

Safeguarding Policy

INFORMATION

Policy Name	Safeguarding Children and Adults at Risk
Effective Date(s)	April 2021 – April 2023
Approved By	Risk & Compliance Group
Approval Date	
Policy Owner/Dept	Operations
Policy Author	Licia Inniss, Designated Safeguarding Manager
Review Date	April 2021
Policy Framework Ref	SG
Version Number	1.0

Your Housing Group Strategic Theme			
Operational Excellence	<input type="checkbox"/>	Customer Experience	<input checked="" type="checkbox"/>
Growth and Financial Strength	<input type="checkbox"/>	People and Culture	<input type="checkbox"/>

Relevant National Standards or Regulation	Please State if the Policy aligns to any of the Regulators Standards: <ul style="list-style-type: none"> • Neighbourhood and Community Standard • Tenant Involvement and Empowerment Standard
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Relevant Legislation	<ul style="list-style-type: none"> • The Crime and Disorder Act 1998 • Safeguarding Vulnerable Groups Act 2006 • Mental Capacity Act 2005 & Deprivation of Liberties Safeguards 2007 • Equality Act 2010 • Protection of Freedoms Act 2012 • Health & Social Care Act 2008 (Regulated activities) Regulations 2014 • The Care Act 2014 • Modern Slavery Act 2015 • Female Genital Mutilation Act 2003 • The Children Act 1989 & 2004 including section 11 duties • Safeguarding Vulnerable Groups Act 2006 • Equality Act 2010 • Protection of Freedoms Act 2012 • Children and Families Act 2014
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1. Purpose of the Policy

To establish a policy for Safeguarding Children and Adults at risk which is relevant and, as a minimum, delivers legislative and regulatory compliance in relation to Safeguarding.

This policy, together with its appendices, states Your Housing Group's position on safeguarding and the approach to be taken by staff, contractors, volunteers and third parties who, while carrying out their duties, have concerns, allegations or actual evidence concerning the abuse or neglect of children or adults at risk.

Our policy is 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 for our customers;
- Always act in the customer's best interests by making safeguarding personal for the customer; and
- Make safeguarding the responsibility of all YHG employees

This policy is supported by a Safeguarding Procedure document which must always be read in conjunction with this policy.

2. Scope of the Policy

This document should be used by all employees, contractors and volunteers of YHG to understand the obligations placed upon the organisation to maintain a safe environment for their customers and employees within our properties.

3. Consultation

Consultation has taken place with the Safeguarding Operational Group, Safeguarding Policy Review Group, Equality and Diversity Group, Trafford Safeguarding Board and the Safeguarding Lead for the Customer Operations Committee.

4. Background and Context

YHG recognises that it has a significant role to play in safeguarding children and adults at risk as part of its day to day work. It is our aim to develop an environment in which abuse is not tolerated in any form.

YHG owns or manages a large portfolio of properties across a wide geographical area. These properties are of varying type and tenure and include depots and commercial premises alongside domestic accommodation.

Registered Providers are expected to have appropriate arrangements in place to provide for the safeguarding of adults, children and young people. This is set out in the Children

Act 1989, the Children Act 2004, (Children Acts), and the Care Act 2014 including supporting guidance.

Technical terms are defined in Appendix 1 and examples of what constitutes abuse and neglect are set out in Appendix 2.

5. Policy Detail

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. We will undertake regular audits to ensure policy and procedures are followed. Some aspects of safeguarding apply only to adults, others only to children and young people and some apply to both. We have set out this policy accordingly.

Safeguarding adults

We are 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. We will also “Make safeguarding personal” defined in the Care and Support statutory guidance 2014 as “person-led and outcome focused”. The key safeguarding principles are set out in Appendix 3.

Mental Capacity

The Mental Capacity Act applies to everybody who has dealings with people who may lack capacity, and particularly if they have a professional relationship with the person.

