

The Inclusion Project Safeguarding Policy and Procedures

1. Introduction

'CQC Safeguarding people

Safeguarding means protecting people's health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect. It's fundamental to high-quality health and social care.

What safeguarding means for people who use care services...

Safeguarding adults includes:

- Protecting their rights to live in safety, free from abuse and neglect.
- People and organisations working together to prevent the risk of abuse or neglect, and to stop them from happening.
- Making sure people's wellbeing is promoted, taking their views, wishes, feelings and beliefs into account.

We help to safeguard people by:

- Using information, we receive (particularly when concerns are raised about abuse, harm or neglect) to look at the risks to people who use care services.
- Referring concerns to local councils and/or the police for further investigation.
- Carrying out inspections, where we talk to people who use services to help us identify safeguarding concerns.
- Publishing our findings on safeguarding in our inspection reports.
- Taking action if we find that care services don't have suitable arrangements to keep people safe.
- Working with partners such as the police, local councils, health agencies, other regulators and government departments.'

Please see Drop Box for the CQC's statement on roles and responsibilities for safeguarding adults.

- The Inclusion Project makes a positive contribution to a strong and safe community that recognises the right of every individual to stay safe.

- The Inclusion Project comes into contact with Vulnerable Adults through the delivery of our service. The Inclusion Project is person-centred care work with Adults with Learning Disabilities based in the community.
- This policy seeks to ensure that The Inclusion Project undertakes its responsibilities with regards to Protection of 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 Inclusion Project's expectations.

Group Leaders' Confirmation and Signing

I confirm that I have been made fully aware of, and understand the contents of, the Safeguarding Policy and Procedures for The Inclusion Project. Please complete the details below and return this completed form to Dr. Denise Jackson: denisejacksontip@gmail.com

Print Group Leader's

Name: _____

Group Leader's

Signature: _____ Date: _____

According to the Social Care Institute of Excellence: 'The Care Act 2014 sets out a clear legal framework for how local authorities and other parts of the system should protect adults at risk of abuse or neglect.

Local authorities have new safeguarding duties. They must:

- **lead a multi-agency local adult safeguarding system** that seeks to prevent abuse and neglect and stop it quickly when it happens
- **make enquiries, or request others to make them**, when they think an adult with care and support needs may be at risk of abuse or neglect and they need to find out what action may be needed
- **establish Safeguarding Adults Boards**, including the local authority, NHS and police, which will develop, share and implement a joint safeguarding strategy
- **carry out Safeguarding Adults Reviews** when someone with care and support needs dies as a result of neglect or abuse and there is a concern that the local authority or its partners could have done more to protect them
- **arrange for an independent advocate** to represent and support a person who is the subject of a safeguarding enquiry or review, if required.

Any relevant person or organisation must provide information to Safeguarding Adults Boards as requested.'

This policy is formulated in recognition that safeguarding and protection is everyone's responsibility and aims to promote the protection, welfare and wellbeing of vulnerable adults.

In line with our Equal Opportunities Policy and the Equality Act 2010 The Inclusion Project is committed to ensuring that all individuals – regardless of their ethnic origin, beliefs, age, sexual orientation, gender or disability – have an equal right to live in safety, free from abuse and neglect.

2. Policy Principles

The Inclusion Project adopts the following policy principles in line with the 2014 Care Act:

- All individuals have the right to live their lives free from violence, coercion, intimidation, fear, neglect, oppression and physical, sexual, emotional or mental harm;
- Prevention – It is better to take action before harm occurs;
- Individuals have a right to confidentiality in respect of personal information insofar as this does not infringe the rights of other people;

- All individuals have the right to receive full and comprehensive information to enable them to make informed choices about their own circumstances;
- All individuals have the right to the protection of the law and access to the judicial process;
- To work in partnership in preventing, detecting and reporting neglect and abuse.
- Adults who lack capacity cannot be expected to bear the primary responsibility for their own protection. Abuse is a violation of an individual's human and civil rights by any other person(s). The risk of being abused depends upon the situation, the environment and the perpetrators, not on the behaviour of victims. Many incidents of abuse are criminal offences.

