



***Leicestershire District and Borough
Council's
Adults in need of Safeguarding Policy***

January 2012

**Refer to the Safeguarding Guidelines which complement this
Safeguarding Policy**

Important Rules

**Remember it is not up to you to decide if abuse has taken place,
that is the role of the **lead** agency, **BUT** it is up to you to report
ANY concerns.**

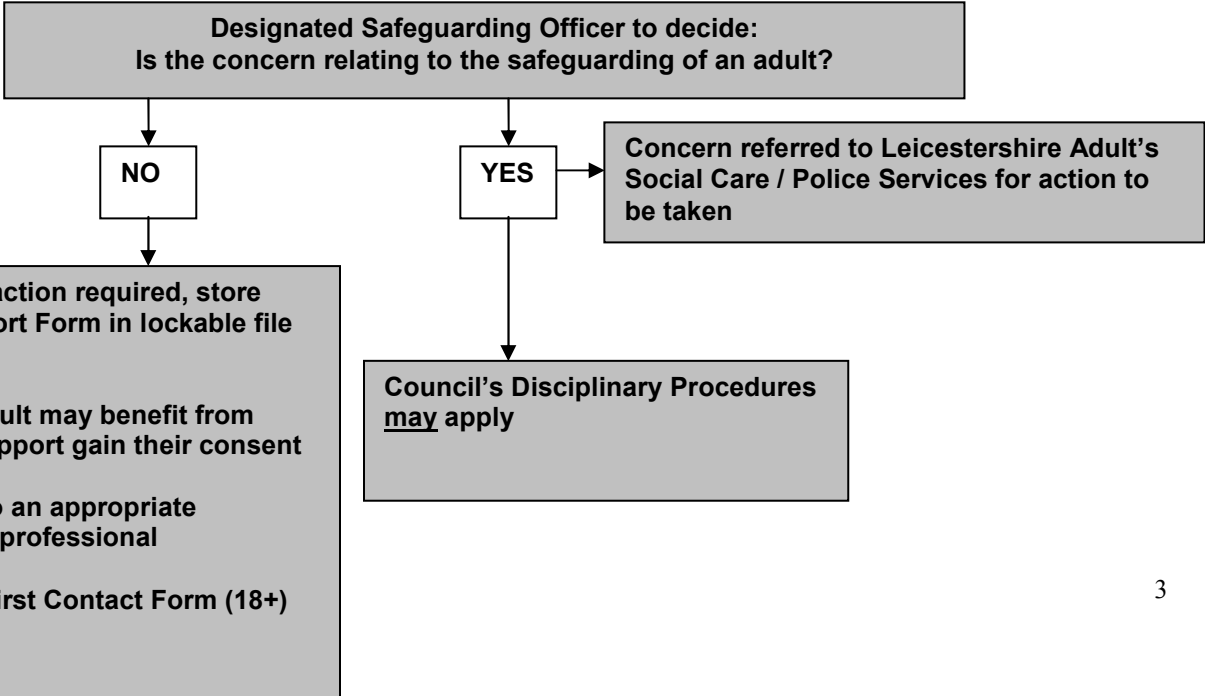
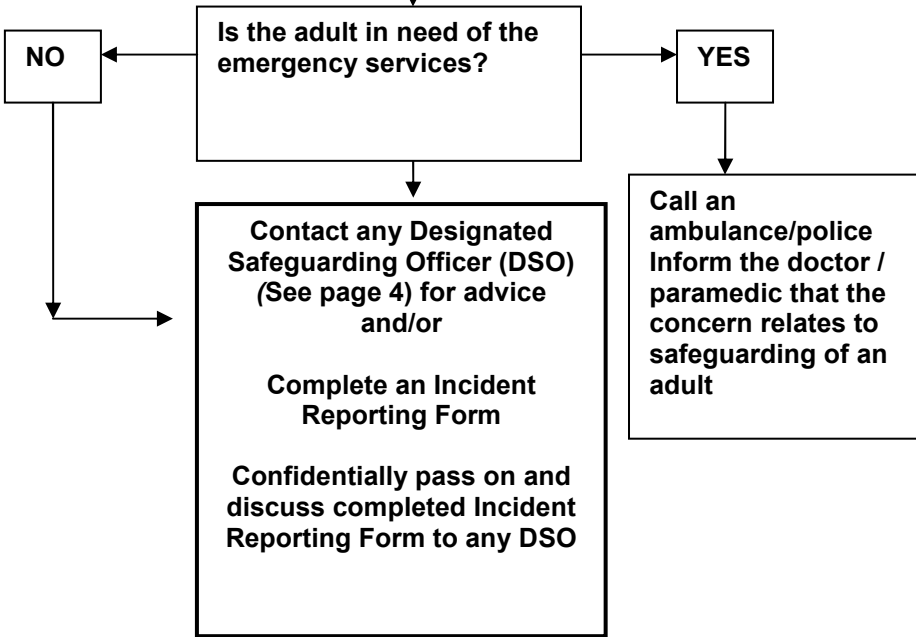
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Guide for Dealing with Concerns Relating to Safeguarding Adults