We will comply with the requirements set out in the Mental Capacity Act 2005 and will consider the Act’s five key principles during interactions with customers:

- **A presumption of capacity** – every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless it is proved otherwise
- **Supporting individuals to make their own decisions** – a person must be given all practicable help before anyone treats them as not being able to make their own decisions
- **Unwise decisions** – just because an individual makes what might be seen as an unwise decision, they should not be assumed to lack capacity to make that decision
- **Best Interests** – an act done, or decision made under the Act for or on behalf of a person who lacks capacity must be done in their best interests.
- **Least restrictive option** – anything done for or on behalf of a person who lacks capacity must consider whether it is possible to decide or act in a way that would interfere less with the person’s rights and freedoms of action, or whether there is a need to decide or act at all.

We will take the opportunity to confirm capacity when appropriate (eg.at tenancy sign up, review and termination; during arrears discussions, anti-social behaviour incidents and complaints).

We will carry out an assessment when a person's capacity is in doubt, either because their behaviour causes concern about lack of capacity or because they have been diagnosed with an impairment or disturbance that affects the way their mind or brain works. Any mental capacity assessment undertaken should be securely stored (in line with the safeguarding procedure).

Safeguarding children

The policy also protects children and young people who are subject to or at risk of abuse.

Due to the nature of YHG work, it is possible that young people may be YHG customers in their own right or be the children of customers or visitors to YHG accommodation.

We are committed to safeguard children and young people who use or are connected to our service and to protect them from abuse. In doing so, we will act in accordance with the two key principles of the Children Acts by “making safeguarding everyone’s responsibility” and adopting a “child-centred approach”. We will always act in the best interests of the child when there is a safeguarding concern, which may mean contradicting their wishes.

The Safeguarding Team provide support and advice to staff relating to safeguarding concerns.

We have separate policies that specifically set out our response to reports of domestic abuse and hoarding.

6. Modern Slavery

We produce an annual modern slavery and human trafficking statement as required by the Modern Slavery Act 2015, which is published on the YHG website and details what action we have taken to address any concerns in relation to modern slavery and human trafficking. Your Housing Group 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.

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

7. Reporting to statutory agencies

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 Police or local authority. We will record all decisions made not to refer a concern, and the reason why.

We will ensure that all safeguarding referrals that staff or customers have made are recorded appropriately, and we will also record any incidents where we refer onto another agency.

8. Liaising with other agencies

We will engage with, and fully contribute to, multi-agency working in response to safeguarding concerns. This includes responding to requests for information from the local authority, Safeguarding Adult Boards, Safeguarding Children Boards, Child Protection Conferences and Serious Case Reviews, Domestic Homicide Reviews wherever appropriate.

“Complex safeguarding” is used to describe criminal activity (often organised) or behaviour associated with criminality, involving vulnerable children where there is exploitation and/or a clear or implied safeguarding concern. We will ensure that a multi-approach is taken when managing concerns of this nature.

9. Continuous improvement

We are committed to learning from safeguarding reviews to improve our safeguarding practices. We will complete section 11 reviews and adult assurance statements as required by local authorities to demonstrate the extent to which we meet safeguarding requirements and standards. Your Housing Group Board will receive an annual report which will include details of mandatory safeguarding training compliance, reported safeguarding incidents and action taken.

10. Managing Allegations against Professionals

Abusive behaviour between a member of YHG staff and a child, young person and/or adult at risk will always be managed under the YHG Managing Allegations against Professionals Procedure. Staff believed to have made a malicious allegation will be dealt with in line with the YHG Disciplinary Procedure.

11. Recruitment

YHG follows Safer Recruitment practices and ensures all procedures take account of safeguarding children and vulnerable adults.

All appropriate staff will be subject to the relevant Disclosure and Barring Service (DBS) checks and updates in line with best practice. All relevant job roles will include safeguarding within the role profile.

12. Resolving Professional Disagreements/Escalation

Challenge is essential in effective safeguarding practice. When escalating a safeguarding concern to the Local Authority, YHG staff should utilise the escalation procedures provided by that service.

