

This policy outlines Amplus' approach to Safeguarding.

Safeguarding Adults and Children Policy

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Part 2

Overview

Policy statement

This policy supports Amplus' values and is a commitment to improving lives and supporting colleagues by:

Prioritising the detection, prevention and cessation of abuse of children, young people and adults very seriously and believes that every person has the right to live free from abuse.

Amplus will work in partnership with social services, the police and other agencies to achieve the best outcome for those affected. For the purposes of this policy, The Care Act 2014 is the relevant act of parliament. The local authority is obliged to comply with the Care Act 2014 which also places a requirement on housing associations to assist local authorities in their safeguarding obligations. The local authority has a duty to liaise with housing associations in this respect.

This policy is a Day 1 provision for Amplus as a newly established company, it is subject to review as we develop and review our policies over the next 18 months.

Scope

The term Amplus incorporates all member companies and subsidiaries.

The policy applies to:

All colleagues have a responsibility for safeguarding and protecting individuals from abuse and Amplus' incorporates the awareness of abuse through all aspects, roles and responsibilities of its operations.

Our safeguarding duties under this policy apply to all customers, contracted services and visitors to any of our premises. Any contractor, organisation or individual employed by, or using, Amplus premises or working directly with Amplus customers will be required to have their own safeguarding policies and procedures or be willing to adhere to those used by Amplus.

The policy does not form part of any colleague's contract of employment and the policy may be amended at any time.

Part 3

Policy details

What is abuse?

Abuse is a single or repeated act, or lack of appropriate action occurring within a relationship where there is an expectation of trust, which causes significant harm or distress.

Abuse can also be defined as ‘a lack of action occurring within a relationship where there is an expectation of trust, which causes harm or distress to a person.’ This relates directly to the role and responsibilities of staff who work with adults at risk. There are many varied types of abuse which are outlined in our Safeguarding Procedure.

Amplius aims to ensure that staff providing services to children, young people and adults receive regular training in how to identify and report suspected cases of abuse. Robust procedures are in place to follow when abuse is suspected. Amplius staff will work with the emergency services, local authority adult or children services and other agencies as appropriate to deal with instances of abuse. This policy will link into the relevant local authority safeguarding policy and procedure within the locality in which the person resides.

Definition of adult at risk

We have moved away from the term “vulnerable adult” to “adults at risk of harm” or “adult with additional care and support needs”. The Care Act 2014 makes clear that abuse of adults is linked to circumstances, rather than to the characteristics of the people experiencing harm.

An adult at risk is anyone aged 18 years and over where there is a need to keep them safe from abuse and neglect and who is, or maybe, unable to take care of, or unable to protect themselves from either the risk of, or the experience of abuse or neglect.

Definition of child / young person

As stated in the Children’s Act 1989 and 2004, a child is anyone who has not yet reached their 18th birthday. Children, therefore, means children and young people throughout. When a child has reached 16 years of age, they may be living independently or in further education, be a member of the armed forces, be in hospital or in custody for children, it does not change their status or entitlement to services or protection under the Children Act 1989.

The following four principles will underpin Amplius children and young people safeguarding work as per Every Child Matters. *Every Child Matters (ECM) is a UK government initiative for England and Wales, that was launched in 2003, at least partly in response to the death of Victoria Climbié:*

- protecting children from abuse and maltreatment
 - preventing impairment to children’s health or development
 - ensuring children grow up with the provision of safe and effective care.
 - taking action to enable all children and young people to have the best outcome.
-

Reporting

Colleagues must still report their concerns where there is a risk of harm, even if they are unable to gain the consent of the person first. Colleagues must be considerate to additional diversity needs taking an intersectional approach and this should not influence safeguarding decisions, particularly when relating to children.

All safeguarding alerts will be raised with the local authority, where the threshold is met and recorded internally.

