



## Review Sheet

 	Last Reviewed 5 Jan 2026	Last Amended 5 Jan 2026	 This policy will be reviewed as needs require or at the following interval: Annual
Business Impact:		MEDIUM	Changes are important, but urgent implementation is not required, incorporate into your existing workflow.
Reason for this Review:		Best practice	
Changes Made:		Yes	
Summary:	<p>This policy details the safeguarding procedures to be followed and was recently updated in December 2025 in response to the CQC Supporting Documents guidance updates of 16 December 2025. Further to this update, a Safeguarding Flowchart has now been added in the Forms section. Underpinning Knowledge and Further Reading links have also been checked and updated where needed.</p>		
Relevant Legislation:	<ul style="list-style-type: none"> <li>The Care Act 2014</li> <li>Care Quality Commission (Registration) Regulations 2009</li> <li>Equality Act 2010</li> <li>The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014</li> <li>Human Rights Act 1998</li> <li>Mental Capacity Act 2005</li> <li>Safeguarding Vulnerable Groups Act 2006</li> <li>UK GDPR</li> <li>Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012</li> <li>Public Interest Disclosure Act 1998</li> <li>The Criminal Justice and Courts Act 2015 Section 20-25</li> <li>Anti-social Behaviour, Crime and Policing Act 2014</li> <li>The Modern Slavery Act 2015</li> <li>The Counter Terrorism and Security Act 2015</li> <li>Domestic Violence, Crime and Victims Act 2004</li> <li>Serious Crime Act 2015 Section 76</li> <li>FGM Act 2003</li> <li>Sexual Offences Act 2003</li> <li>Data Protection Act 2018</li> </ul>		
	<ul style="list-style-type: none"> <li>Author: The Care Quality Commission, (2025), Regulation 13: Safeguarding Service Users from Abuse and Improper Treatment [Online] Available from: <a href="https://www.cqc.org.uk/guidance-regulation/providers/regulations-service-providers-and-">https://www.cqc.org.uk/guidance-regulation/providers/regulations-service-providers-and-</a></li> </ul>		

Underpinning Knowledge:	<p><a href="https://www.gov.uk/government/publications/pressure-ulcers-how-to-safeguard-adults">managers/health-social-care-act/regulation-13</a> [Accessed: 05/01/2026]</p> <ul style="list-style-type: none"> <li>Author: Royal College of Nursing, (2024), Adult Safeguarding: Roles and Competencies for Health Care Staff [Online] Available from: <a href="https://remedy.bnssg.icb.nhs.uk/media/1gekotxo/intercollegiate-documents-for-adults-2024.pdf">https://remedy.bnssg.icb.nhs.uk/media/1gekotxo/intercollegiate-documents-for-adults-2024.pdf</a> [Accessed: 05/01/2026]</li> <li>Author: SCIE, (2025), Safeguarding Adults [Online] Available from: <a href="https://www.scie.org.uk/safeguarding/adults/">https://www.scie.org.uk/safeguarding/adults/</a> [Accessed: 05/01/2026]</li> <li>Author: GOV.UK, (2025), Pressure Ulcers: How to safeguard adults [Online] Available from: <a href="https://www.gov.uk/government/publications/pressure-ulcers-how-to-safeguard-adults">https://www.gov.uk/government/publications/pressure-ulcers-how-to-safeguard-adults</a> [Accessed: 05/01/2026]</li> <li>Author: Social Care Institute for Excellence, (2019), Safeguarding Adults: Sharing information [Online] Available from: <a href="https://www.scie.org.uk/safeguarding/adults/practice/sharing-information/">https://www.scie.org.uk/safeguarding/adults/practice/sharing-information/</a> [Accessed: 05/01/2026]</li> <li>Author: Local Government Association, (2025), Making Safeguarding Personal [Online] Available from: <a href="https://www.local.gov.uk/our-support/our-improvement-offer/care-and-health-improvement/making-safeguarding-personal">https://www.local.gov.uk/our-support/our-improvement-offer/care-and-health-improvement/making-safeguarding-personal</a> [Accessed: 05/01/2026]</li> <li>Author: Department of Health and Social Care, (2025), Care and Support Statutory Guidance [Online] Available from: <a href="https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance">https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance</a> [Accessed: 05/01/2026]</li> <li>Author: Department of Health and Social Care, (2025), NHS Prevent Training and Competencies Framework [Online] Available from: <a href="https://www.gov.uk/government/publications/nhs-prevent-training-and-competencies-framework/nhs-prevent-training-and-competencies-framework">https://www.gov.uk/government/publications/nhs-prevent-training-and-competencies-framework/nhs-prevent-training-and-competencies-framework</a> [Accessed: 05/01/2026]</li> </ul>
Suggested Action:	<ul style="list-style-type: none"> <li>Encourage sharing the policy through the use of the QCS App</li> </ul>
Equality Impact Assessment:	<p>QCS have undertaken an equality analysis during the review of this policy. This statement is a written record that demonstrates that we have shown due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations with respect to the characteristics protected by equality law.</p>



## 1. Purpose

**1.1** The Registered Manager, Charlotte Cole, and Nominated Individual, Betrand Awah, of Promoting Independent Care Ltd, have overall management responsibility for this policy and procedure. This is in line with the Policy Management Policy and Procedure at Promoting Independent Care Ltd.

To ensure that this policy includes and refers to South Gloucestershire Council's policy and procedures and details clearly who is responsible and accountable for managing safeguarding concerns within Promoting Independent Care Ltd:

- Overall accountability for managing safeguarding concerns: Charlotte Cole
- Charlotte Cole is responsible for the governance and authorisation of this policy
- Charlotte Cole can be contacted, including in an emergency or out of hours, on:
  - Telephone: 01454 528329
- Safeguarding Lead at Promoting Independent Care Ltd: Martina Hroncova
- Martina Hroncova can be contacted, including in an emergency or out of hours, on:
  - Telephone: 01454528329
  - Email: martina.hroncova@promotingindependentcare.com
- Promoting Independent Care Ltd Contact Details: 01454 528329
- Local Authority: South Gloucestershire Council
- Local Authority Main Contact Details: 01454 868007

There is a designated Deputy Safeguarding Lead to ensure consistency and best practice in the absence of Martina Hroncova, Safeguarding Lead at Promoting Independent Care Ltd.

**1.2** To set out the key arrangements and systems that Promoting Independent Care Ltd has in place for safeguarding and promoting the welfare of adults at risk and to ensure compliance with local policies and procedures. Adults are those aged 18 years and over.

Promoting Independent Care Ltd has a separate Safeguarding Children and Child Protection Policy and Procedure in place that provides detailed guidance in this area.