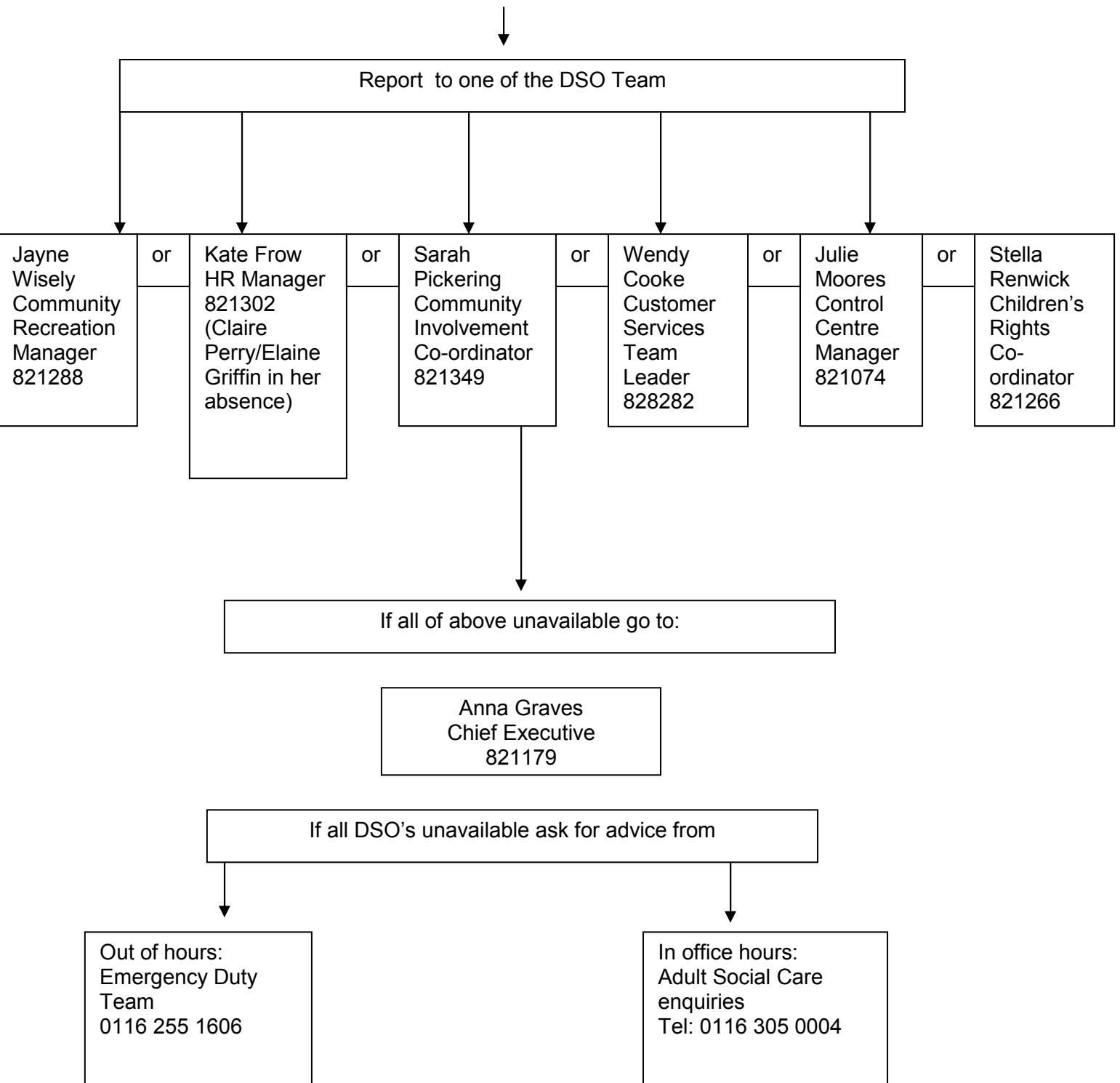
Staff, member, volunteer, relative or neighbour has concerns about an adult (heard, seen, or told about)
or
An adult has disclosed information relating to their safeguarding to you

- Stay Calm
- If the adult is present, reassure him or her
- Don't make promises regarding confidentiality
- LISTEN - but, do not ask probing questions



Who are the Designated Safeguarding Officers?