13. Responsibilities under this Policy

Responsibility for the execution of this policy rests with all staff and contractors working on behalf of YHG, whether that work is paid or voluntary. This includes:

- Your Housing Group employees
- Agency Staff
- Managing Agents
- Contract Staff – when working under contract to the group e.g. contractors working in Your Housing Group owned or managed homes.
- Volunteers – when working by agreement for or on behalf of the group e.g. providing assistance at social occasions or during consultation events.
- Third parties - this list is not exhaustive.

If any member of staff has any concerns about the safety or wellbeing of a child and/or adult at risk, they must immediately follow the YHG Safeguarding Procedure.

It is not the role of YHG to decide whether a child or adult has been abused. This is the task of statutory agencies that hold the legal responsibility. It is, however, everybody's responsibility to ensure concerns are reported and appropriate action taken.

Failure to comply with these obligations **may result in disciplinary action** in accordance with the Your Housing Group Disciplinary Procedure.

It will be the responsibility of the Risk & Compliance Group to ensure any necessary updates to this policy are made.

14. Risk Management

Safeguarding is a key responsibility for housing, care and support providers. YHG will seek to mitigate business risk through this policy in order to ensure that YHG is compliant with the standards for safeguarding children set within The Children's Act 1989 & 2004 and standards for safeguarding adults set within The Care Act 2014.

The risk here is not just risk to the business – the first and most crucial risk is to customers. Where it is practicably possible YHG will always try and safeguard children and adults at risk who live in our properties or receive our services.

Staff reporting incidents of a safeguarding nature must follow the Group safeguarding procedure and complete the relevant Safeguarding section in Datix incident form (DIF1).

15. Data Protection, Record Storage and Retention

This Policy is stored in the YHG's intranet for internal staff and is available via YHG's internet site for external customers.

YHG recognises the importance of ensuring compliance with Data Protection Legislation and principles around confidentiality and will treat all information relevant to each customer in the strictest confidence. In line with YHG's Data Protection and Data Retention policies as appropriate and will seek to ensure compliance by all YHG staff and contractors. Data Protection Legislation includes UK GSPR and the Data Protection Act 2018.

Staff recognise that information must be recorded in writing and may be requested for consent for disclosure in court

16. Equality and Diversity

YHG recognises that all children and adults at risk, without exception, have the right to protection from abuse.

This policy complies with the Equalities Act 2010 to ensure equality of treatment for all customers without discrimination or prejudice. The policy pays regard to diversities surrounding access to properties and delivery of services.

YHG will ensure the maximum information in relation to the customer and the property is available and is used by both its employees and contractors to enable the service to be delivered sensitively to YHG customers. All protected characteristics (as defined within the Equality Act 2010) will be considered.

An Equality Impact Assessment has been undertaken on this Policy.

On request, YHG will provide translations of all its documents, policies and procedures in various languages and other formats such as large print, Braille etc, and these can be obtained by contacting Your Response.

17. Communication

This Policy is available to all staff on the YHG intranet and to customers on the website. Copies are also made available on request.

All staff will be required to read the policy under the mandatory reads section of Youngle. The Safeguarding Training available for all staff will also refer to the policy.

18. Learning and Development

YHG is committed to have arrangements in place to ensure effective training of all staff. YHG expects all their staff to be trained in children and adult safeguarding at level 1. Further levels of training will be determined by the responsibilities set out in job descriptions/role functions and described within the YHG Safeguarding Training Framework.

The Safeguarding Training Framework is designed to provide the approach for Safeguarding training for YHG. Its aim is to ensure that all staff working with children and/or adults are alert to the need to safeguard and promote the welfare of children and adults and are appropriately skilled and competent in carrying out their responsibilities for safeguarding appropriate to their role.

19. Performance Management of this Policy

Implementation of this policy will be managed by the YHG Safeguarding Group, and issues of Safeguarding will also be managed through the YHG Risk and Compliance Group.

20. Review of this Policy

YHG will review the Safeguarding Policy bi annually or sooner if required by statutory, regulatory or best practice requirements or the need to update following reviews of other Group wide policies. The YHG Safeguarding Group will be responsible for overseeing the review of this Policy.

