



**BOROUGH OF  
BROXBOURNE**

[www.broxbourne.gov.uk](http://www.broxbourne.gov.uk)

## **SAFEGUARDING VULNERABLE ADULTS POLICY**

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Broxbourne Borough Council believes that all vulnerable people in the Borough have the right to be safe from harm, exploitation and neglect. As such, the Council recognises the role and responsibilities it has in safeguarding vulnerable adults, including the contribution it must make to working together with other agencies to ensure the well-being of vulnerable people in the Broxbourne Borough.

The policy was originally agreed by Cabinet in December 2014 and updated in April 2018.

The policy applies to all staff, volunteer workers, elected members and organisations providing services under contract with Broxbourne Borough Council.

For queries regarding this policy contact our Designated Officer for Safeguarding Vulnerable Adults:

### **Designated Officers for Vulnerable Adults**

Stephen Tingley (Head of Housing and Benefits) 01992 785577, using extension 5522.

Pat O’Keeffe (Accommodation and Resources Manager), extension: 5523.

## **Safeguarding Vulnerable Adults Policy**

### **1. Policy Statement**

- 1.1 Broxbourne Borough Council (referred to as the Council) is committed to safeguarding from harm, all vulnerable adults involved in any way in the Council's activities and services and to treating them with courtesy and respect during their dealings with the Council.

### **2. Scope of the Policy**

- 2.1 The policy is in respect of the Council's responsibility and duty of care to safeguard and promote the welfare of vulnerable adults within the Borough.
- 2.2 This policy applies to all staff (permanent, temporary and casual) and elected members of Broxbourne Borough Council as well as all other people (including volunteers, consultants and contractors) who work on behalf of the Council.
- 2.3 This policy must be read in conjunction with the Hertfordshire County Council Safeguarding Adults Board's policy. Details of this can be found below.

### **3. Legislative background to the Policy**

#### Care Act 2014

- 3.1 Safeguarding vulnerable adults was placed on a statutory footing with the passage of the Care Act (2014) which sets out a clear legal framework for local authorities and other statutory agencies on how to protect adults with care and support need at risk of abuse or neglect.

It encompasses the need for professionals to prevent care needs becoming more serious, informs and advises adults on making appropriate decisions about their care support, and outlines the duty on professionals to cooperate with each other in order to protect adults.

The Act also requires the County Council to promote greater multi agency collaboration by setting up Safeguarding Adults Board with core membership including Adult Care, NHS and the Police. These Boards have the power to include other bodies and in Hertfordshire the 10 districts are represented by one district council Chief Executive.

It is the aim this policy adheres to the Hertfordshire County Council Safeguarding Adults Board's strategic aims and objectives and to ensure compliance with HCC guidelines and procedures. Further details in regard to the Care Act (2014) and how the Council will comply with, amongst other things, the duty to cooperate, can be found below a: 4 Hertfordshire Safeguarding Adults Board.

#### Disclosure and Barring Service

- 3.2 Since the introduction of the Care Standards Act 2000 it is a requirement for most roles providing care or health services to be subject to Disclosure and Barring Service (DBS) checks.
- 3.3 Although this is unlikely to apply locally as the Council does not provide care services, DBS clearances are still however required for all posts interacting frequently and/or intensively with vulnerable adults.

## Mental Capacity Act (MCA) 2005

- 3.4 The Mental Capacity Act (2005) provides a framework to empower and protect people who lack the capacity to make decisions for themselves, or will do so in the future. The act defines who take decisions, when they can take them and how they should go about it. The underlying aim is to empower these who lack capacity to make as many decisions for themselves as possible and to ensure any decision made on their behalf is made in their best interests.
- 3.5 Deprivations of Liberty Safeguards (DOLS) were introduced in 2009 under the auspices of the MCA. To provide legal protection for vulnerable people in care homes or hospitals who are, or may become deprived of their liberty. Sometimes when a person lacks capacity to make a decision about their care and support arrangements, it may be necessary for the organisation delivering that care and support to request an authorisation to legally deprive a person of their liberty.

