

Blackburn with Darwen Healthy Living

Safeguarding Policy and Procedure

The purpose of this document is to set out Blackburn with Darwen Healthy Living's (BwDHL) policy and procedures in promoting the wellbeing of vulnerable children and adults who may be at risk and have difficulty protecting themselves from harm and abuse and in promoting their own interests.

Introduction

- BwDHL makes a positive contribution to a strong and safe community and recognises the right of every individual to stay safe. This policy details the safeguarding arrangements put in place to ensure BwDHL fulfils its statutory duties and responsibilities
- BwDHL comes into contact with children and/or vulnerable adults through the following activities, the list is not exhaustive.
 - Focus/ Citizen Jury groups
 - Residential activities
 - Youth groups
 - Physical activity sessions
 - Community groups
 - Volunteer led sessions.
- This policy seeks to ensure that BwDHL undertakes its responsibilities regarding protection of children and/or vulnerable adults and will respond to concerns appropriately. The policy establishes a framework to support paid and unpaid staff in their practices and clarifies the organisation's expectations.

1. Legislation

The principal pieces of legislation governing this policy are:

- Working Together to Safeguarding Children (2018)
- Care act 2014
- Mental Capacity Act 2005
- The Children Act 1989
- The Adoption and Children Act 2002:
- The Children act 2004
- Safeguarding Vulnerable Groups Act 2006
- Care Standards Act 2000
- Public Interest Disclosure Act 1998

- The Police Act – CRB 1997
- Mental Health Act 1983
- NHS and Community Care Act 1990
- Rehabilitation of Offenders Act 1974
- Terrorism and Prevent Duty Policy

A key area of consideration is the implementation of the Mental Capacity Act (MCA) which is supported by a Code of Practice and sets out the legal framework for adults and children aged 16 -17 years old who lack capacity; for young people aged 16-17 years there is an overlap with the Children Act 1989. The MCA identifies who can take decisions and in what situations, as well as protecting the right of the individual when refusing treatment merely because they make an unwise decision.

2. Definitions

Safeguarding is about embedding practices throughout the organisation to ensure the protection of children and/or vulnerable adults wherever possible. In contrast, child and adult protection is about responding to circumstances that arise.

Abuse is a selfish act of oppression and injustice, exploitation, and manipulation of power by those in a position of authority. This can be caused by those inflicting harm or those who fail to act to prevent harm. Abuse is not restricted to any socio-economic group, gender, or culture.

It can take several forms, including the following:

- Physical abuse
- Sexual abuse
- Emotional abuse
- Bullying
- Neglect
- Financial (or material) abuse

Definition of a child:

In the Children Act 1989 and 2004, a child is anyone who has not yet reached their 18th birthday. For children aged 16 and 17 years old however the terminology used by the MCA Act 2005 will be adopted for this policy i.e. Young Person.

Definition of Vulnerable Adults:

A vulnerable adult is a person aged 18 years or over who may be unable to take care of themselves or protect themselves from harm or from being exploited.

This **may** include a person who:

- Is elderly and frail
- Has a mental illness including dementia
- Has a physical or sensory disability
- Has a learning disability
- Has a severe physical illness or frailty
- Is a substance misuser
- Domestic abuse
- Is homeless
- Has sensory impairment
- Has challenging behaviour

Support provided should be appropriate to the person's physical and mental abilities, culture, religion, gender and sexual orientation and tailored to enable people to live lives that are free from violence, harassment, humiliation and degradation.

Adults and Young People with capacity

A person's ability to make a decision in regard to adult abuse may be affected by (not an exhaustive list):

- Duress and undue influence.
- Lack of mental capacity.
- Use of threat or influence
- Power imbalance within a relationship

There may be a fine distinction between a person who lacks the mental capacity to make a particular decision and a person whose ability to make a decision is impaired, e.g. by duress or undue influence. Nonetheless, it is an important distinction to make.

Vulnerable adults who are in receipt of health or social care services and whose independence and well-being is at risk due to abuse can expect arrangements to be made that will promote their safety, independence and well-being in both the short and longer term. BwDHL will ensure all relevant and appropriate professionals are alerted and involved to support all adults and young people wherever possible: -

- The right to be safeguarded from abuse.
- Their needs regarded as paramount.
- The right to be taken seriously.
- To be offered independent advocacy and/or support and be kept informed of safeguarding processes and outcomes, as appropriate. BwDHL will support any adult and young person in facilitating access to advocacy services including making a referral in the absence of statutory services.
- The right to appropriate information on the safeguarding process.