**1.3** This policy dovetails with the following policies:

- Deprivation of Liberty Policies and Procedures
- Mental Capacity Act (MCA) 2005 Policy and Procedure
- Duty of Candour Policy and Procedure
- Raising Concerns, Freedom to Speak Up and Whistleblowing Policy and Procedure
- Consent to Care, Support and Treatment Policy and Procedure
- Restrictive Practices Including Restraint and Physical Interventions Policy and Procedure

**1.4**

Key Question	Quality Statements
EFFECTIVE	QSE2: Delivering evidence-based care & treatment QSE3: How staff, teams & services work together
EFFECTIVE	QSE6: Consent to care and treatment

SAFE	QSS3: Safeguarding
SAFE	QSS4: Involving people to manage risks QSS5: Safe environments

### 1.5 Relevant Legislation

- 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
- UK GDPR
- Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012
- Public Interest Disclosure Act 1998
- The Criminal Justice and Courts Act 2015 Section 20-25
- Anti-social Behaviour, Crime and Policing Act 2014
- The Modern Slavery Act 2015
- The Counter Terrorism and Security Act 2015
- Domestic Violence, Crime and Victims Act 2004
- Serious Crime Act 2015 Section 76
- FGM Act 2003
- Sexual Offences Act 2003
- Data Protection Act 2018



## 2. Scope

### 2.1 Roles Affected:

- All Staff

### 2.2 People Affected:

- Service Users

### 2.3 Stakeholders Affected:

- Family
- Advocates
- Representatives
- Commissioners
- External health professionals
- Local Authority
- NHS

- Housing Provider Partners



### 3. Objectives

#### **3.1 Meeting Regulation 13: Safeguarding Service Users from abuse and improper treatment**

This policy aims to safeguard Service Users from abuse and improper treatment by implementing robust procedures for prevention, identification, and response. Staff are trained to recognise signs of abuse and are equipped with clear reporting mechanisms to address any concerns promptly and effectively.

**3.2** This policy aims to safeguard Service Users from abuse and improper treatment by implementing robust procedures for prevention, identification, and response. Staff are trained to recognise signs of abuse and are equipped with clear reporting mechanisms to address any concerns promptly and effectively.

**3.3** To ensure that the South Gloucestershire Council Safeguarding Policy and Procedure is understood by all staff at Promoting Independent Care Ltd and that the South Gloucestershire Council safeguarding procedures dovetail with the policy and procedure of Promoting Independent Care Ltd.

**3.4** To ensure that all staff working for, or on behalf of, Promoting Independent Care Ltd, understand their responsibilities in relation to safeguarding adults at risk and know who to escalate concerns to within Promoting Independent Care Ltd and externally if needed and appropriate to do so.

**3.5** To protect the Service User's right to live in safety, free from abuse and neglect.

To have a clear, well publicised policy of zero-tolerance of abuse within Promoting Independent Care Ltd.

**3.6** To identify lessons to be learnt from cases where Service Users have experienced abuse or neglect.



### 4. Policy

#### **4.1 CQC Regulated Activities, Service Types and Service User Bands**

Where required, Promoting Independent Care Ltd will be registered with the CQC for regulated activities, service types and service user bands as defined in the CQC Statement of Purpose.

This will ensure that Promoting Independent Care Ltd provides services that are safe, effective, caring, responsive and well-led in line with the CQC's published quality statements, regulatory framework and associated best practice guidance.

Promoting Independent Care Ltd **is registered to provide the following regulated activities:**

Personal Care, Treatment of disease, disorder or injury

**Promoting Independent Care Ltd is registered to provide the following service types:**

Supported living service (SLS)

**Promoting Independent Care Ltd is registered to support the following service user bands:**

Adults aged 18 - 65, Children aged 0 - 3, Children aged 4 -12, Children aged 13 - 18, Dementia, Learning difficulties or autistic disorder, Older people (Aged 65+), People who misuse drugs or alcohol, Physical disability, Sensory impairment

#### **4.2 What is Safeguarding?**

Promoting Independent Care Ltd recognises the definition of 'safeguarding' as the actions taken to keep Service Users safe from harm and neglect.

**4.3 The Care Act 2014 sets out that adult safeguarding duties apply to any adult who:**

- Has care and support needs, and
- Is experiencing, or is at risk of, abuse and neglect, and
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of, abuse or neglect

**4.4 Safeguarding adults includes:**

- Protecting their rights to live in safety, free from abuse and neglect
- People and organisations working together to prevent the risk of abuse or neglect, and to stop them from happening
- Making sure people's wellbeing is promoted, taking their views, wishes, feelings and beliefs into account
- This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances

**4.5** Promoting Independent Care Ltd should always promote the Service User's wellbeing in its safeguarding arrangements. Service Users have complex lives and being safe is only one of the things they want for themselves. Staff should work with the Service User to establish what being safe means to them and how that can be best achieved. Staff should not be advocating 'safety' measures that do not take account of individual wellbeing.

#### **4.6 What Constitutes Abuse?**

Employees at Promoting Independent Care Ltd understand that the Service Users it supports can be extremely vulnerable to abuse and neglect, especially if they have care and support needs.

Abuse is a violation of an individual's human or civil right by any other person. It is where someone does something to another person, or to themselves, which puts them at risk of harm and impacts on their health and wellbeing.

Abuse can have a damaging effect on the health and wellbeing of Service Users. These effects may be experienced in the short and long term and can sometimes be lifelong.

**4.7** The signs of abuse are not always obvious, and a victim of abuse may not tell anyone what is happening to them. Sometimes they may not even be aware they are being abused.

The robust governance processes at Promoting Independent Care Ltd will make sure that staff working for, and on behalf of, Promoting Independent Care Ltd, recognise and

respond to the main forms of abuse which are set out in the Care Act 2014 Statutory Guidance Chapter 14.

**4.8** The local authority is the lead agency for adult safeguarding and should be notified whenever abuse or neglect is suspected. It will decide whether a safeguarding enquiry is necessary, and if so, who will conduct it. The decision to conduct an enquiry depends on the criteria set out in the Care Act 2014, and not on whether the Service User is eligible for, or receiving, services funded by the local authority

**4.9** Everybody has the right to live a life that is free from harm and abuse. Promoting Independent Care Ltd recognises that safeguarding adults at risk of abuse or neglect is everybody's business. Promoting Independent Care Ltd aims to ensure that all adults at risk of abuse or neglect are enabled to live and work, be cared for and supported in an environment free from abuse, harassment, violence or aggression. The safeguarding policies and procedures of Promoting Independent Care Ltd will dovetail with the South Gloucestershire Council multi-agency policy and procedures, which we understand take precedence over those of Promoting Independent Care Ltd. Promoting Independent Care Ltd will ensure that the South Gloucestershire Council policies and procedures are reflected within its own policy and procedure, that this is shared with all staff and is accessible and available for staff to follow.

**4.10** Promoting Independent Care Ltd aims to provide services that will be appropriate to the adult at risk and not discriminate because of disability, age, gender, sexual orientation, race, religion, culture, or lifestyle. It will make every effort to enable Service Users to express their wishes and make their own decisions to the best of their ability, recognising that such self-determination may well involve risk.

Promoting Independent Care Ltd will work with Service Users and others involved in their Care to ensure they receive the support and protection they may require, that they are listened to and treated with respect (including their property, possessions and personal information) and that they are treated with compassion and dignity.

A chaperone is always present when the Service User needs treatment, and missed healthcare appointments must be monitored to consider signs of abuse or neglect. These must be followed up with the healthcare provider and information shared in the best interests and safety of the Service User.