### **4. Hertfordshire Safeguarding Adults Board (HSAB)**

- 4.1 HSAB has published *Safeguarding Adults at Risk: the multi-agency policy, procedure and practice for working with adults at risk of abuse or neglect in Hertfordshire*. This can be found at:  
<https://www.hertfordshire.gov.uk/services/adult-social-services/report-a-concern-about-an-adult/hertfordshire-safeguarding-adults-board/safeguarding-adults-from-abuse-%E2%80%93-information-for-professionals.aspx>

The document underpins and guides the Council's approach to safeguarding vulnerable adults, and highlights a number of duties that require the Council to cooperate with, and assist HCC in discharging their responsibilities under the Care Act (2014).

- 4.2 The Care Act 2014 (section 6) outlines a general duty to co-operate between the Local Authority (HCC) and other organisations providing care and support. This includes a duty on the Local Authority itself to ensure co-operation between its adult care and support, housing, public health and children's services.

Section 7 provides a new ability to request co-operation from a relevant partner or another local authority, in relation to an individual case. The local authority or relevant partner must co-operate as requested, unless doing so would be incompatible with their own duties or have an adverse effect on the exercise of their functions.

Section 45 'supply of information duty' covers the responsibilities of others to comply with requests for the right information to be shared, with the right people at the right time.

- 4.3 Pursuant to this the HSAB Business Plan (2017 – 2020) identifies five key strategic objectives:
- To be assured by partner agencies that there is effective leadership, partnership working and governance for safeguarding adults; holding partners and agencies to account.
  - To identify, and monitor the implementation of changes that help to prevent similar abuse or neglect happening to others.
  - To listen to people who have experienced abuse or neglect, and to seek assurance that people are able to be supported in the way that has been identified and agreed with the adult at the centre of the safeguarding process to ensure they are empowered to make decisions and achieve the outcomes they want.
  - To promote safeguarding adults among the general public, by raising awareness and promoting well-being with the aim of preventing abuse and neglect.

- To promote effective training and development in Safeguarding Adults, ensuring that there is a quality improvement approach to workforce practice.

The Broxbourne Policy is designed to complement the HSAB plan by ensuring that the local approach is compliant with and complements these objectives. **This a specific aim of the Policy.**

## 5. Definitions

### 5.1 Adults at Risk

Under the Care Act (2014) an adult at risk is defined as someone aged 18 or over who:

- Has a need for care and support (regardless of the level of need and whether or not the local authority is meeting any of those needs).
- Is experiencing, or is at risk of abuse and neglect.
- And as a result of those needs, is unable to protect themselves against the abuse or neglect or the risk of it.

The main groups to whom this applies are persons with one or more of the following:

- |                       |                          |
|-----------------------|--------------------------|
| • Physical Disability | • Dementia               |
| • Learning Disability | • Sensory Impairment     |
| • Mental Health       | • Older person (frailty) |
| • Substance Misuse    | • Terminal illness       |

### 5.2 Abuse

The Care Act 2014 defines the following types of abuse:

#### **Physical abuse**

Including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.

#### **Domestic violence/ abuse**

Including psychological, physical, sexual, financial, emotional abuse; so called 'honour' based violence.

#### **Sexual abuse /exploitation**

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

#### **Psychological abuse**

Including emotional abuse, threats of harm or abandonment, radicalisation, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

#### **Financial or material abuse**

Including theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions.

### **Modern slavery**

Encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane.

### **Discriminatory abuse**

Including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.

### **Organisational abuse**

Including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment.

It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

### **Neglect and acts of omission**

Including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

### **Self-neglect**

This covers a wide range of behaviour; neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.

