

at home with...



Safeguarding Policy

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1. Introduction

- 1.1 Fife Housing Group (FHG) aims to ensure that abuse of vulnerable adults, young people and children is not tolerated within its services.
- 1.2 All adults at risk of harm have the right to be safe and protected. The Adult Support and Protection (Scotland) Act 2007 is designed to protect those adults who are unable to safeguard their own interests and are at risk of harm because they are affected by disability, mental disorder, illness or physical or mental infirmity. The 'Getting it Right' for Every Child approach arose out of the review of the of the Children's Hearing System in 2004. This approach was embedded in The Children and Young People (Scotland) Act 2014.
- 1.3 In the context of this policy, abuse is defined, as "the violation of an individual's human and civil rights by another person or persons".
- 1.4 Abuse can often occur where there is an expectation of trust. It is behaviour that:
 - Either deliberately or unknowingly causes harm or endangers life or infringes on rights;
 - May be a single or repeated act;
 - May be the result of deliberate neglect or lack of appropriate action; and
 - Can be where the person is persuaded to do something to which they have not consented or cannot consent.
- 1.5 Safeguarding awareness is grounded in Scottish legislation and policy framework. In Scotland the following policies, legislation and guidance apply:
 - UN Convention on the Rights of the Child
 - Children Act (Scotland) 1995
 - Protecting Children and Young People: The Charter
 - Children and Young People Act (Scotland) 2014
 - Getting it Right for Every Child (GIRFEC)
 - Protection of Vulnerable Groups (Scotland) Act 2007
 - Part V of the Police Act 1997
 - SCVO Safeguarding Guidance
 - The Adult Support and Protection (Scotland) Act 2007;
 - Local Authorities, together with key partners (particularly in the NHS and the Police), developing policies, procedures, commissioning frameworks and contract monitoring arrangements to prevent abuse; and
 - Mental capacity and human rights legislation.

- 1.6 The emphasis will continue to be on the organisation working effectively together to prevent people from being abused; and empowerment to ensure people remain at the heart of the process.
- 1.7 All FHG employees undertake Code of Conduct Training, and sign our Code of Conduct, which provides examples of conducts and behaviours, which are unacceptable.

2. Aims

- 2.1 FHG aims to ensure safeguarding is explicitly understood, embedded into our strategic framework and implemented into operational practices throughout the Group and to then ensure all colleagues are committed to delivering on this policy.
- 2.2 The policy aims to ensure that we respond promptly and effectively when there are concerns of abuse or harm to an adult or child at risk, whilst keeping our focus upon the outcomes the person at risk wants and not being driven by the process.
- 2.3 Through this commitment FHG aims to ensure adults, young people and children at risk are effectively protected from abuse or harm. This position complements the Group's intended culture of 'eyes wide open', never turning a blind eye and always taking responsibility.

3. Policy statement

- 3.1 This policy sets out our responsibilities to ensure FHG delivers on its commitment to safeguard adults, young people and children from abuse or harm.
- 3.2 It provides straightforward guidance for colleagues about what to do, how and when, if any concerns are identified, about abuse or harm, including where a colleague may be implicated.
- 3.3 This policy applies to all FHG colleagues and those carrying out work on behalf of the Group.
- 3.4 We are committed to ensuring that all colleagues are appropriately trained, in proportion to their role and level of responsibility.
- 3.5 All operational leaders are required to take responsibility for any alerts that come to their attention in their team. They must never ignore, underplay or pass on responsibility to another colleague.
- 3.6 Operational leaders also have a key role in helping develop understanding, knowledge and confidence, to ensure protection procedures are followed properly, professionally and safely. Arrangements are in place to ensure that no colleague making an alert or indeed, any manager, has to shoulder this burden on their own.

4. Principles

- 4.1 This policy aims to achieve good outcomes for adults, young people and children at risk, based upon a culture of acceptable risk (including a person's right to make what we may see as a wrong decision).

4.2 This is based on the principle that all tenants have a right to live in safety and security free from harassment, coercion, intimidation, aggression, and physical, emotional or sexual harm and that by adopting a clear policy, FHG will reduce the risk of abuse within its services, and where abuse does occur it will be managed appropriately.

