



# Safeguarding



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## 1. Scope

To set out the policies for safeguarding vulnerable adults in respect of ZENO Limited employees and contractors.

Sets out the principals underpinning the multi-agency approach to adult safeguarding work across the various councils that ZENO works in conjunction with.

To make clear the responsibilities of all employees when working in the presence of vulnerable adults.

To advise Service Managers and all senior managers about the safeguarding requirements for all employees and contractors.

To identify the current understanding of the types of abuse that may be perpetrated

## 2. The Policy – Aims and Values

### 2.1. Policy principles

ZENO Ltd are of the firm belief that our Supported People have the right to remain safe and free from physical, psychological and financial abuse and neglect by care workers, family members, friends, health and social workers.

Our Supported People have rights as individuals and should be treated with dignity and respect.

We will strive to provide a safe environment for our Supported People, their welfare is of primary concern.

It is everybody's responsibility to report immediately day or night, any concerns about abuse to their line Manager, who has the responsibility to report to the Registered Manager immediately. The Registered Manager has the responsibility to report and liaise with the City Council where the safeguarding has occurred at. The police, Family members, Human Resource Manager, Managing Directors, Care Quality Commission, and any other agencies as appropriate.

ZENO Ltd believes effective safeguarding depends upon a multi-agency partnership.

All incidents of alleged poor practise, misconduct and abuse will be taken seriously. ZENO Limited will respond within 24 hours by following guidelines set out in this policy.

The sharing of information will be guided by a case by case assessment but ZENO Ltd acknowledges that this is a vital element of safeguarding and improving outcomes for all.

## Data Protection Act 1998 talks of two types of information:

- Personal Data which relates to a living individual who can be identified from that information. It includes any expression of opinion about the individual and any implications of the intentions of any person in respect of the individual.
- Sensitive Data information concerning racial or ethnic origin, physical/mental health, sexual life, alleged recommitment offences.

## Under the Data protection Act information about individuals must be:

- Fairly and lawfully processed (which includes information sharing)
- Obtained only for one or more specific and lawful purposes and not processed in any manner incompatible with those purposes
- Adequate, relevant and not excessive
- Not kept for longer than necessary
- Processed in line with the data subjects rights
- Secure
- Not transferred outside of the EC

## 2.2. Principles governing the policy

The “No Secrets Guidance” advise all local authorities in England to ensure arrangements for the provision of a multi-agency policy to protect vulnerable adults. The basic foundation of ZENO’s Policy for Safeguarding Adults policy is the respect for the rights and dignity of all adults regardless of their age gender ethnic origin faith ability or sexuality.

### The principals underpinning the policy are:

**Recognise** those individuals to which the policy refers

**Work together** and follow the recommendations in the “No Secrets” guidance

**Positively promote** the rights and well begin of vulnerable adults through service support and delivery.

**Support the rights of individuals** by respecting self-determination and informed choice.

**Acknowledged risk** as an integral part of choice and decision –making but ensure that the risks taken are assessed discussed recorded and, where possible, minimised.

**Ensure that vulnerable adults are safeguarded** by effectively integrating polices, strategies and procedures that are relevant to abuse and harm.

**Safeguard the continuation of the right to independence** of vulnerable adults by ensuring that risk assessment and appropriate support are provided

**Understand the law and statutory requirements that proved protection and access to the judicial process for vulnerable adults.**

## 2.3. Application of the Policy

ZENO will apply to all statutory, voluntary, independent and all other agencies ZENO is involved with. There are no exclusions relating to the actual size of any of the agencies of the range of roles they play.

The policy and its accompanying procedures raise an expectation that ZENO will respond to the need to afford a level of protection for those vulnerable adults that they serve. Failures to take reasonable action to protect, report and respond to potentially abusive situations can be considered as culpable negligence on behalf of those agencies entrusted with supporting the care of vulnerable adults. ZENO has an obligation to ensure that all their members of staff (contracted, sub-contracted and voluntary) are fully aware of the systems which are in place to support the effective operation of the policy. This requires clear lines of responsibility to be set in the organisation with nominated post holders to act as key driver for ensuring policy use.

ZENO will ensure policies' and procedure's relating to the safe recruitment of staff follow the principles outlines in safeguarding policy.

All staff will undertake checks in line with Disclosure and Barring Service (DBS).

Safeguarding Vulnerable Groups Act 2006 Vetting and Barring process.

