

Safeguarding Adults Policy and Procedure:

Author's name	Saxon Bond
Date agreed.	November 25
Version	Version 1 final
Date next review due	November 27
Appendices	1 – LA safeguarding reporting links B – Further reading

1 Policy

- This policy sets our SYHA's approach to Safeguarding in line with the Care Act 2014.
- It is the responsibility of SYHA staff to promote wellbeing, prevent harm and respond effectively to safeguarding concerns reporting any safeguarding concerns to the Local Authority concerned.
- We will give equal priority to all adults with care and support needs, experiencing, or is at risk of, abuse or neglect, and unable to protect themselves because of their care and support needs.
- safe regardless of their age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation.
- We recognise that some adults are additionally vulnerable because of the impact of discrimination, previous experiences, their level of dependency, communication needs or other issues.
- This policy sets out the actions SYHA staff need to take if they suspect abuse is taking place.
- This policy is not "stand alone" and operates alongside other policies and procedures, particularly:
 - Professional Boundaries
 - Code of Conduct
 - Whistleblowing
 - Lone working
 - Anti-Social Behaviour
 - Safeguarding Children & Young People

- Disciplinary
- Confidentiality and Data Protection
- SYHA Behaviours

2. Guidelines

- Safeguarding means protecting a person's right to live in safety, free from abuse and neglect.
- The Care Act 2014 sets out a clear legal framework for how local authorities and other agencies should protect adults at risk of abuse or neglect.
- Local authorities are responsible for looking at any safeguarding concerns raised with them about any adult who has care and support needs, and in deciding whether it is necessary to carry out an enquiry, considering the wishes and preferences of the person concerned.
- Each Local Authority area publishes their own safeguarding procedures. This policy compliments and does not replace Local Authority Safeguarding Policy and procedures.
- This policy applies to **all SYHA customers over 18**, and to members of the public who staff suspect may be at risk of harm or being abused. For children (those under 18) please refer to the Safeguarding Children's Policy.
- Wellbeing is at the heart of the care and support system under the Care Act 2014. The prevention of abuse and neglect is one of the elements identified in the Care Act which lays out specific adult safeguarding duties which apply to any adult who:
 - has care and support needs.
 - is experiencing, or is at risk of, abuse or neglect, and
 - is unable to protect themselves because of their care and support needs.
- There are no eligibility criteria for adult safeguarding services: (If an adult at risk of being abused or neglected cannot keep themselves safe from abuse or neglect because of their care and support needs, then the local authority's safeguarding duty applies. If they can protect themselves, despite having care and support needs, then a safeguarding response may not be appropriate).
- Safeguarding is on the SYHA corporate risk register. Risks are escalated from the Safeguarding risk register as appropriate.

2.1 An adult with care and support needs may be:

- an older person.
- a person with a physical disability, a learning difficulty, or a sensory impairment.
- someone with mental health needs, including dementia or a personality disorder.
- a person with a long-term health condition.
- someone who uses substances or alcohol to the extent that it affects their ability to manage day-to-day living.

2.2 The Care Act 2014 sets out the 6 principles of safeguarding:

- 1. Empowerment:** People being supported and encouraged to make their own decisions and informed consent.
Customer experience: I am asked what I want as the outcomes from the safeguarding process, and these directly inform what happens.
- 2. Prevention:** It is better to act before harm occurs.
Customer experience: I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help.
- 3. Proportionality:** The least intrusive response appropriate to the risk presented.
Customer experience: 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. I get help and support to report abuse and neglect. I get help so that I can take part in the safeguarding process to the extent I want to.
- 4. Protection:** Support and representation for those in greatest need.
Customer Experience: I get help and support to report abuse and neglect. I get help so that I can take part in the safeguarding process to the extent to which I want.
- 5. Partnership:** Local solutions through services working with their communities. Communities have a part to play in preventing, detecting, and reporting neglect and abuse.
Customer experience: 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.
- 6. Accountability:** Accountability and transparency in delivering safeguarding.
Customer experience: I understand the role of everyone involved and so do they.

