



Safeguarding Adults Policy

1.0 Purpose and Scope

NHG focuses on the principles of prevention, early intervention, and accountability in relation to the protection of vulnerable individuals within their homes and work in collaboration with multi-agency partners for a coordinated approach. This policy sets out NHG's approach to preventing and responding to concerns of abuse, harm, or neglect of adults. A safeguarding concern may arise from a range of sources and the action we take will depend upon the circumstances.

This policy applies to all permanent and temporary staff, consultants, contractors, sub-contractors, partners, volunteers, subsidiaries, executive and non-executive board members, and anyone working on behalf of Notting Hill Genesis (NHG).

Abuse and suspected abuse are extremely serious and NHG is committed to investigating and addressing all instances where we suspect or identify that abuse is taking place. We recognise that because of the level of contact we have with our residents we are well placed to identify adults who may be experiencing or are at risk of abuse.

The objectives of this policy are to:

- Establish safeguarding as “everyone’s responsibility” and promote a culture that does not tolerate abuse and encourages people to raise concerns
- Ensure that there is a clear reporting and escalation route should staff or students become aware of a safeguarding concern
- Ensures a program is in place to raise awareness about safeguarding and clearly define what constitutes abuse and harm towards an adult
- Clearly defines our principals that enable us to meet our legal obligations and responsibilities to record and share information with partner agencies
- Provides information on NHG safeguarding framework and monitoring practice
- Provides details on how our principals enable us to prevent safeguarding incidents from occurring or reoccurring.

This policy should be read in conjunction with [Domestic Abuse Policy](#), [Hate Incidents and Hate Crime Policy](#), [ASB Policy](#), [Modern Slavery Statement](#), and other relevant NHG Policies and procedures.

As a responsible social housing provider, NHG seeks to offer residents and others a safe and supportive environment in which they can report abuse when it happens. Any report

or allegation of abuse, or suspicion of abuse, will be listened to and investigated. The Safeguarding Adults Procedure outlines what and how we should do that.

2.0 Definitions

Safeguarding is defined by the Care Act 2014 as 'protecting an adult's right to live in safety, free from abuse and neglect.'

Safeguarding Procedure refers to steps taken to prevent and further protect an individual from harm and abuse, including making external referrals and collaborating with multiagency partners.

An **adult at risk** is a person aged 18 or over who is in need of care and support (whether or not those needs are being met).

This may include:

- Elderly people
- Those with a physical or learning disability or a sensory impairment
- People with unmanaged mental health needs, including dementia or a personality disorder
- People with a long-term health condition, who misuses substances or alcohol
- Those affected by their ability to manage day-to-day living
- Carers, providing care to a family member or friend
- People with substance and alcohol misuse needs
- People who are homeless or risk of being homeless
- People who lack or have fluctuating capacity due to various factors
- People with hidden disabilities.

The safeguarding adult duties apply to any person aged 18 years or over who:

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

Abuse is violation of a person's human and/or civil rights by any other person or persons. The Care and Support statutory guidance identify ten types of abuse, these are:

- Physical abuse
- Sexual abuse
- Financial or material abuse
- Discriminatory abuse
- Neglect and acts of omission
- Domestic violence or abuse

- Psychological or emotional abuse
- Modern Slavery & Trafficking in Person
- Organisational or institutional abuse
- Self-Neglect.

Channel is an early intervention multi-agency panel, made up of safeguarding professionals and local partners. It provides an appropriate support package tailored to the individual's needs, and it's designed to assess the risk to individuals and decide whether intervention is necessary.

Lasting Power of Attorney (LPA) is a legal arrangement and depending on the resident's decision, it provides those who the resident trusts (e.g., family members, next of kin, partners, distant relatives, and friends) with a legal means to step in and carry out their wishes or make decisions about the health and welfare/or property and financial affairs on their behalf, when they are unable, or choose not to do that themselves.

Alerter the person who raises a concern that an adult is being, has been, or is at risk of being abused or neglected. This could be the person themselves, a member of their family, a carer, a friend, or neighbour or could be a member of staff or a volunteer.