Independent Safeguarding Authority (ISA) Barred List that hold the names of all individuals barred from working with children or vulnerable adults replacing the POVA list, POCA list and List 99.

Independent Safeguarding Authority (ISA) is responsible for making all decisions on who should be placed on the Barred Lists and employers are required to make checks against the list before an individual is employed.

### **Vulnerable Adults**

- This policy and its accompanying procedures, applies to people living In all the Local Authorities where we support people
- Who are aged 18 years and over
- Who are, or may be in need of community care services because of learning disability, ASD, older age or physical or mental illness
- Who are, or may be, unable to take care of themselves, or unable to protect themselves from harm or exploitation by others.

**The aim of this Policy is to ensure protection from, and prevention of, the abuse of vulnerable adults.**

The phrase vulnerable adult recognises the high prevalence if abuse experienced by this group, but it should be recognised that this definitions is contentious, One reason is that the label can be misunderstood, because it seems to tolerate the cause of abuse with the victim or survivor, rather than placing responsibility with the actions or omissions of others. Thus, the area of work covered by "NO Secrets" has increasingly become known as "Safeguarding Adults" at risk of abuse.

## ABUSE

**Abuse is the violation of an individual's human and civil rights by any other person or persons.** This occurs in many forms and may consist of a single act or repeated acts. It may also be shown by failure to act in order to protect vulnerable people. Abuse may, or may not, result in the person being physically injured or ill.

## 2.4. Consent, Capacity and Best Interests

During a safeguarding investigation there will be numerous important decisions that need to be made. It is essential to thoroughly explore issues of consent, capacity and best interests in each areas. ZENO will follow the Mental Capacity Act 2005 and Deprivation of Liberty Safeguards Policy.

**Mental Capacity** refers to the capacity to:

- Understand and retain information in relation to a specific act, decision or transaction;
- Weigh up their consequences;
- Communicate the decision needs to be made.

A person's mental capacity may changes may be regained or developed with support, or a period of time and /or they may have a condition that leads to fluctuations in mental capacity

The investigating Officer must follow the procedures to ensure that they have:

- Supported and empowered the person to make decisions for themselves to assess whether the person **has capacity** to make each individual decision.
- If the person lacks capacity to make a specific decision, it will be necessary for professionals/family/carer's to **make decisions** on their behalf or consider whether the appointment of an Independent Mental Capacity Advocates would be appropriate.
- In safeguarding adult's cases **only**, access to IMCAs is not restricted to people who have no one else to support or represent them. Therefore, people who lack capacity who have family and friends can still have an IMCA to support them through the safeguarding process.

### Deprivation of Liberty Safeguards (DoLS)

There will be occasions during safeguarding investigations, when decisions may involve the need to deprive someone of their liberty (in their best interest) for care or treatment.

Deprivation of liberty Safeguards' apply to hospital or 24hr care settings.

If there is no agreement following the decision making and best interests procedures and the healthcare or social care professional thinks that an a authorisation is needed, they should inform the managing authority (Care Provider)

Depriving someone who lacks the capacity to consent to the arrangements made for their care or treatment of their liberty is a serious matter and the decision to do so should not be taken lightly.

The Deprivation of Liberty Safeguards makes it clear that a person may only be deprived of their liberty.

- In their own best interest to protect them from harm
- If it is proportionate response to the likelihood and seriousness of the harm, and
- If there is no less restrictive alternative.

ZENO must follow the Mental Capacity Act 2005 and deprivation of Liberty Safeguards Policy and all readers are instructed to read the relevant policies and procedures for MCA and DOL(S).

## 2.5. Power and Unequal Situations

Even if an individual can make judgements about another person's behaviour, they may be in a situation, or relationship, where they cannot give meaningful consent, such situations are essentially those where power and inequality are involved, the following considerations may be useful in judging whether or not any form of abuse has taken place:

Parental or familial relationships where one person has physical or emotional control of others

A custodial or care taking relationship on which the individual relies

The use of threat or reprimand by another person

Where an individual has difficulties with communication and relies on another person for their communication to others.

### Forms of ABUSE

#### Physical Abuse

Physical abuse includes: hitting, slapping, pushing, kicking, squeezing, shaking, pinching, misuse of any medication, undue restraint, or force feeding.