2.3 Making Safeguarding Personal: In addition to the six principles above the Care Act gives direction around making safeguarding personal: 'We all have different preferences, histories, circumstances and lifestyles. Making safeguarding personal means it should be person-led and outcome-focused.'

2.4 SYHA overarching safeguarding principles.

- Everyone should be able to live a life that is free from harm and abuse.
- When abuse does take place or we suspect that it has we will follow the Safeguarding Procedure (below) quickly, effectively, and proportionately, with the customer at risk staying in control of the decision making as much as possible.

2.5 Mental Capacity and Safeguarding:

The [Mental Capacity Act \(MCA\) 2005](#) and safeguarding are intrinsically linked, as the MCA provides the legal framework to protect vulnerable adults who lack the mental

capacity to make their own decisions. Safeguarding is the process of preventing harm, and the MCA ensures that this process is carried out in a way that respects the autonomy of the individual, following five key principles: a person is assumed to have capacity, all practicable steps to support them must be taken first, decisions must be in their best interests, and any actions should be the least restrictive option.

Key principles of the Mental Capacity Act

- **Assume capacity:**

Every adult is presumed to have the mental capacity to make their own decisions unless it's proven they lack capacity.

- **Support to make decisions:**

Individuals must be given all possible help and support to make their own decisions.

- **Unwise decisions:**

A person cannot be considered unable to make a decision just because it seems unwise to others.

- **Best interests:**

If a decision needs to be made for someone who lacks capacity, it must be done in their best interests.

- **Least restrictive option:**

Any action taken must be the least restrictive of the person's rights and freedom of action.

The link to safeguarding

- **Decision-making in safeguarding:**

When a safeguarding concern arises, decisions will need to be made about the individual's care, treatment, and finances. These decisions must be made in line with the MCA principles.

- **Protecting vulnerable people:**

The MCA provides a legal foundation to protect those who are vulnerable due to illness, injury, or other issues, from abuse and neglect.

- **Ensuring a person-centered approach:**

By following the MCA, safeguarding becomes a person-centered process that prioritizes the individual's wishes and well-being, even if they are unable to express them directly.

- **[Deprivation of Liberty Safeguards \(DoLS\)](#):**

An amendment to the MCA, DoLS provides a legal framework to authorise deprivation of liberty in specific circumstances, but only after a stringent process and when it is in the person's best interests.

2.6 Key Categories of Abuse

The Care Act 2014 identifies 10 key types of abuse and patterns of abuse. This list is not exhaustive, but these are the categories where annual data is collected. There are more types of abuse included below. Some categories are criminal matters and

safeguarding duties **are not an alternative to reporting these to the police** e.g., sexual exploitation, domestic abuse, and modern slavery.

1. **Physical abuse:**

Definition: Hurting or injuring a person on purpose.

Includes: assault, hitting, slapping, pushing, misuse of medication, restraint, inappropriate physical sanctions.

2. **Domestic abuse:**

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

Includes: but is not limited to: Psychological, sexual, financial, emotional, psychological, physical, sexual, financial, emotional abuse, so called 'honour' based violence. Coercive control (A new offence of coercive and controlling behaviour in intimate and familial relationships was introduced into the Serious Crime Act 2015. The offence will impose a maximum 5-year imprisonment, a fine or both – see appendix 2)

3. **Sexual abuse / exploitation:**

There is considerable overlap between the terms abuse and exploitation:

Sexual abuse

Definition: Making bad or improper use or violating or injuring or to take bad advantage or maltreat a person. Sexual abuse is the involvement of vulnerable adults in sexual activities, which they do not fully comprehend, to which they are unable to give consent, to which they object, or which may cause them harm.

Includes: rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, sexual assault, sexual acts to which the adult has not consented or was pressured into consenting.

Sexual exploitation

Definition: Using someone for one's own profit or for selfish purposes.

