

# Safeguarding Adult's Policy

*For the purposes of this policy,*

- *'Adult at Risk' is a person aged 18 or over who needs care and support, (regardless of whether they are receiving this), and because of these needs is unable to protect themselves from either the risk of, or the experience of, abuse or neglect"*
- *'Thanet' shall mean Thanet Healthcare*
- *'Staff' shall mean paid staff, volunteers, and contractors*

## **Introduction**

Thanet is committed to ensuring the safety, health, and well-being of all adults at risk who are under our care, or whom we may encounter through the nature of our activities. Safeguarding is everyone's responsibility and, we wholeheartedly recognise that every individual has a part to play in protecting adults at risk from harm, abuse, and neglect.

## **Scope**

This policy applies to all staff associated with Thanet.

This policy sets out our strategic guiding principles, from which our local placements and services will take their lead.

## **Policy Statement**

Here at Thanet, we believe that everyone has the right to live in safety, free from abuse and neglect. We unequivocally prioritise the safety, well-being, and dignity of the adults at risk within our care or, whom we may encounter through the nature of our activities. We are resolute in our stance against any form of abuse or neglect.

## **Commitment**

At Thanet, we are guided by the 6 key principles of the Care Act 2014 statutory guidance, which underpin all of our safeguarding functions, actions and decisions. Empowerment, Prevention, Proportionality, Protection, Partnership and Accountability are all essential to our approach.

Furthermore, we believe in the making safeguarding personal method to adult safeguarding, that is person centred and outcomes focussed. The 5 key principles of the Mental Capacity Act 2005 also support us in our important work with adults at risk.

We will always ensure the least restrictive option when supporting an adult at risk within our care. However, it may be necessary to deprive an individual of their liberty. We will only consider this when it is in their best interest and for their own safety.

Thanet will ensure that all measures are in place to protect adults at risk and respond to concerns appropriately. We will do this by ensuring that every part of our operations adheres to best practice in safeguarding.

We expect, and mandate, that all staff will uphold and reinforce this commitment. We ensure this by having comprehensive policies, procedures, and training which operationalise this commitment throughout all levels of our organisation.

**Please refer to Appendix A for supporting addendum which provides full details of how we will achieve this commitment.**

### **Equality, Diversity & Inclusion**

Thanet is committed to anti-discriminatory practice. We believe that all adults at risk have the right to be protected from abuse, neglect and harm regardless of their age, gender, gender reassignment, sexual orientation, race, nationality, ethnic origin, colour, religion or belief, ability or disability.

When reviewing this policy, we thoroughly consider the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations with respect to these protected characteristics, as per the Equality Act 2010.

We also recognise that vulnerable people from minority or disadvantaged groups may have additional needs when overcoming barriers to access Health, Education or Social Care services.

### **Legal Framework**

This policy adheres to the relevant legislation and statutory guidance which relates to the safeguarding and protection of adults at risk:

- PAN Guidelines for Protecting Adults at Risk
- Anti-social Behavior, Crime and Policing Act 2014
- The Modern Slavery Act 2015
- The Counter Terrorism and Security Act 2015
- Domestic Abuse Act 2021
- Sexual Offences Act
- Serious Crime Act 2015
- FGM Act 2003
- The Care Act 2014
- Care Quality Commission (Registration) Regulations 2009
- Equality Act 2010
- The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
- Human Rights Act 1998
- Mental Capacity Act 2005
- Safeguarding Vulnerable Groups Act 2006
- Protection of Freedoms Act 2012
- Data Protection Act 201 & UK GDPR

**Please refer to Appendix B for further information on the relevant legislation and statutory guidance that relate to safeguarding adults at risk.**

### **Associated policies, procedures, and practices**

Our framework for safeguarding adults at risk from harm is supported by other organisational policies, procedures and practices including:

- Safeguarding Adult's procedure
- Safeguarding Children's Policy and procedure
- Making an adult safeguarding referral
- Consent and Information Sharing
- Safeguarding & safer recruitment
- Safeguarding Training
- Restraint reduction
- Code of Conduct
- Positions of Trust
- Allegations against Staff
- Whistleblowing
- Online safety acceptable use policy
- Health & safety
- Data protection & GDPR
- Equality, Diversity and Inclusion

### **Policy Review**

This policy will be reviewed annually or, when deemed necessary.

This policy was last reviewed/ revised on **[insert date]**

This policy comes into force on **[insert date]**

The date of the next review of the policy will be **[insert date]**

The owner of this policy is Marie Williams, Interim Head of Safeguarding (HoS) for Thanet

This policy is supported and approved by:

Clayton Bryce, Director of Thanet

Samantha Yeboah Buxton, Director of Thanet

[ Signature ]



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Christopher Yeboah, Director of Thanet  
[ signature ]



### Important Thanet Contacts

Clayton Bryce, Director of Thanet; [clayton@valicity.co.uk](mailto:clayton@valicity.co.uk)

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Nitin Seeta, Principal Designated Safeguarding Lead (PDSL) for Thanet  
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# Safeguarding Adult's Policy

## Appendix A

### Addendum

#### **Scope**

This policy applies to all staff associated with Thanet.