There may be occasions where the child, young person or adult is not willing to report the suspected abuse, and where the level of risk does not necessitate overriding the individuals' decision not to report. If there is any level of risk or concern, then we will encourage the person to report it. In such circumstances, and where colleagues have thoroughly explored the reasons why the person is not willing to report a concern, there may still be safeguards which can be implemented, to minimise the occurrence of such things happening in the future, as guided by the local safeguarding team who will be happy to provide advice even without disclosure. It is an important principle of this policy to work with the individual to find out what being safe means to them and how best to achieve it.

Any such safeguards discussed and implemented should be done in partnership with the person with care and support needs and any other involved agencies where possible.

All safeguarding incidents relating to children must be reported regardless of the parent/guardians or child's wishes. It is considered best practice for colleagues, where possible, to advise parents/guardians that they will be making a safeguarding referral so to remain transparent, if by making the parent/guardians aware of the referral will place the child at a greater risk, they should not be informed. Colleagues will ensure that all existing and potential customers, and where possible, other family members, are aware of our approach towards safeguarding. Amplius works in partnership with the local authorities and other agencies to safeguard those who are vulnerable to radicalisation or grooming into extremism. Colleagues are expected to adhere to a comprehensive protocol with regards to professional boundaries, and the code of conduct, as part of their terms and conditions of employment. This is designed to both safeguard the customer and colleagues who could themselves otherwise be subject to false allegations of abuse.

Confidentiality

Amplius colleagues will always respect a person's confidentiality; however, they must not commit to keep a secret which could relate to either an incident of abuse and/or a criminal offence which may have been committed against a person.

Training

Amplius will undertake regular training of staff and Board members and is included as part of a new employee's induction programme, along with regular monitoring of competence and compliance to maintain a high standard of professional practice and knowledge.

Developing an understanding of safeguarding practices outside of the immediate service delivery aimed at customers with support and care needs, (for example safer recruitment practices) and raising staff awareness amongst all teams who may come into contact with any customer within Amplius, would also be good practice measures. Amplius has developed a training programme to ensure that all colleagues have an awareness of safeguarding:

- All colleagues and Board members will complete online mandatory training to cover safeguarding children and adults from abuse via eLearning.
- All colleague training will be tiered to ensure relevant training is delivered to colleagues and managers.

The full training will be scheduled to take place when necessary to capture new colleagues as they join the organisation.

Information sharing and managing allegations against colleagues

All colleagues must be aware that they have a professional duty to share information with other agencies in order to safeguard adults and children. The public interest in Safeguarding may override confidentiality interests. However, information will be shared on a need-to-know basis only, as judged by the Designated Safeguarding Leads. If an allegation is made towards another colleague, full support will be given in line with the Amplius' Whistleblowing Policy.

DBS referrals

Amplius will ensure all colleagues who work with adults have a DBS check in line with current legislative requirements before working alone with customers, and that these DBS checks are repeated at three yearly intervals. Amplius will exercise its duty under the Safeguarding Vulnerable Groups Act (SVGA 2006), to refer colleagues to DBS as required. Amplius requires incumbent colleagues to declare immediately if they are cautioned or convicted of any offence.

Designated Safeguarding Leads

The Amplius Safeguarding and Quality Assurance Manager and their team will act as the Designated Safeguarding Leads for Amplius.

Equality, diversity and inclusion

All customers will have the same protection, regardless of age, disability, race, sex, sexual orientation, gender reassignment, religion or belief, marriage and civil partnership and pregnancy and maternity. Amplius is committed to anti-discriminatory practice and recognise that some of our customers from minority groups or with particular disabilities may have additional needs and communication barriers.

Additional needs (addressing vulnerabilities)

Amplius recognises that, for various reasons, some of our customers and service users may be vulnerable. Policies therefore will take account of the recommendations made by the Housing Ombudsman and Regulatory recommendations on vulnerabilities. Amplius will take a proactive approach when making a decision relating to a customer or service user and where practicable, tailor and adapt our services to suit the needs of customers and support vulnerable people.

Summary of local variations

No variations to this policy are required.

Part 4

Compliance and administration

Legal and regulatory compliance

This policy fully complies with Amplus' legal and regulatory obligations.