#### Sexual Abuse

Sexual abuse includes: sexual assault, rape or other sexual acts, the inappropriate touching of the individuals sexual areas, or coercion into the viewing of pornographic materials. Compelling, inciting or facilitating a person with impaired capacity for choice to engage in sexual activity without consent is an offence under the Sexual Offences Act 2003

#### Psychological Abuse

Psychological abuse includes: threats of harm, abandonment, withdrawal of social contact or family networks, isolation, humiliation, shouting, bullying, name calling, intimidation, harassment, or the denial of or withdrawal from required services.

#### Financial or Material Abuse

Financial or material abuse includes: withholding of money or possessions, intentional mismanagement of the person's finances or property, theft, fraud, embezzlement, exploitation and stealing person's money

## **Neglect and Acts of Omission**

Neglect or acts of omission include: the failure to access appropriate services for recognised needs, avoidance of required health care, ignoring physical care needs' withholding of adequate nutrition, clothing or warmth, exposing the person to unacceptable risk, lack of action to provide or ensure adequate supervision.

## **Discriminatory Abuse**

Includes: any acts that use hurtful language cause harassment or similar treatment of the individual because of their race, sex, age, disability, faith, culture or sexual orientation. Such abuses are increasingly being recognised as hate crimes.

## **Institutional Abuse**

Institutional abuse includes: the use of systems, routines, practice or care that neglect individual needs and create an imbalance and control within a managed setting such as residential/nursing care or day services.

## **Abuse of Civil Rights**

Abuse of civil rights includes: the denial of, or coercive influence on, an individual's rights to be registered and to vote, the right to be treated as an equal with dignity and respect, the right of freedom of speech or movement, forced marriage.

## **Domestic Abuse**

People may think of domestic abuse only as a physical assault by a man on a woman, but it can take many different forms. The definition used in Manchester is:

*“any incident of threatening behaviour, violence and abuse (psychological, physical, sexual, financial or emotional) between people who are or have been intimate partners or family members regardless of gender (Manchester Domestic Abuse Strategy 2007)”*

This definition includes forced marriage and abuse within same sex relationships

Domestic abuse is very common and affects one in four women in their lifetime. Although most victims of domestic abuse are women and most abusers are men, domestic abuse can affect anyone. Domestic abuse is a pattern of controlling and aggressive behaviour that is used to maintain power and exert control on victims, including many forms such as physical assault, bullying, sexual abuse, rape and threats, In addition it may include destructive criticism, pressure tactics, disrespect, breaking trust, isolation and harassment.

Domestic abuse may apply to relationships other than those of partners and include sibling and intergenerational relationships (parents – offspring)

Disability is recognised as being one of the risk factors for domestic abuse. Disabled women are twice as likely to experience domestic abuse that non-disabled women. They are also likely to experience abuse over a longer period of time and to suffer more severe injuries as a result of violence.



## **Forced Marriages**

Forced Marriages include: one or both spouses **not consenting** to the marriage and some element of duress is involved duress includes feeling both physical and emotional pressure. Some victims of forced marriage is considered to be domestic abuse and an abuse of human rights.

There have reports of vulnerable adults with mental and physical disabilities being forced to marry. Some individuals do not have the capacity to consent to the marriage, some individuals may be unable to consent to consummate the marriage – sexual intercourse without consent is rape.

This is not an exhaustive list of examples but merely a guide to the most frequently identified forms of abuse. Any doubts on whether or not an act or omission is abusive should not prevent a referral being made as this can be determined as part of the investigative process.

## **Safeguarding Children**

Under the Children's Act 2004 everyone has a responsibility, whilst undertaking their normal duties, to have regard to the need to safeguard and promote the welfare of children and young people and for ensuring they are protected from harm. This includes work carried out in relation to assessments and reviews of vulnerable adult's and careers, provision of services and in relation to safeguarding vulnerable adults processes.

In all adult safeguarding cases where an alleged or confirmed perpetrator of abuse is a staff member or volunteer working with vulnerable adults in any setting, an assessment must be carried out thorough the safeguarding adults process to determine if the person poses a risk to identified children or young pole. If this assessment indicates that there is a possible risk to children or young people a referral must be made to the local authority Care Quality Commission and Children Services Department. They will be responsible for addressing the reported concerns of harm or possible harm to children as a result of the referral.