## **6. The Aims of the Policy**

### **6.1 The aims of Adult Safeguarding are to:**

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

### **6.2 The aims of the Broxbourne policy are to:**

- Ensure local practices and initiatives are compliant with and complement the strategic objectives, policies and procedures of the *Hertfordshire Safeguarding Adults Board (HSAB)* as the 'lead authority' for the Council.
- Have clear policies and procedures in place to enable staff to identify possible safeguarding concerns to the Designated Officer with responsibility to report these concerns as he/she deems necessary.
- Report concerns or allegations regarding the abuse of vulnerable adults in line with the HSAB guidelines.
- Set out a clear framework to enable the Council to work in partnership with others to safeguard vulnerable adults.

- Ensure safe and effective working practices are in place.
- Support staff within the organisation when dealing with vulnerable adults.
- Encourage them to participate in any training or development opportunities offered to them to improve their knowledge or skills in this area.
- Bring to the attention of the relevant contact officer any relevant criminal conviction or caution that may affect an employee's position once appointed.
- Insofar as it is able, work to ensure that the welfare of adults is paramount at all times.
- Act as a 'local champion' in the promotion of adult safeguarding within Broxbourne.

## **7. Designated Officer for Vulnerable Adults**

7.1 Pursuant to this policy the Council will appoint a Designated Officer for Vulnerable Adults (DOVA) and a Deputy. Details of the named officer can be found at appendix 1.

7.2 The role of the Designated Officer is to ensure the aims of the policy are implemented and their effectiveness monitored and reviewed. Key elements include are:

- Refer concerns in regard to individuals to Herts CC Adult care Service in a timely way.
- Coordinate and receive such reports from individual members of staff, elected members, and local residents.
- Act as local champion for the issue and keep abreast of the issues including the Hertfordshire agenda as well as national policy initiatives.
- Develop and implement a training programme for staff working in conjunction with Designated Child protection Officer, Community Safety Manager and HR to ensure this is effectively rolled out and monitored.
- Advise and support individual staff as and when required.
- Monitor and review this policy as and when required recommending changes where appropriate.

## **8. Allegations of Abuse Against Employees, Volunteers, Elected Members or a Contracted Service Provider**

8.1 An allegation is any information that indicates that a Member, Employee, Volunteer or Contracted Service provider may have:

- Behaved in a way which might constitute abuse of a vulnerable adult.
- Possibly committed a criminal offence against or related to a vulnerable adult.
- Behaved towards a child in a way that indicates she/he is unsuitable to work with vulnerable adults.

8.2 This applies to any vulnerable adult that the member of staff/volunteer/elected member has contact with in their personal, professional or community life.

8.3 If a member, employee, volunteer or contracted service provider receives an allegation that falls into any of the categories above, they should:

- Take the allegation or concern seriously.
- Immediately report to and inform the Designated Officer for Vulnerable Adults (DOVA).
- Record details on a Vulnerable Adult Reporting Form (Appendix 1).
- The DOVA will inform the Head of Personnel and Payroll to agree the next steps.

These could involve:

- The immediate suspension of the individual against whom the allegation has been made.

- Informing Hertfordshire County Council whose role it will be to investigate the allegation. Ideally, this should be done immediately, but where this is not practical, within one working day of when an allegation is made about abuse against a vulnerable adult. This is because the individual concerned may work in multiple settings for multiple employers.
- Contacting the police, where it is appropriate to do so.

8.4 Failure of the Council to act in accordance with the *Safeguarding Vulnerable Groups Act 2006* in responding to allegations made against its staff, volunteers or councillors may result in the prosecution of the Council.

8.5 Abuse of vulnerable adults concerns made against an elected Member, employee, volunteer or contracted service provider must link directly to the related policies, specifically the Council's Disciplinary Policy, the Whistleblowing Policy, the Complaints Procedure and the Data Protection Policy.

## 9. Responding to Allegations or Concerns About Any Other Person e.g. Parent, Carer, Other Service Users

9.1 If a member, employee, volunteer or contracted service provider is in this situation, they should refer the matter to the DOVA using the relevant form in Appendix 1 and send this to [safeguarding@broxbourne.gov.uk](mailto:safeguarding@broxbourne.gov.uk)

*An email in lieu of the form is acceptable so long as the relevant details are included.*

9.2 The DOVA will inform Hertfordshire County Council and the police as appropriate. This should be within 24 hours of receiving the referral, if not immediately.