Perpetrator or alleged perpetrator is a person or organisation who has been named by the alerter or victim as the person or organisation responsible for abusing, neglecting, or exploiting a vulnerable adult.

Section 42 Enquiry places a duty on local authorities to make enquiries, or cause enquiries to be made, when certain adults are considered to be experiencing or at risk of abuse or neglect. The purpose of the enquiries is to decide if any safeguarding action is necessary to protect an individual and if so, who should be involved.

Modern Slavery is defined as the recruitment, movement, harbouring or receiving of children, women, or men through the use of force, coercion, abuse of vulnerability, deception, or other means for the purpose of exploitation. It is a crime under the Modern Slavery Act 2015 and includes holding a person in a position of slavery, servitude forced or compulsory labour, or facilitating their travel with the intention of exploiting them soon after.

PREVENT is a community safeguarding program about safeguarding and supporting those vulnerable to radicalisation. It aims to stop people becoming terrorists or supporting terrorism. The Home Office works with local authorities, a wide range of government departments, and community organisations such as housing to deliver the Prevent strategy.

Statutory Agencies NHS, Police and Local Authority are recognised as three key statutory agencies for leading safeguarding process.

2.1 Protecting Adults who do not have care and support needs but who are at risk of abuse or exploitation

Many individuals may not have a care and support need but may still have vulnerabilities that should be addressed, protecting them from risk of experiencing harm, abuse, and exploitation. Some of this may fall under risk areas such as Modern Slavery, Domestic Abuse and Violence, Cuckooing, Hoarding. Often individuals who do not have identified care and support needs do not meet the criteria for a formal local authority safeguarding plan. Nevertheless, as a social housing provider, it is our duty to protect NHG residents by working in partnership and sharing information with recognised specialist agencies such as:

- Police
- Fire Brigade (LFB)
- MARAC, Domestic Violence and Abuse Service, Stalking Service
- CMARAC, Adults with multiple vulnerabilities
- NRM, National Referral Mechanism, Anti-Slavery and Anti-Human Trafficking Charities
- Crisis Team or CMHT Community Mental Health Teams, NHS, and their complimentary services.

3.0 Guiding Principles

Everyone at NHG have a responsibility for the safety and wellbeing of residents and colleagues. Living a life that is free from harm and abuse is a fundamental human right and an essential requirement for health and well-being. Safeguarding adults is about the safety and well-being of all residents. Additionally, we have a responsibility to follow the six safeguarding principles enshrined within the Care Act 2014.

Empowerment: People being supported and encouraged to make their own decisions and informed consent. We work to make Safeguarding Personal (see below).

Prevention: It is better to take action before harm occurs. NHG follows safer recruitment practices to ensure all staff are fit for their roles, including through the [Disclosures and Convictions Policy](#) (DBS). We train staff and provide resources to raise awareness so we can stop abuse before it occurs.

Proportionality: Looks at the least intrusive response appropriate to the risk presented. We do this with our external partners and the individual.

Protection: We provide support and representation for those in greater need.

Partnership: Local solutions through services working with their communities. We are committed to develop local partnerships within communities we serve. NHG plays an important role in preventing, detecting, and reporting neglect and abuse.

Accountability: Accountability and transparency in safeguarding practice. This applies to NHG as well as our Local Authority partners. For more details, please refer to the [Safeguarding Accountability Structure](#).

3.1 Making Safeguarding Personal

We endeavour to seek consent from residents not just to make a referral but to work toward the outcomes they wish. We appreciate their choices and relationships and will put those at the heart of our approach. During the safeguarding process we ensure that an adult's wellbeing is promoted when reporting and responding to safeguarding concerns. We regard their views, wishes, feelings and beliefs in deciding on any action, and support them to share their views with other agencies. We recognise that adults at risk can sometimes have complex interpersonal relationships and may be ambivalent, unclear, or unrealistic about their personal circumstances.