## **3. Referenced Documents**

This Safeguarding policy links in with a number of other ZENO Limited Policies which should be read in in conjunction with it:

- Whistleblowing and reporting of bad practice
- Recruitment of staff

And Mentor policies:

- Equal Opportunities and Diversity
- Data Protection
- Disclosures and Disclosure Information
- Safeguarding
- Public Interest Disclosure ('Whistleblowing')
- Confidentiality and Access to Information

Further national guidance on safeguarding and "Duty of Care" obligations is contained within the following;

- Health and Social Care Act 2008 (regulated activities) Regulations 2014
- The Common Assessment Framework (2004)
- Safeguarding Vulnerable Adults Groups Act (2006)
- Protection of Vulnerable Adults Scheme
- Establishment of the Criminal Records Bureau (CRB)
- Protection of Vulnerable Adults (POVA)
- Cabinet Office guidance on CRB Checks
- Health and Social Care Act 2008
- Mental Capacity Act 2005 DOL 2009
- Department of Health, No Secrets- Guidance on developing and implementing multi-agency policies to protect vulnerable adults from abuse March 2000
- Human Rights Act
- Independent Safeguarding Authority
- Manchester City Council Safeguarding Adults
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## 4. Responsibilities

All employees of ZENO Ltd including any contractors are responsible for undertaking, reporting and sharing information with regard to the safeguarding of our supported people as vulnerable adults.

Managers at all levels have a particular responsibility to ensure all employees understand safeguarding, receive regular training and are encouraged and supported through the safeguarding process. In addition to this, managers are responsible for guaranteeing that safeguarding standards are adhered to in the delivery of those services they have responsibility for.

All necessary steps must be taken at a team level by managers to ensure that they, their staff and any contractors are fully conversant and ultimately compliant with the requirements of this policy.

When organising or holding an event or activity, the person organising the event is expected to;

- Ensure the activity is planned, organised and delivered in accordance with the Safeguarding Policy
- Verify the safeguarding arrangements are effective when using third party organisations
- Ensure that health and safety risk assessments are adhered to
- Ensure that the persons positive support plan has been referred to, along with RAMPS

In addition it should be noted that all employees of ZENO Ltd are in a position of trust.

The responsibility identified above is referred to in every ZENO Ltd job description.

Before employees resume employment at ZENO Limited.

All prospective employees are invited to an interview. The interview is held by the Human Resource Manager, and another person. This may be Service Manager, Assistant Service Manager, Support Worker, Supported Person, and family member. The prospective employee will be asked to complete ZENO's application form before the interview is held, at the place where the interview is

being held. Within the application form is declaration of convictions. The perspective employee is asked to be honest in recording all and any convictions occurred.

A short list of applicants will be produced and the panel will decide on whom to employ, whilst taking into account any information disclosed on the applicants application form.

Every employee, for ZENO Limited will have their personal information taken from them by the Human Resource Manager who will process this to the Disclosure and Barring Service check, and Independent Safeguarding Authority.

If when information received from both these bodies is any different from what has been given by the perspective employee on the application form. The perspective employee will be asked to have a meeting with the Human Resource Manager. The Human resource manager will inform the perspective employee that they will not be able to be employed at ZENO due to the fact that they had not been honest when completing the application form.

## 5. The Procedure

Because vulnerable adults often feel that they have little control over their lives and because they may be in fear of further abuse, it may be very difficult for someone to report that they are being or have been abused. ZENO has a responsibility to support people in this situation and to provide care and support to people who have experienced abuse

When vulnerable adults have been interview after a discourse they frequently say what they most want is:

- To be taken seriously
- The worker to remain calm
- Practical assistance

What they most fear

- Getting into trouble, particularly if their accusation involves a member of staff;
- Being taken away from their current home

Anyone reporting that they have been abused should be assisted with making a safeguarding referral and with contacting the police if it appears a crime may have been committed, a referral can be made on a person's behalf by the person they have disclosed to, if that is the preferred choice of the vulnerable adult.

If a person is unable to communicate verbally that they have been abused. It is the responsibility of the support staff to continually check, be aware of the person's general health, demeanour, and overall state of mind, as identified in Forms of Abuse within this policy.

## 5.1. Staff

All staff have a duty to report concerns of allegations of abuse. Reporting these details, even when a colleague or the staff of another organisation may be involved, is essential. Service Managers have a duty to respond and provide effective support to staff at such time.

Staff should be clear that they have a duty of care to the vulnerable adult. This is reflected in the organisational **Whistle Blowing Policy**.