9.3 HSAB has indicated that a specific approach to visiting VIPS's is appropriate. There is no evidence whatsoever that this group represents an increased risk when compared to the general population. However, high profile cases have indicated that the enhanced profile such individuals enjoy has been a factor in patterns of abusive behaviour. The Council will therefore develop appropriate procedures in this regard.

9.4 Customer contact staff should be trained to refer callers with adult protection concerns that do not relate directly to the Council's services to the Hertfordshire County Council Customer Service Centre on 0300 123 4042.

## 10. Staffing

10.1 Recruitment procedures are guided by principles set out by HSAB, and are intended to parallel those set out in the Council's *Child Protection Policy*.

10.2 Before recruiting staff (whether paid or unpaid), the Council will ensure that:

- Job advertisements firmly state that the Council takes safeguarding seriously and will require an enhanced DBS disclosure to be undertaken before employment can commence – this can help deter unsuitable individuals from applying (Disclosure and Barring Service (DBS) checks) The Personnel section should work with the line manager for the new recruit and the DOVA to agree whether the post requires an enhanced DBS check.
- Thorough checks are made of an applicant's identity, work history and references.
- All job applicants are asked to declare any criminal convictions.
- All employees must provide at least two references, which must be received and accepted as satisfactory by the Council before employment commences. One referee must be the current employer, or if the applicant is not employed, the most recent employer. References must cover the last three years of employment and if in education be provided by the course tutor. Referees must be previous employers, not

friends and must not be related to the applicant.

- Proof of qualifications are obtained.
- Evidence of the person's right to work in the UK is obtained (employees only).
- An Enhanced DBS Disclosure is carried out.
- There are always two members of staff interviewing candidates for positions working with vulnerable adults.
- Confirmation of employment will be subject to the receipt of necessary clearance.
- A probationary period and close supervision of the person is undertaken.
- Existing employees who have changed jobs and in the opinion of the line manager/Personnel, new duties bring them into contact with vulnerable adults (and children and young people) must complete DBS checks.
- DBS disclosures must be renewed every three years.
- It will be made clear to applicants that have a substantial contact with vulnerable adults that the position is exempt from the provisions of the *Rehabilitation of Offenders Act 1974*, that is, certain convictions will never become 'spent'.

## 11. Training

- 11.1 It is important that staff are able to recognise the signs and symptoms of abuse, and know the correct procedures to report such observations or disclosures.
- 11.2 Although all staff need to be aware of the Council's safeguarding responsibilities, training needs to be appropriate to the position. Personnel and the DOVA will review the staffing roles on a yearly basis and agree a training programme.
- 11.3 The Council has adopted the principles set out in the Hertfordshire Safeguarding Adults Board (HSAB) Learning and Development Strategy.

Pursuant to this the Council will:

- Identify all posts in the organisation for which training is appropriate provide a level of training commensurate with the requirements of the post. A data base of posts to be held and periodically updated by HR.
- Provide appropriate induction for all new staff.
- Provide and update a programme of training that enables the staff to comply with this approach.

The training programme will be structured to ensure staff receive a level of training that meets the needs of that post.

## 12. Confidentiality and Information Sharing

- 12.1 A framework for the sharing of information is set out in the HASB *Safeguarding Adults at Risk: the multi-agency policy, procedure and practice for working with adults at risk of abuse or neglect in Hertfordshire*. This includes the requirements set out in the Care Act (2014) and can be found above at 3.5.
- 12.2 It is important to identify an abusive situation as early as possible so that the individual can be protected. Withholding information may lead to abuse not being dealt with in a timely manner. Staff therefore, have a duty to share information relating to suspected abuse with Herts County Council Social Care and Herts Constabulary.
- 12.3 Consent is not required to breach confidentiality in order to make a safeguarding referral where:

- A crime has been committed.
- The alleged perpetrator may go on to abuse other adults.
- Other vulnerable adults are at risk in some way.
- The vulnerable adult is deemed to be at serious risk.
- There is a statutory requirement to share information (e.g. under the Mental Health Act 1983, and / or Care Standards Act 2000, Care Act 2014).
- The public interest overrides the interest of the individual.
- When a member of staff of a statutory service, a private or voluntary service or a volunteer is the person accused of abuse, malpractice or poor professional standards.