Every interaction present crucial opportunity for protection. Responding to these opportunities requires the ability to recognise signs of vulnerabilities and potential or actual risks of harm, maintaining an open stance of professional curiosity, and understanding one's own responsibility and knowing how to take action.

We are conscious that NHG residents will include both victims and perpetrators. We work in partnership with other agencies to support victims of abuse and address the risks presented by perpetrators. In cases where a perpetrator is the NHG customer, we utilise the most appropriate intervention available to manage their behaviour and work with relevant agencies to provide appropriate support as required.

4.0 Preventing the Risk of Abuse

Our aim is to prevent safeguarding incidents from occurring (or recurring) wherever possible. We do so by ensuring the following steps:

- **Identifying risk and areas of risk:** We rely on available intelligence and our own data to highlight risk factors, we consider national, regional, and local trends that have been linked to abuse and neglect, and we look out for signs that expose a vulnerable adult at risk of abuse. We identify the risk and take proportionate measures to control it.
- **Due Diligence:** We exercise an appropriate level of caution or investigation prior to acting or making a decision in relation to engaging with suppliers, recruitment, references, and DBS.
- **Professional Curiosity:** Professional curiosity is the capacity and communication skill to explore and understand what is happening rather than making assumptions or accepting things at face value. We want to ensure our employees understand professional curiosity as an integral part to their approach when assessing needs and risk and implementing safeguarding process.

4.1 Suspecting abuse

In case of suspected abuse by an employee or NHG as an organisation, we address any suspected abuse or neglect through formal investigation processes and our own internal disciplinary procedures. In cases investigated by other agencies, we participate fully and cooperate with inquiries, agreeing lead investigator and an investigation timetable. These types of cases will be highlighted to the Director of the department, who may choose to seek advice from the Safeguarding Lead and HR.

In instances where we are the landlord or business partner, and the service provider may not have a clear safeguarding approach NHG Safeguarding Policy should be followed.

5.0 Recording, Reporting and Sharing Information

Recording and sharing information is a part of day-to-day safeguarding practice. To keep adults safe, information needs to be shared, so that decisions can be made about how to protect them. If the information is confidential, but there is a safeguarding concern, NHG staff will share information both within NHG and with the relevant organisation. For more information on safe practice in relation to data sharing, we refer to NHG [Data Protection Policy](#).

If we have knowledge of a criminal offence that has occurred, or the customer faces an imminent risk, we notify the police immediately. If we have concerns about the immediate health and welfare of an individual in relation to a safeguarding matter, we notify the emergency services and local authority as soon as possible.

All staff are required to report any safeguarding concerns or suspicion they have as soon as they arise. All reported concerns are taken seriously and recorded on our internal

safeguarding reporting systems and submitted by staff or their managers to the local authority via their referral process.

5.1 Necessary and proportionate

When taking decisions about what information to share, we consider how much information we need to release. Not sharing more data than is necessary to be of use is a key element of the GDPR and Data Protection Act 2018, and we consider the impact of disclosing information on the information subject and any third parties. Information must be proportionate to the need and level of risk.

6.0 Multi- Agency Approach

As a recognised partner agency in the Care Act 2014, we support and cooperate with statutory agencies, where they have concerns that relate to one of our residents. We respond to all local authority requests regarding safeguarding (sometimes referred to as Section 42 requests) in a timely manner.

We contribute to inter-agency working, take part in multi-disciplinary assessments and joint working partnerships in order to provide the most effective means of safeguarding adults and achieve our aims of keeping adults at risk safe.

We cooperate with the Local Authority, Police and Home Office to help them protect, investigate, and deter abuse and exploitation. We cooperate with local Safeguarding Adults Boards, Modern Slavery Unit, Gangmasters and Labour Abuse Authority and inform them of any serious concerns we may have.

We work with our partners to safeguard adults at risk of radicalisation in all its forms. If we suspect that a person is being drawn into terrorism, we make a referral to appropriate agencies, e.g., Channel, an early intervention multi-agency panel.