**4.11** Promoting Independent Care Ltd will follow the six principles as set out in guidance to the Care Act 2014 and this will inform practice with all Service Users:

- **Empowerment** – People being supported and encouraged to make their own decisions and informed consent
- **Prevention** – It is better to take action before harm occurs
- **Proportionality** – The least intrusive response appropriate to the risk presented
- **Protection** – Support and representation for those in greatest need
- **Partnership** – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse
- **Accountability** – Accountability and transparency in delivering safeguarding

**4.12** Promoting Independent Care Ltd is committed to the principles of 'Making Safeguarding Personal' and aims to ensure that safeguarding is person-led and focused on the outcomes that Service Users want to achieve. It will engage Service Users in a conversation about how best to respond to their safeguarding situation in a timely way that enhances involvement, choice and control as well as improving quality of life, wellbeing and safety.

**4.13** Promoting Independent Care Ltd understands the importance of working collaboratively to ensure that:

- The needs and interests of adults at risk are always respected and upheld
- The human rights of adults at risk are respected and upheld
- A proportionate, timely, professional and ethical response is made to any adult at risk who may be experiencing abuse
- All decisions and actions are taken in line with the Mental Capacity Act 2005 to ensure the best interests of the Service User
- Each adult at risk maintains:
  - Choice and control
  - Safety
  - Health
  - Quality of life
  - Dignity and respect

#### **4.14 Whistleblowing**

Promoting Independent Care Ltd has a clear Raising Concerns, Freedom to Speak Up and Whistleblowing Policy and Procedure in place which staff are frequently reminded about and with which they must be familiar. They must also understand how to escalate and report concerns.

Whistleblowing is an important aspect of the support and protection of adults at risk of harm where staff are encouraged to share genuine concerns about safety or wrongdoing within Promoting Independent Care Ltd.

#### **4.15 The Care Worker's Responsibilities**

- To be able to recognise and respond to suspected abuse and substandard practice
- To report concerns of harm or poor practice that may lead to harm
- To remain up to date with training
- To read and follow the policy and procedure
- To know how and when to use the whistleblowing procedures
- To understand the Mental Capacity Act 2005 and how to apply it in practice, including consent and best interests decisions.

#### **4.16 The Registered Manager's Responsibilities**

- To establish the facts about the circumstances giving rise for concern
- To identify sources and level of risk
- To ensure that information is recorded and that the South Gloucestershire Council Adult Safeguarding Team is contacted to inform them of the concern or harm
- If the Service User is at immediate risk of harm, the Registered Manager will contact the police. The CQC will also be informed
- In all cases of alleged harm, there will be early consultation between Charlotte Cole, South Gloucestershire Council and the police to determine whether or not a joint investigation is required. Promoting Independent Care Ltd understands that it may also be necessary to advise the relevant Power of Attorney if there is one appointed. In dealing with incidents of potential harm, people have rights which must be respected and which may need to be balanced against each other
- The wishes of the person harmed will be taken into account whenever possible. This may result in no legal action

- Documentation of any incidents of harm in the Service User's file and using body maps to record any injuries
- Follow South Gloucestershire Council policy guidelines where applicable
- Report any incidents of abuse to the relevant parties
- Work with multi-agencies
- Advise and support staff
- Ensure staff are trained during induction, assess knowledge annually and run refresher training if needed
- Actively promote the whistleblowing policies
- Ensure that agency staff working at Promoting Independent Care Ltd have completed the necessary safeguarding training for their role
- Participate in local Safeguarding Adults Board arrangements for sharing experiences about managing safeguarding concerns in care homes
- Share relevant information from Safeguarding Adults Board meeting minutes and reports with staff

#### **4.17 General Principles**

- We will have robust recruiting and safer staffing policies in place to make sure that our staff are fit to work with adults at risk and are compliant with national, safe recruitment and employment practices, including the requirements of the Disclosure and Barring Service
- Safeguarding responsibilities should be included in the job description of all staff
- A named safeguarding lead will be in place who is responsible for embedding safeguarding practices and improving practice in line with national and local developments. At Promoting Independent Care Ltd, this person is Martina Hroncova
- Any staff member who knows or believes that harm is occurring will report it to their line manager as quickly as possible, or if they feel they cannot follow the regular reporting procedure, they must use the whistleblowing process
- Promoting Independent Care Ltd will work collaboratively with other agencies, including liaison in relation to the investigation of allegations and will ensure its procedures dovetail with the South Gloucestershire Council multi-agency procedures
- Promoting Independent Care Ltd will use incident reporting, root cause analysis, lessons learned and auditing to determine themes to improve Care practice
- Promoting Independent Care Ltd will have a learning and development strategy which specifically addresses adult safeguarding. Promoting Independent Care Ltd will provide training on the identification and reporting of harm, as well as training on the required standards in relation to procedures and processes should something need to be reported
- Promoting Independent Care Ltd recognises its responsibilities in relation to confidentiality and will share information appropriately
- Promoting Independent Care Ltd will have zero tolerance to harm
- Promoting Independent Care Ltd will work in partnership with other agencies to ensure that concerns or allegations of abuse are appropriately referred for investigation to the most appropriate agency
- Promoting Independent Care Ltd will ensure that any action that is taken is assessed, proportionate and reflective of the risk presented to the people who use the services
- Promoting Independent Care Ltd will report any incidents in line with its regulatory

requirements

- Promoting Independent Care Ltd will adhere to the Code of Conduct for Care Workers
- There is a clear, well publicised Raising Concerns, Freedom to Speak Up and Whistleblowing Policy and Procedure in place that staff know how to use

#### 4.18 Leadership, Staff and Culture

Charlotte Cole is responsible for providing leadership.

Good governance in safeguarding will follow where it is seen as an integral part of Service User care and all staff take responsibility. Risks of neglect, harm and abuse will be reduced where there is strong leadership and a shared value base where:

- The Service User is the primary concern
- Service Users and staff are partners in their care
- Quality is prioritised and measured
- Staff understand the risks of neglect, harm and abuse
- There is a culture of learning and improvement
- There is openness and transparency, and all staff are listened to

#### 4.19 Prevention - Providing information to support Service Users

- Promoting Independent Care Ltd will support Service Users by providing accessible, easy to understand information on what abuse is and what signs to look out for
- A Safeguarding Leaflet can be found in the Forms section of this policy, and links to support can be found in the Further Reading section
- Promoting Independent Care Ltd will comply with the Accessible Information Standard
- All Service Users will receive a copy of the Service User Guide, have access to the Complaints, Suggestions and Compliments Policy and Procedure and be given information on how to escalate any concerns to the Commissioner, CQC, advocacy or Local Government and Social Care Ombudsman should they not be satisfied with the approach taken by Promoting Independent Care Ltd or at any time they wish

#### 4.20 Prevention - Raising awareness

- Staff will need to be trained and understand the different patterns and behaviours of abuse as detailed in the Care Act 2014, Chapter 14 and Promoting Independent Care Ltd will ensure that it is able to respond appropriately
- Promoting Independent Care Ltd will ensure that all staff are trained on the Raising Concerns, Freedom to Speak Up and Whistleblowing Policy and Procedure and the Mental Capacity Act (MCA) 2005 Policy and Procedure
- During induction training, all employees will complete the 'Understanding Abuse' workbook, as part of the Care Certificate