Includes: Sexual exploitation includes rape, prostitution, sexual photography, subjection to pornography or witnessing sexual acts and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

Includes: Rape (which can include rape by a partner, if the sex is unwanted - no means no, with no exception), Sexual assault, being tricked or manipulated into having sex or performing a sexual act, being trafficked into, out of, or around the UK for the purpose of sexual exploitation (i.e., prostitution), Being forced to take part in or watch pornography

4. **Psychological abuse:**

Definition: Behaviour that has a harmful effect on the adult's emotional health, wellbeing, and development.

Includes: emotional abuse, threats of harm or abandonment, depriving from the contact of others, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation, unreasonable and unjustified withdrawal of services or supportive networks, gas lighting (manipulating (someone) by psychological means into doubting their own sanity).

5. **Financial or material abuse:**

Financial abuse is the main form of abuse investigated by the Office of the Public Guardian both amongst adults and children at risk. Financial abuse can occur in isolation, but where there are other forms of abuse, there is likely to be financial abuse occurring.

Includes: 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, the misuse or misappropriation of property, possessions, or benefits.

6. **Modern slavery:**

Definition: Use of coercion and deception to force a person into a life of abuse, servitude and inhumane treatment. It is possible to be a victim of trafficking even if the person's consent has been given to be moved.

Includes: slavery, human trafficking, forced labour and domestic servitude.

traffickers and slave masters using whatever means they have at their disposal to coerce, deceive, and force individuals into a life of abuse, servitude and inhumane treatment.

7. **Discriminatory abuse:**

Definition: abuse that focuses on a difference or perceived difference. This may involve any of the protected characteristics of the Equality Act 2010: race, gender, disability, or age, gender reassignment, marriage, or civil partnership (in employment only) pregnancy and maternity, religion or belief, sexual orientation.

Includes:

Direct discrimination - treating someone with a protected characteristic less favourably than others.

Indirect discrimination - putting rules or arrangements in place that apply to everyone, but that put someone with a protected characteristic at an unfair disadvantage.

Harassment – subjecting someone to unwanted conduct.

Victimisation - treating someone unfairly because they've complained about discrimination or harassment.

8. Organisational abuse:

Definition: mistreatment of people brought about by poor or inadequate care or support, or systematic poor practice that affects the whole care setting.

Includes: 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.

9. Neglect and acts of omission:

Definition: The failure of a person who has responsibility for the care or custody of an adult to provide the amount and type of care that a reasonable customer would be expected to provide. Neglect can be intentional or unintentional.

Includes: Ignoring medical, emotional, or physical care needs. Failure to provide access to appropriate health, care and support or educational services. Withholding of the necessities of life, such as medication, adequate nutrition, and heating.

10. Self-neglect:

Definition: living in a way that puts his or her health, safety, or well-being at risk.

Includes: hoarding, neglecting to care for own personal hygiene, health, or surroundings.

**self-neglect may not prompt a section 42 enquiry. An assessment will be made on a case-by-case basis. A decision on whether a response is required under safeguarding will depend on the person'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 e.g., due to poor health, substance misuse.

2.7 Further types of abuse: The following are all illegal acts and should be reported to the police, they may also be reported to the Local Authority who will decide whether to investigate:

Female Genital Mutilation (FGM): Female genital mutilation is a procedure where the female genitals are deliberately cut, injured, or changed, but there's no medical reason for this to be done. It's also known as female circumcision or cutting, and by other terms, such as sunna, gudniin, halalays, tahur, megrez and khitan, among others.

FGM is usually carried out on young girls between infancy and the age of 15, most commonly before puberty starts. See Safeguarding Children policy for more details.

Honour based abuse: A term used to describe a combination of practices used principally to control and punish the behaviour of a member of a family or social group, to protect perceived cultural and religious beliefs in the name of 'honour'. Although predominantly associated with women and girls, male members of a family can also be victims. Violence and abuse may occur when it is felt that an individual's behaviour has broken the 'honour code', bringing disgrace to their family or social group. Perpetrators will feel that they need to restore their loss of face and standing within their community. There is often an element of approval and social acceptance from other family members and the community.