4.3 The six principles are explained below:

- **Empowerment** – adults should be in control of their own lives and their consent is needed for decisions and actions designed to protect them. It is, therefore, vital that, if someone has mental capacity and is able to make their own decisions, they maintain control, and the professional's role is to support their decision-making at each stage of the process. This includes taking action only with consent unless there is clear justification to act contrary to the person's wishes e.g. if they lack mental capacity, or they and/or others are in danger.
- **Protection** – procedures should provide a framework by which people can be supported to safeguard themselves from abuse or harm, or be protected where they are unable to make their own decisions about their safety (due to reasons of mental capacity).
- **Prevention** – this is the primary goal and everyone has a role in preventing abuse from occurring. This includes promoting awareness, understanding and supporting people to safeguard themselves. It also refers to organisations having systems in place to minimise the risk of abuse.
- **Proportionality** – is the responsibility to ensure that responses to concerns or alerts are proportional to the assessed risk and the nature of the allegation or concern. Proportional decisions need to take into account the principles of empowerment and protection. Where a person lacks mental capacity, any decisions made on their behalf must be made in the person's 'best interests', and be least restrictive to their rights and freedoms.
- **Partnerships** – working together to prevent and respond effectively to incidents or concerns of abuse. This includes working with the person to support their decision-making, with relatives, friends, formal and informal carers and other representatives (e.g. advocates) to achieve positive outcomes for the person at risk. Also working collaboratively with other agencies and for statutory agencies to value the role of non-statutory partners.
- **Accountability** – involves transparency in decision making, by individuals and organisations, ensuring that defensible decisions are made and there are clear lines of accountability. This means that organisations, their colleagues and partners understand what is expected of them, that they act on those responsibilities and accept collective accountability for safeguarding arrangements.

5. What is abuse?

5.1 In the case of adults The Department of Health's 'No secrets' guidance remains the most commonly used definition and defines an adult at risk as:

“a person over the age of eighteen who is or may be in need of a social care service by reason of mental or other disability, age or illness; and who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or exploitation”.

5.2 In the case of young people or children abuse is 'when a parent or care-giver, or other third party, whether through action or failing to act, causes injury, death, emotional harm or risk of serious harm to a child. There are many forms of young person or child maltreatment, including neglect, physical abuse, sexual abuse, exploitation, and emotional abuse'.

5.3 These definitions apply to those who are experiencing, or are at risk of abuse or neglect and, as a result of this, are unable to protect themselves against the abuse or neglect or risk of it.

5.4 Abuse is most often a crime, for example: assault, rape, theft, fraud, domestic abuse, harassment, discrimination, and antisocial behaviour, hate crime including disability hate crime, wilful neglect or mistreatment.

5.5 Persons potentially at risk could include, but are not limited to, individuals who may have: a physical disability, sensory impairment, learning difficulties, mental health needs, including dementia or personality disorder, are dependent on others to maintain their quality of life, or lack the mental capacity to make particular decisions and are in need of care and support.

5.6 This policy also covers informal carers, for example, family members, who provide unpaid care and support to an adult or child who is subject to abuse.

6. Contextual information

6.1 The table below provides some contextual information regarding the nature of abuse.

Who is at risk of abuse?	<p>Any adult or child could be at risk of abuse where they are dependent upon another person for support or assistance, or where there is a relationship of trust.</p> <p>Both males and females may be abused, and abuse is not limited to any one perceived group be it by race, ethnicity, disability, religion or belief, sexual orientation, marital status, or class.</p>
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What type of abuse occurs?	Physical abuse	Physical abuse of a child is when another person or persons cause any non-accidental physical injury. There are many signs of physical abuse.
	Sexual abuse	Sexual abuse occurs when an adult uses an unwilling adult or a child for sexual purposes or sexual acts. It also includes when a child who is older or more powerful uses another child for sexual gratification or excitement.
	Emotional abuse	When another person, often a family member, parent or caregiver harms an adult or child's mental and social development, or causes severe emotional harm, it is considered emotional abuse. Whilst a single incident could be abuse, most often-emotional abuse is a pattern of behaviour that causes damage over time.
	Neglect	Neglect is when another person, often a family member, parent or caregiver does not give the care, supervision, affection and support needed for a vulnerable person's health, safety and well-being. Neglect includes: <ul style="list-style-type: none"> • Physical neglect and inadequate supervision; • Emotional neglect; • Medical neglect; and • Educational neglect
Where can abuse happen?	Abuse can happen anywhere, for instance, in a victim's own home, in public, in a supposed place of safety, or somewhere else where they may be visiting.	
Who abuses?	The abuser is often (though not exclusively), well known to the person being abused e.g. a partner, child, relative, friend, an employee, a volunteer or a health or social care worker.	
Why does abuse happen?	Abuse can happen for a number of reasons and can range from a one-off spontaneous action claimed to be as a result of frustration or lack of time, through to systematic and premeditated acts. Reasons can include but are not limited to: <ul style="list-style-type: none"> • Poor quality short or long-term relationships; • Abuser's inability to provide the support the victim needs; 	