Appendix 1: Definitions

Term	Description
Abuse or neglect	There is no statutory definition of abuse or neglect. It can be described as a violation of individuals' human and/or civil rights by any other person or persons who cause harm to a person in need of care and support. It may be a single or repeated acts or omissions occurring within a personal or close relationship where there is an expectation of trust.
Adult assurance statement	This is a self-audit tool that relevant agencies may be required to use to demonstrate compliance with adult safeguarding requirements. It was introduced by the Care Act 2014 and its supporting guidance which requires that the local authority assures itself that local safeguarding arrangements are in place.
Adult	An adult who: a) Has needs for care and support (whether or not the authority is meeting any of those needs), b) Is experiencing, or is at risk of abuse and neglect, and c) As a result of those needs is unable to protect himself or herself against abuse or neglect or the risk of it." Care Act 2014.
Child	A person up to 18 years old.
Staff	The term "Staff" is used to refer to staff working on behalf of Your Housing Group whether paid or voluntary and that come into contact with, or are actually regularly working with, children (including unborn children) and adults at risk in our accommodation or services.
Modern slavery and human trafficking	This is a broad term used to encompass the offences of slavery, servitude and forced or compulsory labour and human trafficking. The term extends to slavery-like practices such as debt bondage, sale or exploitation of children and forced or servile marriage. While varied in nature, all involve one person depriving another person of their liberty, in order to exploit them for personal or commercial gain.
Perpetrator	The person or persons committing the abuse or causing neglect.
Person-centred approach	This means keeping the person in focus when making decisions about their lives and working in partnership with them, taking their views and wishes into account.
Safeguarding	The Care and Support statutory guidance 2014 issued under the Care Act 2014 defines safeguarding as "Protecting an adult's right to live in safety, free from abuse and neglect."

Safeguarding Adults Board (SAB)	SABs were established by the Care Act 2014. The main purpose of a SAB is to enable the local authority to assure itself that local safeguarding arrangements are in place. In particular that action is taken to help and protect adults in its area who has needs for care and support. The adult may be experiencing, or at risk of abuse or neglect, and as a result of their care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect. Each local authority must set up a SAB.
Safeguarding Children Board (SCB)	SCBs were established by the Children Act 2004. Local authorities are required to establish one in their area. They are multi-agency bodies involving agencies such as the police, health service and the probation service and others. Their role is to: <ul style="list-style-type: none"> • Co-ordinate what is done by everyone on the SCB to safeguard and promote the welfare of children in the area; and • Make sure that each organisation acts effectively when they are doing this. <p><i>SCBs also publish policies and procedures for child protection in their area.</i></p>
Section 11 audit	Section 11 of the Children Act 2004 places a range of duties on organisations and individuals to ensure their functions and any service that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.
Section 42 enquiry	Section 42 of the Care Act 2014 requires that each local authority must make enquiries, or cause others to do so, if it believes an adult has care and support needs, and believes the adult is experiencing or is at risk of, abuse or neglect and, as a result of those needs, is unable to protect themselves against the abuse or neglect or the risk of it.
Domestic Homicide Review	A Domestic Homicide Review is a 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 they were related or with whom they were, or had been, in an intimate personal relationship, or a member of the same household as themselves.
Serious case review	A serious case review in England is held after a child or vulnerable adult dies or is seriously injured under circumstances where abuse or neglect are thought to be involved. Its purpose is to learn lessons to help prevent future similar incidents.
Vulnerable adults	These are people at risk of safeguarding concerns. They include, but are not limited to, a person who: <ul style="list-style-type: none"> • Is elderly, with poor health, a physical disability or cognitive impairment. • Has a learning disability • Has a physical disability and/or sensory impairment • Has mental health needs including dementia or a personality disorder • Misuses substances or alcohol; and Is unable to demonstrate the capacity to make an informed decision as defined by the Mental Capacity Act 2005 and is in need of care and support.