This policy sets out our strategic approach to safeguarding adults, from which the individual placements will take their lead. Each service will also embed a local version of this policy, which will respond to their specific needs, exposures, and nuances of their service.

The Service Managers and their Regional DSL's will be responsible for implementing the local policies and ensuring all staff within their service are familiar with the specifics therein.

#### **Our Commitment**

Thanet will ensure that all measures are in place to protect adults at risk and respond to concerns appropriately. We will do this by ensuring that every part of our operations adheres to best practice in safeguarding.

We expect, and mandate, that all staff will uphold and reinforce this commitment. We ensure this by integrating safeguarding across the organisation and ensure that individual and collective responsibilities are understood. This includes:

- Assurance, endorsement, and ownership by the Executive Leadership Team
- Up-to-date policies and procedures
- Safeguarding within Safer recruitment and vetting
- Staff induction and training
- Clear reporting and recording processes
- Ensuring safeguarding concerns are investigated swiftly and thoroughly in conjunction with statutory agencies and with demonstrable outcomes.
- Learning and improvement
- Monitoring, audit, and quality assurance

#### **The Guiding Principles of Adult Safeguarding**

The Care Act 2014 statutory guidance defines 6 key principles that underpin all our safeguarding functions, action and decisions:




We fully support the Local Government Associations (LGA) '*Making safeguarding personal Agenda*' and this is reflected in the way we safeguard adults at risk. We believe that adults at risk:

- Have the right to be treated with dignity and respect and to have their individual needs recognised
- Have the right to live in safe and secure surroundings without fear of harassment or injury
- Will be supported to live independently as they wish and can do so
- Have the right to make choices about their lifestyle which may include risky behaviour
- Will be enabled and supported in positive risk taking.

At Thanet we will always assume that an adult at risk has the capacity to make decisions about their own care, personal safety and finances, unless it has been established otherwise. We will apply the 5 statutory key principles set out in the Mental Capacity Act 2005, when supporting someone who may lack capacity to make decisions:

## MCA - Five Statutory Principles



5. Before the act is done, or the decision is made, regard must be had to whether the purpose for which it is needed can be as effectively achieved in a way that is **less restrictive** of the persons rights and freedom of action.

4. An act done, or decision made, under this Act for or on behalf of a person who lacks capacity must be done, or made, in his **best interests**.

3. A person is not to be treated as unable to make a decision merely because he makes an **unwise decision**.

2. A person is not to be treated as unable to make a decision unless **all practicable steps** to help him to do so have been taken without success.

1. A person must be **assumed to have capacity** unless it is established that they lack capacity.

**scie** social care institute for excellence

### Deprivation of Liberty (DoLS)

We will provide support to adults at risk in the least restrictive way. We will only consider depriving an adult at risk of their liberty when this is in their best interest and for their own safety. We will always apply for authorisation using appropriate processes, prior to depriving an individual of their liberty.

### Best Interest

Anything done for, or on behalf of an adult at risk, who lacks mental capacity will be done in their best interest. There are occasions where a Best Interest Assessment may be required. Best interest decision making will be done in line with best practice and only by trained staff. We will take into consideration anything relevant, such as the past or present wishes of the person or a Lasting Power of Attorney (LPA). There is also a duty for us to consult with relevant people who know the person such as family or carers, where appropriate.

### Recognising Signs of Abuse or Neglect

All staff who have any form of contact with adults at risk will be trained to recognise the signs of all **10** categories of abuse and neglect. These are:

1. Physical abuse
2. Sexual abuse
3. Psychological
4. Neglect & Acts of Omission
5. Financial & Material
6. Discriminatory
7. Organisational

8. Domestic Abuse
9. Modern Slavery
10. Self-Neglect

Staff will also learn how to recognise the signs of exploitation i.e., sexual, criminal, county lines (including cuckooing).

### **The Safeguarding Team**

We believe that safeguarding is everyone's responsibility. We all have a part to play when protecting adults at risk and promoting their safety and wellbeing.

That said, safeguarding is an important strategic matter, and our internal safeguarding structure reflects this. **Clayton Bryce, Director of Thanet** has overall Executive level responsibility and accountability for safeguarding within Thanet.

The Director is supported by **Marie Williams, Interim Head of Safeguarding (HoS)**. The HoS provides strategic level assurance of safeguarding compliance, internal arrangements, advice, and guidance to the organisation. In addition, the HoS also provides oversight of serious safeguarding concerns and incidents and leads on multi-agency working.