Principles upon which The Inclusion Project's Safeguarding of Children and Vulnerable Adults Policy are based:

- The welfare of Vulnerable Adults is of primary concern;
- All Vulnerable Adults, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and / or sexual identity have the right to Safeguarding from abuse;
- It is everyone's responsibility to report any concerns about abuse to the Designated Safeguarding Officers, and the responsibility of the Social Services Department and the Police to conduct, where appropriate a joint investigation;
- 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.

3. Legislation

The principal pieces of legislation governing this policy are:

The Care Act 2014

The Care Act 2014 places a general duty on local authorities to promote the wellbeing of individuals when carrying out care and support functions. The definition of wellbeing includes:

- personal dignity including treating individuals with respect
- physical and mental health and emotional well being
- protection from abuse and neglect
- control by the individual over day-to-day life
- participation in work, education, training or recreation
- social and economic well-being
- domestic, family and personal relationships
- suitability of living accommodation
- the individual's contribution to society

(Department of Health, 2014)

Sexual Offences Act 2003

The offences in the Act relating to care workers apply whether or not the victim appears to consent, and whether or not they have the legal capacity to consent.

This does not prevent care workers from providing intimate personal care so long as the behaviour is not intended to be sexual. The Act is not intended to interfere with the right of people with a mental disorder who have the capacity to consent to engage in sexual activity with anyone who is not in a caring relationship with them.

The SOA also attempts to make the prosecution of rape easier by clarifying the meaning of consent. Section 74 of the Act provides that someone consents to a sexual act if, and only if, he or she agrees by choice and has the freedom and capacity to make that choice.

Safeguarding Vulnerable Groups Act 2006 and the Protection of Freedoms Bill

This Safeguarding Vulnerable Groups Act (SVGA) 2006 was passed to help avoid harm, or risk of harm, by preventing people who are deemed unsuitable to work with vulnerable adults from gaining access to them through their work. The Independent Safeguarding Authority was established as a result of this Act. On 1 December 2012 the Criminal Records Bureau and Independent Safeguarding Authority merged to become the Disclosure and Barring Service

(DBS). All staff, whether paid or voluntary need to have an enhanced DBS check that is updated.

The Protection of Freedoms Bill (Chapter 1 of Part 5) amends the SGVA 2006, retaining the national barring function whilst abolishing registration and monitoring requirements.

Ill treatment or wilful neglect

It is an offence under section 127 of the Mental Health Act 1983 for staff to ill-treat or wilfully neglect a person with a mental disorder. The MCA 2005 (s44) extends this, creating two new criminal offences of ill treatment or wilful neglect of a person who lacks capacity to make relevant decisions. This applies to all people who lack mental capacity in whatever setting, thus offering protection to people with learning disabilities, brain injury or dementia. The offences may apply to all people, paid or unpaid, who care for a person who may lack capacity and those with deputyship, Lasting Power of Attorney.

Wilful neglect is a failure to act rather than a deliberate act to commit harm. Examples of wilful neglect could include not administering the correct medication, failing to take someone to hospital when they have fallen and hurt themselves, or leaving someone locked and unattended in a vehicle (Mandelstam 2012). Managers with responsibility for ensuring good care can be held accountable but currently there is no offence of corporate neglect. Public Interest Disclosure Act 1998

An important part of promoting **dignity** is ensuring a working environment that encourages people to challenge practices in their own workplace. The law offers some protection from victimisation to people who blow the whistle under the **Public Interest Disclosure Act (PIDA) 1998**. The parameters of 'protected disclosure' are set out in the Employment Rights Act (ERA) 1996. The person making the disclosure must reasonably believe one or more of the following:

- that a criminal offence has been committed, is being committed or is likely to be committed
- that a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject
- that a miscarriage of justice has occurred, is occurring or is likely to occur

- that the health or safety of any individual has been, is being or is likely to be endangered
 - that the environment has been, is being or is likely to be damaged, or
 - that information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.
- Safeguarding Vulnerable Groups Act 2006
 - Public Interest Disclosure Act 1998
 - Mental Health Act 1983, 2005
 - NHS and Community Care Act 1990
 - Equality Act 2010
 - Data Protection Act 1998
 - The Care Act 2008, 2014 places adult safeguarding on a statutory basis.
 - Sexual Offences Act 2003

4. Policy Aims

- To provide all personnel working within the remit of The Inclusion Project with the necessary information to enable them to meet their Safeguarding and Vulnerable Adult Protection responsibilities;
- To ensure consistent good practice;
- To demonstrate The Inclusion Project's commitment with regards to Safeguarding and Vulnerable Adult Protection, to Participants, Parents / Guardians / Account Holders, and other stakeholders.

