults Board. The statutory guidance to the Care Act 2014 requires Safeguarding Adults Boards to establish a framework and process to respond to allegations against anyone who works, either paid or unpaid, with adults who have care and support needs. An allegation against a PIPO T must be taken seriously and dealt with fairly in a way that protects both the adult and the PIPO T.

**8.5** Service Users, their families, and carers shall be informed of what to do if they suspect they or anyone else is subject to abuse and how to report this. Any concerns can be reported to the clients' worker, the service manager or through the Basis Yorkshire complaints procedure. Service users can report any concerns directly to social services, any other agency involved in their care or the police.

## **9 Modern slavery**

**9.1** Modern slavery encompasses slavery, human trafficking, forced and compulsory labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

**9.2** Team members who are concerned that an individual is subject to or at risk of modern slavery should discuss their concerns with the Safeguarding Lead who will consider seeking an NRM referral.

## **10 Female Genital Mutilation (FGM)**

**10.1** Female Genital Mutilation is a form of child abuse and violence against women. FGM is illegal in England and Wales under the FGM Act 2015. FGM comprises all procedures involving partial or total removal of the external female genitalia for non-medical reasons. For further information on identifying instances of FGM or identifying those at risk of FGM, reference should be made to the Basis Yorkshire Guidelines for Recognising Signs of Abuse.

### **Section 74: Duty to notify police of FGM**

The FGM Act 2015 places a duty on persons who work in a 'regulated profession' in England and Wales, namely healthcare professionals, teachers and social care workers, to notify the police when, in the course of their work, they discover that an act of FGM appears to have been carried out on a girl who is under 18. The term 'discover' would refer to circumstances where the victim discloses to the professional that she has been subject to FGM, or where the professional observes the physical

signs of FGM. The section does not apply to girls or women who might be at risk of FGM or cases where professionals discover a woman who is 18 or over has endured FGM.

If a person is under 18 then team members should refer to the Safeguarding Children and Young Peoples Policy and potential risks to any children considered as part of Risk assessment.

If a vulnerable adult is identified as having had or being at risk of FGM, this should be responded to within the existing safeguarding processes to protect vulnerable adults in accordance with DH guidance for professionals.

**10.2** All team members who are concerned that an individual has (or may have) been subject to Female Genital Mutilation should discuss their concerns with the Local Safeguarding Lead.

## **11 PREVENT**

**11.1** PREVENT is part of the Government counter-terrorism strategy. It's designed to tackle the problem of terrorism at its roots, preventing people from supporting terrorism or becoming terrorists themselves. Consequently, PREVENT operates in the 'pre-criminal space'. It is about supporting individuals, who are at risk of radicalisation, away from becoming terrorists, or supporting terrorism. It is not about any particular ideology - it covers all forms of extremism.

**11.2** PREVENT is about:

Noticing - vulnerability to radicalisation, changes in behaviour, ideology, and other signs of extremist exploitation

Checking – individuals at risk of being drawn into terrorism, working alongside safeguarding partnerships

**11.3** Team members must have regard to the Basis Yorkshire PREVENT Policy in relation to any safeguarding issues that relate to an adult, child or young person being involved in terrorism or who is at risk of being involved in terrorism.

**11.4** Team members who are concerned that an individual is at risk of radicalisation should discuss their concerns with the Local Safeguarding Lead. Further information can be found in the Basis Yorkshire PREVENT Policy.

## **12 Domestic Homicide Review**

**12.1** A Domestic Homicide Review (introduced in April 2011 by section 9 of the Domestic Violence, Crime and Victims Act 2004, updated December 2016) is a locally conducted multi-agency review of the circumstances in which the death of a person aged 16 or over has, or appears to have, resulted from violence, abuse or neglect by:

- A person to whom he or she was related, or with whom he or she was or had been in an intimate personal relationship, or
- A member of the same household as himself or herself.

**12.2** The purpose of a Domestic Homicide Review is not to reinvestigate the death or apportion blame, but to:

- Establish what lessons are to be learned from the domestic homicide, regarding the way in which local professionals and organisations work individually and together to safeguard victims;

- Identify clearly what those lessons are, both within and between agencies, how they will be acted on, within what timescales, and what is expected to change as a result;
- Apply these lessons to service responses including changes to policies and procedures as appropriate; and
- Prevent domestic violence homicide and improve service responses for all domestic violence victims and their children, through improved intra and inter-agency working; and
- Contribute to a better understanding of the nature of domestic violence and abuse; and
- Highlight good practice.