	<ul style="list-style-type: none"> • Abuser suffers from a mental or physical health problem; • Inadequate training; • Lack of caring or parenting skills; • Stress; • Drugs and alcohol; • The perpetrator’s own childhood experiences; • Poor colleague supervision; • Inadequate resources; • Observers not wishing to ‘get involved’; and • Isolation <p>The presence of one or more of these factors does not by itself prove that someone is being harmed or is at risk of harm, but it can alert you to the possibility that they may be at risk.</p>
<p>Signs of abuse</p>	<p>Examples of this could include, but are not limited to: a dirty and unkempt home, unexplained or frequent injuries, unexplained weight loss, changing habits, reluctance to receive visits from colleagues, depression, anxiety or confusion.</p>

7 Learning and development

- 7.1 Colleagues must be vigilant at all times; the expectation is if in doubt, report it to an operational leader.
- 7.2 The Safeguarding Policy and Safeguarding Procedure should be adhered to and further guidance requested from operational leaders where needed.
- 7.3 Training will be provided on safeguarding for all FHG colleagues who may have a customer-facing role.

8. Legal context

- 8.1 Abuse of any adult or child in any form is a criminal act.
- 8.2 Where allegations are made, these will be reported to the Police who will be responsible for undertaking a criminal investigation and taking action where this, in their view, is appropriate.

9. Protection of Vulnerable Groups (PVG)

- 9.1 The PVG scheme was introduced by the Scottish Government to ensure that those who have regular contact with children and protected adults do not have a known history of harmful behaviour.

9.2 Through the Business Leadership Team and Health and Safety Committee we will ensure that all colleagues who are required to hold a PVG obtain this from Disclosure Scotland.

10. Roles and responsibilities

10.1 The Board has overall responsibility, delegated operationally to the Chief Executive and Business Leadership Team, for ensuring a robust approach to safeguarding is followed.

10.2 The Group's Director of Housing is responsible for ensuring that this policy is consulted on with board members and colleagues and for its review, implementation and proper application.

10.3 The Group's Operations team is responsible for ensuring that PVGs, where required, are obtained and for coordinating learning and development with regards safeguarding, as directed by the Business Leadership Team.

10.4 It is **not** the responsibility of those working on behalf of or representing the organisation to decide if a safeguarding incident or concern has occurred. It **is** our responsibility to mitigate risks and to **act** on any identified concerns or concerns reported to them.

10.5 Anyone acting on behalf of Fife Housing Group in any capacity including (and not limited to), employees, Board Members, contractors, temporary employees, consultants, interns and volunteers are responsible for adherence to the Safeguarding Procedure and for reporting any concerns to their operational leader or authorised reporting colleague.

11. Performance management

11.1 Any concerns regarding the adherence to this policy will be reported to the Board.

11.2 Our operational procedures are followed to ensure incidences of abuse are effectively managed and that the Group is fulfilling its corporate, legal and strategic duties. It also ensures that key learning points and areas for improvement are identified and shared across the Group, including 'near misses', as well as anonymised actual incidents.

11.3 Any lessons learned and/or areas for improvement from serious incidents (including 'near misses') will be reviewed by the Business Leadership Team should this occur and will be reported to the Health and Safety Committee as a standing item and to Board.

11.4 Serious incidents, including any that involve colleagues, will always be reported to the Local Authority and FHG's Director of Operations will always be notified of any incident we become aware of (either alleged, suspected or actual) that involves any FHG colleague, irrespective of whether the issue arose during working hours or not.

11.5 The FHG Risk Map includes reference to safeguarding.

12. Associated policies

12.1 Safeguarding is not a stand-alone policy or a separate activity; it is an integral part of our wider policy and operational frameworks.

12.2 This policy is supported by various other complementary documents including, but not limited to Safeguarding Procedure, Housing Policy, Allocations Policy, Whistleblowing Policy, Code of Conduct, Colleague Handbook, Dignity at Work Policy, Disciplinary Policy, and Domestic Abuse Policy etc.

13. Equalities

13.1 When implementing this policy we will ensure that we comply with The Equality Act (2010).

13.2 Through implementation of this policy, we do not discriminate on the grounds of any protected characteristic, namely: age, disability, gender, gender reassignment, marriage and civil partnership, maternity, race and ethnicity, religion or belief, and sexual orientation.

14. Review

14.1 This policy is due to be reviewed every three years - or earlier if a material change requires this.

14.2 This policy is governed by the laws and regulations of Scotland.