Guidance on developing a safeguarding adults policy

How should you go about developing your policy?

Involve people from different parts of your organisation to ensure the policy is relevant across your whole organisation.

Consider how you can involve your clients/service users/patients in developing your policy. This will ensure the policy is accessible, respectful and proportionate.

We advise against having one policy that covers both adult safeguarding and child safeguarding. This is because the legal framework underpinning adult safeguarding is completely different from children's safeguarding. It is generally easier to have two separate policies, but cross reference them.

Your policy should be adopted by the governing structure/Board of Trustees/Board of Directors. It should be reviewed every couple of years.

Think about how you are going to share your new or updated policy with staff and volunteers. To ensure that staff and volunteers are familiar with the content of the policy, you may have to do more than simply put it on your intranet. You might need to give staff briefings or offering safeguarding refresher training.

> **Top tips**
>
> Tailor your policy to make it relevant to your organisation.
>
> Check the tone to ensure it is clear that safeguarding is something that is **done with** the adult and not **done to** the adult.
>
> Be mindful of language. Feedback from adults who have been through safeguarding is that they resent terms such as 'vulnerable adult'. In response, the Care Act guidance has introduced a new set of words and phrases. Vulnerable adults are now referred to as 'adults with care and support needs' or just 'adults'. Islington Council has produced separate guidance on Care Act language.

What should you include in your policy?

1)   Purpose and aim of the policy

Identify the organisation, its purpose and function. State your organisation's commitment to safeguarding adults with care and support needs and promoting their wellbeing.

State your organisation's expectation that all staff and volunteers will follow the policy.

2)   The context and background of adult safeguarding

Briefly state the main laws and guidance that supports the policy.

- Human rights Act 1998 https://www.equalityhumanrights.com/en/human-rights/human-rights-act
- Care Act 2014 http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted
- Care and support statutory guidance https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance
- London Safeguarding Adults Policy and Procedure https://londonadass.org.uk/safeguarding/review-of-the-pan-london-policy-and-procedures/
- Islington Safeguarding Adults Board local appendices https://www.islington.gov.uk/social-care-health/adultprotection/policiesandprocedures

3. The basics of adult safeguarding

Explain what adult safeguarding is and who it applies to.

Set out the 6 principles underpinning all safeguarding action (See Care Act guidance)

- Empowerment
- Prevention
- Proportionality
- Protection
- Partnership
- Accountability

Reference the 10 types of abuse: physical, sexual, financial, discriminatory, psychological, organisational, domestic, modern slavery, neglect and self-neglect.

Explain briefly what making safeguarding personal means. Adults are not the same as children. They have complex lives and being safe is only one of the things they want for themselves. Any safeguarding action needs to keep the person at the centre in their best interests – it should be not a process imposed on them.

4. Your organisation's procedure

(often referred to as the 4 R's)

1. Respond
   - Take emergency action if someone is at immediate risk of harm/in need of urgent medical attention. Dial 999 for emergency services
   - Get brief details about what has happened and what the adult would like done about it, but do not probe or conduct a mini-investigation.
   - Seek consent from the adult to take action and to report the concern. Consider whether the adult may lack capacity to make decisions about their own and other people's safety and wellbeing. If you decide to act against their wishes or without their consent, you must record your decision and the reasons for this.
2. Report

- Name the person to whom staff/volunteers need to report any potential safeguarding concerns. This will usually be the organisation's designated safeguarding lead.
3. Record
    - Clearly describe your organisation's requirements for recording details about the incident. Many organisations have an incident form or a log of safeguarding concerns which is kept by the organisation's safeguarding lead. Some organisations record concerns on the patient/service user case file. As far as possible, records should be written contemporaneously, dated and signed.
    - Refer to the need to keep such records confidential and in a location where the alleged abuser will not have access to the record.
4. Refer
    - The designated safeguarding lead should make a decision about whether to refer to the concern to
        o the police if a crime has been committed and/or
        o Islington's Access & Advice Team (part of adult social services) for possible safeguarding enquiry.

        The designated safeguarding lead should keep a record of the reasons for referring the concern or reasons for not referring.

        In making a decision whether to refer or not, the designated safeguarding lead should take into account

        (1) The adult's wishes and preferred outcome
        (2) Whether the adult has mental capacity to make an informed decision about their own and others' safety
        (3) the safety or wellbeing of children or other adults with care and support needs

    - Make a reference to the 4-stage process of the London Safeguarding Adults Process so that staff/volunteers understand what will happen next in the process once adult social services gets involved.

It may be helpful to include a flow chart of the above 4 R's, plus the 4-stage process followed by the local authority. Tailor it to the specifics of your organisation.

5. Roles and responsibilities

Set out

- expectation that staff and volunteers will report concerns
- expectation that all staff and volunteers will 'make safeguarding personal', that is, adopt a person-centred approach to safeguarding
- name and contact details of the designated person who has lead operational responsibility in the organisation for taking action, ensuring that all safeguarding incidences are recorded and reporting to the local authority where necessary
- named director/trustee/chief executive who has strategic responsibility for safeguarding adults in the organisation. In very small organisations, this may be the

same person as the operational lead. But for larger organisations, consider including an organogram or simple diagram to show clearly who's responsible for what.