**12.3** Individual agencies provide Individual Management Reviews (IMR) to Domestic Homicide Review Panels. The aim of Individual Management Reviews (IMRs) is to look openly and critically at individual and organisational practice to see whether the case indicates that changes could and should be made, and if so, to identify how those changes will be brought about.

**12.4** Any request for Basis Yorkshire to contribute to the Domestic Homicide Review process (e.g. by the submission of an Individual Management Review) should immediately be referred to the Service Manager and the relevant Care, Quality and Governance Manager.

### **13 Escalating risk concerns**

**13.1** If a team member feels that their concerns regarding risks associated with an adult at risk of abuse or neglect are not being dealt with appropriately, they should escalate their concerns at the earliest possible opportunity via Basis Yorkshire's Risk Escalation Procedures (appendix 1).

### **14 Quality assurances and safe recruitment**

**14.1** Basis Yorkshire aims to provide a safe environment for our team members and service users. We achieve this by ensuring that:

- Everyone working, volunteering or otherwise engaged in 'regulated activity' on behalf of Basis Yorkshire has undergone a satisfactory enhanced DBS check against relevant barred lists on recruitment.
- No team member (including volunteers) will be appointed to any position in Basis Yorkshire without two suitable references being provided.
- All team members and volunteers are adequately inducted, trained and supervised.
- Induction programmes for all new team members (including volunteers) will include training on recognising and responding to adult safeguarding issues and working with adults (including adults with care and support needs). Team members working directly with service users (children, young people and adults) may attend local multi-agency safeguarding courses, where available. Line managers will use Breathe HR to ensure all team members complete the relevant safeguarding courses within the appropriate timescales.
- All team member appointments in Basis Yorkshire will be subject to a probationary period, during which their practice will be personally supervised.
- All team members understand and adhere to the Basis Yorkshire Safeguarding (Adult) Policy.

**14.2** Basis Yorkshire ensures that quality assurance processes are in place as follows:

- All staff are aware of responsibilities and work closely with the Safeguarding Lead and Service Delivery Managers
- Safeguarding processes are regularly audited outcomes are reported to the board of trustees by the Safeguarding Lead's annual report
- The designated Safeguarding Lead considers and communicates changes in legislation, policy and research to ensure the organisation maintains a best practice approach to Safeguarding.
- All team members are competent in recognising abuse and following reporting processes. Team members may attend local organisations training, where available, and Basis Yorkshire's internal safeguarding training.
- Safeguarding leads should attend training in line with their role and responsibilities. All front line staff should complete training relevant to their roles every two years. .
- The Safeguarding Lead will provide assurances to the Board of Trustees as required.
- A 'Lessons Learnt' approach will be taken to all safeguarding matters, reviewing process and implementing changes as and when required.

## **15. Cooperation and Information Sharing**

**15.1** Effective multi-agency working is highly recommended. All organisations including NHS bodies, Police and Probation Services owe legal duties in relation to safeguarding adults. Cooperation between organisations that take a broad community approach to establishing safeguarding arrangements, working together on prevention strategies and awareness raising also supports the aims and objectives of Health and Wellbeing Boards and Community Safety Partnership.

Section 7 Care Act 2014 provides a new ability to request cooperation from a relevant partner or another local authority, in relation to an individual case. The local authority or relevant partner must cooperate as requested, unless doing so would be incompatible with their own duties or have an adverse effect on the exercise of their functions.

If an organisation is refusing to share information, the organisation conducting an enquiry can escalate to the Safeguarding Adults Board (SAB) to consider using section 45 Care Act 2014 powers which puts an obligation on organisations to comply with a request for information in order that the SAB can perform its duties.

**15.2** The UK General Data Protection Regulation (UK GDPR) replaces the EU Protective Directive of 1995 and the Data Protection Act 2018 supersedes the UK's Data Protection Act 1998. The purpose of these laws is to protect the 'rights and freedoms' of living individuals in relation to their personal data.

The data protection principles which govern the processing of personal data are as follows. Personal data must be:

- (i) Processed lawfully, fairly and in a transparent manner
- (ii) Collected only for legitimate purposes that have clearly been explained to you and not further processed in a way that is incompatible with those purposes
- (iii) Adequate, relevant and limited to what is necessary in relation to the legitimate purposes.
- (iv) Accurate and where necessary kept up to date

(v) Kept in a form such that you can be identified only as long as it is necessary for processing. We should not keep personal data for longer than we need it.