If they do not report suspicions they may be guilty of neglect of their duty of care, resulting in disciplinary action.

## 5.2. Guidance to staff should stress the following

- The importance of ensuring that the victim is safe and supported
- **Avoiding** discussions about the abuse with the individuals involved or other staff
- The importance of contacting a line manager, on-call person, as soon as the alleged victim is safe
- If the manager is unavailable (or is the alleged perpetrator), staff should contact their “head office” where they can contact the Senior Management Team. If out of office hours the Registered Manager is to be contacted. Failing this, they should contact the local authority Adults department or ring the Contact Centre on 0161 255 8250 to report concerns
- The importance of accurate recoding of what the concerns are and what evidence there is. The need to be clear, factual and concise with recordings dated and signed.
- That members of staff should **NOT** confront the alleged perpetrator about the incident
- Be aware of the need to avoid the contamination of any evidence that the police would require. Greater Manchester Police must be contacted at the earliest possible moment in such instances, The Registered Manger/Service Manager will have the responsibility to make this call

The right to Accessible Information

All of the above groups, vulnerable adults, public and staff have a right to information about the safeguarding process and assistance with reporting concerns in languages and information in a variety of languages, prompt contact with translation and interpreting services and audio visual information sources in formats that they feel most comfortable with.

## 5.3. Members of the General Public

It is often very difficult for members of the general public to raise such concerns and with this in mind a one-step procedure should be followed:

The concerned member of the public should report their concerns to one of the following:

ZENO Limited: 0161 706 0360 [contact@zenold.co.uk](mailto:contact@zenold.co.uk)

The City Council contact Centre 0161 255 8250

Care Quality Commission 0300 061 6161 [enquiries@cqc.org.uk](mailto:enquiries@cqc.org.uk)

## 5.4. Managers responding to allegations (Actions to take)

**The Registered Manager/Service Manager/Assistant Service Manager/Support Worker/any other individual who comes in contact with a Supported Person, be this in the community or at the Supported Persons accommodation must respond to all reported allegations of abuse**

**Record all details:** evidencing and factual recording. Record all details reported to you in a clear and concise manner

**Supporting:** Ensure that the alleged victim(s) is safe and supported

**The alleged victim:** Consider if the alleged victim requires urgent medical attention and if so make arrangements with an explanation to health staff the abuse is suspected. In cases of suspected sexual abuse, medical examination should be referred to St Mary's Sexual Assault Referral Centre.

**Contacting the Safeguarding Team:** The Registered Manager is to contact the local authority Adults Department on 0161 255 8250 and inform them that you wish to make a safeguarding adults referral, along with The Care Quality Commission Regulation 13 (safeguarding from abuse and improper treatment)

The referral will be forwarded to the alleged victims Safeguarding team/ Care Manager.

The Registered manager will take guidance from the appropriate Adults Manager or Safeguarding Adults Team, including discussion of:

- Medical examination/treatment,
- Police consultation
- Investigation team members
- Inform the Care Quality Commission

The local authority Safeguarding Adults team can be contacted for advice on 0161 219 6830

## 5.5. Supporting the reported staff:

The Registered Manager along with the Service Manager will instruct the reporting staff member, and others on duty of their responsibilities.

The Registered Manager along with the Service Manager will ensure that the reported staffs are in a position to be able to continue with their duties and where this is not possible, they will make

arrangements for cover and ensure that the reporting staff member is supported until they are able to go home.

## 5.6. If the alleged perpetrator is a staff member:

If a staff member is alleged to have abused a vulnerable adult it is important to ensure that any actions taken protect both the rights of both vulnerable adult and the staff member.

Suspensions from duty should be considered. Suspension should always take place if gross misconduct is suspected or if there is a criminal investigation. Suspension must not be seen as an indication of guilt but as a mechanism for ensuring the safety of both the alleged victim and perpetrator. Suspension and investigation will be undertaken in accordance with the ZENO Limited Disciplinary Policy.

In cases where there is an allegation of assault, sexual assault or financial abuse, the staff member **MUST** be suspended pending further investigation.

## 5.7. If the alleged perpetrator is another Supported Person:

If the alleged perpetrator is another Supported Person, ensure that they are also supported so that neither they nor anyone else is at risk.

## 5.8. Investigation and Follow Up

An investigation meeting will be held with the perpetrator (Staff OR Supported Person if applicable)

ZENO Limited will hold an Investigation meeting with the Human Resources Manager/Registered Manager and the perpetrator.