### 5. Procedure

#### 5.1 Index

5.2	Forms of Abuse and Neglect

5.3	High Risk Groups
5.4	Prevention of Abuse
5.5	Who Abuses and Neglects?
5.6	Incidents of Abuse
5.7	Concerns
5.8	Staff who Consider or Suspect Abuse or Neglect
5.9	Responding to a Disclosure or Suspicion of Abuse or Neglect
5.10	Documenting a Disclosure
5.11	Response by Charlotte Cole or Safeguarding Lead to Reports of Abuse or Neglect
5.12	Consent
5.13	Referral to the South Gloucestershire Council Safeguarding Adults Team
5.14	Local Authority Safeguarding Enquiry
5.15	Involve the Service User Concerned Throughout the Enquiry
5.16	After an Enquiry
5.17	If a Safeguarding Concern is Not Agreed
5.18	Informing the Relevant Inspectorate
5.19	Support and Supervision
5.20	Confidentiality and Information Sharing
5.21	Staff Alleged to be Responsible for Abuse or Neglect
5.22	Disclosure and Barring Service (DBS) Referral
5.23	Abuse by Another Adult at Risk
5.24	Management of Allegations Against People in Positions of Trust (PiPoT)
5.25	Safeguarding Concerns about the Registered Manager, Nominated Individual and or Martina Hroncova
5.26	Allegations Against People who are Relatives or Friends
5.27	Pressure Ulcers
5.28	Medication Errors
5.29	Exploitation by Radicalisers who Promote Violence
5.30	Self-neglect and Refusal of Care
5.31	Restrictive Practices Including Restraint and Physical Interventions
5.32	Abuse and Sexual Safety
5.33	Criminal Offences

5.34	Risk Assessment and Management
5.35	Training and Competence
5.36	Deprivation of Liberty
5.37	Audit and Compliance
5.38	Sharing of Information

## 5.2 Forms of Abuse and Neglect

There are different types of abuse and signs and indicators for each. While indicators are not proof of abuse or neglect, they should alert staff to follow the Safeguarding Policy.

It is important that staff at Promoting Independent Care Ltd are aware of the signs of abuse and what to look out for.

Physical abuse includes:

- Being hit, slapped, pushed or restrained
- Being denied food or water
- Not being helped to go to the bathroom when you need to
- Misuse of medication
- Restraint
- Inappropriate physical sanctions

Signs and indicators of physical abuse include:

- No explanation for injuries or inconsistency with the account of what happened
- Injuries are inconsistent with the person's lifestyle
- Bruising, cuts, welts, burns and/or marks on the body or loss of hair in clumps
- Frequent injuries
- Unexplained falls
- Subdued or changed behaviour in the presence of a particular person
- Signs of malnutrition
- Failure to seek medical treatment or frequent changes of GP

Domestic violence or abuse:

This is typically an incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse by someone who is, or has been, an intimate partner or family member, and can be:

- Psychological
- Physical
- Sexual
- Financial
- Emotional
- So called 'honour' based violence, female genital mutilation and forced marriage

Signs and indicators of domestic violence or abuse include:

- Low self-esteem
- Feeling that the abuse is their fault when it is not
- Physical evidence of violence such as bruising, cuts, broken bones

- Verbal abuse and humiliation in front of others
- Fear of outside intervention
- Damage to home or property
- Isolation – not seeing friends and family
- Limited access to money

Sexual abuse includes:

- Indecent exposure
- Sexual harassment
- Inappropriate looking or touching
- Sexual teasing or innuendo
- Sexual photography
- Being forced to watch pornography or sexual acts
- Being forced or pressured to take part in sexual acts
- Rape
- Sexual assault

Signs and indicators of sexual abuse include:

- Bruising, particularly to the thighs, buttocks and upper arms and marks on the neck
- Torn, stained or bloody underclothing
- Bleeding, pain or itching in the genital area
- Unusual difficulty in walking or sitting
- Foreign bodies in genital or rectal openings
- Infections, unexplained genital discharge, or sexually transmitted diseases
- Pregnancy in a woman who is unable to consent to sexual intercourse
- The uncharacteristic use of explicit sexual language or significant changes in sexual behaviour or attitude
- Incontinence not related to any medical diagnosis
- Self-harming
- Poor concentration, withdrawal, sleep disturbance
- Excessive fear/apprehension of, or withdrawal from, relationships
- Fear of receiving help with personal care
- Reluctance to be alone with a particular person

Psychological or emotional abuse include:

- Threats to hurt or abandon
- Deprivation of contact
- Humiliating
- Blaming
- Controlling
- Intimidation
- Harassment
- Verbal abuse
- Cyberbullying
- Isolation
- Unreasonable and unjustified withdrawal of services or support networks

Signs and indicators of psychological or emotional abuse include:

- An air of silence when a particular person is present
- Withdrawal or change in the psychological state of the person
- Insomnia
- Low self-esteem
- Uncooperative and aggressive behaviour
- A change of appetite, weight loss/gain
- Signs of distress: tearfulness, anger
- Apparent false claims, by someone involved with the person, to attract unnecessary treatment

Financial or material abuse include:

- Theft
- Fraud
- Internet scamming
- Coercion in relation to the Service User's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions
- Misuse or misappropriation of property, possessions or benefits

Signs and indicators of financial abuse include:

- Missing personal possessions
- Unexplained lack of money or inability to maintain lifestyle
- Unexplained withdrawal of funds from accounts
- Power of attorney or lasting power of attorney (LPA) being obtained after the person has ceased to have mental capacity
- Failure to register an LPA after the person has ceased to have mental capacity to manage their finances, so that it appears that they are continuing to do so
- The person allocated to manage financial affairs is evasive or uncooperative
- The family or others show an unusual interest in the assets of the person
- Signs of financial hardship in cases where the person's financial affairs are being managed by a court appointed deputy, attorney or LPA
- Recent changes in deeds or title to property
- Rent arrears and eviction notices
- A lack of clear financial accounts held by a care home or service
- Failure to provide receipts for shopping or other financial transactions carried out on behalf of the person
- Disparity between the person's living conditions and their financial resources, e.g. insufficient food in the house

Modern slavery includes:

- Slavery
- Human trafficking
- Forced labour and domestic servitude
- Traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment

Signs and indicators of modern slavery include:

- Signs of physical or emotional abuse

- Appearing to be malnourished, unkempt or withdrawn
- Isolation from the community, seeming under the control or influence of others
- Living in dirty, cramped or overcrowded accommodation and or living and working at the same address
- Lack of personal effects or identification documents
- Always wearing the same clothes
- Avoidance of eye contact, appearing frightened or hesitant to talk to strangers
- Fear of law enforcers

Discriminatory abuse includes:

Some forms of harassment, slurs or unfair treatment because of:

- Race
- Sex
- Gender and gender identity
- Age
- Disability
- Sexual orientation
- Religion

Signs and indicators of discriminatory abuse include:

- The person appears withdrawn and isolated
- Expressions of anger, frustration, fear or anxiety
- The support on offer does not take account of the person's individual needs in terms of a protected characteristic

Organisational or institutional abuse:

Including neglect and poor care practice within an institution or specific care setting, or in relation to care provided in the Service User's own home, this may range from one-off incidents to ongoing ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within Promoting Independent Care Ltd:

- Discouraging visits or the involvement of relatives or friends
- Run-down or overcrowded establishment
- Authoritarian management or rigid regimes
- Lack of leadership and supervision
- Insufficient staff or high turnover resulting in poor quality care
- Abusive and disrespectful attitudes towards people using the service
- Inappropriate use of restraints
- Lack of respect for dignity and privacy
- Failure to manage residents with abusive behaviour
- Not providing adequate food and drink, or assistance with eating
- Not offering choice or promoting independence
- Misuse of medication
- Failure to provide care with dentures, spectacles or hearing aids
- Not taking account of individuals' cultural, religious or ethnic needs
- Failure to respond to abuse appropriately

- Interference with personal correspondence or communication
- Failure to respond to complaints

Signs and indicators of organisational abuse include:

- Lack of flexibility and choice for people using the service
- Inadequate staffing levels
- People being hungry or dehydrated
- Poor standards of care
- Lack of personal clothing and possessions and communal use of personal items
- Lack of adequate procedures
- Poor record-keeping and missing documents
- Absence of visitors
- Few social, recreational and educational activities
- Public discussion of personal matters
- Unnecessary exposure during bathing or using the toilet
- Absence of individual care plans
- Lack of management overview and support

Neglect or acts of omission include:

- Ignoring medical emotional or physical care needs
- Failure to provide access to appropriate health, care and support or educational services
- Withholding of the necessities of life, such as medication, adequate nutrition and heating
- Failure to administer medication as prescribed
- Not taking account of individuals' cultural, religious or ethnic needs

Signs and Indicators of neglect or acts of omission include:

- Poor environment – dirty or unhygienic
- Poor physical condition and/or personal hygiene
- Pressure ulcers
- Malnutrition or unexplained weight loss
- Untreated injuries and medical problems
- Inconsistent or reluctant contact with medical and social care organisations
- Accumulation of untaken medication
- Uncharacteristic failure to engage in social interaction
- Inappropriate or inadequate clothing

Self-neglect includes:

A wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. It should be noted that self-neglect may not prompt a section 42 enquiry. An assessment should be made on a case by case basis. A decision on whether a response is required under safeguarding will depend on the Service User's ability to protect themselves by controlling their own behaviour. There may come a point when they are no longer able to do this, without external support.

- Lack of self-care to an extent that it threatens personal health and safety
- Neglecting to care for one's personal hygiene, health or surroundings
- Inability to avoid self-harm

- Failure to seek help or access services to meet health and social care needs
- Inability or unwillingness to manage one's personal affairs

Signs and indicators of self-neglect include:

- Very poor personal hygiene
- Unkempt appearance
- Lack of essential food, clothing or shelter
- Malnutrition and/or dehydration
- Living in squalid or unsanitary conditions
- Neglecting household maintenance
- Hoarding
- Collecting a large number of animals in inappropriate conditions
- Non-compliance with health or care services
- Inability or unwillingness to take medication or treat illness or injury

### 5.3 High Risk Groups

Certain groups of people may be at higher risk of abuse or neglect, including:

- Those with care and support needs, such as older people or people with disabilities. They may be seen as an easy target and may be less likely to identify abuse themselves or to report it
- Those with communication difficulties because they may not be able to alert others
- Those with a cognitive impairment, as they may not even be aware that they are being abused

### 5.4 Prevention of Abuse

Promoting Independent Care Ltd recognises that it is very important to establish a positive culture where abuse is not tolerated and ways of working and supporting the Service User are focused on providing compassionate, person-centred care and reducing the opportunity for abuse or abusive practice to occur.

This is encouraged by:

- Understanding this safeguarding policy and following the wide range of other policies available within the management system
- Robust and effective recruitment and induction practices
- Ongoing supervision, observation and support for staff on best practice
- Training for staff
- Completion of detailed assessments and Care Plans that provide information about how to effectively support the Service User
- Identifying any Service Users that are at increased risk of abuse to ensure that monitoring and support are effective to reduce the chance of abusive situations developing

### 5.5 Who Abuses and Neglects?

Anyone in contact with the Service User can perpetrate abuse or neglect, including:

- Volunteers
- Family members
- Friends
- People who deliberately exploit adults they perceive as vulnerable to abuse

- Staff
- Professionals
- Other Service Users

## 5.6 Incidents of Abuse

Patterns of abuse vary and include:

- Serial abuse - in which the person alleged to have caused the harm seeks out and 'grooms' individuals. Sexual abuse sometimes falls into this pattern as do some forms of financial abuse
- Long-term abuse - in the context of an ongoing family relationship such as domestic violence between spouses or generations, or persistent psychological abuse
- Opportunistic abuse - such as theft occurring because money or jewellery has been left lying around

Abuse may be one-off or multiple and affect one Service User or more.

Staff should look beyond single incidents or Service Users. Promoting Independent Care Ltd should have systems in place to track and monitor incidents, accidents, disciplinary action, complaints and safeguarding concerns, to identify patterns of potential harm..

Repeated instances of poor care may be an indication of more serious problems (organisational abuse). In order to see these patterns, it is important that information is recorded and appropriately shared.

## 5.7 Concerns

A concern might arise from:

- Something you observe (for example: bruises, a marked change in behaviour)
- An allegation that is made (for example, you are told that someone has behaved inappropriately or put the Service User or colleague at risk)
- A disclosure where the Service User tells you something about themselves or their circumstances that lead you to believe that they are being abused or are at risk of abuse

Staff must be able to:

- **Recognise:** Identify that the Service User at risk may be describing abuse, even when they may not be explicit
- **Respond:** Stay calm, listen and show empathy
- **Record:** Write up notes of the conversation clearly and factually as soon as possible
- **Report** in a timely manner to the appropriate people and organisations

### Who do you report your concerns to?

At Promoting Independent Care Ltd the person responsible for safeguarding is:

Martina Hroncova

They can be contacted on 01454528329 or  
[martina.hroncova@promotingindependentcare.com](mailto:martina.hroncova@promotingindependentcare.com)

### Escalating Concerns

We report our concerns to South Gloucestershire Council

Lisa Harvey Engine Common Lane, Yate, South Gloucestershire, BS37 7PN

01454 868007

### **Raising a Concern to the CQC**

You can also contact the CQC if you feel that you cannot use the Raising Concerns, Freedom to Speak Up and Whistleblowing Policy and Procedure at Promoting Independent Care Ltd. The CQC can be contacted by using the following methods:

**Phone:** 03000 616161

**Email:** Enquiries@cqc.org.uk

**Post:** CQC National Correspondence, Citygate, Gallowgate, Newcastle upon Tyne, NE1 4PA

### **5.8 Staff who Consider or Suspect Abuse or Neglect**

If staff observe something that causes concern, they should ask the Service User what happened, unless this would be inappropriate or cause further distress.