The HoS is supported by **Nitin Seeta, Principal Designated Safeguarding Lead (PDSL) for Thanet**. The PDSL is the lead for our team of Designated Safeguarding Leads (DSL), who operate within each region of our organisation. Due to the nature of our work, at least the PDSL or one DSL will be on duty in any 24-hr period.

The PDSL/ DSL's are the first point of contact for any safeguarding related concerns regarding either children or adults. They provide advice and guidance to their colleagues and service area teams and support the HoS with operational safeguarding work.

### **Procedures for Reporting Concerns**

All concerns/ disclosures will be reported immediately to the PDSL/ DSL. The PDSL/ DSL will risk assess to decide what level of action needs to be taken.

In the event that the adult is in immediate risk of significant harm, the Police will be called urgently via 999.

If there is no immediate risk of significant harm, and the risks to the adult can be effectively managed by staff, the PDSL/ DSL will liaise with the HoS within 24 hrs.

The HoS will review the case and decide on how best to proceed. If the HoS is unavailable, **Arlene Hinds, HR Director of Thanet**, will be contacted for a decision.

Where a safeguarding alert to Adult's Services is needed, our '[making an adult safeguarding referral](#)' process will be followed, which aligns to the Safeguarding & Adult Protection Procedures for the relevant region. The relevant 'front door'/ Duty and Advice team/ MASH will be referred to and the DSL/ PDSL and the HoS will work proactively and collaboratively



with external partners to ensure a multiagency response to safeguarding adults at risk is facilitated.

Confidentiality will be maintained, where at all possible. Consent to share information with other agencies will be in line with our [consent and information sharing policy](#).

Consent must be given freely, be informed, and not inferred or provided under duress. If consent is refused by the adult at risk, information will still be shared in the following circumstances:

- There is a need to safeguard children or other adults at risk
- If the individual does not have mental capacity to make an informed choice
- If there is a significant risk of harm to self or others
- If there is suspicion of a criminal offence
- By a court of other legal order

### **Working Together in Partnership**

Thanet is committed to working in partnership with statutory partners such as the Police, Adult Social Care, Health, Housing and Local Safeguarding Adults Board (LSAB), in accordance with local procedures and thresholds and information sharing protocols. This is essential to enable these organisations to carry out their statutory duties to investigate concerns and to protect all adults at risk.

### **Recruitment and Training**

In accordance with our [safeguarding & safer recruitment procedure](#), all staff will undergo a comprehensive recruitment process, including rigorous vetting and background checks.

We are conversant with the DBS process, and mandate that all staff undergo DBS checks, which are relevant to their role and type of contact with vulnerable groups e.g. staff whom we engage in regulated activity with adults at risk and/ or children, will undergo DBS checks to Enhanced with relevant Barred List level.

[Safeguarding training](#) will be mandatory for all new hires, and this will form part of their induction process.

Refresher safeguarding training will be conducted by all staff **annually**. Training will be relevant to their role. Effective training records will also be kept for each staff member, so that safeguarding training can be tracked, evaluated and monitored.

### **Code of Conduct**

Physical contact with adults at risk should be justified, proportionate, reasonable, necessary, and lawful.

Any form of physical restraint will be risk assessed and conducted in accordance with our [restraint reduction strategy](#).

We foster a culture where adults at risk are listened to and respected. Adults at risk will always be treated with dignity and all communication with them will be professional and transparent.

All conduct will be in line with our [code of conduct policy](#).

### **Positions of Trust**

Thanet recognises the risks associated with People in positions of trust. This may be due to their regular and significant contact with adults at risk and as such, may be seen as influential in that individual's life due to their role.

All staff must abide by our [positions of trust policy](#), which provides guidance on how to avoid abusing this trust and to provide procedures for how allegations of such abuse are managed.

### **Allegations against Staff**

Allegations against staff are a sensitive and critical matter. Therefore, where appropriate, the HoS and the Director of HR will manage any allegations of this nature directly, to ensure a serious and urgent response, in line with our [allegations against staff policy](#).

Concerns about the behaviour of someone working with adults at risk will be raised in accordance with the relevant Adult Services Safeguarding procedures & PAN Guidelines for Protecting Adults at Risk.

### **Whistleblowing**

Here at Thanet, we foster an open and transparent safeguarding communications culture. We want all staff to feel confident in raising concerns about a colleague's behaviour or misconduct, especially if those concerns relate to the safety and welfare of vulnerable people.

Any concerns raised will be dealt with promptly and appropriately by the HoS and the HR Director. Any person who raises a concern of this nature will be protected from any form of retaliation. This will be in accordance with our [whistleblowing policy](#).