(vi) Processed in a manner that ensures appropriate security of the personal data

Basis Yorkshire is accountable for complying with these principles and this policy aims to reflect our processes and records which we will maintain to demonstrate our compliance. See the Basis Yorkshire Information Governance and Confidentiality Policies for further details.

**15.3** Sharing the right information at the right time with the right people is good safeguarding practice. Section 45 of the Care Act 2014 'supply of information duty' covers the responsibilities of others to comply with requests for information as detailed above. Sharing information between organisations as part of day-to-day safeguarding practice is already covered in the common law duty of confidentiality and UK GDPR.

**15.4** Basis Yorkshire will ensure that confidential information is shared in accordance with agreed protocols, which comply with current legislation and guidance Basis Yorkshire recognise that information sharing should not be a barrier to safeguarding.

**15.5** As a general principle, Basis Yorkshire will raise a safeguarding concern if we believe an adult at risk is suffering or likely to suffer abuse or neglect, and/or are a risk to themselves or another, rather than assume someone else will do so. In the event of a suspected crime being committed Basis Yorkshire will report this to the police or that the individual is immediately at risk.

#### **15.6 Confidentiality**

A duty of confidence arises when sensitive personal information is obtained and/or recorded in circumstances where it is reasonable for the subject of the information to expect that the information will be held in confidence.

Adults at risk provide sensitive information and have a right to expect that the information that they directly provide and information obtained from others will be treated respectfully and that their privacy will be maintained. The challenges of working within the boundaries of confidentiality should not impede taking appropriate action.

Whenever possible, informed consent to the sharing of information should be obtained. However:

- Emergency or life-threatening situations may warrant the sharing of relevant information with the relevant emergency services without consent.
- The law does not prevent the sharing of sensitive, personal information within organisations. If the information is confidential, but there is a safeguarding concern, sharing it may be justified.
- The law does not prevent the sharing of sensitive, personal information between organisations where the public interest served outweighs the public interest served by protecting confidentiality – for example, where a serious crime may be prevented (see PREVENT Policy).
- Where an individual is at risk of or suspected of being at risk of harm
- When a team member is required to give evidence in legal proceedings
- If the individual discloses information about criminal offences e.g. being in possession of an offensive weapon, or potentially pending criminal activity
- Where information may be related to an act of terrorism

Whether information is shared with or without the adult at risk's consent, the information sharing process should abide by the principles of the UK GDPR. In those instances where the person lacks the mental capacity to give informed consent, staff should always bear in mind the requirements of the Mental Capacity Act 2005, and whether sharing it will be in the person's best interest.

**15.7** All team members must adhere to the Basis Yorkshire's Information Governance and Confidentiality Policies.

**15.8** Information sharing between agencies for the purposes of safeguarding adults will take place on a need to know basis and, where possible, with the consent of the parties concerned.

**15.9** All team members this policy applies to will be required to read it, and confirm that they've done so through recording on Breath HR

## **16 Procedure – Safeguarding Alerts**

**16.1** Following an allegation of abuse, or actual abuse, staff members must:

- Notify the Service Manager and Safeguarding Lead immediately
- If immediate action is required, staff members should not hesitate to contact the emergency services (see Emergencies)
- Make adult safeguarding referrals as required by local adult safeguarding protocols
- Complete an a safeguarding incident report on Lamplight. If a suspected criminal offence has been committed Basis Yorkshire will need to wait for direction from the Police/Local Authority before commencing an internal investigation in order to avoid contaminating evidence by e.g. interviewing a victim or witness.
- Update client database systems and local safeguarding registers and monitor accordingly.

**16.2** All Basis Yorkshire staff members have a duty to ensure that potential victims are made safe as soon as abuse is reported and throughout an investigation process. At no time should a member of staff put themselves at risk.

## **17 Responding to Allegations of Abuse**

**17.1** Basis Yorkshire will ensure that any individual who makes a complaint or allegation of abuse or possible abuse, will understand that:

- They will be taken seriously
- Their disclosure will be treated confidentially although the information provided may be shared with others
- They will be offered immediate support from any risks that may be posed
- They will be informed of any action that has been taken, where appropriate
- They will be involved in the safeguarding process, involving who they want and in accordance to their wishes, wherever possible.

