

# **Wheelhouse Square Flats**

## **Safeguarding Policy**

**Please note that any serious safeguarding incidents which are reported to the local authority must also be notified to the Charity Commission.**

**The North Yorkshire County Council Adult Safeguarding Team can be contacted on 01609 780780.**

### **The basis of the Policy**

The Trustees of Wheelhouse Square Flats (the Charity) acknowledge that all residents volunteers and visitors have the right to a safe and secure environment and respect for their dignity, privacy, independence and individuality.

This Policy has been developed to protect those who live, work and visit Wheelhouse Square and to ensure any concerns about physical, financial, sexual or emotional abuse or neglect will be dealt with quickly and effectively.

Any resident who feels that they are being abused in any manner should immediately contact the Warden (who will immediately inform the Trustees) or any of the Trustees. The Trustees will where appropriate work with other agencies to resolve matters. Where necessary the Trustees will designate a named Trustee to undertake an initial enquiry to establish the facts (the Designated Person).

The Care Act 2014 places an individual's well-being at the centre of the care and support system. The Care Act places responsibilities on social housing providers such as almshouse charities to look out for potential abuse and to work with the local authority safeguarding teams to protect and implement safeguarding procedures. The Trustees have a responsibility and a 'duty of care' to the Charity's residents to recognise abuse and to respond and report appropriately.

### **The six principles of the Care Act 2014**

The Care Act 2014 sets out six principles which should be observed when dealing with a safeguarding issue under this Policy. These six principles are:

EMPOWERMENT: person led decisions and informed consented

PREVENTION: better to take action before harm occurs

PROPORTIONALITY: least intrusive response appropriate to the risk presented

PROTECTION: support and representation

PARTNERSHIP: communities have a part to play in prevention, detection and reporting neglect and abuse

ACCOUNTABILITY: accountability and transparency in any response to safeguarding

### **Definition of Abuse and Harm**

- Abuse is a violation of an individual's human and civil rights by an act or a failure to act on the part of person or persons
- Abuse can occur in any relationship, both formal and informal and may result in significant harm to, or exploitation of the person subjected to it
- Abuse may consist of a single act or repeated acts
- Harm: ill-treatment, impairment or avoidable deterioration of physical or mental health

### **Types of Abuse:**

The following list may assist in recognising the types of behaviour which may be regarded as abusive:

- Physical
- Financial
- Restraint
- Psychological
- Sexual
- Neglect
- Organisational
- Discriminatory
- Hate crime
- Mate crime
- Self-neglect – life threatening
- Domestic violence (see appendix 1)
- Modern slavery (forced labour, county lines, human trafficking, and domestic servitude)
- Radicalisation
- Sexual exploitation
- Female Genital Mutilation

For a full description of the behaviour included in the types of abuse listed above see Appendix B to this Policy.

This list should not be regarded as exhaustive of the types of abuse which may be encountered.

A more detailed explanation of the signs and indicators which may be indicative of abusive behaviour are set out in Appendix B to this Policy.

### **Risk Factors associated with Abuse**

Always remember that anyone may be at risk of abuse at a particular time of their lives but the following people may be at higher risk:

- older people;
- adults with a physical or learning disability;
- adults with mental health needs;

- adults with long term health needs; and
- adults who are drug or alcohol dependant.

Risk factors associated with abuse may include:

- loneliness or social isolation;
- difficulty with communication;
- dependency on carers either physically psychologically;
- financial or emotional vulnerability;
- unusual behavioural traits;
- poor quality relationships;
- pressures and responsibilities;
- lack of emotional support and social contact; and
- frequent requests for help and the problem not being resolved.

### **Procedure to be followed if abuse is suspected**

Any allegation of abuse will be handled sympathetically and sensitively while ensuring that no commitment or agreement is given at the outset as to the outcome of the complaint.

It is important to ensure that the complainant is not in direct contact with the alleged abuser and that sensitivity is used when handling the situation.