12.4 If an employee has any doubt about the legality of sharing information, they must in the first instance consult the DOVA. Information on secure electronic storage in relation to Data Protection and computer misuse is available in the ICT Standards which can be found on the IT intranet homepage.

### **13. Review of Policy**

13.1 This policy will be reviewed annually or sooner when there are significant changes in legislation or statutory guidance in this area.

### **14. Related Policies and Procedures**

- 14.1
- Child Safeguarding Policy
  - Working for Broxbourne

## Appendix 1

The following form should be used in the event that you have concerns that a vulnerable adult may be being abused.

Please complete the form to the best of your ability and remember to maintain client confidentiality.

Further guidance may be sought for the Designated Officer (details on the form).

Where appropriate (such as when using a smart device 'on site' so as to minimise delay) it is acceptable to send your referral on a simple email rather than using the form - so long as you include all of the relevant details and send to the correct inbox and marked '*adult safeguarding referral*':

[safeguarding@broxbourne.gov.uk](mailto:safeguarding@broxbourne.gov.uk)



**Safeguarding Adult Concern Form**

**Personal details of adult at risk**

Name:		Mr/Mrs/Ms:	DOB:	Gender:
Current Address:	Home address <i>(if different)</i> :		GP:	Surgery:
Postcode:	Postcode:			
Tel no:	Tel no:		Tel no:	

**Allegation**

Date alleged abuse took place: \_\_\_\_\_ Time (if known): \_\_\_\_\_

Where did the abuse happen: \_\_\_\_\_

**What type of abuse is suspected?** Please check all appropriate

Neglect/acts of omission	<input type="checkbox"/>	Sexual	<input type="checkbox"/>
Self-neglect	<input type="checkbox"/>	Modern Slavery	<input type="checkbox"/>
Domestic Abuse	<input type="checkbox"/>	Discriminatory (including hate crime)	<input type="checkbox"/>
Psychological/emotional	<input type="checkbox"/>	Physical	<input type="checkbox"/>
Financial/Material	<input type="checkbox"/>	Organisational	<input type="checkbox"/>

Please provide a brief, factual summary of the concerns leading to the referral. This should include what harm/injury or potential harm was caused?

Is anyone else at risk of harm?

**Vulnerability of the adult at risk:**

Physical disability	<input type="checkbox"/>	Dementia	<input type="checkbox"/>
Learning disability	<input type="checkbox"/>	Sensory impairment	<input type="checkbox"/>
Mental health	<input type="checkbox"/>	Older person, frailty, temp illness	<input type="checkbox"/>
Substance misuse	<input type="checkbox"/>	Terminal illness	<input type="checkbox"/>

Other

### Confidentiality and consent

Has this referral been discussed with the service user?  
**Yes or No?**

Has the service user given permission to share the concerns with appropriate others **Yes or No?**

### Details of the people involved in the incident

Name:

DOB:

Address:

Occupation:

Relationship to service user?

### Immediate actions

(Including any emergency medical treatment provided, evidence preserved, actions taken to prevent further abuse)

### Details of person completing the referral

Name:

Department/Organisation:

Contact number:

Date referral form completed:

Please return form to: [safeguarding@broxbourne.gov.uk](mailto:safeguarding@broxbourne.gov.uk)

If you need further guidance please call Stephen Tingley (Designated Officer for Vulnerable Adults) on 01992 785522 or Pat O’Keeffe (Deputy Designated Officer) on 01992 785523

*NB This e-mail account is only monitored within office hours  
9am – 5.30pm Mon – Friday*

*Telephone number for HCS emergency, out of hours service – 0300 123 4042*