

SECTION B: CARE AND SUPPORT DUTIES

8.0 Safeguarding adults

8.1 Safeguarding

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.

8.2 Key policy statements: Safeguarding adults

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- The focus of safeguarding adults in Cambridgeshire
- Identifying abuse and neglect
- Spotting signs of abuse and neglect
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- Safeguarding Adults Board
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- Safeguarding adults and carers
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8.3 What is safeguarding adults?

The Care Act 2014 defines safeguarding as *protecting an adult's right to live in safety, free from abuse and neglect.*

Safeguarding adult duties apply to an adult who;

- has needs for care and support (whether or not the local authority is meeting any of those needs)
- is experiencing, or at risk of abuse and neglect
- as a result of their care and support needs, is unable to protect themselves from the risk or experience of abuse and neglect

Safeguarding involves 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.

This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances.

Safeguarding adults aims to:

- stop abuse or neglect wherever possible
- prevent harm and reduce the risk of abuse or neglect to adults with care and support needs
- support adults in making choices and having control about how they want to live
- promote an approach that concentrates on improving life for the adults concerned
- raise public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect
- provide information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult
- address what has caused the abuse or neglect

The Care Act 2014 stipulates that local authorities must:

- make enquiries, or cause others to do so, if it believes an adult is experiencing, or is at risk of, abuse or neglect
- set up a Safeguarding Adults Board (SAB)
- arrange, where appropriate, for an independent advocate to represent and support an adult who is the subject of a safeguarding enquiry or Safeguarding Adult Review (SAR)
- co-operate with each of its relevant partners in order to protect the adult.

There are six key principles that underpin all safeguarding adults work:

Empowerment: People being supported and encouraged to make their own decisions and informed consent.

“I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens.”

Prevention: It is better to take action before harm occurs.

“I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help.”

Proportionality: The least intrusive response appropriate to the risk presented.

“I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as needed.”

Protection: Support and representation for those in greatest need.

“I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want.”

Partnership: Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.

“I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me.”

Accountability: Accountability and transparency in delivering safeguarding.
“I understand the role of everyone involved in my life and so do they.”

8.4 The focus of safeguarding adults in Cambridgeshire

The Council is committed to safeguarding individuals from abuse and neglect.

The Care Act 2014 endorses the Making Safeguarding Personal model, which places the individual at the heart of the safeguarding adults process. Making Safeguarding Personal engages the individual in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control as well as improving quality of life, wellbeing and safety. This model underpins the Council’s safeguarding policy.

8.5 Identifying abuse and neglect

There are many forms of abuse and neglect, and instances can be one-off or multiple and affect one person or more. The list below is not exhaustive, but seeks to illustrate the sort of behaviour that could give rise to a safeguarding concern:

- **Physical abuse:** including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.
- **Domestic violence:** including psychological, physical, sexual, financial, emotional abuse; so called ‘honour’ based violence.
- **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.
- **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.
- **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, 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.
- **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.

8.6 Spotting signs of abuse and neglect

The Council is committed to ensuring that care and support staff –internal, and working in relevant partner organisations – are sufficiently vigilant about safeguarding adult concerns. This will include;

- knowing about different types of abuse and neglect, and their signs
- supporting adults to keep safe
- knowing who to tell about suspected abuse or neglect
- supporting adults to make informed decisions when exercising choice and control

8.7 Reporting and responding to abuse and neglect

The Council recognises the importance of understanding the circumstances of the alleged abuse, including the wider context, such as whether others may be at risk of abuse, whether there is any emerging pattern of abuse, whether others have witnessed abuse and the role of family members and paid staff or professionals.

The circumstances surrounding any actual or suspected case of abuse or neglect will inform the response. It is important to recognise that abuse or neglect may be unintentional. This makes the need to take action no less important, but in such circumstances, the response will be appropriate and proportionate. Regardless of the circumstances, the primary interest of the Council will always be to safeguard the adult. In other circumstances where the safeguarding concerns arise from abuse or neglect deliberately intended to cause harm, then it would not only be necessary to immediately consider what steps are needed to protect the adult but also whether to refer the matter to the police to consider whether a criminal investigation would be required or appropriate.