If the Service User does not communicate with speech, they should help them explain what has happened as far as possible.

The staff member should document what they have seen or been told and report to the Registered Manager and the Safeguarding Lead, Martina Hroncova.

If staff are unsure if there is an indicator of abuse or neglect with the Service User, they should discuss this with the Registered Manager and the Safeguarding Lead, Martina Hroncova at Promoting Independent Care Ltd.

The Registered Manager and the Safeguarding Lead, Martina Hroncova, will decide whether to make a safeguarding referral or to seek further advice from South Gloucestershire Council.

Staff who suspect abuse or neglect must act on it; staff must not assume that someone else will do this.

If someone makes an allegation to a member of staff about them or another member of staff or volunteer, that staff member must listen carefully and explain that they will need to pass these concerns to the Registered Manager and the Safeguarding Lead, Martina Hroncova, reassuring them that their concerns will be taken seriously. If the allegation is made by a family member or a worker from another agency, the staff member should take their name and contact details and assure them that the Registered Manager and the Safeguarding Lead, Martina Hroncova, will contact them as soon as possible. The staff member must pass the information to the Registered Manager and the Safeguarding Lead, Martina Hroncova, immediately.

### **5.9 Responding to a Disclosure or Suspicion of Abuse or Neglect**

If the Service User discloses potential or actual abuse, staff will:

Straight away:

- Remain calm and non-judgemental
- Try not to show shock or disbelief

- Not interrupt the Service User who is freely recalling significant events, allow them to tell you whatever they want to share
  - Some Service Users may simply be telling a story and not realise that they are subject to abuse. It is important to keep this in mind and be thoughtful in response
- Take whatever action is required to ensure the immediate safety or medical welfare of the Service User(s) at risk
  - Where appropriate, call 999 for the emergency services if there is a medical emergency, other danger to life or risk of imminent injury, or if a crime is in progress. Where a crime is suspected of being committed, leave things as they are wherever possible
  - Call for medical assistance from the GP or NHS 111 if there is a concern about the Service User's need for medical assistance or advice, when the situation is not life-threatening or is out of hours
- Reassure the Service User that they are right to share this information with you; show empathy with them
- Do not press for more detail
- Do not make promises that cannot be kept
- Remain sympathetic and attentive

Then:

- Listen carefully and reflect back what you are being told to ensure you have correctly grasped what is being said
- Use simple and open questions, do not ask leading questions, (e.g. 'So was it Peter who did that?') or attempt to 'investigate' in any way
- Explain carefully that what they have said is worrying and that you have to share that with your line manager
  - Explain the safeguarding process to the Service User and discuss the next steps
  - Explain that your manager may contact the South Gloucestershire Council Safeguarding Adults Team and/or the Police
- Seek the Service User's consent to share this information
- As soon as you can, write down an account of your conversation, try to use the words/phrases that the Service User used. Sign and date your record
- Preserve evidence (physical evidence - for example, ask the Service User to not wash or bathe)
- Inform the Registered Manager or the Safeguarding Lead, Martina Hroncova, as soon as possible to inform them of the incident or concern
  - The Registered Manager, Charlotte Cole, will be contacted on 01454 528329
  - The Safeguarding Lead, Martina Hroncova, will be contacted on 01454528329
- Do not share this information with anyone else
- Do not contact the person alleged to have caused the harm about the incident yourself, unless this is essential (for example, if Charlotte Cole needs to immediately suspend a member of staff)
- The Service User may feel frightened, so ask whether they want someone they feel comfortable with to stay with them

Staff must inform the Registered Manager or Safeguarding Lead, Martina Hroncova, unless they are the person alleged to have caused the harm; if this is the case, then

support should be sought directly from another manager, Promoting Independent Care or South Gloucestershire Council.

Staff must also take action without the immediate authority of the Registered Manager or Safeguarding Lead, Martina Hroncova:

- If a discussion with them would involve a delay in an apparently high-risk situation
- If they have raised concerns with the Registered Manager or Safeguarding Lead, Martina Hroncova, and they have not taken appropriate action (whistleblowing)

There should be effective and well publicised ways of escalating concerns where the Registered Manager or Safeguarding Lead, Martina Hroncova, does not take action in response to a concern being raised.

The Registered Manager or Safeguarding Lead, Martina Hroncova, will:

- Listen to any staff member if they speak up about abuse or neglect, take them seriously and act accordingly
- Consider if there are other adults or children with care and support needs who are at risk of harm and take appropriate steps to protect them
- Support and encourage the Service User to contact the police if a crime has been, or may have been, committed

When responding to indicators of abuse and neglect, staff must:

- Follow the principles of the Making Safeguarding Personal Framework:
  - Ensure that any actions are guided by the wishes and feelings of the Service User
  - Be aware that Service Users experiencing abuse or neglect may be influenced, coerced or controlled by someone else
  - Be aware that duties of care and public interest can override personal preference, for example, there is a risk that a person alleged to have caused the harm could abuse again - this needs to be addressed and prevented
- Staff must also follow the principles of the Mental Capacity Act 2005 if the Service User lacks capacity

## 5.10 Documenting a Disclosure

Promoting Independent Care Ltd must ensure that staff:

- Record what the Service User actually said, using their own words and phrases
- Describe the circumstance in which the disclosure came about
- Note the setting and anyone else who was there at the time
- When there are cuts, bruises or other marks on the skin, use a body map to indicate their location, noting the colour of any bruising
- Record information that is factual
- Use a pen with black ink so that the report can be photocopied
- Keep writing clear
- Sign and date the report, noting the time and location
- Are aware that the report may be needed later as part of a legal action or disciplinary procedure

Charlotte Cole must ensure they preserve any evidence relating to a safeguarding concern, including care records, as these may be required in future for local authority enquiries or police investigations. For further information please refer to the Record Keeping policy and procedure.

## **5.11 Response by the Registered Manager or Safeguarding Lead to Reports of Abuse or Neglect**

The Registered Manager and the Safeguarding Lead, Martina Hroncova, at Promoting Independent Care Ltd should treat any report of abuse or neglect as a safeguarding concern and:

- Ask the Service User at risk what they would like to happen next
- Ensure that they have access to communication support
- Explain that they have a responsibility to report concerns to South Gloucestershire Council, and tell the Service User who they will report to, why, and when

### **Decision-Making Pre-referral to the South Gloucestershire Council Safeguarding Adults Team:**

The Registered Manager or Safeguarding Lead, Martina Hroncova, will lead on decision-making.

When considering if a safeguarding concern needs to be completed, the Registered Manager or Safeguarding Lead, Martina Hroncova, must consider the three duties in Section 42 (1) of the Care Act 2014:

- Does the person have needs for care and support (whether or not the authority is meeting any of those needs)?
- Are they experiencing, or at risk of, abuse or neglect? and
- As a result of those needs, are they unable to protect themselves against the abuse or neglect or the risk of it?

