

# **DERBY HOMES SAFEGUARDING POLICY**

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## 1.0 Introduction

Children and vulnerable adults have a right to live in their homes free from abuse. Safeguarding and promoting the welfare of children and vulnerable adults, particularly in protecting them from harm, depends upon effective joint working between agencies and practitioners, who have differing roles and expertise.

Derby Homes staff have many opportunities to identify potential cases of neglect and abuse whilst undertaking their day-to-day duties. We will ensure that staff are aware of what constitutes abuse or neglect and are sufficiently trained to report anything they see that makes them uncomfortable or suspicious.

We recognise that some adults and children are more at risk of abuse and neglect than the wider population and are committed to responding to any allegations of abuse.

The emphasis in recent years has widened from merely protecting vulnerable people from abuse to promoting the welfare of adults and children. The key message therefore is not just to protect but to safeguard. This ethos is reflected in many of Derby Homes' policies and procedures and in the way we deliver our services. Derby Homes takes account of safeguarding risks in decisions they make and actions they take.

## 2. Policy Statement

Derby Homes follow the principles laid down in Derby City Adult and Children's safeguarding policies and procedures. Both the adults safeguarding board website [www.derbysab.org.uk](http://www.derbysab.org.uk) and the children's safeguarding board website [www.ddscp.org.uk](http://www.ddscp.org.uk) provide good sources of information.

All Derby Homes staff who meet children and young people or adults in need of care or support, in the course of their work, have a **duty of care** to safeguard, prevent, and report neglect or abuse.

All staff must ensure that they are aware of the contents of Derby Homes Safeguarding policy. If any member of staff has any concerns about the safety or wellbeing of a child, young person, or vulnerable adult they must immediately discuss them with their line manager or, in their absence, a Safeguarding Champion following the process set out in **Appendix 1**. When dealing with safeguarding concerns, it is important that all staff should "Think Family" and consider the other members within the household and wider networks who may be at risk of or experiencing abuse.

It is not the role of Derby Homes to decide whether a child or vulnerable adult has been abused. This is the task of statutory agencies that have the legal responsibility. It is, however, **everybody's responsibility** to ensure concerns are shared and appropriate action taken.

### 3.0 Derby Homes commitment

We will:

- Clearly identify priorities for safeguarding children and vulnerable adults
- Share information when appropriate with key partners to keep children and vulnerable adults safe
- Have a strong commitment from Derby Homes Senior Management Team on the importance of safeguarding
- Have a clear line of accountability within the organisation
- Complete appropriate checks through Safer recruitment processes for staff volunteers, and contractors
- Ensure that staff have appropriate training
- Ensure that any homelessness services we grant fund or commission adhere to local safeguarding policies and procedures.
- Ensure that Contractors are trained and follow safeguarding processes
- Have arrangements in place to work effectively with other organisations
- Openly seek the views of children and vulnerable adults, appropriate to their level of understanding and develop our services accordingly
- Attend appropriate meetings including Safeguarding Board meetings, case conferences, Multi Agency Public Protection (MAPPA), Multi Agency Risk Assessment Conference (MARAC), Risk Management Meetings, Team around the Family Meetings (TAF).
- Be mindful of financial vulnerability in our service delivery

### 4.0 Equality and Diversity

Every adult and child have a diverse and unique identity.

Derby Homes will aim to ensure that:

- Equality of opportunity will be available to all 'adults and children at risk' regardless of their identity or personal circumstances; and
- All investigations under this policy will be carried out in a setting, manner and language appropriate to the level of understanding of each person concerned
- Reasonable adjustments are considered where appropriate at the earliest opportunity

This policy will directly impact on the most vulnerable and socially excluded groups in our society as they are the most likely to experience abuse. The impact will be regularly monitored at the Safeguarding champions meetings and the operational lead will provide a report highlighting concerns to the senior management team every 3 months.

### 5.0 Safeguarding Children

Housing and homelessness services in the local authority may become aware of conditions that could have an adverse impact on children. Under Part 1 of the Housing Act 2004, authorities must take account of the impact of health and safety hazards in housing on vulnerable occupants, including children, when deciding on the action to be

taken by landlords to improve conditions. Housing authorities also have an important role to play in safeguarding vulnerable young people, including young people who are pregnant, leaving care or a secure establishment.