Forced marriage: A forced marriage is where one or both people do not (or in cases of people with learning disabilities or reduced capacity, cannot) consent to the marriage as they are pressurised, or abuse is used, to force them to do so. It is recognised in the UK as a form of domestic or child abuse and a serious abuse of human rights.

The pressure put on people to marry against their will may be:

- **physical:** for example, threats, physical violence, or sexual violence
- **emotional and psychological:** for example, making someone feel like they are bringing 'shame' on their family. This is dealt with by the Forced Marriage unit.
- **Financial abuse,** for example taking someone's wages, may also be a factor.

Hate crime: Any crime that is perceived by the victim, or any other person, to be racist, homophobic, transphobic, or due to a person's religion, belief, gender identity or disability.

Includes: physical attacks - physical assault, damage to property, offensive graffiti, neighbour disputes, and arson.

threat of attack - offensive letters or emails, abusive or obscene telephone calls, groups hanging around to intimidate a person and unfounded, malicious complaints.

verbal abuse or insults - harassment over the phone, by text or face to face, abusive gestures, and remarks, bullying and threats.

Mate crime is a form of exploitation which occurs when a person is harmed or taken advantage of by someone, they thought was their friend.

Radicalisation: The process by which people come to support terrorism and violent extremism and, in some cases, to participate in terrorist activities.

There is no obvious profile of a person likely to become involved in extremism or a single indicator of when a person might move to adopt violence in support of

extremist ideas. The process of radicalisation is different for every individual and can take place over an extended period or within a very short time frame.

Online abuse: Online abuse is any type of abuse that happens on the internet, for example through social media, or mobile phones. Online abuse covers a wide range of behaviours and technologies. Social networking sites are often used as an easy way to access and target adults who are at risk of abuse. Some examples of online abuse can include abusive images, trolling, stealing someone else's identity, cyber-stalking, cyberbullying.

2.8 Patterns of abuse: Incidents of abuse may be One-off, multiple, affecting one customer or more. Serial abuse, in which the perpetrator seeks out and 'grooms' individuals. There may also be different types of abuse happening at the same time.

3. Safeguarding Adults Procedure: Roles and responsibilities:

3.1 Guidance:

- **Anyone can raise a safeguarding concern.** It is the responsibility of all SYHA employees and volunteers to do so if they suspect abuse. **In cases of an emergency** dial 999 immediately. **If a crime has been committed** dial 101.
- A concern is a suspicion or belief that someone is suffering abuse. A customer may tell you this themselves, you may witness something directly, or be told information from a third party.
 - All safeguarding concerns about the wellbeing and safety of an adult at risk must always be taken seriously, this includes situations where the original person alerting wishes to remain anonymous.
- **Preserve evidence.** Do not touch or wash anything. Do not wash anything that is blood stained or which may contain evidence or repair anything that is torn or damaged. Do not touch anything which may contain fingerprints or DNA.
- **Gather as much information as you can.**
- **You do not have to be 100% certain that abuse is taking place.** Whilst it might turn out that there is not a problem or the problem is not about abuse, it doesn't matter. What matters is that concerns are always reported.
- **Clarify facts** as much as possible and keep evaluating the risks.
- **Remain impartial and objective.**
- **Ask the customer:** what they want to happen if it is safe and appropriate to do so.
- **Report every concern:** to your Line Manager or designated person.
- **Keep any evidence:** original handwritten notes etc.
- **Consider links to other SYHA policies and procedures (see page 1):** e.g., Anti-Social Behaviour, Safeguarding Children, etc.
- **If the allegation is about a member of staff** (paid or unpaid) or anyone working with/for SYHA in a voluntary capacity (e.g., caterers, volunteers, hairdressers),

this must always be reported to a Line Manager and People Team so the Professional Boundaries procedure can be followed. All allegations will be treated in confidence.