When using professional judgement to determine whether an incident is reported to the local authority safeguarding adults team/police, the Registered Manager or Safeguarding Lead, Martina Hroncova, should consider the following:

- The consequences to the alleged victim and the equality of the relationship between the person alleged to have caused the harm and the alleged victim
- The ability of the alleged victim to consent
- The mental capacity of the person alleged to have caused the harm to understand the consequences of their decision to act in the way that is alleged
- The intent of the person alleged to have caused the harm
- The frequency of this and similar allegations regarding the person alleged to have caused the harm
- The alleged victim considers the actions against them to be abusive
- The alleged victim or carer is distressed, fearful or feels intimidated by the incident
- You believe that there is a deliberate attempt to cause harm or distress
- Incidents are repetitive and targeted to either the Service User or others
- The action resulted in a physical injury
- A crime has been committed
- The incident involves a member of staff
- If any other people (including children) are at risk as well as the Service User you are concerned about

In the decision-making process, they must evidence the following:

- Why does this adult(s) need safeguarding – what are the risks?
- What actions need to be taken to reduce that risk?
- Do they consent to this action?

- Are others potentially at risk?

The Registered Manager or Safeguarding Lead, Martina Hroncova, will document their decision-making process.

If the Registered Manager or Safeguarding Lead, Martina Hroncova, is not sure whether to make a safeguarding referral to South Gloucestershire Council (because they are not sure whether they suspect abuse or neglect), they should discuss this with South Gloucestershire Council.

If a Service User does not want any safeguarding actions to be taken, but abuse or neglect is suspected, a safeguarding referral must still be made.

Promoting Independent Care Ltd will ensure that staff are aware of the South Gloucestershire Council reporting procedures and timescales for raising adult safeguarding concerns.

If a referral is made but the Service User at risk is reluctant to continue with an investigation, this must be recorded and brought to the attention of the South Gloucestershire Council safeguarding adults team. This will enable a discussion on how best to support and protect the Service User at risk.

### **5.12 Consent**

When reporting information that directly concerns the safety of an adult at risk of harm, consent from the Service User is not required. However, informing the Service User of your concerns and your referral is good practice unless it would put you or your colleagues at risk or it would put the adult at further risk. When reporting allegations or concerns about an adult at risk of harm to the Local Authority, the Local Authority must be informed whether or not the Service User is aware of the report.

For Service Users who do not have capacity the principles of the mental capacity act will be followed. For further information please refer to the Mental Capacity Act (MCA) 2005 policy and procedure.

In reporting all suspected or confirmed cases of harm, an employee has a responsibility to act in the best interest of the Service User but still operate within the relevant legislation and the parameters of the codes and standards of their practice.

### **5.13 Referral to the South Gloucestershire Council Safeguarding Adults Team**

Promoting Independent Care Ltd must ensure that the South Gloucestershire Council safeguarding adult referral process is followed and must collect the following information to assist with the referral. The referral process must be clearly visible with contact numbers, including out-of-hours, where staff can access the information.

Where the Integrated Care Board is the commissioner they must also be informed.

The referral information will also be required for some of the CQC notification of abuse documentation. Promoting Independent Care Ltd must use any up-to-date Care Plan information where possible and have the following information available where possible:

- Contact details for the adult at risk, the person who raised the concern and for any other relevant individual, and next of kin
- Basic facts, focusing on whether or not the Service User has care and support needs including communication and ongoing health needs
- Factual details of what the concern is about; what, when, who, where?
- Immediate risks and action taken to address risk

- Preferred method of communication
- If reported as a crime, details of which police station/officer; crime reference number
- Whether the adult at risk has any cognitive impairment which may impede their ability to protect themselves
- Any information on the person alleged to have caused harm
- Wishes and views of the adult at risk, in particular consent
- Advocacy involvement (includes family/friends)
- Information from other relevant organisations, for example, the CQC
- Any recent history (if known) about previous concerns of a similar nature or concerns raised about the same person, or someone within the same household
- Names of any staff involved

### **5.14 Local Authority Safeguarding Enquiry**

South Gloucestershire Council may well be reassured by the response of Promoting Independent Care Ltd so that no further action is required. However, South Gloucestershire Council would have to satisfy itself that the response of Promoting Independent Care Ltd has been sufficient to deal with the safeguarding issue and, if not, to undertake any enquiry of its own. This will identify if action needs to be taken and who needs to take that action.

#### **The enquiry:**

- Could be an informal conversation with the Service User at risk
- Could be a more formal multi-agency discussion
- Does not have to follow a formal safeguarding process

The objectives of an enquiry are to:

- Establish facts
- Ascertain the Service User's views and wishes
- Assess the needs of the Service User for protection, support and redress and how they might be met
- Protect from the abuse and neglect, in accordance with the wishes of the Service User
- Make decisions as to what follow-up action should be taken with regard to the person or organisation responsible for the abuse or neglect
- Enable the Service User to achieve resolution and recovery

If South Gloucestershire Council decides that Promoting Independent Care Ltd should make the enquiry, then South Gloucestershire Council should be clear about timescales, the need to know the outcomes of the enquiry and what action will follow if this is not done.

What happens as a result of an enquiry should reflect the Service User's wishes wherever possible, as stated by them or by their representative or advocate. If they lack capacity, it should be in their best interests if they are not able to make the decision, and be proportionate to the level of concern. The Service User should always be involved from the beginning of the enquiry. Staff will follow the Mental Capacity Act Policy and Procedure with regards to consent.

#### **Strategy Meeting/Case Conference:**

- Following the investigation or at any time during the process, a case conference with all relevant agencies may be called to make decisions about future action to address the needs of the Service User

- Any agency involved in the case may ask for a case conference to be held but the final decision to hold a conference is with the South Gloucestershire Council Safeguarding Adults Team Manager
- Promoting Independent Care Ltd must ensure that it attends this meeting when invited and that all relevant information about the incident is available. A timeline of events is a useful document to prepare in complex cases

**Safeguarding Adults Reviews:**

- Safeguarding adults reviews (SARs) are a statutory requirement for Safeguarding Adults Boards with the purpose of promoting learning and improving safeguarding practice
- A safeguarding adults review must be arranged by a Safeguarding Adults Board if:
  - There is reasonable cause for concern that partner agencies could have worked more effectively to protect an adult and
  - Serious abuse or neglect is known or suspected and
  - Certain conditions are met, in line with section 44 of the Care Act 2014 and related statutory guidance

**5.15 Involve the Service User Concerned Throughout the Enquiry:**

- The process must be explained to the Service User in a way they will understand and their consent to proceed with the enquiry obtained, if possible
- Arrangements will be made to have a relative, friend or independent advocate present if the Service User so desires. The relative, friend or independent advocate must not be a person suspected of being in any way involved or implicated in the abuse
- A review of the Service User's Care Plan and risk assessments must be undertaken to ensure individualised support following the incident
- The Service User will be supported by Promoting Independent Care Ltd to take part in the safeguarding process to the extent to which they wish, or are able to, having regard for their decisions and opinions. They must be kept informed of progress

**Desired Outcomes Identified by the Service User:**

The desired outcome by the Service User at risk must be clarified and confirmed:

- To ensure that the outcome is achievable
- To manage any expectations that the Service User may have
- To give focus to the enquiry
- Charlotte Cole will support Service Users at risk to think in terms of realistic outcomes but must not restrict or unduly influence the outcome that the Service User would like. Outcomes must make a difference to risk and, at the same time, satisfy the Service User's desire for justice and enhance their wellbeing
- The Service User's views, wishes and desired outcomes may change throughout the course of the enquiry process
- There must be an ongoing dialogue and conversation with the Service User to ensure that their views and wishes are gained as the process continues and enquiries re-planned if the Service User changes their views
- The Service User will be informed of the outcome of any investigation, but guidance will be sought from the South Gloucestershire Council Safeguarding Adults Team before any outcome is shared

## 5.16 After An Enquiry

Once an initial enquiry has been undertaken, discussions should be had with the Service User as to whether a further enquiry is needed and what further action could be taken.