Safeguarding and promoting the welfare of children and young people is defined as:

- protecting children and young people from maltreatment
- preventing impairment of children and young people's health or development
- Protecting children from risk of radicalisation, exploitation and other harms e.g. drugs, alcohol, gangs, neglect, serious violence crime, sexual or criminal (including county lines) exploitation
- ensuring that children and young people grow up in circumstances consistent with the provision of safe and effective care, and
- taking action to enable all children and young people to have the best outcomes.

(Source: Working Together to Safeguard Children - 2018)

Due to the nature of our work, it is possible that young people may be residents of our accommodation or accommodation we manage in their own right or be the children of residents and service users or visitors to our accommodation.

For ease of reference, the terms 'child' and 'children' are used throughout the policy to refer to all children and young people up to the age of 18.

## 5.1 Statutory definitions of abuse and neglect

Abuse and neglect are forms of the maltreatment of a child. Someone may abuse a child by inflicting harm or by failing to act to prevent harm.

**Physical abuse** is deliberately physically hurting a child. It might take a variety of different forms, including hitting, pinching, shaking, throwing, poisoning, burning or scalding, drowning or suffocating a child. Physical abuse can happen in any family, but children may be more at risk if their parents have problems with drugs, alcohol, and mental health or they live in a home where domestic abuse happens. Babies and disabled children have a higher risk of suffering physical abuse.

**Emotional abuse** is the persistent emotional maltreatment of a child. It is also sometimes called psychological abuse and it can have severe and persistent adverse effects on a child's emotional development.

**Sexual abuse** involves forcing or tricking a child or young person to take part in sexual activities. The perpetrator will not necessarily use high levels of violence. The child might not understand that what's happening is abuse or that it's wrong. They might also be afraid to tell someone about it. There are 2 types of sexual abuse, contact and non-contact abuse. The abuse can happen anywhere, in person or online and can lead to long term mental health problems.

**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 the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur using technology.

**Neglect** is a pattern of failing to provide for a child's basic needs, whether it be adequate food, clothing, hygiene, supervision, or shelter. It is likely to result in the serious impairment of a child's health or development. Children who are neglected often suffer from other types of abuse.

**Child Criminal Exploitation** is common in 'county lines' and occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18. The victim may have been criminally exploited even if the activity appears consensual. Child Criminal Exploitation does not always involve physical contact; it can also occur using technology. Criminal exploitation of children is broader than just county lines and includes for instance children forced to work on cannabis farms or to commit theft.

## 5.2 Promoting the welfare of children

Derby Homes acknowledges its role in the shared responsibility to protect children from harm and promote their welfare. Through training, staff will recognise where children and young people are at most risk:

- Living in poverty
- Where a child has a disability or special educational need (SEN)
- Where there is domestic abuse
- Where a parent has a mental illness
- Where a parent is a vulnerable adult
- Where a parent is misusing drugs or alcohol
- Where a parent has a learning disability
- Where a person is living with Dementia
- Subjected to sexual exploitation and grooming
- Subjected to racism and other forms of social isolation
- Subjected to a forced marriage
- Subjected to trafficking
- Living in areas with lots of crime, poor housing, and high unemployment
- Being targeted for extremism
- At risk of Female Genital Mutilation
- At risk of radicalisation
- Subjected to Modern Day Slavery
- Subjected to criminal exploitation

## 6.0 Safeguarding Adults

Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action.

The safeguarding duties apply to an adult who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs)

AND

- Is experiencing, or at risk of, abuse or neglect

AND

- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

Duties apply in relation to any person who is aged 18 or over and at risk of abuse or neglect because of their needs for care and support.

Care and support are the mixture of practical, financial and emotional support for adults who need extra help to manage their lives and be independent – including older people, disabled people or people with a long-term illness, people with mental health issues and carers. Care and support include assessment of people's needs, provision of services and the allocation of funds to enable a person to purchase their own care and support. It could include care home, home care, personal assistants, day services, or the provision of aids and adaptations

(Source: Care Act - 2014)

## 6.1 Definition of Abuse and Neglect

Abuse is a violation of an individual's human or civil rights, by any other person or persons. Professionals should not limit their view of what constitutes abuse or neglect, as they can take many forms and the circumstances of the individual case should always be considered. Most of the following types of abuse and neglect are identified within the Care Act 2014, but should not be considered exhaustive.