The Registered Manger will contact the Safeguarding Team.

The Safeguarding Team to be contacted are the council /area where the safeguarding occurred.

The Safeguarding Co-ordinator or Social Worker will request that a multi-disciplinary meeting including all the relevant parties takes place within 5 working days of the allegation.

The team where the allegation occurred are the lead organisation in the safeguarding investigation but they may nominate an organisation to join them or any other partnership board.

If the police are involved they will attend the multi-disciplinary meeting and inform all agencies of any action they are taking. If they are leading the investigation they will advise the meeting when interviews can take place if they haven't already done so. The meeting will also agree how all parties are kept up to date on progress and decide if further meetings are required.

## 5.9. If the police are involved

If the incident has been reported to the police, they will advise on the level of investigation around the specific allegation which can be undertaken by the organisation, to facilitate joint working. The advice given must be discussed with the organisations personnel department to make sure that all parties comply with Policies and procedures and where appropriate, employment law on misconduct in the workplace.

## 5.10. If the police are not involved

Separate strands within the overall investigation are required to ensure:

- The victims' story is heard and his/her needs are met
- That any other potential victims are identified and supported
- Appropriate action is taken in relation to the alleged perpetrator
- Any management deficiencies are identified and put right
- The organisations disciplinary policy is adhered to

An interview with the alleged victim will be held to ascertain:

- a) What happened
- b) When it happened
- c) What help and support they need to recover

## 5.11. If the alleged perpetrator is a staff member

The Service Manager/Registered Manager should ensure that the staff member is supported throughout the investigation process. Support can come from another colleague or trade union as s/he wish. A staff member suspected of abuse is treated in the same way as those accused of misconduct in the workplace.

An investigation will be carried out in accordance with ZENO's disciplinary policy and procedures.

- The staff member must be made aware of his or her rights under employment legislation and internal disciplinary procedures.
- The staff member will have the opportunity to state what happened and what evidence there is to support this account.

ZENO will carry out an internal investigation and disciplinary procedures, which may include dismissal, before the outcome of a criminal investigation is known.

ZENO's investigation will focus on the allegations on any breaches in procedures and actions carried out by the individual as an employee. This may differ from a breach of criminal law being investigated by the police. Disciplinary findings will be based on the balance of probabilities whereas in criminal proceedings decisions must be "beyond reasonable doubt". This means that if a deciding is made to dismiss the staff member this must be done in accordance with employment law and

employee rights, even if there is no criminal prosecution, or if a criminal prosecution does not find the individual guilty.

## 5.12. If the alleged perpetrator is another supported person

There will be a review of and possible interviews with other Supported People who, in the light of the allegations may also have been abused by the alleged perpetrator.

Where the alleged perpetrator is another Supported Person than support must be provided to that person as well as the victims of abuse. It may also be necessary for someone to be identified as the “appropriate individual” for the purpose of an interview under the Police and Criminal Evidence Act.

The safeguarding team will decide whether an alleged perpetrator can safely remain in their residence. Advice from police, the Care Quality Commission, funding authority will be taken before making this decision.

## 5.13. Conclusion of Investigation

At the conclusion of the investigation, all relevant management decisions must be recorded. Examples include:

- Review of care needs and care plan
- Disciplinary action
- Change of staff support
- Environmental alterations
- Re-writing of policies and procedures
- Staff training

## 5.14. Evidence and factual recording

Protecting vulnerable individuals requires managers and staff to give due attention to the contents of reports and processes involved in collecting information about alleged or actual abuse.

When a complaint is made it is important to keep clear and accurate records of the complaint and set up a file to include all relevant agency, employee and supported person record, recording all the action taken. This file should be made available to service commissioner’s safe guarding teams and regulators on request. It is the responsibility of the Human Resources Manager to keep this file in a locked cabinet in line with Data Protection.

Giving evidence in a disciplinary hearing or court can be very stressful. In such a situation, particularly in the event of the Crime Prosecution Service (CPS) bringing a prosecution staff may be required to give evidence. ZENO will support staff in such situations.



If Supported People are required to make statements then these will be made with an “appropriate individual” present during the interview. In general this should not be a member of staff working with the person concerned, although it may be easier for the supported person to speak to someone that they know. There are organisations who can provide appropriate individuals in such situation and the police will advise on such organisations.