If appropriate and helpful to you, you may speak to your line manager who will support you through the following process:



Always follow the reporting procedure back to the Designated Safeguarding Officers

1.0 Introduction

Every adult in need of safeguarding has the right not to be abused.

Section 7 of the Government's guidance document 'No Secrets' issued by the Department of Health in 2000 states that:

Provider agencies will produce for their staff a set of internal guidelines which relate clearly to the multi-agency policy and which set out the responsibilities of all staff to operate within it. These will include guidance on:

- identifying those who are particularly at risk
- recognising risk from different sources and in different situations
- recognising abusive behaviour from other service users, colleagues and family members;
- routes for making a referral and channels of communication within and beyond the agency;
- assurances of protection for whistle blowers:
- working within best practice as specified in contracts;
- working within and co-operating with regulatory mechanisms;
- working within agreed operational guidelines to maintain best practice in relation to:

Internal guidelines should also cover the rights of staff and how employees will respond where abuse is alleged against them within either a criminal or disciplinary procedure.

The guidance also clearly defines who is considered to be an adult in need of Safeguarding, see definition section 1.2

To support this Multi-Agency approach Harborough District Council has produced this Safeguarding Policy in order to acknowledge its duty to protect adults in need of safeguarding as part of delivering services to the local and wider community.

In addition the following legislation supports the safety and wellbeing of adults in need of safeguarding:

- The Mental Capacity Act 2005,
- Sexual Offences Act 2003,
- Human Rights Act 1998,
- Health and Social Care Act 2008,
- Public Interest Disclosure Act 1998

Who is this policy for?

This policy is for you as a member of Harborough District Council staff, an elected member, a volunteer or anyone working on behalf of, delivering a service for or representing the Council.

This Policy ensures that all staff and volunteers delivering services to the community understand their duty to alert an appropriate Designated Safeguarding Officer, without delay, if they have concerns or suspicions relating to an adult in need of safeguarding.

As part of the reporting process you must:

- Never prevent or persuade another person from raising concern or suspicions or presenting evidence;
- Record all factual information accurately and clearly on the appropriate report forms

Council staff may come across cases of suspected abuse either through direct contact with an adult in need of safeguarding, for example, staff visiting homes as part of their day to day work, or through indirect referrals or via other information.

We are committed to ensuring that all adults in need of safeguarding are protected and kept safe from harm whilst engaged in services provided by the Council.

What does this policy cover?

The policy equips you with the information you need regarding what actions to take if you suspect or are told about abuse, and what will happen next. Read it now and then keep it somewhere safe, this may just be the tool that helps you to save an adults life.

Whilst it is not our job to establish whether or not abuse is taking place, it is our responsibility to report any concerns we have over the welfare of an adult in need of safeguarding and to co-operate in any multi agency investigations as appropriate. This expectation extends to the identification of abuse, poor practice by internal members/staff of the Council, as well as allegations brought to the attention of the Council by a member of the public/community.

This policy outlines that your primary concern is to ensure that you **record relevant information and pass it on to the Designated Safeguarding Officer's without delay**, so that they can discuss any action or referral to the relevant authority.

1.1 Policy Statement

Harborough District Council accepts responsibility, as a local provider of community services, to implement a Policy, that provides clearly defined procedures for alerting, reporting, and referring of concerns in relation to the protection of adults in need of safeguarding in order to safeguard their well being and protect them from abuse when they are engaged in services organised and provided by the Council.

We aim to do this by:

- Respecting and promoting the rights, wishes and feelings of adults in need of safeguarding.
- Raising the awareness of the duty of care responsibilities relating to adults in need of safeguarding throughout the Council.
- Promoting and implementing appropriate procedures to safeguard the well-being of adults in need of safeguarding to protect them from harm.
- Creating a safe and healthy environment within all our services, avoiding situations where abuse or allegations of abuse may occur.
- Recruiting, training, supporting and supervising staff, elected members and volunteers to adopt best practice to safeguard and protect adults in need of safeguarding from abuse, and minimise risk to themselves.