- **Physical abuse** – including assault, hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate physical sanctions.
- **Domestic abuse** – An incident or pattern of incidents of controlling, coercive or threatening behaviour, violence, or abuse by someone who is or has been an intimate partner or family member regardless of gender or sexuality. Includes psychological, physical, sexual, financial, emotional abuse, so called 'honour' based violence, Female Genital Mutilation and Forced Marriage.
- **Sexual abuse** – including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.
- **Sexual exploitation**- involves exploitative situations and relationships where people receive 'something' (e.g., accommodation, alcohol, affection, money) because of performing, or others performing on them, sexual activities.

- **Psychological abuse** – including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation, radicalisation or unreasonable and unjustified withdrawal of services or supportive networks.
- **Financial or material abuse** – including theft, fraud, internet and postal scamming, doorstep crime, 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, 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, pregnancy and maternity, marriage or civil partnership 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 because of the structure, policies, processes and practices within an organisation.
- **Criminal Exploitation** is common in 'county lines' and occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a vulnerable adult. The victim may have been criminally exploited even if the activity appears consensual. Criminal Exploitation does not always involve physical contact; it can also occur using technology. Criminal exploitation is broader than taking over an address for county lines and includes for instance a vulnerable adult forced to work on cannabis farms or to commit theft.
- **Neglect and acts of omission** – including ignoring medical, emotional, or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating
- **Self-neglect** – this covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. It should be noted that self-neglect may not prompt a section 42 enquiry. An assessment should be made on a case-by-case basis. A decision on whether a response is required under safeguarding will depend on the adult's ability to protect themselves by controlling their own behaviour. There may come a point when they are no longer able to do this, without external support.

## 6.2 Implications of the Care Act 2014

The Care Act 2014 puts a greater emphasis on the responsibilities of housing providers with regards to safeguarding adults. The Adult Safeguarding Board can now ask housing providers to carry out safeguarding enquiries on their behalf. Derby



Homes are an active member of the adult safeguarding board and already comply with the requirements of the Care Act which are listed as follows:

- All housing providers and housing support providers should have clear operational policies and procedures in adult safeguarding
- All housing staff must be:
  - familiar with the six principles underpinning adult safeguarding
  - trained in recognising the symptoms of abuse
  - vigilant and able to respond to adult safeguarding concerns

Derby Homes staff will embed in its culture and training the following six adult safeguarding principles:

- **Empowerment** – presumption of person led decisions and informed consent
- **Prevention** – it is better to take action before harm occurs
- **Proportionality** – proportionate and least intrusive response appropriate to the risk presented
- **Protection** – support and representation for those in greatest need
- **Partnership** – local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting abuse
- **Accountability** – accountability and transparency in delivering safeguarding

Derby Homes will train staff to understand the importance of Making Safeguarding Personal by ensuring that the adults wishes, and feelings are considered and that safeguarding is done with, not to, people

## 7.0 Information sharing

Wherever possible staff are encouraged to be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement.

However there are some circumstances where it would be reasonable for a member of staff to override the sharing of information without consent, such as:

- a crime has been committed or sharing the information could prevent a crime
- the person lacks mental capacity to make the decision
- the person has mental capacity to make the decision but may be under duress, threatened or coerced
- other people are, or may be at risk, including children or young people
- staff are implicated
- the alleged abuser is also an adult at risk
- the information is requested by court order or other legal authority

The safeguarding principle of proportionality should underpin decisions about sharing information without consent.

## 8.0 Domestic Abuse

‘Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who have been intimate partners or family members regardless of gender or sexuality’.

This can encompass but is not limited to the following types of abuse:

Psychological  
Physical  
Sexual  
Financial  
Emotional

When working with victims of Domestic abuse staff have a duty to talk to victims about the concerns, make them aware a referral is being made and to gain an understanding of what they would like the outcome of the safeguarding process to be.

### 8.1 Impact on children

Prolonged and/or regular exposure to domestic abuse can have a serious impact on a child’s development and emotional wellbeing, despite the best efforts of the victim/parent to protect the child.