We work with Local Authorities, to achieve our aims and we recognise our legal requirements in reporting all safeguarding concerns to them. Local Authorities have expertise in handling cases of abuse, providing support and counselling to victims of abuse, and in assisting the police with any criminal investigations. It is the responsibility of the Local Authorities to arrange advocates for any adult who would be deemed in need of this.

7.0 Consent and capacity

All adults have rights to be independent, have control, choice and say when sharing information. However, we have a duty and obligation to share information when considering safeguarding interventions. When doing so we will take into account the ability of adults to make informed choices about the way they want to live and the level of risk they want to take.

We always assume that an adult has the mental capacity to make decisions about their personal safety, unless we have been formally advised otherwise by an appropriate health and/or social care professional or have seen relevant documentation e.g., Lasting Power of Attorney (LPA). If we suspect that an adult does not have mental capacity, or they are making choices that are putting them and others at risk we make a referral to appropriate agencies for an assessment.

When sharing information with other partners we only accept consent if it is freely given, not inferred, or provided under duress. If consent is refused, information is only shared in the following circumstances:

- There is a need to safeguard a person/people at risk
- There is a significant risk of harm to self or others
- The person lacks the mental capacity to make an informed decision about sharing the information
- We suspect the person has the mental capacity to make that decision, but they may be under duress or coerced
- We suspect a criminal offence has been or will be committed
- Notting Hill Genesis are implicated in the allegation
- Some other legal provision requires it, including under a court order.

8.0 Extra Care/CQC Regulated Services

Our care services are registered with the Care Quality Commission (CQC) and provide services in compliance with the regulations of the Health and Social Care Act 2008. Our responsibility to keep resident's safe informs our understanding of Safeguarding within registered services and increases our duty of care to minimise residents' risk of experiencing abuse. All CQC regulated services must comply with CQC regulations in relations to safeguarding and notifications. Local Authority commissioned services must comply with contractual requirements and follow Pan London Protocols in addition to NHG Safeguarding Policy. All operational managers of these services are required to ensure that they understand and work within these protocols, in addition to abiding by all principals laid out in this policy.

9.0 Monitoring, Evaluation and Learning

Safeguarding training are mandatory and awareness resources are available to all employees to promote understanding of adults at risk or those who are vulnerable to abuse and exploitation, spot the signs of abuse, and what steps to take to prevent and protect individuals from further harm.

We have established a safeguarding committee to have oversight and ensure our safeguarding practice and processes are in line with the legislation, and best practice is embedded in each directorate.

As part of our monitoring, evaluation, and learning approach we closely observe reports of abuse, and review it as part of shared learning. In addition, the Safeguarding Lead provide regular updates on safeguarding program, risk, and trend analysis to the Safeguarding Chair and the NHG Safeguarding Committee.

For quality assurance purposes and to gain insight into our safeguarding culture and good practice, we conduct regular audits, surveys and publish findings in annual reports. This process helps us identify strengths and gaps and allows us to focus our attention and resources where they are required.

10.0 Our approach

In writing this policy we have carried out assessments to ensure that we are considering:

- Equality, diversity, and inclusion
- Privacy and data protection.

We also carry out consultation with our staff, residents, and the wider community. If you would like more information about this work, please contact us at policy@nhg.org.uk

11.0 Reference

Further legislations that underpin safeguarding practices and development of this policy are as follows:

- Health and Social Care Act 2008
- Care and Support Statutory Guidance 2014
- Care Act 2014
- Domestic Abuse Act 2021
- Data Protection Act 2018
- London Multi-Agency Safeguarding Policy and Procedures 2015
- Modern Slavery Act 2015
- Equality Act 2010
- Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005
- No Secrets 2000, the government White Paper
- Human Rights Act 1998
- Public Interest Disclosure Act 1998
- Counter Terrorism and Security Act 2015.