8.8 Safeguarding enquiries

The Council has a duty to make a safeguarding enquiry if it reasonably suspects that an adult who meets the criteria in paragraph 8.3 is, or is at risk of, being abused or neglected.

A safeguarding enquiry is the action taken by, or instigated on behalf of, the Council in response to a concern that abuse or neglect may be taking place. The purpose of the enquiry is to decide whether or not the Council or a partner organisation should do something to protect the individual.

The council recognises that what happens as a result of an enquiry should reflect the adult's wishes wherever possible, as stated by them or by their representative or advocate. If the person lacks capacity, the council recognises that the response should be in the best interests of the individual if they are not able to make the decision, and be proportionate to the level of concern.

The Council will involve the individual concerned from the beginning of the enquiry, unless there are exceptional circumstances where involvement would increase the risk of abuse.

Although the Council has the lead role in ensuring safeguarding enquiries are undertaken, where criminal activity is suspected, the police investigation will take priority. In such cases, the Council will seek to agree a multi-agency approach to ensure the interests and personal wishes of the individual concerned will be considered throughout the investigation.

The scope of a safeguarding enquiry, who leads on it, the nature of the enquiry and how long it takes will depend on the specific circumstances of the concern.

The objectives of a safeguarding enquiry into abuse or neglect are to;

- establish facts
- ascertain the adult's views and wishes
- assess the needs of the adult for protection, support and redress and how they might be met
- protect from the abuse and neglect, in accordance with the wishes of the adult
- make decisions as to what follow-up action should be taken with regard to the person or organisation responsible for the abuse or neglect
- enable the adult to achieve resolution and recovery

The overriding priority of any safeguarding enquiry is to ensure the safety and wellbeing of the individual concerned.

In determining how to respond to a safeguarding concern, the Council will consider;

- the adult's needs for care and support
- the adult's risk of abuse or neglect
- the adult's ability to protect themselves or the ability of their networks to increase the support they offer
- the impact on the adult, their wishes
- the possible impact on important relationships

- potential of action and increasing risk to the adult
- the risk of repeated or increasingly serious acts involving children, or another adult at risk of abuse or neglect
- the responsibility of the person or organisation that has caused the abuse or neglect
- research evidence to support any intervention

Although the Council is the lead agency for safeguarding enquiries, other persons or agencies may be used to carry out the enquiry. The Council retains the responsibility for ensuring that the enquiry is referred to the right place and acted upon. The Council retains the right to challenge the individual or agency carrying out the safeguarding enquiry if it considers that the process or outcome is unsatisfactory.

The Council has a duty to determine what further action is necessary. Where the Council determines that we ourselves should take further action (eg a protection plan) then the council is under a duty to do so.

In accordance with the Mental Capacity Act, the Council will presume that an adult has the capacity to make a decision unless there is a reason to suspect that capacity is in some way compromised. Where the individual may lack capacity to make decisions about managing an abusive situation, their capacity must be assessed and any decision made in their best interests. If the adult has capacity to make decisions in this area of their life and they decline assistance, this limits the range of interventions the Council or its partners can make. In such cases the focus will be on harm reduction. However this will not limit any action that may be required to protect others at risk of harm. Also if the adult suspected of being abused or neglected is thought to be refusing assistance on the grounds of duress then action will be taken.

Once enquiries are completed, the Council will decide with the adult who has been the subject of concern, what, if any, further action is necessary and acceptable. One outcome might be the development of an agreed plan of action for the adult which should be recorded on their care and support plan. This will set out:

- what steps are to be taken to assure their safety in future
- the provision of any support, treatment or therapy including advocacy
- any modifications needed in the way services are provided
- how best to support the adult through any action they take to seek justice or redress
- any on-going risk management strategy
- any action to be taken in relation to the person or organisation that has caused the concern.

8.9 Working with partners and sharing information

The Council is committed to working with all relevant partners in relation to safeguarding adults, and via the Care Act 2014 those partner organisations have a legal requirement to cooperate with the Council in relation to safeguarding adults. Depending on the specifics of the reported incident, these relevant partner organisations are likely to include;

- NHS England

- Clinical Commissioning Groups (CCGs)
- NHS trusts and NHS Foundation Trusts
- Department for Work and Pensions
- the Police
- Prisons
- Probation services

The Council will work to ensure that partner organisations have the required mechanisms in place that enable early identification and assessment of risk through timely information sharing and targeted multi-agency intervention.