5. Roles and Responsibilities

All personnel who work under the umbrella of The Inclusion Project have a role to play in Safeguarding Participants / Vulnerable Adults: it is all workers' responsibility to take action and to make referrals to appropriate individuals and agencies. However, **Simon Jackson-Turner, the Managing Director of The Inclusion Project is the Lead Designated Safeguarding and Protection Officer (LDSO). The Deputy Designated Safeguarding and Protection Officer (DDSO) is the Director of Inclusion and Progressions: Dr. Denise Jackson.** All Safeguarding matters should be referred on to either Simon or Denise. Contact details:

Simon Jackson-Turner, The Inclusion Project Managing Director (LDSO), simonjacksonturner@gmail.com 07545 685 414

Dr. Denise Jackson, The Inclusion Project Director of Inclusion and Progression (DDSO), denisejacksontip@gmail.com 07730 438327

6. Definitions

Safeguarding is about embedding practices throughout the organisation to ensure the Protection of Vulnerable Adults wherever possible. In contrast, Adult Protection is about responding to circumstances that arise. Safeguarding and promoting the welfare of Vulnerable Adults refers to the process of protecting Vulnerable Adults from maltreatment, preventing the impairment of health or development, ensuring the provision of safe and effective care and taking action to enable all Participants to have the best outcomes.

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 who inflict 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 a number of forms, including the following:

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

Definition of Vulnerable Adults

A Vulnerable Adult is a person aged 16 years or over, who may be unable to take care of themselves or protect themselves from harm, or from being exploited. We know that being a person aged 16 or over, who has a condition of the following type:

- A substantial learning or physical disability;

- A physical or mental illness or mental disorder, chronic or otherwise, including an addiction to alcohol or drugs;
- A significant reduction in physical or mental capacity,

makes them vulnerable to abuse. The purpose of this policy is to make sure that the actions of any adult in the context of the work carried out by The Inclusion Project are transparent, safeguard and promote the welfare of all Participants and other stakeholders, as well as Group Leaders.

7. Responsibilities

All staff (paid or unpaid) have 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) working within The Inclusion Project, to promote good practice by being an excellent role model, contribute to discussions about Safeguarding and to positively involve people in developing safe practices.

8. Implementation Stages

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 Inclusion Project.

The Inclusion Project requires all those working (paid or unpaid) within the remit of The Inclusion Project to be enhanced DBS (Disclosure and Barring Service) checked.

In addition to checks on recruitment for roles involving contact with Vulnerable Adults, for established staff, we reference check all new Group Leaders.

The Inclusion Project will ensure that all new Group Leaders / Volunteers / paid staff have confirmed that they have read and understood this policy as practiced within The Inclusion Project; requiring all those who work within the auspices of The Inclusion Project, to sign documentation to confirm that they have read and understood the Safeguarding procedures within The Inclusion Project.

9. Communications and Support for Group Leaders

The Inclusion Project commits resources for induction, **training** of Group Leaders and others who work within the remit of The Inclusion Project (paid and unpaid), and effective **communications** and **support** mechanisms in relation to Safeguarding. It is expected that Group Leaders will continue to be engaged in updating and improving their knowledge of Protection Policies.

Induction will include reading and confirming this policy and adhering to these three elements:

- **Training** - All those who work within the umbrella of The Inclusion Project who, through their role, are in contact with Vulnerable Adults will have access to Safeguarding training at an appropriate level.
- **Communications** and discussion of Safeguarding issues - Commitment to communication methods will ensure effective communication of Safeguarding issues and practice to the appropriate designated Safeguarding Officers and Authorities.
- **Support** - We recognise that involvement in situations where there is risk or actual harm can be stressful for those concerned. The Inclusion Project's Managing Director (Simon Jackson-Turner) and The Inclusion Project's Director of Inclusion and Progressions (Dr. Denise Jackson) are available on request, to discuss any problems that may arise.