Depending upon the circumstances of the individual case either the Warden or the Trustee to whom the complaint of abuse has been made or who has otherwise obtained knowledge of the alleged abuse will as soon as practicable:

- Ensure the person is safe;
- If necessary seek medical assistance;
- Listen carefully and find out the wishes of the abused person;
- Not make promises;
- Explain what they are going to do and what information will be shared with whom and why;
- Ascertain the basic facts (but will not start investigating) including:
  - the date, time and place of the alleged abuse;
  - the name of complainant;
  - where different the name of the person who has allegedly been abused;
  - the nature of the alleged abuse;
  - a description of any injuries observed; and

- an account of the incident which has been taken place;
- Inform the Chair or in their absence the Secretary to the Trustees of the position immediately;
- Record the information obtained in a written report including a record of any observations made evidencing the abuse (photographs are acceptable with the person's permission) and details of accounts given (in the person's own words if possible);

Please note that if a complainant requests that the information is kept secret it is important that they are sensitively advised that cases of alleged abuse will be referred to the Chair or in their absence to the Secretary to the Trustees and to the appropriate agencies for investigation for their own safety and wellbeing.

Where appropriate the either the Chair or the Secretary to the Trustees as the case may be will designate a named Trustee to undertake an initial enquiry to establish the facts (the Designated Person) who will gather information and prepare a written report of their findings and recommendations as to an appropriate course of action.

On completion of their written report into the alleged abuse the Warden or the Trustee (or if appointed the Designated Person) will then arrange a meeting as soon as practicable between the Warden, the Chair of the Trustees, the Secretary to the Trustees and if appointed the Designated Person. A full record of the meeting will be made by the Secretary.

The purpose of the meeting will be to establish the facts and decide if the individual involved and the incident/behaviour fall within the criteria set out in section 42 of the Care Act 2014 (for the criteria in section 42 see Appendix C to this Policy) thereby requiring referral to the local authority adult safeguarding team or if another course of action is more appropriate.

The safeguarding team may be contacted for advice on whether a referral should be made. Contact details of the safeguarding team are to be found at the top of the first page of this Policy.

**Please note that if the police or other emergency services were called to an incident which results in a safeguarding investigation it must be reported to the local authority adult safeguarding team in any event.**

The information that may be required by the safeguarding team is set out in Appendix A to this Policy.

If a referral is made to the safeguarding team any further action taken should be guided by them.

If the safeguarding team are not involved the situation will continue to be monitored by the Chair, the Secretary to the Trustees or the Designated Person if appointed on the basis agreed at the meeting

#### **Appendix A - Information that may be needed by the local authority adult safeguarding team when making a referral.**

The information that may be needed by the local authority adult safeguarding team may include:

- 1 The alleged victim's name and address (including previous addresses if known);
- 2 The alleged victim's date of birth;
- 3 The details of the concern or disclosure, circumstances, dates, times and witnesses;
- 4 The type of abuse;
- 5 Details of the key people, family, agencies, workers involved;
- 6 Details of whether the alleged victim knows of the referral and has given consent and if not why not;
- 7 The alleged victim's preferred outcomes if known;
- 8 Any concerns about the capacity of the alleged victim;
- 9 What discussions have already taken place with the alleged victim;
- 10 Any other persons who may be at risk;
- 11 The extent of the harm suffered by the alleged victim; and
- 12 Details of any immediate action taken such as police contacted or action taken to reduce risk.

In providing information to the safeguarding team it is important to be open and honest from the outset. Any information sharing should be clear regarding the nature of the problem and the purpose of sharing. It should be based on fact not assumption and restricted to those who need to know. It should be relevant to the specific incident and should be limited to the needs of the situation at the time. It should be necessary, relevant, accurate and proportionate.