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	Includes: Assault, hitting, slapping, pushing, misuse of medication, restraint, inappropriate physical sanctions.
Domestic abuse	Psychological, physical, sexual, financial, emotional abuse, so called “honour based” violence
Sexual abuse	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	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	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	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	Harassment, slurs or similar treatment because of race, gender and gender identity, age, disability, sexual orientation; and religion.
Organisational abuse	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 one’s own home.
Neglect and acts of omission	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. It should be noted that self-neglect may not prompt a section 42 enquiry. 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.

There is no specific definition of ‘honour’-based violence (HBV). The Crown Prosecution Service describes ‘honour’-based violence as an incident or crime “which has, or may have, been committed to protect or defend the ‘honour’ of the family and or the community.” HBV can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code. It often occurs with some degree of approval and or collusion from the extended family and/or local community. HBV includes, but is not limited to: forced marriage, domestic abuse, sexual harassment, rape, threats to kill, kidnap, forced abortion, social ostracism, denial of access to children, pressure to go or move abroad, house arrest/ restrictions of freedom, denial of access to the telephone, internet etc; and isolation from friends and family.

Appendix 3: The six principles of adult safeguarding defined in The Care Act

Principle	Outcome	Customer experience
Empowerment	People being supported and encouraged to make their own decisions 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 solutions 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."

Related Documents

Document Type	Name
Connected Policies and Procedures	<p>This policy is consistent and linked with YHG's current policies, specifically:</p> <ul style="list-style-type: none"> • Management of Allegations Against Staff Procedure • Safeguarding Procedure • Disciplinary Procedure • Equality, Diversity and Inclusion Policy • ASB Hate Crime Policy • Domestic Violence and Abuse Policy • Confidentiality Data Protection Policy • Hoarding Policy and Procedure • Whistleblowing Policy • Data Protection and Data Retention Policies • Disclosure and Barring Service Position Statement
Forms and Letters	
Leaflets/Publicity Material	
Training Materials Available	
Intranet/ Website Page	

Version Control

(To be completed by the Research and Policy Manager)

Policy Name: Safeguarding Policy				
Version No:		Effective Date:		
Status: Partial Review				
Previous Policy Name (where appropriate) N/A				
Brief Summary of Changes from Previous Version:				
Internal Consultation Group:		Customer Consultation: <input type="checkbox"/>		
		Date of Customer Consultation:		
		Customer Consultation Brief Details:		
Link to Consultation Document(s):				
Date Initial Equality Impact Assessment Undertaken:		Full Equality Impact Assessment Needed? No		
Reason for Decision: Partial review.				
Date Full Equality Impact Assessment Undertaken: N/A				
Brief Outline of any Changes Recommended from EIA: N/A				
Link to EIA:				
Data Protection/ GDPR Implications: <input checked="" type="checkbox"/>				
Brief Outline of Data Protection/GDPR Implications: Personal data is logged as part of recording of Safeguarding incidents. Personal data is shared as necessary with partners agencies and formal networks and data sharing agreements are in place to cover this. YHG policy on data protection is followed.				
Legal Implications: <input checked="" type="checkbox"/>		Legal Panel Consulted: <input type="checkbox"/>		Date:
Risk Implications: <input checked="" type="checkbox"/>		Risk Logged on Datix: <input checked="" type="checkbox"/>		Date: Ongoing
Resource Implications	People: <input type="checkbox"/>	Finance: <input type="checkbox"/>	Asset: <input type="checkbox"/>	Other: <input type="checkbox"/>
Brief Summary of how Resource Implications have been addressed:				
Mandatory Read? <input checked="" type="checkbox"/>		If yes, please state which staff this is mandatory for: All Staff		
How will communication on this Policy take place?: (please delete as appropriate) Intranet/ YHG Website/ E-Learning/				

Policy Owner: (Department) Operations	Policy Author: Designated Safeguarding Manager.
Policy Checked by:	Date:
Policy Signed Off By: (service manager or sponsor):	Date:
Policy Approved By:	Date:
Review Date:	