



# C J GALLARD'S ALMSHOUSES

## SAFEGUARDING POLICY (Amalgamated with NP's suggested policy 14.07.22)

### STATEMENT.

*The purpose of a safeguarding policy and subsequent procedures is to demonstrate that the charity is capable of dealing quickly and effectively with any concerns of abuse and is committed to safeguarding all those involved within its community. It could happen here.*

The Trustees and employees of **CJ Gallard's Almshouses** acknowledge that all residents, staff, 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 **Gallard's Almshouses** and to ensure any concerns about abuse, in any form, will be dealt with effectively.

Any adult who feels that they, or someone else, are being abused in any manner should immediately contact the charity or its officers. The charity will, where appropriate, work with other agencies, to resolve matters. The designated person will undertake an initial enquiry to establish the facts.

The Lead Trustee at Gallard's, **Nick Powell**, is designated as having responsibility for any safeguarding issues. If unavailable, the **Clerk** or **Manager** should be informed immediately of any safeguarding issue that has arisen.

**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 to look out for potential abuse and to work with the local authority Safeguarding teams to protect and implement safeguarding procedures. We have a responsibility and a 'duty of care' to our residents to recognise abuse, and to respond and report appropriately.

Any allegation of abuse needs to be handled sympathetically and sensitively whilst ensuring that no commitment or agreement is given at the outset. At this stage it is important to ensure that the complainant is not in direct contact with the alleged abuser.

Policy updated	September 2022
Lead Trustee	Nicholas Powell - <a href="mailto:chairman@gallards.co.uk">chairman@gallards.co.uk</a> . (For urgent phone contact, refer to the Manager or Clerk)
Clerk Manager	Philip Grainger - Mobile no: 07713164312 Maggie McDowall - Mobile no: 07748 411568 - Flat 25. Tel: 01892 528437
Applicable to	All Trustees / All Staff / All Volunteers / All Residents
To be Reviewed	September 2023
Date approved	September 2022 TBC

**This policy has been approved for issue by the board of trustees of CJ Gallard's Almshouses**

Signature: .....

Name: .....

Date: .....

**POLICY: SPECIFIC DETAILS**

**Definition:** What is safeguarding?

Safeguarding is a term we use to describe how we protect all adults, at **Gallard's**, from abuse or neglect. It is an important shared priority of those who carry out a public service.

Safeguarding is about protecting certain people who may be in vulnerable circumstances. These people may be at risk of abuse or neglect due to the actions (or lack of action) of another person. In these cases, it is vital that those who carry out a public service, work together to identify people at risk and put steps in place to help prevent abuse or neglect.

See **APPENDIX A** for **ACTION GUIDELINES** to be followed

See **APPENDIX B** for **TYPES OF ABUSE**

See **APPENDIX C** for **RISK FACTORS, DETAILS & PRINCIPLES OF THE CARE ACT**

**Responsibilities and Action:**

**The Lead Trustee and/or Chairman** will maintain regular contact with the complainant to offer support and reassurance as necessary.

**All staff and volunteers** have a responsibility to adhere to the Policy and Protocols.

***If in doubt, seek advice from one of the organisational leads; a false alarm is better than no action for someone being abused.***

Any allegation of abuse needs to be handled sympathetically and sensitively whilst ensuring that no commitment or agreement is given at the outset. At this stage 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.

The designated person will gather information and arrange a meeting between the manager, clerk and the designated person to establish the facts. A full record of the meeting will be made.

This meeting is to establish the facts and decide, given the nature of the report, if the individual and the incident fall within the criteria for referral to the safeguarding team or if another course of action is more appropriate. The Safeguarding team may be contacted for advice. If the police or other emergency services were called, the incident must be reported to the Local Authority.

If a referral is made to the safeguarding team then any action should be guided by them. *(See Appendix A)*

If the safeguarding team is not involved the situation will continue to be monitored by the designated person who will keep the relevant people informed as necessary.

**NB. Any serious incidents of this nature which are reported to the Local Authority must also be notified to the Charity Commission.**

Tunbridge Wells Social Services, Montague House, 9 Hanover rd, Tunbridge Wells. TN1 1E      Tel: 0300 041 3100  
Kent County Council Adult Social Services, Invicta House, Maidstone (Mon – Fri. 8.30am-5.00pm) Tel: 0300 041 6161

**THIS GUIDANCE IS FOR ALL TRUSTEES AND EMPLOYEES**

**ADULT SAFEGUARDING – QUICK GUIDE**

- It is vital that you **don't disregard or explain away signs of abuse.**
- You have to be **watchful for irregularities** with adults.
- Any changes in behaviour, appearance or lifestyle could indicate abuse and you should try **to talk to the adult** concerned to see if you can help.
- Although the signs you observe may indicate an illness or depression, they could indicate that abuse, mistreatment or neglect is taking place. **They should never be ignored.**
- **If you suspect an adult is suffering abuse, do not assume that someone else is doing something to help. You have a duty to report it.**
- You don't need cast-iron proof - **suspicion is enough.**
- You must **act immediately** if you suspect abuse.
- **Ensure the safety of the individual first** and, if in immediate danger, contact the Adult Social Services.
- If you think a crime has been committed, **contact the Police on 999 or 101.**
- **Make a note of your concerns** and what you have witnessed and **report it immediately** to the **Lead Trustee.**

**INITIAL ACTION.**

**(Procedure to be followed, with sensitivity, if abuse is suspected)**

1. **Ensure the safety of the individual first** and, if in immediate danger, contact the relevant emergency services.
2. **Support** and **reassure** the individual.
3. Do not ask **leading questions** (and don't start investigating).
4. **Record** what was said and any information given (e.g. nature of abuse, any witnesses present, any action taken, date, place and signature).
5. Any **staff implicated** need to be considered with appropriate action taken to protect all parties.
6. **Preserve any evidence.**
7. **Inform the Lead Trustee** straight away and agree whether the matter should be referred to **the Local Authority.**
8. Ensure **all discussions are recorded and write your report.**

**Dos**

1. **Ensure the person is safe** and there is no immediate danger.
2. If necessary, contact emergency services such as the Police, Ambulance and GP.
3. If necessary go to another room to discuss the incident.
4. **Stay calm.**
5. **Listen patiently**, but don't ask questions.
6. **Reassure the person** they are doing the right thing by telling you.
7. **Explain** what you are going to do.
8. Report to the **Lead Trustee** – your report will always be taken seriously.
9. **Write down** what you've seen or heard and what happened next.