- **If your Line Manager is implicated**, you should contact a Senior Manager to follow the Professional Boundaries Procedure: SYHA will respect, support, and not penalise anyone who speaks out about suspicions of abuse or other inappropriate behaviour. No action will be taken against a member of staff who makes an allegation if it subsequently transpires to be unfounded, if they did so in good faith.
- **Ask ‘open’ questions.** They may appear judgmental. We need to gather the key facts and not investigate why something has happened.
- **Don’t** discuss directly with the person who may be causing the abuse.
- **All employees at SYHA must complete all safeguarding e. learning and workshops added from time to time as directed to achieve our aim of 100% of employees have this completed.**

3.2 Frontline Staff responsibilities (excluding NEAT and HMT_who should refer to section 3.4):

To follow this policy.

To complete all safeguarding e. learning and workshops added from time to time as directed.

- **In cases of an emergency** dial 999 immediately.
- **If a crime has been committed** dial 101.

If you are supporting someone (e.g. you are a LiveWell Keyworker), and you suspect, or are aware of possible abuse, then you should contact the relevant Local Authority Safeguarding Team to express your concerns within the same working day (see appendix 1 for links to the Local Authority websites).

- Tell your Line Manager at the earliest opportunity who will then follow the Line Manager responsibilities, as outlined below. All staff members in LiveWell frontline services and in Housing Services should record the concern and all relevant information electronically on Inform / CX.
- For those in LiveWell frontline services and Housing Services Neighbourhood team you should record the concern and all relevant information electronically on Inform / CX (following the system recording process and minimum data set). See Keep Learning Site on Base - recording on Inform. Please note this does not replace completing the Local Authority online reporting form which should be completed as first priority.
- **Update the Risk Assessment and risk management plans:** If a Risk Assessment form is not used (Housing Services) then full notes should be recorded to show how the risk assessment was reached.

- **Following up on the concern with the Local Authority:** Contact the LA for an update if no information is received within 72 hours of reporting it. Speak to your line manager if you do not get any response.
- **If you are not supporting the person e.g., NEAT operative, Customer Services Assistant:** seek advice from a manager.
- **Training:** To complete all safeguarding e. learning and workshops added from time to time as directed.

- **3.3 Line Manager responsibilities (excluding HMT and NEAT managers who should refer to section 3.4):** For clarity, a Line Manager in this case is Team Leaders, LiveWell Project Leads and Contract managers who have overall operational responsibility for an operational service/project area. Housing Managers, LiveWell Service Managers can support in the absence of the above. The responsibility lies with the Line Manager to offer support to staff who must never be left to deal with situations of abuse or suspected abuse on their own.

The Line Manager has overall responsibility for:

Overseeing what action to take: e.g. reporting to the Local Authority, reporting to People Team for Professional Boundaries Policy to be followed. If in any doubt, the Local Authority or Health & Social Care Safeguarding Manager should be contacted for peer advice. If in any doubt, Line Managers should seek advice from their Manager, Safeguarding Lead or when there is a staff member implicated H.R. / Peoples Partners.

- Ensuring that immediate actions are taken to help address the customer's safety.
- Establishing what outcomes the customer wants to happen (if possible).
- Deciding which staff need to be directly involved.
- Providing support and guidance to staff.
- Keeping other appropriate staff informed. In deciding what to do, the decision of the Line Manager will be based upon their evaluation of the situation and the information known at that point, including an evaluation of the risk.
- Ensuring that all safeguarding concerns for their scheme have been recorded on Inform / Cx. as appropriate. This includes cases that we have been involved in where SYHA was not the person / organisation raising the alert.
- Ensuring that the concern has been followed up after 72 hours if there has been no information from the Local Authority.
- Review and sign off Safeguarding cases signing off on appropriate systems e.g. Inform / Cx. Spreadsheet.
- Ensure all safeguarding is showing on systems and reports e.g. Safeguarding report Inform/Cx.Spreadsheet.