Domestic abuse can impact in several ways:

Posing a threat to an unborn child as assaults on pregnant women frequently involve punches or kicks to the abdomen, risking injury to mother and foetus.

Children may suffer blows during episodes of violence.

Children may be distressed by witnessing the physical and emotional suffering of a parent.

Exposure to parental conflict, even where violence is not present, can lead to serious anxiety and distress among children, particularly when the children are implicated in the conflict.

The physical and psychological abuse suffered by adult victims of domestic violence may have a negative impact on their ability to look after their children.

The negative impact of domestic abuse is exacerbated when:

- The violence is combined with alcohol or drug misuse
- Children witness the violence
- Children are drawn to the violence
- Children are pressurised into concealing the assaults

Derby Homes has a separate policy and procedure detailing its approach to dealing with domestic abuse.

## **9.0 Training**

### **9.1 Safeguarding Champions**

Derby Homes has appointed a number of Safeguarding Champions who have a keen interest in safeguarding people. They are working throughout the organisation to ensure that staff have sufficient knowledge to act on any situations which make them uncomfortable. They provide advice and guidance to staff working in their service area on a day-to-day basis. The champions receive training from the safeguarding lead and respective safeguarding boards to a level where they are competent to deliver in-house courses. Derby Homes staff can find an up-to-date list of the champions and their contact details on the Derby Homes intranet site (DHNET).

### **9.2 Derby Homes staff**

The Champions will ensure that all staff are trained on Safeguarding from general awareness to more serious issues depending on their level of contact with children and young people, vulnerable adults, or carers.

Training will include:

- Understanding Derby Homes' policies and procedures
- Understanding the role of Safeguarding Champions
- Recognising signs of abuse or neglect
- Recognising when a child or adult may require protection and what to do
- Reporting routes.

The training Derby Homes staff receive in-house will be sufficient for them to carry out their day-to-day roles. However, they can also access additional, more specialist courses provided by the safeguarding boards. These are discussed and agreed with Managers during one-to-one discussions.

### **9.3 Contractors**

Derby Homes will ensure that all contractors are informed and trained on the policy and reporting procedures.

## **10.0 Services that help children, families, and vulnerable adults.**

Derby Homes offers different levels of help to children, families, and vulnerable adults to enable them to maintain and sustain their tenancies

### **10.1 Intensive Intervention**

Derby Homes provides intensive support where a needs assessment has identified that tenants are at high risk of failing in their tenancies.

## **10.2 Tenancy Sustainment**

We assess the risk of tenancy failure for all new tenants and offer those that need it a service to help them successfully sustain their tenancy beyond the introductory period.

## **10.3 Intensive Housing Management**

We offer this service to secure tenants who are identified as needing extra help to enable them to successfully maintain and sustain their tenancy.

## **10.4 Complex Needs Team**

The team have knowledge about how Mental Health, Exploitation, Domestic Abuse and Learning Disability can affect someone's ability to manage a tenancy. They build relationships with specialist services so that they can liaise with them on issues and ensure the tenant receives appropriate support, whilst working with the tenant to resolve their tenancy issues.

## **10.5 Providing Housing and Support for other Groups**

Derby Homes works with the Council, the Health Service and other agencies to provide housing, management or support to vulnerable individuals. This includes:

- Housing people with complex needs
- Providing temporary accommodation for homeless individuals and families for the Council.

## **11.0 Other initiatives that contribute to safeguarding and wellbeing**

Section one of the Care Act 2014 includes protection from abuse and neglect as part of the definition of wellbeing and states that local authorities must promote wellbeing in carrying out all of their care and support functions. Wellbeing is one of the key principles at the heart of Safeguarding.

### **11.1 Partnerships**

Safeguarding and promoting the welfare of children and vulnerable adults depends upon effective joint working between agencies and practitioners who have differing roles and expertise. Derby understands the importance of working in partnership and Derby Homes are involved in a number of partnership groups related to safeguarding issues. Derby Homes promote and support wellbeing initiatives and activities within their organisation and with external partners.

### **11.2 Customer Engagement & Community Development**

Derby Homes' Customer Engagement & Community Development Team monitors the balance of our engagement profile to ensure that we are reaching minority customers.

This will be compared to our overall customer profile, where any underrepresented groups can be targeted for either specific consultations or to increase representation.