There is no one specific piece of legislation that provides a framework for action to protect an individual from abuse. Legal powers to assess and intervene are contained in a wide range of legislation. Some of it is contained in criminal law, civil law which imposes on a local authority's statutory duties and/or legal frameworks for assessment and provision of services.

Protection is available through criminal and civil courts, both to prevent a person being abused and to take action against an abuser.

- Children Act 1989 and 2004
- Children and Families Act 2014
- Care Act 2014
- Serious Crime Act 2015
- Sexual Offences Act 2003
- General Data Protection Regulation 2018
- NHS and Community Care Act 1990
- Mental Health Act 1983 and 2017 (England and Wales)
- Deprivation of Liberty Safeguards (DOLS) 2014
- Mental Capacity Act 2005
- Offences against the Person Act 1861
- Family Law Act 1996
- Equalities Act 2010
- Public Interest Disclosures Act 1998
- Human Rights Act 1998
- Domestic Abuse Act 2021

This list is not exhaustive, and policy authors will undertake thorough research and/or seek professional advice to ensure that Amplus meets its obligations and complies with the current and relevant legislation and regulations.

Evaluation, review and performance monitoring

This policy will be reviewed on a Triennial basis to ensure that it remains fit for purpose. A policy review may also be required earlier, in response to internal or external changes for example changes in legislation. Prompt and effective action will be taken where improvements are identified.

Amplus is committed to providing high quality services and has a number of monitoring arrangements in place to validate this.

Specifically, in relation to Safeguarding, this includes.

- A register of all concerns raised internally, and alerts raised externally under multi-agency guidelines. This is overseen by the Designated Safeguarding Leads who recommend changes are made to systems and procedures as a consequence of lessons learned.
- Regular reporting to the Board on Safeguarding activities, incidents, actions, and outcomes. Analysis of patterns or trends that will lead to practice, policy, and procedure reviews.
- Confidential reporting of allegations regarding colleagues or contractors to the Board, including the outcomes of any investigations.
- Disseminating case studies, recommendations for amendments to policy and procedures and updating colleague training requirements.
- Ensuring risk assessment and management procedures are in place to ensure predictable risk is mitigated within an ethos of positive risk taking. In relation to Safeguarding processes all decisions about risk are made as close as possible to the adult at risk upholding the principles of the Mental Capacity Act 2005.
- Ensuring that colleague supervision and Performance Management processes are in place so that colleagues receive the necessary support and guidance from managers to fulfil their Safeguarding role and responsibilities.

Related policies

- Capability Policy
- Code of Conduct
- Data Protection and Confidentiality Policy
- Disciplinary Policy
- Domestic Abuse Policy
- Equality, Diversity and Inclusion Policy
- Health and Safety Policy
- Mental Capacity and Deprivation of Liberty Policy
- Modern Slavery Policy
- Risk Management Policy
- Whistleblowing Policy

Part 5

Appendices

A. Associated documents – Internal procedural documents, colleague use only

- Safeguarding Adults Procedure (LG)
- Safeguarding Children Procedure (LG)
- Safeguarding Triage Report Form (LG)
- Safeguarding Procedure (GU).

B. Definitions - Adults

Safeguarding Adults – defined in the Care Act statutory guidance as:

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

Adult at risk - any person aged 18 years old or over and who:

- has needs for care and support.
- is experiencing, or at risk of abuse and neglect; and
- as a result of their care and support needs, is unable to protect themselves from the risk or experience of abuse and neglect.

For some individuals being an adult at risk is permanent; however, it is also recognised that this may be dynamic and for many people being an adult at risk fluctuates. It is possible for any person to experience an episode of being an adult at risk.

Abuse - a violation of an individual’s human and civil rights by any other person or persons. A single or repeated act, or lack of appropriate actions, occurring within any relationship where there is an expectation of trust, which causes harm or distress. Abuse may be perpetrated because of deliberate intent, ignorance, or negligence.

Abuse is defined as:

‘...a violation of an individual’s human or civil rights by another’ [which may result in significant harm].