**17.2** If members of staff make a protected disclosure, they will not be subject to any detrimental treatment, under the organisation's Whistleblowing Policy.

**17.3** If a member of staff receives a report of abuse, or suspects abuse, they must advise the adult at risk that a potential alert/referral may be made. The staff member must make an accurate record of all observations and discussions.

**17.4** All staff members will respond to allegations of abuse in line with Adult Safeguarding Principles.

## **18 Emergencies**

**18.1** If an adult at risk is in immediate danger or in need of urgent medical attention, the member of staff involved must take action to ensure their immediate safety and wellbeing, which may include contacting the relevant emergency services.

## **19 Investigation Process**

**19.1** Once an alert has been made, the following steps will be taken to ensure that the safeguarding concern or incident is investigated:

1. Initial Fact Finding and Risk Management
2. Reporting and Investigations
3. Outcomes Monitoring

### **1. Initial Fact Finding and Risk Management**

The Safeguarding Lead and/or the Service Manager are responsible for determining an appropriate response to alleged abuse. As soon as possible, they will conduct an initial fact-finding investigation, with the aim of:

- Establishing the facts giving rise to the concern
- Assessing the seriousness of the concern
- Identifying sources and levels of risk
- Taking any interim actions needed to minimise continuing risk

Safeguarding Leads and Service Managers should ensure that they:

- Refer to 'Allegations against Employees, Volunteers or Workers' below, if necessary
- Keep an accurate written summary of evidence reviewed and a summary of findings and action taken.
- Keep line managers informed

### **2. Reporting and Investigations**

Referrals made to the local Adult Social Care teams will be assessed and investigated according to local reporting and investigation procedures.

All allegations of abuse should be reported as Incidents through Basis Yorkshire's reporting procedures.

Reporting Adverse Events and Serious Incidents

The following reporting procedures must be followed in the event of a serious incident:

- Complete safeguarding log on Lamplight within 24hrs of the safeguarding incident occurring.
- Complete a risk assessment to ascertain levels of risk and levels of investigation required

### **3. Outcomes Monitoring**

- The safeguarding lead and/or service delivery managers/deputy will monitor outcomes through lamplight and supervisions to ensure effective incident monitoring#
- The safeguarding lead and/or service delivery managers/deputy will agree when to close safeguarding incidents

The Safeguarding Lead and/or CEO must be contacted for all serious incidents. Serious incidents are defined in the Incident Reporting and Investigation Policy.

## **20. Allegations against Employees, Volunteers or Workers**

**20.1** If an allegation has been made against a member of staff, or if a member of staff is implicated in abuse, this must be escalated to the Organisational Safeguarding Lead to consider suspension or removal of the member of staff pending a full investigation in line with the Disciplinary Policy. For allegations made against a Person in a Position of Trust (PiPoT) advice should be sought from the local Safeguarding Adults Board.

**20.2** An investigation under the charities Disciplinary Policy may take place alongside a safeguarding investigation. The member of staff will be notified if the organisation may need to make a referral to the Disclosure and Barring Service under the Protection of Vulnerable Adults scheme (POVA).

## **21 Policy review and compliance monitoring**

**21.1** This policy will be reviewed annually or more frequently if legislation dictates.

**21.2** It is the responsibility of the Safeguarding Lead and CEO to review and update the Policy.

**21.3** Team member compliance monitoring and policy effectiveness audits will be conducted periodically under the management team

## **22 Breach of the policy**

**22.1** Disciplinary action, up to and including summary dismissal, may be taken if a team member is found to be in breach of this policy and/or its associated procedure.

**22.2** If any team member believes that a matter has been dealt with in an inappropriate manner, the Grievance Policy or Whistleblowing Policy should be invoked.

## **23 Relevant Guidance and Legislation**

- The Care Act 2014
- Care and Support Statutory Guidance Issued under the Care Act 2014 (updated February 2018)
- Counter Terrorism and Security Act Prevent Duty 2015
- The Equalities Act 2010
- European Union (EU) General Data Protection Regulations (GDPR) and Data Protection Act 2018 (DPA 2018).

- Health & Social Care Act 2008 (Regulated Activities)
- The Human Rights Act 1998
- The Mental Capacity Act 2005, and DoLS Amendments 2005
- Modern Slavery Act 2015
- Multi-agency Statutory Guidance for the Conduct of Domestic Homicide Reviews 2016
- Safeguarding Vulnerable Groups Act 2006