- Responding to any allegations of misconduct or abuse of adults in need of safeguarding in line with this Policy and Leicester, Leicestershire and Rutland Multi-agency Policy and Procedures as well as implementing, where appropriate, the relevant disciplinary and appeals procedures.
- Requiring staff, elected members and volunteers to adopt and abide by the Council's Protecting Adults in need of Safeguarding Policy and Procedures.
- Reviewing and evaluating this Policy and Procedures document on an annual basis.

1.2 Definitions and Principles of Vulnerability

An adult in need of safeguarding is defined as “a person aged 18 years or over who is or may be in need of community care services by reason of mental or other disability age or illness; and who is or maybe unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation” (1997 Lord Chancellors Department and “No Secrets” Dept of Health 2000)

Examples of an adult in need of safeguarding can include:

- People with a learning disability
- People with a physical disability
- People with a sensory disability
- People with mental ill health
- People with dementia
- People who are frail due to age or other factors
- People with a drug or alcohol problem
- People with acquired brain injury
- People with certain types of physical illness

Additionally, a person who:

- Is living in residential accommodation, such as a care home or residential special school;
- Is living in sheltered housing;
- Is receiving domiciliary care in his or her own home;
- Is receiving any form of health care;
- Is in contact with probation services;
- Is receiving a welfare service of a description to be prescribed in regulations;
- Requires assistance in the conduct of his or her own affairs;
- Is at risk of harm;
- Is receiving a service or participating in an activity which is specifically targeted at people with age-related needs, disabilities or prescribed physical or mental health conditions or expectant or nursing mothers living in residential care (age related needs includes needs associated with frailty, illness, disability or mental capacity).

And who are aged 18 or over.

This policy and these procedures are based on the following principles:

- The welfare of adults in need of safeguarding is the primary concern.
- All adults in need of safeguarding, irrespective of their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/ or sexual orientation have the right to protection from abuse.
- It is everyone's responsibility to report any concerns about abuse.

- All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly and appropriately.
- All personal data will be processed in accordance with the requirements of the Data Protection Act 1998.
- The terms staff, elected members and volunteers is used to refer to employees, district councillors, volunteers and anyone working on behalf of, delivering a service for, or representing the Council.

1.3 Support for members of staff, elected members or volunteers raising concerns

In the event of having a concern you must talk to a Designated Safeguarding Officer, who will support you to report your concerns.

When a member of staff, an elected member or a volunteer raises concerns with their Designated Safeguarding Officer (DSO), the DSO will ensure that:

- The procedures are followed appropriately in consultation with Social Care Services
- The relevant agencies, staff members are informed if appropriate
- Information is recorded and stored securely and appropriately
- Staff involved are supported as required in line with the Council's employee wellbeing policies. This includes access to a confidential counselling service.

The Local Authority recognises that when safeguarding concerns relate to a colleague's conduct that this can involve additional stress to reporters. We will fully support and protect all staff/members who, in good faith (without malicious intent), report his or her concern about a colleague's practice or the possibility that an adult in need of safeguarding may be being abused.

1.4 Confidentiality

Every effort should be made to ensure that confidentiality is maintained for all concerned in the protection of adults in need of safeguarding. Information should be handled and disseminated on a need to know basis only. The Designated Safeguarding Officer will guide you as to who needs to know information about the case.

Where a staff member is approached regarding an allegation, issues of confidentiality should be clarified early in the discussion. The person should be informed that the member of staff will at the very least, have to disclose the conversation to a Designated Safeguarding Officer and depending on the severity of the information may be disclosed to the Customer Services Centre and/or the Police.

There may be occasions where an adult in need of safeguarding expresses a wish for concerns not to be pursued. It is important, however, that concerns are shared in order to ensure the safety of the person and others at possible risk of harm. Therefore, this decision will be the product of discussions between Designated Safeguarding Officer and Customer Services Centre where appropriate.

The responsible **Designated Safeguarding Officer** will:-

- Ensure that the procedures are followed appropriately in consultation with Social Care Services
- The appropriate agencies are informed
- Information is recorded and stored securely and appropriately
- Provide information to staff reporting concerns about support available to them

2.0 Procedure for responding to concerns

You are not expected to investigate suspicions or concerns, other agencies are trained to do this.

Most concerns arise because a member of staff notes a pattern of occurrences or a significant incident happens.

If you have a concern about the safety or welfare of an adult:

- Note the concerns and your reasons using the incident reporting form
- Report to an appropriate Designated Safeguarding Officer
- Maintain confidentiality

Do not

Undertake further investigations.