- what should be done in the situation where the allegation is against one of the organisation's members of staff, trustee, governor, director or volunteer to the alleged abuser cannot interfere with any evidence, records or intimidate the adult or witnesses. This should also include how to support all staff members, including the alleged abuser, whether founded or not. If your organisation has a separate policy on this, include a link to the policy

- What alternatives are available if the staff member is not happy with the organisation's decision not to take any action on a safeguarding concern/disclosure (for example, whistle-blowing to the Care Quality Commission or Islington Council Access & Advice Service).

- If your organisation is a provider registered with the Care Quality Commission, then the Duty of Candour will apply. Explain briefly the responsibility of staff in such provider organisations to apologise and be honest and open with patients/service users and other relevant persons when things go wrong.
http://www.cqc.org.uk/content/regulation-20-duty-candour

- It is not the responsibility of the organisation to conduct its own safeguarding investigation, unless the local authority has delegated responsibility for conducting a safeguarding enquiry to your organisation.

- Keep the adult (victim) at the centre, by involving them and keeping them informed at all stages.

6. Confidentiality and information sharing

If your organisation is signed up to the Islington Safeguarding Adults Board information sharing agreement, reference this in your policy.

If not, you could summarise key points from the Islington Safeguarding Adults Board information sharing agreement.

https://www.islington.gov.uk//~/media/sharepoint-lists/public-records/adultcareservices/information/adviceandinformation/20152016/20150902islingtonsafeguardingadultsboardinformationsharingagreementv1

7.   Mental capacity

Briefly explain the significance of mental capacity when safeguarding adults. If the adult has capacity, then professionals cannot get involved or make decisions about the adult's safety without her/his permission.

Explain the responsibility for staff/volunteers to take action

1) Where the adult lacks capacity, for example if at the time, the person has an impairment of, or disturbance in the functioning of the mind or brain
2) If the adult poses a risk to other adults with care and support needs or children (regardless of the capacity of the adult or victim)
3) If a serious crime has been committed

Explain the responsibility of staff to ensure the adult is given support to reach a decision for themselves about their safety where possible.

Refer to the Mental Capacity Act 2005 and the Code of Practice.

http://www.legislation.gov.uk/ukpga/2005/9/pdfs/ukpga_20050009_en.pdf

http://www.legislation.gov.uk/ukpga/2005/9/pdfs/ukpgacop_20050009_en.pdf

Refer to the 5 statutory principles of mental capacity – see page 19 of the Code of Practice.

Briefly refer to the need to consider whether a Deprivation of Liberty Safeguards application should be made. For some organisations, such as hospitals and care homes, this section may need to be more comprehensive to ensure that staff fully understand their statutory obligations.

8. Case studies

Consider including a couple of safeguarding adults scenarios relevant to your particular organisation.

For example, if your organisation is a charity working with adults with learning disabilities, describe a scenario where an adult with moderate learning disabilities discloses historic sexual abuse, but asks the member of staff not to tell anyone else. Explain what steps you'd expect staff to take in that particular scenario and what considerations around confidentiality, protection of others and mental capacity would come into play.

If your organisation is a residential nursing home, you could include a scenario about a resident with dementia who refuses to sit on pressure relieving cushions, then develops pressure ulcers. Explain what you'd expect staff members to do in such a situation.

9. Recruitment and Selection

Refer to Islington's Safer Recruitment Guidance. https://www.islington.gov.uk//~/media/sharepoint-lists/public-records/educationandskills/information/guidance/20142015/20140917saferrecruitmentsafeguardingchildrenandadultsaug2013 [Please note that this guidance is currently being updated].

10. Training & awareness raising

Explain your organisation's policy on training staff on safeguarding. For example, that all new starters should receive basic training on adult safeguarding, with refresher training every 3 years. Depending on the nature of your organisation, you may need staff to have various level of safeguarding competency. If so, refer to the Bournemouth Safeguarding Adults Competency framework. http://www.ncpqsw.com/publications/national-competency-framework-for-safeguarding-adults-comprehensive-and-concise/

Explain how your organisation will go about raising awareness among clients/service users/patients/carers about what to do if they are experiencing or at risk of abuse or neglect.

11. Other relevant policies

If your organisation has other policies that relate to safeguarding adults, include links to them. Relevant policies might be:

- health and safety policies
- domestic violence policies
- carers policies
- whistle-blowing policies
- information sharing policies
- data protection policies
- allegations against persons in positions of trust policies
- client/patient relationships policy
- safeguarding children policies
- behaviour management policies
- complaints policies
- taking photographs and videos policy
- staff code of conduct

12. Useful contacts

Include a list of contact relevant to your organisation. For example, if your organisation works across more than one London Borough, include contact details for relevant boroughs' adult social services.

Emergency Services	Dial 999
Police (non-emergency)	Dial 101
Islington Council Access & Advice Service (first point of contact for adult social services)	0207 527 2299 access.service@islington.gov.uk

Stuck with writing your safeguarding adults policy?

We are here to help. While we do not have the capacity to draft your whole policy for you, we are happy to check, advise and comment on your draft policy.

Get in touch with Sobia Masood, Safeguarding Adults Board Officer on Tel: 0207 527 2173 or Sobia.Masood@islington.gov.uk

If your concern relates to an adult at risk of harm or abuse, please contact our Access & Advice Service (first point of contact for adult social services) on 027 527 2299 or access.service@islington.gov.uk