**To engage with customers who are traditionally ‘hard to reach’** – hard to reach groups are generally defined as groups or communities that are difficult to engage through conventional methods. These can include those from minority ethnic backgrounds, young people, those with learning difficulties or mental health issues and those who are in full time work. We will ensure that by delivering engagement and community development in new innovative ways we will break down some of the barriers these groups face and empower them to engage effectively with us, thus building community capacity. This increase will also strengthen our understanding of our customer profile and the needs of these groups.

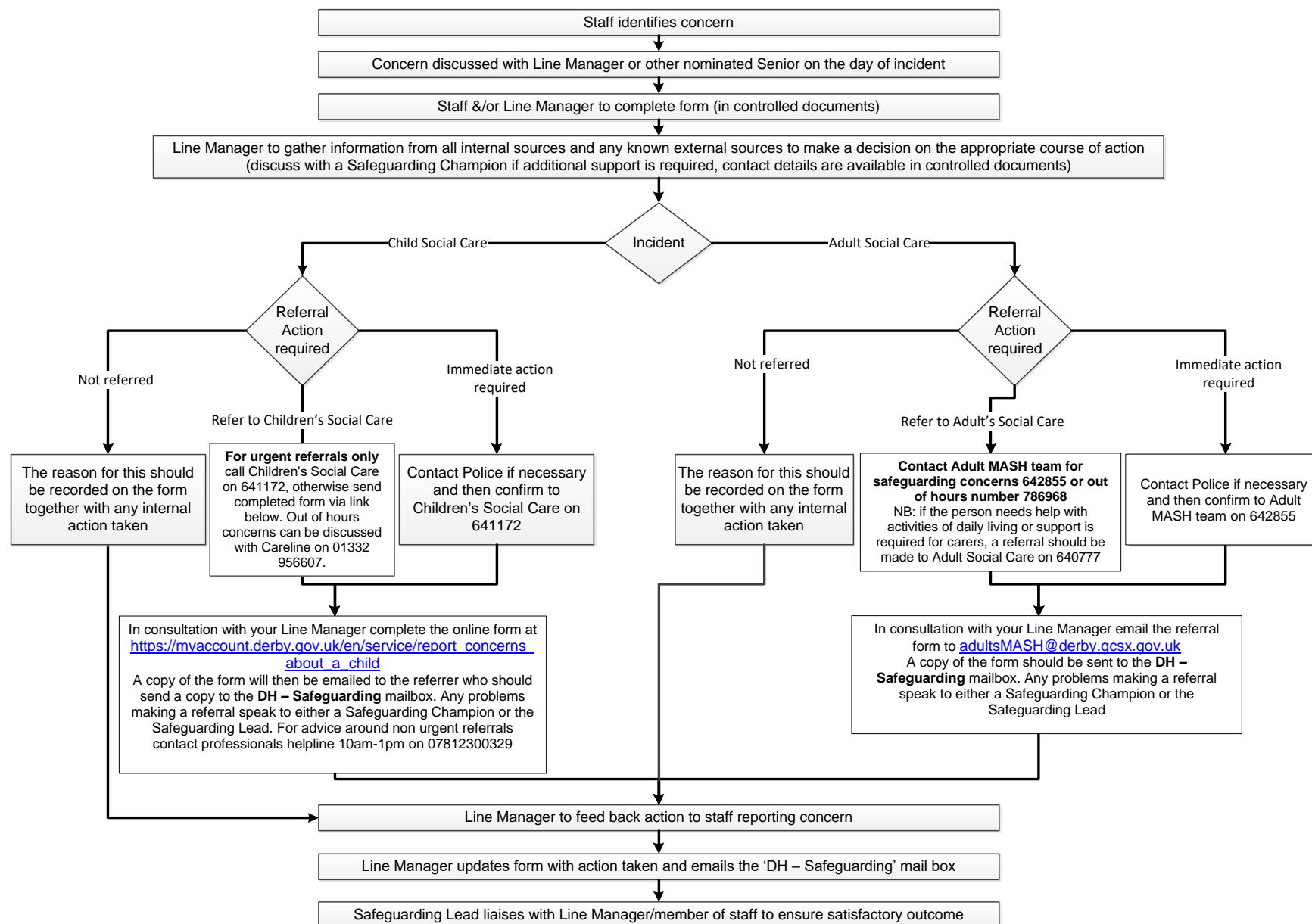
**Community Capacity is strengthened** – We will work with communities to respond to emerging needs, providing support to newly formed and existing community initiatives which support community sustainability. We will ensure that the DACP partnership forum is also embedded in our approach to this.