The Council is committed to ensuring all relevant actions are accurately recorded, and kept in such a way that the information can be easily collated for local analysis and national data collections.

The Council recognises the importance of sharing relevant information with partner organisations in order to reduce and prevent instances of abuse and neglect. The Council is committed to maintaining common agreements between partner organisations relating to confidentiality and setting out the principles governing the sharing of information. These agreements will be consistent with the principles set out in the Caldicott Review published 2013 ensuring that:

- information will only be shared on a 'need to know' basis when it is in the interests of the adult
- confidentiality must not be confused with secrecy
- informed consent should be obtained but, if this is not possible and other adults are at risk of abuse or neglect, it may be necessary to override the requirement; and
- it is inappropriate for agencies to give assurances of absolute confidentiality in cases where there are concerns about abuse, particularly in those situations when other adults may be at risk

Where an adult has refused to consent to information being disclosed for these purposes, then the safeguarding adults lead will consider whether there is an overriding public interest that would justify information sharing (e.g. because there is a risk that others are at risk of serious harm). Wherever possible, the appropriate Caldicott Guardian will be involved.

8.10 Safeguarding Adults Board

The Council has a well-established Safeguarding Adults Board (SAB) to provide oversight and assurance that the local safeguarding arrangements and partner organisations act to help protect adults with care and support needs from abuse and neglect.

The Safeguarding Adults Board oversees and leads on safeguarding adults across the county, and is focussed on all matters that contribute to the prevention of abuse and neglect. This includes;

- The safety of patients receiving local health services
- The quality of local care and support services

- The effectiveness of prisons and approved premises in safeguarding offenders
- Awareness and responsiveness of further education services

The Safeguarding Adults Board has a duty to challenge other organisations where it believes that their actions or inactions are increasing the risk of abuse and neglect.

The Safeguarding Adults Board has three core duties. These are;

- to publish an annual strategic plan for each financial year setting out how it will meet its main objective, and what the members will do to achieve this
- to publish an annual report detailing what the Safeguarding Adults Board has done during the year to achieve its main objective
- to conduct Safeguarding Adults Reviews

The Council is the lead agency for the Safeguarding Adults Board and therefore will coordinate all activities relating to safeguarding adults in the county.

The Safeguarding Adults Board is also attended by the local health Clinical Commissioning Group and the chief officer of police within the county. Other organisations, agencies and partners are involved on a discretionary basis.

8.11 Safeguarding Adult Reviews

The Safeguarding Adults Board will instigate a Safeguarding Adult Review if an adult in the county dies as a result of abuse or neglect, whether known or suspected, and there is concern that partner agencies could have intervened to protect the adult.

A Safeguarding Adult Review may also be instigated if an adult has not died, but where the Safeguarding Adults Board knows or suspects that the adult has experienced serious abuse or neglect. An incident can be considered serious abuse or neglect if the individual would have been likely to have died but for intervention, or has suffered permanent harm or has reduced capacity or quality of life as a result of the abuse or neglect.

Depending on the circumstances leading to the Safeguarding Adult Review, The Safeguarding Adults Board will consider the process should dovetail with any other relevant investigations that are running in parallel, such as a criminal investigation, a child serious case review, or an inquest.

The findings of any Safeguarding Adult Review will be included in the Safeguarding Adults Board annual report, detailing any actions that have been taken in relation to those findings. Where the Safeguarding Adults Board decides not to implement an action, the reason will be stated in the annual report.

8.12 Local roles and responsibilities

The Council is committed to ensuring that all relevant staff have a clear awareness of the need to safeguard vulnerable adults from abuse and neglect, and a sound understanding as to how their particular role and duties can support the safeguarding process. This includes;

- operational staff

- supervisory line managers
- Designated Adult Safeguarding Managers (DASMs)
- senior management staff
- corporate/cross authority staff
- Chief officers and chief executives
- local authority members and local police and crime commissioners
- commissioners
- service providers of services
- voluntary organisations
- regulated professionals

The Safeguarding Adults Board will also ensure that relevant partners provide training for staff and volunteers on the policy, procedures and professional practices that are in place locally, which reflects their roles and responsibilities in safeguarding adult arrangements.