In the event of a Supported Person needing to give evidence in court the CPS will advise on the facilities to support disabled and vulnerable individuals when appearing as witnesses.

## 6. Seven golden Rules of Information Sharing

- Remember that the Data Protection Act is not a barriers to sharing information but provides a framework to ensure that personal information about living person is share appropriately
- Be open and honest with the person (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.
- Seek advice if you are in doubt.
- Share consent where appropriate and where possible respect the wishes of those who do not consent to share confidential information. You may still share information without consent if in your judgement that lack of consent can be overridden in the public interest.
- Consider safety and well-being Base your information sharing decisions on consideration of the safety and well-being of the person and others who may be affected by their actions.
- Necessary, proportionate relevant, accurate, timely and secure. Ensure that the information you share is necessary for the propose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
- Keep a record of your decision and the reasons for it.

## 7. Failure to share information can put individuals at serious risk

Confidentiality is a serious consideration for all public services but within the confines of Safeguarding arrangements information can be safely shared. Responsible information sharing play a key role in enabling services to protect victims of adult abuse and in extreme cases saves lives.

Articles 2 and 3 of the Human Rights Act 1998 place an obligation on public authorities to protect people’s right to life and their freedom from torture, inhumane and degrading treatment. All information sharing should be done on a case by case basis.

In all cases the worker involved should discuss the shared information and seek approval from their Line Manager.

## 8. Training

All ZENO Ltd employees undertake week long induction programme. All ZENO employees are expected to complete Social Care for Excellence Care Certificate work book within their 3 month probation period. Safeguarding is covered in section 10 and section 11 of the care certificate. All employees are expected to read and understand to policy and procedure for safeguarding along with whistle blowing.

All employees are expected to complete ELearning, covering Safeguarding, Mental Capacity Act, and Deprivation of Liberty Safeguards.

Safeguarding is discussed at team meetings, (how to report) by discussing safeguarding it keeps it in the minds if employees.

Refresher training for safeguarding/abuse, will be held yearly.

The Human Resources Manager has responsibility to ensure every employee of ZENO Ltd receives the appropriate level of training, however it is the Registered Manager who has the overall responsibility for ensuring our Safeguarding policy and procedure is adhered to for all our supported people, and staff, alike.

This Safeguarding Policy is delivered through ZENO Limited internal procedure which will be provided to all employees in hardcopy.

This procedure includes all the necessary referral forms, guidance on completion and detail on how documentation is to be securely stored.

## 9. Safeguarding and Victimisation

The decision to report a concern can be a difficult one to make. The Whistleblowing policy should make clear that harassment or victimisation (including informal pressures) will not be tolerated and that appropriate action will be taken to protect staff who raise a concern in good faith.

All concerns will be treated in confidence and every effort will be made not to reveal the identity of staff raising an issue under the whistleblowing procedure if that is their wish. At the appropriate time, however they may need to come forward as a witness and in these circumstances they should be supported to do so.

This policy encourages you however to put your name to your concern whenever possible. Please not that:

- Staff must disclose the information in good faith
- Staff must believe it to be substantially true
- Staff must not act maliciously or make false allegations
- Staff must not seek any personal gain

## 10. Serious Case Reviews

The Manchester Safeguarding Adults Board (MSAB) has the lead responsibility for conducting a serious care review.

A serious care review will be considered when:

- A vulnerable adult dies (including death by suicide) and abuse or neglect is known or suspected to be a factor in their death.
- A vulnerable adult has sustained a potentially life threatening injury through abuse or neglect, serious sexual abuse, or sustained serious and permanent impairment of health or development through abuse or neglect, and the case gives rise to concerns about the way in which local professionals and services work together to safeguard vulnerable adults.

In such circumstances the Safeguarding Adults Board would always conduct a review into the involvement of agencies and professionals associated with the vulnerable adult.

There will be circumstances when a duty to protect the vulnerable individual or the wider public interest will outweigh the responsibility to any one individual, for example.

- If the allegation concerns a member of staff or volunteer
- The protection of the individual overrides all other interests
- There is or may be cause for an active police investigation
- There is a significant risk of suicide or self-harm
- There is a significant risk of harm to a third party

The prevention of abuse and the preservation of safety is most frequently tied to the sharing of information between services in the best interest of the abused person and the prevention of criminal activity. Failure to share information can be seen as compounding the abused a vulnerable adult has experienced.