**Young People** - Working with young people living in our properties and on our estates, we are able to influence their choices and build community capacity. We will give them access to opportunities and experiences that they may not be able to gain without our involvement. We will support young people to live well and provide good signposting to other professional organisations affiliated with the Youth Alliance.

Derby Homes’ commitment to Safeguarding is reflected our Business Plans and core values and helps us to fulfil the objectives of our mission which is: ‘To deliver a high-quality housing service for Derby.’

| <b>DOCUMENT CONTROL</b>                |                                    |
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# Safeguarding Process



## **Statutory Guidance**

### **Working Together To Safeguard Children 2018**

A guide to inter-agency working to safeguard and promote the welfare of children.

### **Children's Act 1989 and 2004**

Defines that a child or young person is anyone who has not yet reached their 18<sup>th</sup> birthday. The fact that a child is 16, living independently or is in further education, is a member of the armed forces does not change the fact that they are entitled to services and protection.

**Every Child Matters 2003** - which set out five outcomes that is key to children and young people's wellbeing

- Be healthy
- Stay safe
- Enjoy and achieve
- Make a positive contribution; and
- Achieve economic wellbeing.

**The Children Act 2004** - which subsequently set out these outcomes in statute. The Children's Plan 2007 was developed having regard to the principles and articles of the UN Convention of the Rights of the Child, and further set out the role of Government and that of a wider range of agencies.

### **The Human Rights Act 1998**

This act imposes an obligation on the authorities to take preventative measures to protect a child at risk from harm. It also permits lawful enquires into the private lives of families where there are concerns about a child's welfare.

**Citizen and Immigration Act 2009** – important with regard to trafficking and exploitation of children.

**The Rehabilitation of Offender Act (1974)** – In most circumstances an employer cannot refuse to employ or dismiss someone on the basis of a 'spent' conviction. Under the act all applicants for positions which give 'substantial, unsupervised access on a sustained or regular basis' to children must declare previous convictions.

**The Police Act 1997** – provision to set up Criminal Records Bureau. Under this act it is a criminal offence for an employer to:

- Not check an employee working with children or vulnerable adults
- Give a job to someone who is inappropriate to work with children or vulnerable adults.

**Criminal Justice and Court Services Act 2000** – Covers disclosures and child protection issues. Appropriate for Derby Homes:

- Caring for, training, supervising, or being in sole charge of children
- Unsupervised contact with children
- Other positions which give rise to access or influence (e.g. management committee members).

**Care Act 2014** - Highlights the responsibility of housing providers with regards to safeguarding adults.

### **Safeguarding Vulnerable Groups Act 2006**

In response to the Richard Inquiry following the Soham murders. New arrangements for people whose jobs and voluntary work bring them into contact with children or vulnerable adults. (Barred lists will lie with the Independent Safeguarding Authority).

### **Crime and Disorder Act 1998 (section 115)**

Enables the disclosure of information to a relevant authority to prevent and reduce crime or the identification or apprehension of offenders. The mal treatment of children or vulnerable adults constitutes a crime.

### **Data Protection Act 2018**

The mutually agreed General **Data Protection Regulation** (GDPR) came into force on May 25, **2018**, and was designed to modernise laws that **protect** the personal information of individuals. It also boosts the rights of individuals and gives them more control over their information.

## **The Seven Golden Rules to Sharing Information**

1. Remember that the General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared appropriately.
2. Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. Seek advice from other practitioners, or your information governance lead, if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. Where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared. Under the GDPR and Data Protection Act 2018 you may share information without consent if, in your judgement, there is a lawful basis to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be clear of the



basis upon which you are doing so. Where you do not have consent, be mindful that an individual might not expect information to be shared.

5. Consider safety and well-being: base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.
6. Necessary, proportionate, relevant, adequate, accurate, timely and secure: ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely (see principles).
7. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

*Taken from [Information Sharing: advice for practitioners providing safeguarding services to children, young people, parents and carers \(2018\)](#) HM Government*