Abuse can also be defined as ‘a lack of action occurring within a relationship where there is an expectation of trust, which causes harm or distress to a person.’ This relates directly to the role and responsibilities of staff who work with adults at risk in a **position of trust**.

Forms of Adult Abuse

The main forms of abuse are:

- Physical Abuse – including rough handling, hitting, slapping, pushing, kicking, locking someone in a room, misuse of medication, unreasonable restraint or inappropriate sanctions.
- Sexual Abuse – including inappropriate touching, forcing someone to take part in or witness a sexual act which the adult has not consented, or could not consent or was pressured into consenting.
- Psychological/Emotional Abuse – including bullying, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation, or withdrawal from services or supportive networks.
- Financial or Material Abuse – including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Neglect and Acts of Omission – including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

- Discriminatory Abuse – including ill-treatment or harassment based on someone's age, disability, race, religious beliefs, or ethnic group,) sex, sexuality.
- Organisational Abuse – mistreatment or abuse by a 'regime' within an institution or service, a rigid and imposed routine or any care/support that is delivered in a way that suits the needs of the organisation or staff team rather than the person being supported. Also lack of resources, lack of dignity and respect for service users.
- Domestic Violence and Abuse - "any incident of threatening behaviour, violence or abuse between adults who are or have been in a relationship together, or between family members, regardless of gender or sexuality" This includes any violent or abusive behaviour, whether physical, sexual, psychological, emotional, financial, or verbal, which is used by one person to control and dominate another with whom they have had an intimate or family-type relationship. This includes so called 'honour' based violence. Forced marriage would be included in this category of abuse. A forced marriage 'is a marriage where one or both people do not (or in the case of some people with learning or physical disabilities, cannot) consent to the marriage and pressure or abuse is used.'
- Modern slavery – including human trafficking, forced labour and domestic servitude (further information available in the Amplius' Modern Slavery policy).
- Self-neglect – whilst this is not a direct form of abuse as it is not "perpetrated by another" there is still a 'duty of care' to be aware of how to respond and support the person who is self-harming. This could also include self-neglect which is characterised by an inability to meet one's own basic needs, hoarding and failure to maintain property in a safe condition which can be intentional or unintentional. Where there is serious risk to the health or well-being of an adult with care and support needs, it may be appropriate to raise self-neglect as a Safeguarding concern.

In addition to the categories above as prescribed by the Care Act 2014 there are other emerging concerns, and these are also detailed below.

Radicalisation - Amplius recognise that adults with care and support needs may be susceptible to exploitation and radicalisation. To support the Government, PREVENT

strategy, Amplus are aware of the role frontline staff could have, in identifying signs that someone may be being drawn into terrorism.

To this end Amplus will ensure staff are briefed on:

- recognising vulnerability (to radicalisation)
- raising concerns (through existing Safeguarding procedures)
- supporting the service user through effective multi-agency working

The Designated Safeguarding Lead will advise and oversee referrals to the local Channel Police Practitioner for consideration and response. Channel is a national Home Office

Safeguarding project which aims to prevent adults from being drawn into [violent] radicalisation or becoming involved in terrorist related activity.

Managers will ensure that basic awareness is cascaded to frontline staff through discussion, literature, and access to training.

Hate Crime – A hate crime is any criminal offence that is motivated by hostility or prejudice based upon the victim's:

- disability
- race
- religion or belief
- sexual orientation
- transgender identity

Hate crime can take many forms including:

- physical attacks such as physical assault, damage to property, offensive graffiti, and arson
- threat of attack including offensive letters, abusive or obscene telephone calls, messages or internet postings, groups hanging around to intimidate and unfounded, malicious complaints.

Mate crime - i.e. where someone befriends a person at risk deliberately to take advantage of them. As the person may be isolated or alone, they are often grateful to have a new 'friend' and not realise they are being exploited.

Antisocial Behaviour - people who fall within the definition of 'at risk' (also referred to as 'vulnerable') are likely to be less able to cope with what may traditionally be regarded as low-level harassment/antisocial behaviour. We must never underestimate the impact of low-level abuse on people at risk and always treat this seriously. For example, antisocial behaviour against someone with a learning disability should be regarded as a disability hate crime.