10. Professional Boundaries

Professional boundaries define the limits of a relationship between a Group Leader and Participants. 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.

The Inclusion Project expects Group Leaders to protect the professional integrity of themselves and The Inclusion Project.

The following professional boundaries must be adhered to and contain guidance on how to act:

- Not to use abusive or offensive language.

- Not to give or receive gifts to or from Participants over the value of £30 from any one individual; gifts can be shared amongst staff and Participants; and gifts may be given by The Inclusion Project.
- Never to use punishment or chastisement.
- Never pass on service users' (Participants' or Parents' / Guardians' / Account Holders') personal contact details.
- Not to buy or sell items to or from a service user.

Physical intervention of a nature which is both unreasonable and disproportionate to the circumstances and or causes injury or distress to a Vulnerable Adult may be considered under Disciplinary Procedures. It is The Inclusion Project's policy that no personal relationships with Participants can take place outside of the service area. This includes relationships through social networking sites. It is also prohibited to have a personal relationship with a client who has used The Inclusion Project within the last 12 months. If the professional boundaries and / or policies are breached, this could result in disciplinary procedures, including dismissal from The Inclusion Project.

11. Reporting

The process below outlines the stages involved in raising and reporting Safeguarding concerns at The Inclusion Project:

Communicate your concerns with The Inclusion Project's Managing Director (Simon Jackson-Turner) or with The Inclusion Project's Director of Inclusion and Progression (Dr. Denise Jackson);



Seek medical attention for the vulnerable person if needed;



Discuss with Parents; or with Vulnerable Adult;
Obtain permission to make referral if safe and appropriate.



If needed seek advice from the Adult Social Services helpdesk at the Local Authority;



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.

The Local Authority has a process for reporting, and this must be adopted for any region The Inclusion Project operates within. Information on reporting concerns will be found at <https://www.nspcc.org.uk/preventing-abuse/child-protection-system/england/reporting-your-concerns/>

And:

<https://www.gov.uk/government/publications/safeguarding-children-and-young-people/safeguarding-children-and-young-people>

12. Allegations Management

The Inclusion Project recognises its duty to report concerns or allegations against those who work within the remit of The Inclusion Project (paid or unpaid), or by a professional from another organisation. The Inclusion Project recognises its legal duty to report any concerns about unsafe practices by any person working within the remit of The Inclusion Project to the Local Authority and to the CQC. All allegations will be managed according to our procedures and dealt with accordingly following Local Authority guidelines.

Hertfordshire County Councils reporting procedures can be found here:

<https://www.hertfordshire.gov.uk/services/adult-social-services/report-a-concern-about-an-adult/hertfordshire-safeguarding-adults-board/safeguarding-adults-from-abuse-%E2%80%93-information-for-professionals.aspx>

13. Monitoring

The organisation will monitor the following Safeguarding aspects:

- Safe recruitment practices

- DBS certificates
- References for all Group Leaders and Franchisers
- Records made and kept of supervision sessions
- Training – register / record of training on Vulnerable Adult protection
- Monitoring whether concerns are being reported and actioned
- Checking that policies are up to date and relevant
- Reviewing and evaluating the current reporting procedure in place.

14. Managing Information

Information will be gathered, recorded and stored in accordance with the Data Protection Act 1998.

All those working on behalf of The Inclusion Project must be aware that they have a professional duty to share information with other agencies in order to Safeguard Vulnerable Adults. The public interest in Safeguarding Vulnerable Adults may override confidentiality interests. However, information will be shared on a need to know basis only, as judged by The Inclusion Project's Managing Director (Simon Jackson-Turner). All group Leaders and Franchisees must be aware that they cannot promise Participants or their Families / Parents / Guardians / Account Holders that they will keep secrets.

15. Conflict Resolution and Complaints

The Inclusion Project is aware of the policy on resolution of professional disagreements in work relating to the safety of Vulnerable Adults Escalation Policy, and if necessary this will be taken forward by Simon Jackson-Turner (The Inclusion Project's Managing Director). CQC notification of safeguarding issues can be reported here:

'Allegations of abuse (safeguarding) – notification form

Categories:

- Organisations we regulate

When and how to tell us about abuse or allegations of abuse concerning a person using your service.