When there are ongoing concerns regarding a family member or carer in relation to the alleged abuse of an adult, the family member or carer should not be contacted about the allegation of abuse. Social Care Services and/or the Police will do this at an appropriate time. You must however, ensure that the environment for the Adult in need of Safeguarding and any other Adults that may become a risk are made safe.

2.1 Responding to Disclosure

Abused adults are more likely to disclose details of abuse to someone they trust and with whom they feel safe. By listening and taking seriously to what is being said, you are already helping the situation. The following points are a guide to help you respond appropriately.

What to do if an adult discloses information to you:

- Stay calm
- Ensure that no one is in immediate danger
- Reassure the person that they were right to tell **and do not make promises of confidentiality**
- Take what the person says seriously
- Do clarify your understanding of what the person has said but avoid asking detailed or leading questions
- Be open and honest, explain to them that you will have to share your concerns with the Designated Safeguarding Officer
- Immediately record all details in writing, using the adults own words.
- As soon as possible fill out the Incident Reporting Form (See Appendix 1) again including all the details that you are aware of and what was said using the adult's own words. Attach your original notes to the Incident Reporting Form and give these to an appropriate Designated Safeguarding Officer.

Actions to Avoid

The person receiving the disclosure should not:

- Promise to keep secrets
- Dismiss the concern
- Probe for more information than is comfortably offered – do not overpressure for a response
- Speculate or make assumptions
- Make negative comments about the alleged abuser
- Attempt to investigate yourself
- Discourage anyone from report concerns
- Leave message of your concern on voice mail

Remember: Listen – write it down – report it

2.2 Safeguarding Incident Reporting Form

You need to fill in an Incident Report Form for all concerns, suspicions and disclosures relating to the protection of an adult in need of safeguarding. This needs to be done as soon as practicable to ensure all the facts are recorded. Copies of the Incident Report Form are available from:

- Intranet
- Within central administration areas in the Council Offices

If you have to ask someone in order to find this form, do not discuss the situation with him or her. The same form is used for all disclosures and allegations and suspicions. Do not worry if all the sections do not apply to your situation, it is purely to help you to remember as much relevant information as possible. It is the responsibility of the Designated Safeguarding Officer to take a lead on suspicions and report them to Customer Services Centre and or the Police to take the appropriate course of action.

3.0 Additional considerations when concerns relate to an internal employee/member of the Council e.g. staff, contractors, volunteers, and Elected Members

It can be very worrying to have concerns about a person's safety or welfare that relate to the conduct of a colleague. The Local Authority recognises that this can involve additional stress for those reporting concerns. Within the incident reporting structures there are support mechanisms in place to ensure that staff are confident that these concerns will be dealt with appropriately. These include confidentiality guidelines and access to counselling services.

Where you have concerns about a colleague, the reporting procedures should be followed in exactly the same manner as outlined above. You may need to have regard to which Designated Safeguarding Officer it is appropriate to report your concerns to Head of Human Resources.

There may be circumstances where allegations are about poor practice rather than abuse, but this should always be communicated to the Designated Safeguarding Officer for guidance and appropriate action.

Where an allegation is made against an elected member this should be referred to the Designated Safeguarding Officer who will then engage the Monitoring Officer or Deputy Monitoring Officer who has responsibility to address Member code of conduct related issues.

3.1 Types of Investigation

Where there are allegations of abuse or concerns about poor practice of an employee or member there may be three strands of investigation:

1. Adult Safeguarding Adults investigation (externally led by Social Care Services)
2. Criminal Investigation (externally led by the police authority)
3. A disciplinary or misconduct investigation (internally led)
4. Care Quality Commission (CQC) (Externally led)

In the first two instances, the Council will not be involved in any form of investigation unless requested to do so by the Social Care Services or the Police authority and feedback on outcomes of any investigation will not usually be fed back to the Designated Safeguarding Officer involved unless there are outstanding misconduct issues to address.

As a Harborough District Council employee the usual terms and conditions for disciplinary investigations will apply, if this happens consideration will be given to suspension on full pay pending the outcome of the investigation.

The Council will assess each individual allegation on its own, taking into account the findings of any criminal investigation and respond to the outcome of the investigation in line with Council policy and procedures. Depending on the outcome of the investigation, the Council will assess the appropriateness of the staff member returning to work in your previous environment. A decision to withdraw permission for the employee to work with vulnerable groups may lead to the Council having a legal duty to report the person to the Independent Safeguarding Authority. This also applies in instances where the Council would have withdrawn permission for the individual to engage in regulated or controlled activity had that individual not resigned, retired, been made redundant or been transferred to a position which is not regulated or controlled activity.