8.13 Safeguarding adults and carers

The Council recognises that there are a number of circumstances in which a carer could be involved in a situation that could lead to a safeguarding response.

Situations of this nature may include;

- a carer may witness or report abuse or neglect;
- a carer may experience intentional or unintentional harm from the adult they are trying to support or from professionals and organisations they are in contact with;
- a carer may unintentionally or intentionally harm or neglect the adult they support on their own or with others.

The exact response will be specific to the circumstances of the safeguarding concern; however it may include;

- Undertaking a safeguarding enquiry
- Providing support to the carer to mitigate the risk of abuse re-occurring
- Involving other agencies as appropriate, including the police where a criminal offence is suspected

Other key considerations in relation to carers will include:

- involving carers in safeguarding enquiries relating to the adult they care for, as appropriate;
- whether or not joint assessment is appropriate in each individual circumstance;
- the risk factors that may increase the likelihood of abuse or neglect occurring; and whether a change in circumstance changes the risk of abuse or neglect occurring.
- A change in circumstance should also trigger the review of the care and support plan and, or, support plan

8.14 Equalities

The Council is commitment to providing fair and equally accessible services for everyone in Cambridgeshire, whether they are:

- Using our services, in need of our services, or may need our services in the future
- Living in, working in or visiting Cambridgeshire
- Employees or prospective employees, contractors supplying goods or services, or anyone working in the voluntary capacity, supported by us

Under the Equality Act 2010, The Council and its staff are fully committed to the public sector duty to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it
- Foster good relations between people who share a protected characteristic and people who do not share it

Further information about the Council's equality and diversity policies are available via the council's website:

http://www.cambridgeshire.gov.uk/info/20086/communities_and_localism/480/equality_and_diversity

8.15 Policy review

This policy will be reviewed annually. An early review may be triggered by any national or local developments that impact on this policy.

8.16 What does this mean for me?

As a local resident: The Council has a safeguarding adults policy and procedures in place to help protect you from neglect and abuse and to promote your quality of life, wellbeing and safety.

As someone who may need care and support: The Council has a safeguarding adults policy and procedures in place to help protect you from neglect and abuse and promote your quality of life, wellbeing and safety. Depending on your circumstances, you may receive preventative advice on how to recognise abuse and how to seek help and have help and support to report abuse and neglect. In the event of an adult safeguarding enquiry or review being triggered, you will be supported by professionals who will work in your interest to promote your wellbeing, towards the outcomes you have identified. Any sensitive and personal information will be treated confidentially.

As a carer of someone receiving care and support: The Council has a safeguarding adults policy and procedures in place to help protect you - and the person you care for - from neglect and abuse and promote quality of life, wellbeing and safety. Depending on your circumstances, you may receive preventative advice on how to recognise abuse and how to seek help and have help and support to report abuse and neglect. In the event of an adult safeguarding enquiry or review being triggered, you will be included in any discussions about the person you care for. The person cared for will be supported by professionals who will work in their interest to promote wellbeing, towards the outcomes they have identified. Any

sensitive and personal information will be treated with confidence.

As a care and support professional: In order to respond appropriately where abuse or neglect may be taking place, anyone in contact with the adult, whether in a volunteer or paid role, will be supported to understand their own role and responsibility and have access to practical and legal guidance, advice and support. You will be supported with safeguarding adult policies and procedures that reflect statutory guidance, designed to help you identify, and reduce or remove safeguarding risks, and enable you to secure any support to protect the adult and, where necessary, to help the adult recover and develop resilience.

8.17 Useful links

Care Act legislation – clauses 42-47:	http://www.legislation.gov.uk/ukpga/2014/23/section/42/enacted
Care Act Guidance – sections 4-5:	https://www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation
Care Act Regulations:	
Care Act Factsheets	https://www.gov.uk/government/publications/care-act-2014-part-1-factsheets
Related policy statements:	<ul style="list-style-type: none">• Wellbeing• Information & advice• Assessment of care and support needs• Advocacy• Support planning• Transitions to adult services• Prisoners