**DON'Ts**

1. Assume that someone else is doing something to help, as protecting vulnerable adults is the responsibility of all.
2. Appear shocked, horrified, disgusted or angry.
3. Investigate by using probing questions or press for details.
4. Make comments or judgements other than to show concern.
5. Promise to keep secrets as you may have to share the information with the appropriate agencies
6. Confront the abuser as you may increase the risk to the person or yourself.
7. Assume that the "victim" lacks capacity but be mindful of possible high stress situation.

**IMMEDIATELY (WITHIN 24 HOURS)**

1. If applicable, in accordance with Local Multi-Agency Policies, refer to the local authority Social Services:

TW Social Services, Montague House, 9 Hanover Rd, Tunbridge Wells TN1 1E. **Tel:** 0300 041 3100  
 Kent County Council Adult Social Services, Maidstone. (Mon – Fri. 8.30am-5.00pm) **Tel:** 0300 041 6161  
 For out of hours contact **email:** [social.services@kent.gov.uk](mailto:social.services@kent.gov.uk)

2. Report the incident to the Police if a criminal offence appears to have been committed.
3. Consider risk issues and record this assessment.
4. Consider internal disciplinary action, if staff are involved, including the need for suspension.
5. Consider if a referral to the Disclosure and Barring Service.
6. Record reasons for any variation on timescales. (In manager's diary and notes stored in office).

**Information to be given when making a referral**

- a) Name, date of birth, address, next of kin, GP, gender, ethnicity, principal language, any disability or communication issues.
- b) If the person is aware of / has consented to the referral.
- c) Consider need for mental capacity assessment.
- d) Details of any action taken to ensure immediate safety.
- e) Descriptions of concerns / disclosure.
- f) Description of any injuries.
- g) Date and time of incident if known.
- h) Details of possible witnesses, including person raising alert (if not the victim).
- i) Details, if known, of the alleged perpetrator and if they may also be vulnerable.

**ONGOING ACTION**

1. Participate in any local authority and / or police internal investigation.
2. Attend strategy meetings, case conferences and review meetings as required.
3. Liaison between involved agencies e.g. adult services, police etc.
4. Continue internal management investigation and seek advice on implications of employment legislation including Disclosure and Barring Service if necessary.
5. Ensure any staff member(s) implicated in the alleged abuse receives necessary support.
6. Support where appropriate and practical, involvement of service user and their representatives in safeguarding decision-making process.

**Ensure you are familiar with the Adult Safeguarding Policy.**

## **APPENDIX B**

### **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** (as identified by the Care Act but not necessarily exclusive)

- **Physical abuse** - including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.
- **Sexual abuse** - including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, could not consent or was pressured into consenting.
- **Psychological abuse** - including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.
- **Financial or material abuse** - including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- **Neglect and acts of omission** - including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.
- **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.
- **Discriminatory abuse** - including race, sex, culture, religion, politics, that is based on a person's disability, age or sexuality and other forms of harassment, slurs or similar treatment and hate crime.
- **Domestic abuse** - Home Office Definition 2004 - 'Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are, or have been intimate partners or family members, regardless of gender or sexuality.'
- **Organisational/Institutional:** where there is a culture of abusive behaviour, tolerance of abusive behaviour, repeated failure to address abusive behaviour. It may be an isolated incidence through to a 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 residential/hospital setting.
- **Hate Crime:** Can come under safeguarding if the person has care and support needs and comes under the requirements of sect 42 of the Care Act 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.
- **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.

**All forms and types of abuse are unlawful. Perpetrators face prosecution by the Courts in the United Kingdom.**

**Risk Factors, details and Principles associated with Abuse:**

Anyone may fit these criteria at a particular time of their lives. However, the following people may be at higher risk, older people, adults with a physical or learning disability, mental health needs, long term health needs, or those who are drug or alcohol dependant.

Risk factors may include loneliness, social isolation, difficulty with communication, dependent on carers either physically, psychologically, or financially, emotional vulnerability, or the person may have unusual behavioural traits, poor quality relationships, pressures and responsibilities, lack of emotional support and social contact, frequent requests for help and the problem not being resolved.

**When Safeguarding comes within the responsibility of the Local Authority (section 42 Care Act)**

**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 your Local Authority 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

**Information that may be needed by a Local Authority Safeguarding Team when raising a concern.**

***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 incidents and should be limited to the needs of the situation at the time. It should be necessary, relevant accurate and proportionate***

1. Alleged victim's name, and addresses (including previous addresses if known)
2. Date of birth
3. The details of the concern or disclosure, circumstances, dates, times, witnesses.
4. Type of abuse
5. Key people, family, agencies, workers involved
6. Details of whether the alleged victim knows of the referral and has given consent. If not why not
7. Alleged victim's preferred outcomes
8. Any concerns about capacity
9. What discussion has taken place
10. Any others at risk
11. Extent of harm
12. Details of any immediate action taken e.g. police contacted or action taken to reduce risk.

**The six principles of the Care Act provide guidance. They 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 our response to safeguarding.*