The accused individual may be temporarily suspended pending investigation.

Both the accused and accuser will receive appropriate support.

### **Environmental Safety**

Regular risk assessments will be conducted to promote the safety and wellbeing of adults at risk. These will be dynamic and contextual - relevant to the environment and circumstances.

All areas accessible to adults at risk will be safe and free from potential hazards, in accordance with our [Health & Safety policy](#).

### **Online Safety**

All staff must be mindful about their use of mobile digital devices whilst around adults at risk and must ensure that adults at risk's safety is prioritised.

Both staff and adults at risk will adhere to our [online safety acceptable use policy](#).

We support a safe online environment and will educate our staff and adults at risk about potential risks and appropriate online behaviour.

### **Partnership with Family and Carers**

We strive to create an open and transparent safeguarding communications culture. We believe in open communication with families and carers and will involve them in safeguarding practices, where at all possible.

# Safeguarding Adult's Policy

## Appendix B

### Legal Framework

This policy adheres to the relevant legislation and statutory guidance which relates to the safeguarding and protection of adults at risk. This is a comprehensive list of these legislations and statutory guidance:

- **PAN Guidelines for Protecting Adults at Risk**  
The PAN Guidelines for Protecting Adults at Risk provide a framework for action that ensures the response to adults at risk across all local authorities is consistent and effective.
- **Anti-social Behavior, Crime and Policing Act 2014**  
A piece of UK legislation that was introduced to address and manage anti-social behaviour, as well as to implement several other crime-related provisions.
- **The Modern Slavery Act 2015**  
A piece of legislation in the UK designed to combat modern slavery and human trafficking. It consolidated previous offenses related to trafficking and slavery and introduced a range of new measures to address the issue.
- **Counter Terrorism and Security Act 2015**  
A UK legislation aimed at strengthening the powers available to authorities to address the risks posed by terrorism and to ensure national security.
- **Domestic Abuse Act 2021**  
A significant piece of legislation in the UK designed to provide further protections for victims of domestic abuse and to strengthen the measures available to tackle perpetrators. The Act aims to improve the legal framework around domestic abuse, recognising its impact and working to support victims better while pursuing offenders.
- **Sexual Offences Act 2003**  
A piece of legislation in the UK that overhauled previous laws related to sexual offenses. It introduced new offenses, redefined old ones, and was designed to provide a more stringent and comprehensive legal framework around sexual crimes.
- **Serious Crime Act 2015**  
A piece of UK legislation that addresses several areas of serious crime. It introduced various amendments and new provisions to enhance the ability of law enforcement and courts to tackle serious crime more effectively.

- **FGM Act 2003**  
The Female Genital Mutilation Act 2003 (FGM Act 2003) is a piece of legislation in the United Kingdom designed to criminalize the practice of female genital mutilation (FGM)
- **The Care Act 2014**  
Represents a significant piece of legislation in the UK related to adult social care. The Act was intended to modernise and consolidate the legal framework for adult care and support in England.
- **Care Quality Commission (Registration) Regulations 2009**  
The Care Quality Commission (CQC) is the independent regulator for health and adult social care services in England. Its role is to ensure that health and social care services provide people with safe, effective, compassionate, and high-quality care.
- **The Care Quality Commission (Registration) Regulations 2009**  
Set out the requirements that providers must meet in order to be registered to provide services. Being registered with the CQC is essential for an organization or individual to legally provide health and/or social care services.
- **Equality Act 2010**  
A significant piece of legislation in the UK that consolidates and replaces previous anti-discrimination laws, bringing them together into a single Act. Its primary aim is to simplify the law, strengthen it in certain areas, and support progress on equality.
- **The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014**  
A key piece of legislation in England that specifies the standards that providers of health and social care services must meet. The Care Quality Commission (CQC) is responsible for ensuring these standards are maintained.
- **Human Rights Act 1998**  
A significant piece of legislation in the United Kingdom that incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law. This means that public authorities, including courts, must ensure that their actions and decisions are compatible with these rights.
- **Mental Capacity Act 2005**  
A significant piece of legislation in England and Wales that provides a framework for acting and making decisions on behalf of individuals who lack the mental capacity to make decisions for themselves.
- **Safeguarding Vulnerable Groups Act 2006**  
This legislation was introduced to restrict contact between adults at risk, and those who might do them harm. The Act led to the creation of the Vetting and Barring list Scheme.

- **The Protection of Freedoms Act 2012**  
Part of this Act deals with changes to the Vetting and Barring Scheme, transforming it into the Disclosure and Barring Service (DBS).
- **The General Data Protection Regulation (GDPR)**  
A regulation on data protection and privacy. It aims to give control back to citizens over their personal data and to simplify the regulatory environment. This supports the Data Protection Act 2018.