C. Definitions – Children

Safeguarding Children - defined in Working Together to Safeguard Children 2013 as:

- protecting children from maltreatment
- preventing impairment of children's health and development

- ensuring that children grow up in circumstances consistent with the provision of safe and effective care and
- taking action to enable all children to have the best outcomes.

A child is defined

‘...as anyone who has not reached their 18th birthday’.

Even when a child aged 16 years is living independently or a member of the armed forces their status, entitlement to services and protection is not altered by these circumstances and they are still defined as a child.

Abuse - a violation of an individual’s human and civil rights by any other person or persons. A single or repeated act, or lack of appropriate actions, occurring within any relationship where there is an expectation of trust, which causes harm or distress. Abuse may be perpetrated because of deliberate intent, ignorance, or negligence.

Abuse is defined as:

‘...a violation of an individual’s human or civil rights by another’ [which may result in significant harm].

Abuse can also be defined as ‘a lack of action occurring within a relationship where there is an expectation of trust, which causes harm or distress to a person.’

Harm is defined as:

“Ill-treatment or the impairment of health or development including impairment suffered from seeing or hearing the ill-treatment of another.

Development means physical, intellectual, emotional, social or behavioural development. Health refers to physical or mental health. Ill-treatment includes sexual abuse and forms of ill-treatment which are not physical.

This definition is as per Section 31(9) of the Children Act 1989, as amended by the Adoption and Children Act 2002 which broadened the definition of harm to include emotional harm as a result of awareness or witnessing of domestic violence in their home environment.

Forms of child abuse

Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning, or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child’s development capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill treatment of another. It may involve serious bullying, causing children frequently to feel frightened or in danger, or the exploitation or corruption of

children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Emotional abuse includes **Radicalisation** - To support the Government, PREVENT strategy, Amplus aware of the role frontline staff could have, in identifying signs that someone may be being drawn into terrorism.

To this end Amplus will ensure staff are briefed on:

- recognising vulnerability (to radicalisation)
- raising concerns (through existing Safeguarding procedures)
- supporting the service user through effective multi-agency working

The Designated Safeguarding Lead will advise and oversee referrals to the local Channel Police Practitioner for consideration and response. Channel is a national Home Office

Safeguarding project which aims to prevent adults from being drawn into [violent] radicalisation or becoming involved in terrorist related activity.

Managers will ensure that basic awareness is cascaded to frontline staff through discussion, literature, and access to training.

Online Abuse is a form of emotional abuse that occurs via the internet. It can happen across any device that's connected to the web, e.g. computers, tablets and mobile phones and it can happen anywhere online, including:

- social media
- text messages and messaging apps.
- emails
- online chats
- online gaming
- live-streaming sites.

Children can be at risk of online abuse from people they know or from strangers. It might be part of other abuse which is taking place offline, like bullying or grooming, or the abuse might only happen online.

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment).
- Protect a child from physical and emotional harm or danger.
- Ensure adequate supervision (including the use of inadequate caregivers); or
- Ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Staff also need to be aware of vulnerable groups such as those with disabilities, children living away from home, asylum seekers and children in hospital, children in contact with the

youth justice system, victims of domestic abuse and those vulnerable due to religion, ethnicity etc. and those who may be exposed to violent extremism.

Sexual Abuse

Sexual abuse involves forcing or enticing a child to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, sexual online images, watching sexual activities or encouraging children to behave in sexually inappropriate ways.

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator.

The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

Female genital mutilation (FGM) is a form of sexual abuse that involves the partial or total removal of external female genitalia for non-medical reasons. It's also known as female circumcision or cutting.

Religious, social or cultural reasons are sometimes given for FGM. However, FGM is child abuse. It's dangerous and a criminal offence.

There are no medical reasons to carry out FGM. It doesn't enhance fertility and it doesn't make childbirth safer. It is used to control female sexuality and can cause severe and long-lasting damage to physical and emotional health. (NSPCC).

Part 6

Changelog

Amended date	Summary of changes	Version №