- **Training:** To complete all safeguarding e. learning and workshops added from time to time as directed.
- **Don't** discuss directly with the person who may be causing the alleged abuse. (Unless this is agreed as part of a protection plan or specifically instructed e.g., to suspend a member of staff who has been accused)

3.4 HMT and NEAT

NEAT and HMT operatives:

- To complete all safeguarding e. learning and workshops added from time to time as directed.
- Ensure that immediate actions are taken to help address the customer's safety. In an emergency phone 999. If a crime has been committed phone 101. Get guidance from managers at the earliest opportunity and the same working day.
- Report all safeguarding concerns to your line manager or another NEAT / HMT manager as soon as possible and the same working day.

NEAT and HMT Managers:

- Ensure that immediate actions are taken to help address the customer's safety. This includes calling 999 and reporting to the Police in an emergency and where required getting guidance from Housing Services Neighbourhood managers at the earliest opportunity and the same working day.
- If the concern relates to a LiveWell customer contact the Project Lead / Service manager for guidance at the earliest opportunity and the same working day. Complete Safeguarding Concern Pro Forma for HMT/NEAT in appendix 3 with the required information of the safeguarding concern.
- Pass all relevant information on the safeguarding concern to Neighbourhood managers / LiveWell Project Lead / Service Manager via email to the Housing Neighbourhood Team mailbox or the relevant LiveWell scheme inbox on the same working day. This is so the concern can be reported to Local Authorities within 24 hours of receipt of the completed pro forma and recorded on SYHA systems.

External contractors:

- Ensure that immediate actions are taken to help address the customer's safety. In an emergency phone 999. If a crime has been committed phone

101. Get guidance from managers at the earliest opportunity and the same working day.

- Complete the Safeguarding Concern Pro-Forma for External Contractors in appendix 4 pro forma with details of the safeguarding concern. Pass to the relevant SYHA Contract Manager who will then refer to the Line Manager responsibilities under section 3.2.

Concerns must always be reported to the Local Authority in the following situations:

- The situation is complex and/or the risk of harm is deemed to be high.
- The customer at risk does not have mental capacity or their capacity is diminished.
- The customer feels unable to decide in their own best interest because they are under duress or coercion.
- There is a risk to a child/young person.
- We know that another organisation has been alerted and they are not doing anything about it (e.g., care provider in extra care).

3.5 SYHA leadership team responsibilities: The Leadership team are responsible for ensuring that all staff are aware of safeguarding issues, are aware of their safeguarding responsibilities and that this policy is implemented.

- **SYHA Safeguarding Lead responsibility:** Lead on reporting to Board on Safeguarding. Chair Safeguarding Steering Group. Share learning and best practice as decided by SSG.
- **Safeguarding Steering Group responsibilities:**
- Ensuring that our safeguarding processes and approaches are high quality and help reach the best possible outcomes for our customers.
- To ensure our approaches meet all legislative requirements.
- To have data-driven oversight of all activity related to our work on safeguarding.
- Reviewing insight from our respective departments on our approach, challenges, and successes.
- To ensure that safeguarding continues to high prevalence in our organisation, operationally, strategically and in how we are evaluated.
- To identify and share best practice: both from within and externally.
- To keep our policy and practice up to date because of learning from case review, changes to local/national legislation, or by reflecting on our data.
- To promote the customer voice within all our safeguarding work and ensure that this is at the heart of our decision making.

- To maintain a ‘one SYHA’ approach to our work on safeguarding and ensuring that our processes are consistently applied, where relevant and applicable.
- **SYHA Quality Improvement Lead responsibility:**
 - Annual audit of 10% of cases to ensure quality of notes reporting and closing off cases.
 - Reporting quarterly and annual data in to Safeguarding Steering Group.
 - Being a member of Safeguarding Steering Group and deputising for Chair of Steering Group.
- **SYHA ELT Health and Safety Lead:** Commission external audit of 10% of cases every 5 years.
- **SYHA Board:** Have overall responsibility for safeguarding. An annual report will be provided at February Board each year.