- The right to privacy and confidentiality throughout the safeguarding process, except where there is a requirement to over-ride.
- The right to be involved in decisions regarding themselves, made as a result of the safeguarding process.

Any intervention to protect an adult or young person at risk must be carried out with their consent unless this will increase their risk of harm, e.g. female genital mutilation (FGM), honour-based violence or domestic abuse, thus highlighting that there may be occasions where consent is not required, due to an agency's duty to protect others. This may be when there are concerns regarding wider groups of adults, young people or children at risk or when a criminal offence has taken place.

Lack of mental capacity for a specific decision

The Mental Capacity Act (MCA) 2005 provides a statutory framework that underpins issues relating to capacity and protects the rights of individuals where capacity may be in question. MCA implementation is integral to safeguarding adults at risk.

PREVENT

Prevent (radicalisation of vulnerable people): Prevent is one of the four key principles of the counter-terrorism strategy (CONTEST), which aims to stop people becoming terrorists or supporting terrorism. The Prevent Strategy addresses all forms of terrorism including extreme right wing but continues to prioritise according to the threat posed to our national security. The aim of Prevent is to stop people from becoming terrorists or supporting terrorism and operates in the pre-criminal space before any criminal activity has taken place.

The Prevent Strategy now sits under safeguarding and depends on an integrated approach from all organisations in its success. All terrorist groups need to radicalise and recruit people to their cause, often (but not always) from vulnerable groups. Prevent means intervening to try to stop people moving from extremist groups or extremism into terrorist-related activity.

3. Responsibilities

All staff (paid or unpaid) have a responsibility to follow the guidance laid out in this policy and related policies, and to pass on any welfare concerns using the required procedures. We expect all staff (paid or unpaid) to promote good practice by being an excellent role model, contribute to discussions about safeguarding and to positively involve people in developing safe practices.

Additional specific responsibilities

Trustees have responsibility to ensure: The policy is in place and appropriate.

The Designated Trustee is Linda Whalley. Contact details - lindajwhalley@gmail.com

The Designated Senior Manager is Dilwara Ali. This person's responsibilities are:

- The policy is implemented.
- The policy is monitored and reviewed.
- Act as a contact on safeguarding children, young people, adults at risk and Mental Capacity Act matters; this may include requests to contribute to sharing information required for safeguarding enquiries where appropriate
- Ensure safeguarding responsibilities are reflected in all job descriptions
- To ensure that all staff in contact with Children, Young People or adults at risk to be alert to the potential indicators of abuse or neglect, and know how to act on those concerns in line with local guidance
- Ensure staff (paid and unpaid) have access to appropriate training/information.
- Receive staff concerns about safeguarding and respond to all seriously, swiftly, and appropriately
- Keep up to date with local arrangements for safeguarding and DBS.

4. Categories of Abuse

Children:

Physical abuse: including assault, hitting, slapping, shaking, throwing, poisoning burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces an illness in a child and Female Genital Mutilation.

Sexual abuse: including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography, witnessing sexual acts, on-line abuse or exploitation, child sexual exploitation (CSE), indecent exposure and sexual assault or sexual acts to which an adult has not consented or was pressured into consenting. Forced marriage can also be a form of sexual abuse and can take place abroad at a very young age (but also including 16- & 17-year-olds).

Child Sexual Exploitation: Child Sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

Neglect and acts of omission: – Neglect is the ongoing failure to meet a child's basic needs including ignoring medical, emotional or physical needs or failure to provide appropriate supervision, access to appropriate health care and support or educational

services. For adults this may mean the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Emotional/Psychological abuse: including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

Adults (as per children plus the following):

Domestic violence: including psychological, physical, sexual, financial, emotional abuse; so, called 'honour' based violence and forced marriage. Advice around referring high risk cases can be found here -

http://panlancashirescb.proceduresonline.com/chapters/pr_contacts.html#black_marac

Financial or material abuse: including 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, or the misuse or misappropriation of property, possessions or benefits.

Modern slavery: encompasses slavery, human trafficking and forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Discriminatory abuse: including forms of harassment, slurs or similar treatment; Because of race, gender and gender identity, age, disability, sexual orientation or religion.