How to notify us

If you have an account with the [CQC Provider Portal](#), you can send us your notification online.

[Notify us online](#)

If you don't have access to the Provider Portal, you can notify us by filling in a form and emailing it to HSCA_notifications@cqc.org.uk.

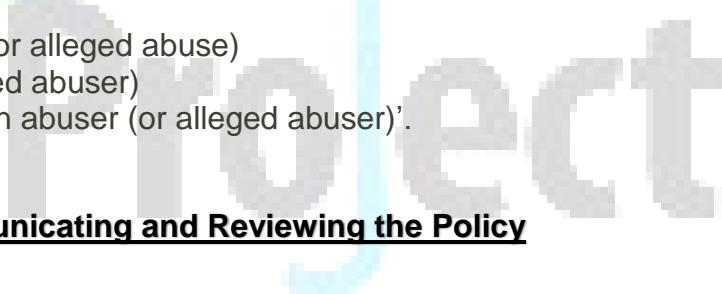
[Statutory notification: Abuse or allegations of abuse concerning a person who uses the service](#)

Statutory notification: Abuse or allegations of abuse concerning a person who uses the service Word | 384 KB

NHS trusts report allegations of abuse through the [NRLS](#). They don't need to notify us separately.

When you need to tell us about abuse or an allegation of abuse

You must tell us when people using your service are:

- affected by abuse (or alleged abuse)
- an abuser (or alleged abuser)
- both affected and an abuser (or alleged abuser)'.


16. Communicating and Reviewing the Policy

The Inclusion Project will make Group Leaders and Franchisers aware of the Safeguarding Policy through the following means; constant update and policy check to stay in line with sector standards, we hope to remain ahead with diligent reporting and implementation of the policy. Dr. Denise Jackson (The Inclusion Project's Director of Inclusion and Progressions) is responsible for reviewing the Safeguarding Policy and Procedure.

17. Useful Documentation

"No Secrets: Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse" Dept. of Health, March 2000.

http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/documents/digitalasset/dh_4074540.pdf

"Safeguarding Adults: A National Framework of Standards for good practice and outcomes in adult protection work", ADASS, October 2005

<http://www.adass.org.uk/images/stories/Publications/Guidance/safeguarding.pdf>

"Safeguarding Adults 2011: Advice Note", ADASS/LGA, April 2011.

<http://www.adass.org.uk/images/stories/Safeguarding%20Adults/SafeguardingAdviceNote0411b.pdf>

"Statement of Government Policy on Safeguarding Adults" Dept. of Health, May 2011.

http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/digitalasset/dh_126770.pdf

"Safeguarding Adults: Advice and Guidance to Directors of Adults Social Services", ADASS/LGA, March 2013.

http://www.adass.org.uk/images/stories/Policy%20Networks/Safeguarding_Adults/Key_Documents/LGA%20ADASS_SafeguardingAdviceAndGuidanceToDASS_Mar13.pdf