3.6. External responsibility:

3.6.1 Local Authority / Health and Social Care Safeguarding Manager: is responsible for determining whether any concerns should enter safeguarding (a section 42 enquiry) or if the risk should continue to be managed within SYHA.

3.6.2 The Statutory Criteria for Decision Making used by LAs - The 3 Point Test

All concerns raised to the LA will be measured against the 3-point test:

1. The adult has a care and support need (they don't have to have eligibility needs for social care or mental health services)
2. They are experiencing abuse or neglect OR are at risk of abuse or neglect.
3. They are unable to protect themselves due to their care and support needs. This may include lack of capacity or being under duress.

Where a customer meets all 3 criteria their Local Authority has a safeguarding duty towards them. It is highly likely our customers receiving care or support will hit the three-point test.

3.6.3 Section 42 enquiry:

The Care Act requires local authorities to make enquires, or ask others to make enquiries, when they think an adult with care and support needs may be at risk of abuse or neglect in their area and to find out what, if any, action may be needed. This applies whether the authority is providing any care and support services to that adult. The enquiry may lead to several outcomes, this will be dependent on the circumstances, including to prosecution if abuse or neglect is proven. In other cases, the risk of abuse may be tackled, but the adult may have other care and support

needs which require different services and may lead to a needs assessment or review of an existing care and support plan.

Appendix 1: Reporting to the Local Authority:

Sheffield reporting: email form below to: phone 0114 273 4908

Online <https://www.sheffieldasp.org.uk/sasp/sasp/for-professionals/professionals-report-an-adult-safeguarding-concern>

Rotherham: report online form: <https://www.rotherham.gov.uk/xfp/form/261>

Doncaster: report using the online form:

<https://mosaicportal.doncaster.gov.uk/s4s/FormDetails/FillForm?formId=184>

Barnsley: Report online: <https://my.barnsley.gov.uk/form/safeguarding-adults-enquiry/your-details>

Or call 01226 773300 or urgent concerns out of hours 01226 787789.

Chesterfield / Derbyshire: <https://www.derbyshire.gov.uk/social-health/care-and-health-service-providers/safeguarding/safeguarding-adults.aspx>

Call 01629 533190

Appendix 2: Further reading:

Further information and advice

Relevant legislation	Summary	Further info
	National Safeguarding guidance	https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#safeguarding-1
The Care Act 2014	Overarching legislation	http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted
Mental Capacity ACT	A customer's capacity must be considered during this process – please see Mental Capacity Act guidance. If you require additional guidance regarding	http://www.legislation.gov.uk/ukpga/2005/9/contents

	the application of the Mental Capacity Act principles, speak to a manager before taking any action.	
Deprivation of liberty DOLs	Aims to make sure that people in care homes, hospitals and supported living are looked after in a way that does not inappropriately restrict their freedom.	http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/SocialCare/Deliveringadultsocialcare/MentalCapacity/MentalCapacityActDeprivationofLibertySafeguards/index.htm
The Domestic Abuse and Harassment and Honor Based Violence (DASH). MARAC Multi agency risk assessment	Information about domestic abuse and Identification and Risk Assessment Model To be completed for customer who are identified at high risk of harm from domestic violence/honor-based killing.	http://www.dashriskchecklist.co.uk/ https://www.syha.co.uk/syha-you/domestic-abuse
Modern Slavery and human trafficking	Further Information and guidance	http://www.humantraffickingfoundation.org/sites/default/files/Booklet.pdf
Female Genital Mutilation (FGM)	Further Information and guidance	https://www.gov.uk/government/publications/female-genital-mutilation-multi-agency-practice-guidelines
Forced marriage	Further Information and guidance	http://www.fco.gov.uk/resources/en/pdf/3849543/forced-marriage-guidelines09.pdf
Hate crime	Further Information and guidance	https://www.gov.uk/government/policies/reducing-and-preventing-crime--2/supporting-pages/hate-crime
Coercive control	Guidance	https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/482528/Controlling_or_coercive_behavior_-_statutory_guidance.pdf