Organisational abuse: including 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. This may range from one-off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Self-neglect: The Lancashire Self Neglect framework

<https://www.lancshiresafeguarding.org.uk/media/1458/Multi-Agency-Self-Neglect-Framework-Final-March-2019.pdf> should be referred to for the management of cases where an adult is at high risk due to severe injury and/or death due to lifestyle/self-neglect/refusal of services. There is no perpetrator in these cases and the adult at risk has mental capacity to make choices about their care and support. It is designed to ensure effective multi-agency working and decision making.

It is important to note that any or all these types of abuse may be perpetrated as the result of deliberate intent, negligence or ignorance.

5. Implementation

The scope of this Safeguarding Policy is broad ranging and in practice, it will be implemented via a range of policies and procedures within the organisation. These include:

- Whistleblowing –ability to inform on other staff/ practices within the organisation.
- Grievance and Disciplinary procedures – to address breaches of procedures/ policies.
- Health and Safety Policy, including lone working procedures, mitigating risk to staff and clients.
- Equal Opportunities Policy– ensuring safeguarding procedures are in line with this policy, around discriminatory abuse and ensuring that the safeguarding policy and procedures are not discriminatory.
- Data Protection (how records are stored and access to those records)
- Confidentiality (or limited confidentiality policy) ensuring that service users are aware of your duty to disclose.
- Staff induction
- Staff training

Safe recruitment

BwDHL ensures safe recruitment through the following processes:

- Providing the following safeguarding statement in recruitment adverts or application details - 'recruitment is done in line with safe recruitment practices.'
- Job or role descriptions for all roles involving contact with children and/or vulnerable adults will contain reference to safeguarding responsibilities.
- There are person specifications for roles which contain a statement on core competency with regard to child/ vulnerable adult protection/ safeguarding.
- Shortlisting is based on formal application processes/forms and not on provision of CVs.
- Interviews are conducted according to equal opportunity principles and interview questions are based on the relevant job description and person specification.
- DBS checks will be conducted for specific roles for all staff (paid or unpaid) working with children and vulnerable adults. Portable/carry over DBS checks from another employer will not be deemed to be sufficient.
- No formal job offers are made until after checks for suitability are completed (including DBS and 2 references).

Disclosure and Barring Service (DBS)

The organisation commits resources to providing Disclosure and Barring check on staff (paid or unpaid) whose roles involve contact with children and /or vulnerable adults.

To avoid DBS gaps, the organisation will:

Maintain and review a list of roles across the organisation which involve contact with children/ vulnerable adults.

In addition to checks on recruitment for roles involving contact with children/ vulnerable adults, for established staff the following processes are in place:

- A rolling programme of re-checking DBS's is in place for holders of all identified posts.
- Existing staff (paid or unpaid) who transfer from a role which does not require a DBS check to one which involves contact with children / vulnerable adults will be subject to a DBS check.

Service delivery contracting and sub-contracting:

- There will be systematic checking of safeguarding arrangements of partner organisations.
- Safeguarding will be a fixed agenda item at any partnership reporting meetings.
- Contracts and memorandums of agreement for partnership delivery work will include clear minimum requirements, arrangements for safeguarding and non-compliance procedures.

6. Communications training and support for staff

BWDHL commits resources for induction, training of staff (paid and unpaid), effective communications and support mechanisms in relation to Safeguarding.

Induction will include:

- Discussion of the Safeguarding Policy (and confirmation of understanding)
- Discussion of other relevant policies
- Ensure familiarity with reporting processes, the roles of line manager and Designated Senior Manager (and who acts in their absence)
- Initial training on safeguarding including safe working practices, safe recruitment, understanding child protection and the alerter guide for adult safeguarding

Training

All staff who, through their role, are in contact with children and /or vulnerable adults will have access to safeguarding training at an appropriate level.

Communications and discussion of safeguarding issues

Commitment to the following communication methods will ensure effective communication of safeguarding issues and practice:

- Team meetings
- Board meetings
- One to one meeting (formal or informal)
- Participation in joint client visits
- Provision of a clear and effective reporting procedure which encourages reporting of concerns.

- Encouraging open discussion (e.g. during supervision and team meetings) to identify barriers to reporting so that they can be addressed.
- Inclusion of safeguarding as a discussion prompt during supervision meetings/ appraisals to encourage reflection.