4.0 Key Contacts

The **DESIGNATED SAFEGUARDING OFFICERS** for Harborough District Council are:

Name	Job Title	Contact No.
Stella Renwick	Children Right's Co-ordinator	01858 821266 or 07500 952214
Jayne Wisely	Cultural Services Manager	01858 821288 or 07825 385578
Sarah Pickering	Community Safety Partnership	01858 821349
Wendy Cooke	Customer Services Team Leader	01858 828282
Kate Frow (Claire Perry/Elaine Griffin)	HR Manager	01858 821302
Julie Moores	Control Centre Manager	01858 821074

Social Care Enquiries (office hours)

Tel: 0116 305 0004

Fax: 0116 305 0010

Email: adultsandcommunitiescsc@leics.gov.uk

Local Offices (to be used only when named social worker known)

Broughton Astley – Hinckley – 01455 636954

Lutterworth - - Bassett Street – 0116 2787111

All other areas of Harborough District - Market Harborough - 01858 465331

Social Care Services Emergency Out of Hours Service

Phone 0116 255 1606 (not office hours)

Leicestershire Constabulary

0116 222 2222

Age Concern Information Line

0800 009966

Seniorline

0800 800 6565

Local Authority Designated Officer (County Hall)

0116 305 7409/8453 - Adults

4.1 What is the role of the Designated Safeguarding Officers?

All suspicions, concerns and disclosures have to be reported immediately to a Designated Safeguarding Officer. (See page 4 for the list of Designated Safeguarding Officers)

They have the responsibility to:

- Ensure that arrangements are made to identify staff that require training in child and young person protection issues within their responsive area
- Ensure that Incident Report Forms and copies of the policy and procedures are available in their respective service areas
- Receive information from staff, volunteers and others who have concerns, and record them, using appropriate forms and procedures identified
- Ensure that the procedures for reporting concerns are followed appropriately in consultation with Social Care services
- Ensure that the appropriate agencies are informed
- Ensure that information is recorded and stored appropriately
- Provide information to staff reporting concerns about support available to them
- Represent the Council on formal investigations into allegations of abuse led by Social Care Services
- Receive the appropriate training

Appendix 1



For DSO Use Only

Date Seen by DSO:

Surname of Adult:

Adults in Need of Safeguarding Incident Reporting Form

This form is used for reporting both suspicions and disclosures of possible abuse; therefore, not all sections may be appropriate. Please complete with as much information as possible, using verbatim reports from people involved where possible. This information will be treated in the strictest confidence.

About you, the reporter	
Your name:	
Your job role:	
Your telephone number and email address:	
Are you reporting the concern on behalf of someone else?	
If yes to above, what is their name and their position?	
What involvement have you had? (Have you had contact with family/ other professionals etc)	
About the Adult	
Name:	
Age and date of birth:	
Gender:	
Address, telephone and email contact details:	
Housing tenure (HBBC tenant/ Housing Association/ private rented/ owner occupier):	
Ethnic and/or religious background:	
Disabilities or other special factors:	
About the person's family/ support network	
Who is the person's next of kin?	
Address, telephone and email contact details:	
Names of other people living at the address or significantly involved:	
About the concern	

What has happened/ what are your concerns? (Please give full details, using verbatim reporting where possible and include physical or behavioural indicators)	
Have you or anyone else involved spoken to the person or with their parents/ family/ carer others involved? If so, what was discussed (record this verbatim where possible)? <i>Remember, you are not expected to undertake investigations so don't worry if you don't know.</i>	
Dates and times of significant events:	
About the alleged abuser, if known	
Name:	
Job position/ role:	
Address, telephone and email contact details:	
About other agencies involved	
Are you aware of any other services or professionals who are involved with the person?	
Name of agency and professional:	
Address, telephone and email contact details:	
Details of involvement and any advice you have received with dates:	
For Designated Safeguarding Officer use only	
DSO name:	
Date, time, venue/ method of initial staff report regarding suspicions, concerns or disclosure relating to safeguarding: Who was present:	
Date, time and venue of Incident Reporting Form handover: Who was present:	
Notes regarding DSO follow up action (use follow on sheet if necessary):	

Remember; do not discuss this with friends or colleagues. Arrange to see your Designated Safeguarding Officer urgently, they will initiate appropriate action.