## **Appendix B - Signs and indicators of abuse**

**Physical Abuse:** hitting, slapping, punching, pushing, kicking, burns, misuse of medication, inappropriate restraint.

**Sexual Abuse:** rape sexual assault, sexual acts where the person has not consented, could not have consented, or was pressurised into consenting, non-contact sexual abuse e.g. coerced to be photographed or videoed or for someone to look at their bodies. Sexual activity involving staff is considered abusive.

**Financial Abuse:** theft, fraud, exploitation, pressure in connection with wills, or property, inheritance or financial transactions, misuse or misappropriation of property, possessions, or benefits.

**Neglect or Acts of Omission** ignoring medical or physical care needs, failure to provide access to appropriate health care, social care or education services, heating, medication, adequate nutrition and essential needs.

**Psychological:** emotional abuse, threats of harm or abandonment, deprivation of contact, blaming, controlling, intimidation, coercion, harassment, verbal abuse/ excessive criticism, isolation or withdrawal from services or support networks.

**Organisational/Institutional:** where there is a culture of abusive behaviour, tolerance of abusive behaviour or repeated failure to address abusive behaviour. It may be an isolated incident or pervasive ill treatment or gross misconduct when an organisation fails to treat individual needs in favour of the needs of organisation. This can occur in any organisation not just those associated with delivering health or personal care in a residential/hospital setting.

**Discriminatory:** abuse that is motivated by discriminatory or oppressive attitudes towards race, gender, sexual orientation, cultural background, religion, physical or learning disability, sensory impairment, age, or mental health. This may take the form of harassment, verbal abuse or disparaging remarks.

**Hate Crime:** Can come under safeguarding if the person has care and support needs and comes under the requirements of section 42 of the Care Act 2014 for a safeguarding adult enquiry. Hate crime can be defined as any hate incident which constitutes a criminal offence, perceived by the victim or any other person as being motivated by prejudice or hate.

**Mate Crime:** is usually used to refer to where the adult with care and support needs is the victim of abuse or exploitation by one or more people where the victim wants them to be their friend or believes them to be their friend.

**Domestic Violence/ Abuse:** physical, sexual, psychological, or financial, violence that takes place within an intimate or family type relationship and forms a pattern of coercive, controlling and threatening behaviour. It should be addressed under safeguarding only-

- If the person has care and support needs and is unable to protect him or herself from abuse
- Where it is proportionate and beneficial to the person involved taking into account their wishes, capacity and level of risk

Otherwise, individuals should be given information about agencies that can support them to take their own action (Woman's Aid, National Domestic Violence helpline or local domestic violence teams)

**Self-Neglect** Self neglect becomes a safeguarding concern when the level of neglect becomes life threatening. Otherwise, serious self-neglect may be helped through social services or mental health services.

**Modern Slavery:** Modern Slavery can take a number of forms including sexual exploitation, forced labour, domestic servitude or criminal exploitation. This can include 'county lines' drug dealing in local areas and may include 'cuckooing' the setting up of drug basis in a person's own home. Police should be notified if modern slavery is suspected. It is often the most vulnerable who are targeted, the homeless, those with learning disabilities, or mental health issues.

**Radicalisation:** The Prevent Strategy aims to protect those who are vulnerable to exploitation from those who seek to support or commit acts of violence. This may be right wing extremism as well as Islamic extremism. The most vulnerable are often targeted. The police should be contacted if it is suspected that an individual is being radicalised.

## **Female Genital Mutilation**

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### **Appendix C – When safeguarding comes within the responsibility of the Local Authority (section 42 Care Act 2014)**

The threshold is defined as:

- an adult in need of care and support (whether or not that support is provided by the local authority);
- who is experiencing or is at risk of abuse and neglect; and
- as a result of these needs is unable to protect him or herself against abuse or neglect or the risk of it.

If in doubt always contact the local authority adult safeguarding team for guidance.

Someone may not meet the criteria for referral to the local authority but any cause for concern should be responded to appropriately and recorded.

Sometimes it may be an accumulation of small incidents that point to a more serious situation occurring; for example, coercive control or domestic violence

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