Support

We recognise that involvement in situations where there is risk or actual harm can be stressful for staff concerned. The mechanisms in place to support staff include:

- Debriefing support for paid and unpaid staff so that they can reflect on the issues they have dealt with.
- Seeking further support as appropriate e.g. access to counselling.
- Staff who have initiated protection concerns will be contacted by line manager within a certain a 1 week.

7. Professional boundaries

Professional boundaries are what define the limits of a relationship between a support worker and a client. They are a set of standards we agree to uphold that allows this necessary and often close relationship to exist while ensuring the correct detachment is kept in place.

BwDHL expects staff to protect the professional integrity of themselves and the organisation.

The following professional boundaries must be adhered to:

Giving and receiving gifts from clients:

BwDHL does not allow paid or unpaid staff to give gifts to or receive gifts from clients. However, gifts may be provided by the organisation as part of a planned activity.

Staff contact with user groups.

Personal relationships between a member of staff (paid or unpaid) and a client who is a current service user is prohibited. This includes relationships through social networking sites such as Facebook.

It is also prohibited to enter into a personal relationship with a person who has been a service user over the past 12 months.

The following are also prohibited:

- Use of abusive language
- Response to inappropriate behaviour / language
- Use of punishment or chastisement
- Passing on service users' personal contact details
- Degree of accessibility to service users (e.g. not providing personal contact details)
- Taking family members to a client's home

- Selling to or buying items from a service user
- Accepting responsibility for any valuables on behalf of a client
- Accepting money as a gift/ borrowing money from or lending money to service users
- Accepting gifts/ rewards or hospitality from organisation as an inducement for either doing/ not doing something in their official capacity
- Cautious or avoidance of personal contact with clients

If the professional boundaries and/or policies are breached this could result in disciplinary procedures or enactment of the allegation management procedures.

8. Reporting

The process outlined below details the stages involved in raising and reporting safeguarding concerns at BwD Healthy Living:

Communicate your concerns with your immediate manager



Seek medical attention for the vulnerable person if needed



Discuss with parents of child
Or with vulnerable person.

Obtain permission to make referral if safe and appropriate



If needed seek advice from the Children and Families helpdesk or Adults helpdesk



Complete the Local Authority Safeguarding Vulnerable Groups Incident Report Form if required and submit to the local authority within 24 hours of making a contact



Ensure that feedback from the Local Authority is received and their response recorded

If the immediate manager is implicated, then refer to their line manager or peer.

9. Allegations Management

BwDHL recognises its duty to report concerns or allegations against its staff (paid or unpaid) within the organisation or by a professional from another organisation.

The process for raising and dealing with allegations is as follows:

First step: Any member of staff (paid or unpaid) from BwDHL is required to report any concerns in the first instance to their line manager, A written record of the concern will be completed by the individual /line manager).

Second step- contact local authority for advice. For children the Safeguarding Children Services Local Authority Designated Officer (LADO) 01254 585184, or for adults contact 01254 585949 For out of hours emergencies call 01254 587547 or contact the Police (Greenbank) on 01772 614444 or dial 999.

10. Monitoring

The organisation will monitor the following Safeguarding aspects:

- Safe recruitment practices
- DBS checks undertaken.
- References applied for new staff.
- Records made and kept of supervision sessions.
- Training – register/ record of staff training on child/ vulnerable adult protection
- Monitoring whether concerns are being reported and actioned.
- Checking that policies are up to date and relevant.
- Reviewing the current reporting procedure in place
- The presence and action of Designated senior manager responsible for Safeguarding is in post.

11. Managing Information

Information will be gathered, recorded, and stored in accordance with the following policies Data Protection Policy, Confidentiality Policy.

All staff must be aware that they have a professional duty to share information with other agencies to safeguard children and vulnerable adults. The public interest in safeguarding children and vulnerable adults may override confidentiality interests.

However, information will be shared on a need-to-know basis only, as judged by the Designated Senior Manager.

All staff must be aware that they cannot promise service users or their families/ carers that they will keep secrets.

12. Conflict resolution and complaints

BwDHL is aware of the policy on resolution of professional disagreements in work relating to the safety of children / Escalation Policy and if necessary, this will be taken forward by the Chief Officer.

Conflicts in respect of the safety of vulnerable adults will be taken forward by the Chief Officer via the Adult Care Directorate

13. Communicating and reviewing the policy

BwD Healthy Living will make clients aware of the Safeguarding Policy through the charity website.

This policy will be reviewed by the Chief Officer every 2 years when there are changes in legislation.

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Next due for review: November 2026