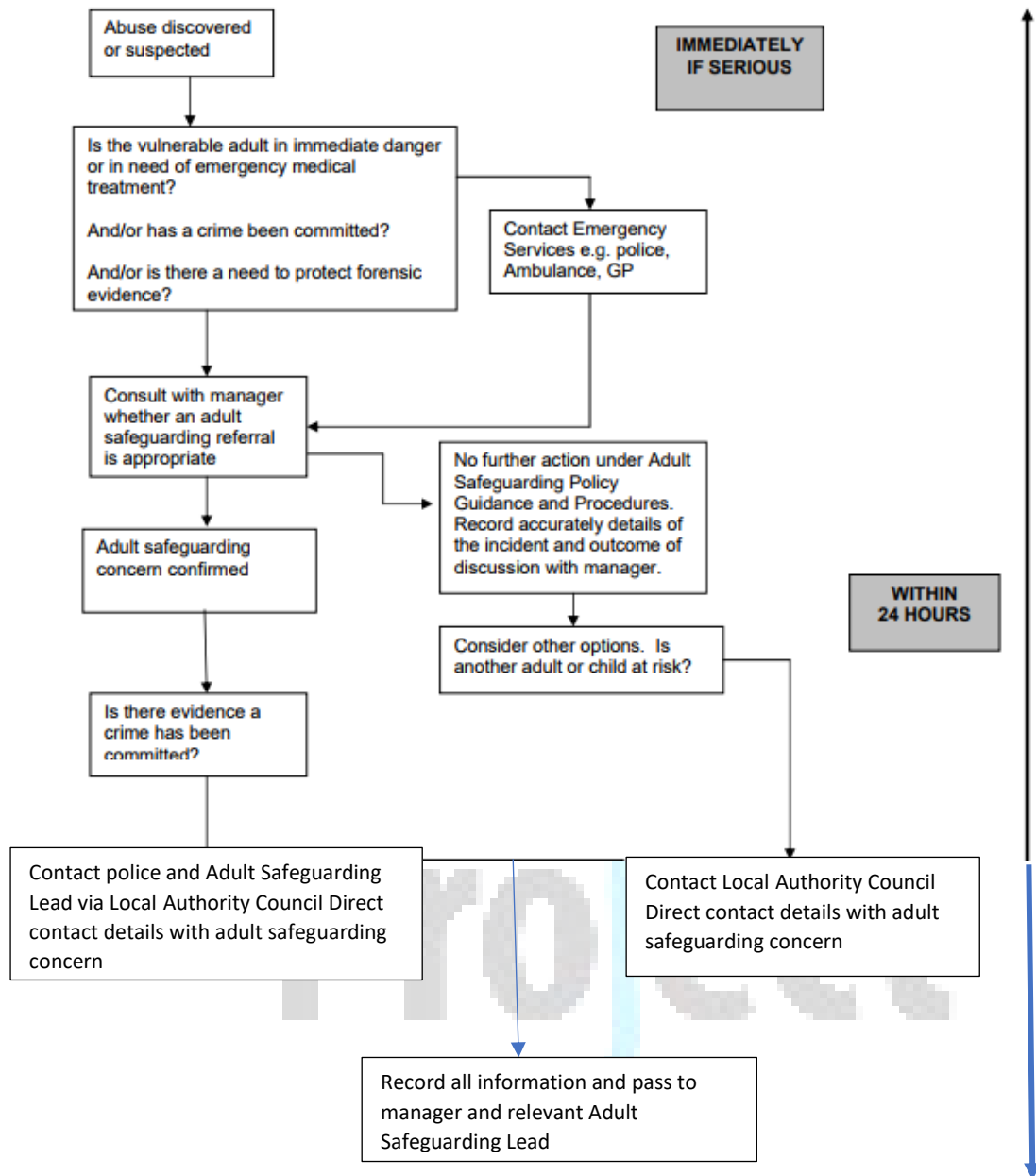
Policy Inception Date: 1st January 2016

Policy Updated: 7th December 2017

Next Review Date: 7th December 2018.

18. Referrals Flowchart

Flowchart for The Inclusion Project Group Leaders to follow when reporting Safeguarding issues. Complete the Safeguarding Incident Form and send it to your Area Manager and Dr. Denise Jackson. We will conduct an investigation. The Inclusion Project will refer all such reports to the Local Authority for further investigation, as well as notifying the CQC.



19. Safeguarding and Protection Incident Report Form

This form will be used by Group Leaders or volunteers to record disclosures or suspicions of abuse. The completed form should be sent immediately to the Managing Director or the Director of Inclusion and Progressions.

Your name	Your position
Place of work	Contact phone number
The Participant's details	
Name	
Address/phone number	
Date of birth	
Other relevant details about the Participant: <i>E.g. family circumstances, physical and mental health, any communication difficulties.</i>	
Parent / Guardian /Carer / Account Holder details:	
Details of the allegations/suspicions	
Are you recording: <ul style="list-style-type: none">• Disclosure made directly to you by the Participant?• Disclosure or suspicions from a third party?• Your suspicions or concerns?	
Date and time of disclosure:	
Date and time of incident:	
Details of the allegation/suspicions. <i>State exactly what you were told / observed and what was said. Use the person's own words as much as possible:</i>	
Action taken so far:	
Signed	Date