Document control

Author	Pooja Aryal, Safeguarding Lead
Approval date	22 nd September 2021
Effective date	11 th October 2021
Approved by	Policy Group
Policy owner	Safeguarding Lead
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Version control

Date	Amendment	Version
September 2021	Notting Hill Genesis policy reviewed	v2.0

Appendix 1 – Useful links and resources

Care Act 2014 <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

Care Act Statutory Guidance

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/315993/Care-Act-Guidance.pdf

Adult Safeguarding 2018 <https://www.rcn.org.uk/-/media/royal-college-of-nursing/documents/publications/2018/august/pdf-007069.pdf>

European Convention On Human Rights

https://www.echr.coe.int/Documents/Convention_ENG.pdf

Code of Ethics, The Code of Ethics for Social Work, Author: The Policy, Ethics and Human Rights Committee, First published: January 2012, Updated: October 2014

<https://www.basw.co.uk/about-basw/code-ethics>

Crime and Disorder Act 1998 <https://www.legislation.gov.uk/ukpga/1998/37/contents>

Female Genital Mutilation Act 2003

<https://www.legislation.gov.uk/ukpga/2003/31/contents>

Mental Capacity Act 2005, Code of Practice

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/921428/Mental-capacity-act-code-of-practice.pdf

Convention on the Rights of Persons with Disabilities 2006

<https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

Mental Health Act 2007 <https://www.legislation.gov.uk/ukpga/2007/12/contents>

Children and Families Act 2014

<https://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>

Modern Slavery Act 2015 <https://www.gov.uk/government/collections/modern-slavery-bill>

Serious Crime Act 2015 <https://www.gov.uk/government/collections/serious-crime-bill>

Allegation of abuse notification <https://www.cgc.org.uk/guidance-providers/notifications/allegations-abuse-safeguarding-notification-form>

The Mental Capacity Act Deprivation of Liberty Safeguards

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/437661/Final_DoLS_Guidance_2015.pdf

Local Government UK, MSP Toolkit.

<https://www.local.gov.uk/sites/default/files/documents/MSP%20Toolkit%20Handbook%20-%20FINAL%20December%202019%20v1.1.pdf>

London Fire Brigade. Hoarding. Available at: <http://www.london-fire.gov.uk/hoarding.asp>

Chartered Institute of Environmental Health (2012). Professional Practice Note: Hoarding and how to approach it - guidance for Environmental Health Officers and others.

[http://www.cieh.org/uploadedFiles/Core/Policy/Publications and information services/Policy publications/Publications/Hoarding_PPN_May09.pdf](http://www.cieh.org/uploadedFiles/Core/Policy/Publications%20and%20information%20services/Policy%20publications/Publications/Hoarding_PPN_May09.pdf)

General Data Protection Regulation (GDPR). <https://gdpr-info.eu>

Data Protection Act (2018)
<http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

CQC. Regulation 20: Duty of candour. <http://www.cqc.org.uk/content/regulation20-duty-candour>

Safeguarding adults. Roles and responsibilities in health and care services.
http://www.cqc.org.uk/sites/default/files/20140416_safeguarding_adults_-_roles_and_responsibilities_-_revised_draf....pdf

Public Interest Disclosure Act (1998).
<http://www.legislation.gov.uk/ukpga/1998/23/contents>

Care Quality Commission (Registration) Regulations (2009).
<http://www.cqc.org.uk/file/4981>

DH (2013). Information: To Share or not to Share, Government Response to the Caldicott http://londonadass.org.uk/wp-content/uploads/2014/12/9731-2901141-TSO-Caldicott-Government_Response_ACCESSIBLE.pdf

SCIE (2015). Adult safeguarding: sharing information. <http://www.scie.org.uk/careact-2014/safeguarding-adults/sharing-information/>

The Counterterrorism and Security Act (2015).
<http://www.legislation.gov.uk/ukpga/2015/6/contents/enacted>

Channel Duty Guidance (2015).
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/425189/Channel_Duty_Guidance_April_2015.pdf

Court of Protection – <https://www.gov.uk/courts-tribunals/court-of-protection>

Forced Marriage Unit – <https://www.gov.uk/guidance/forced-marriage>

Office of the Public Guardian- <https://www.gov.uk/government/organisations/office-of-the-public-guardian>