That action could include disciplinary, complaints or criminal investigations or work by contracts managers and CQC to improve care standards.

South Gloucestershire Council must determine what further action is necessary. One outcome may be the formulation of agreed action or a safeguarding plan for the Service User which should be recorded in their Care Plan. This will be the responsibility of the relevant agencies to implement. This will entail joint discussion, decision taking and planning with the Service User for their future safety and wellbeing.

In relation to the Service User, this could set out:

- What steps are to be taken to assure their safety in future
- The provision of any support, treatment or therapy including ongoing advocacy
- The need for fuller assessments by health and social care agencies
- Any modifications needed in the way services are provided (for example, same gender care or placement; appointment of an OPG deputy)
- How best to support the Service User through any action they take to seek justice or redress
- Any ongoing risk management strategy as appropriate
- Any action to be taken in relation to the person or organisation that has caused the concern

## 5.17 If a Safeguarding Concern is not agreed

If South Gloucestershire Council decides not to investigate, staff must ensure the continual safety of Service Users.

Staff should:

- Evaluate existing risk assessments and Care Plans. Ensure that there is clear, documented evidence that this has occurred
- If the existing risk assessments and Care Plans do not cover the current risk(s), staff must implement new ones to ensure measures have been put in place to reduce future risk
- Staff can consider other referral options (this list is not exhaustive):
  - Human resources (capability/disciplinary routes)
  - Health and safety
  - Complaints
  - South Gloucestershire Council care management, request review of current Care Plan, request for a case conference
  - NHS continuing care team, request a review
  - Request for a best interest meeting

## 5.18 Informing the Relevant Inspectorate

- By law, Promoting Independent Care Ltd must notify the Care Quality Commission without delay of incidents of abuse and allegations of abuse, as well as any incident which is reported to, or investigated by, the police
- Promoting Independent Care Ltd must notify CQC about abuse or alleged abuse involving a person(s) using the service, whether the person(s) is/are the victim(s),

the abuser(s), or both

- Promoting Independent Care Ltd must also alert the relevant local safeguarding authority when notification is made to CQC about abuse or alleged abuse
- The forms are available on CQC's website
- If a concern is received via the whistleblowing procedure, Promoting Independent Care Ltd must inform the South Gloucestershire Council Safeguarding Team and CQC

### **5.19 Support and Supervision**

Promoting Independent Care Ltd will recognise that dealing with situations involving abuse and neglect can be stressful and distressing for staff and workplace support should be available.

During safeguarding enquiries, Charlotte Cole should:

- Be aware of how safeguarding allegations can affect the way other staff and Service Users view the Service User subject to a safeguarding enquiry
- If staff are concerned about working with the Service User who has made allegations, Charlotte Cole should provide support, additional training and supervision to address these concerns and ensure that the Service User is not victimised by staff
- Acknowledge that enquiries are stressful and that morale may be low
- Think of ways to support staff (such as one-to-one supervision and team meetings)
- Provide extra support to cover absences as part of the enquiry, and to help staff continue providing consistent and high-quality care
- Direct staff to sources of external support or advice if needed

Regular face-to-face supervision and reflective practice from skilled line managers is essential to support staff, and to enable staff to work confidently and competently with difficult and sensitive situations.

Charlotte Cole has a central role in ensuring high standards of practice at Promoting Independent Care Ltd and that staff are properly equipped and supported.

### **5.20 Confidentiality and Information Sharing**

In seeking to share information for the purposes of protecting adults at risk, Promoting Independent Care Ltd is committed to the following principles:

- Personal information will be shared in a manner that is compliant with the statutory responsibilities of Promoting Independent Care Ltd
- Adults at risk will be fully informed about information that is recorded about them and, as a general rule, be asked for their permission before information about them is shared with colleagues or another agency. However, there may be justifications to override this principle if the adult or others are at risk
- Staff will receive appropriate training on Service User confidentiality and secure data sharing
- The principles of confidentiality designed to protect the management interests of Promoting Independent Care Ltd must never be allowed to conflict with those designed to promote the interests of the adult at risk
- Staff will follow policies at Promoting Independent Care Ltd on UK GDPR, data protection, confidentiality and comply with the Caldicott principles

## 5.21 Staff Alleged to be Responsible for Abuse or Neglect

Promoting Independent Care Ltd does not only have a duty to the Service User, but also a responsibility to take action in relation to the employee when allegations of abuse are made against them. Promoting Independent Care Ltd should ensure that their disciplinary procedures are compatible with the responsibility to protect adults at risk of abuse or neglect.

When a member of staff is subject to a safeguarding enquiry, Charlotte Cole should:

- Tell them about any available Employee Assistance Programme
- Tell them about professional counselling and occupational health services (if available)
- Make them aware of their rights under employment legislation and any internal disciplinary procedures
- Nominate someone to keep in touch with them throughout the enquiry (if they are suspended from work)
  - They should be able to request that the nominated person be replaced, if they think there is a conflict of interest
  - The nominated person should not be directly involved with the enquiry
- If the police are involved, tell them who the nominated person is

For members of staff who return to work after being suspended, Charlotte Cole should:

- Arrange a return-to-work meeting when the enquiry is finished, to give them a chance to discuss and resolve any problems
- Agree a programme of guidance and support with them

Where appropriate, Charlotte Cole should report staff to the statutory and other bodies responsible for professional regulation such as the Nursing and Midwifery Council.

If Charlotte Cole is subject to a safeguarding enquiry, Promoting Independent Care should put an acting manager in their place if required.

## 5.22 Disclosure and Barring Service (DBS) Referral

There is a statutory requirement for providers of Care to refer workers to the DBS for inclusion on the DBS Vetting and Barring scheme list if they consider that the person is guilty of misconduct such that an adult at risk was harmed or placed at risk of harm. The legal duty to refer to the Disclosure and Barring Service also applies where a staff member leaves their role to avoid a disciplinary hearing following a safeguarding incident and Promoting Independent Care Ltd feels they would have dismissed the person based on the information they hold.

Please see the DBS/Disclosure Policy and Procedure for further procedures regarding initial employment and referral.

## 5.23 Abuse by Another Adult at Risk

Promoting Independent Care Ltd recognises that they may also have responsibilities towards the person causing the harm, and certainly will have if they are both in a care setting or have contact because they attend the same place (for example, a day centre). The person causing the harm may themselves be eligible to receive an assessment. In this situation, it is important that the needs of the Service User at risk who is the alleged victim are addressed separately from the needs of the person causing the harm. It will be necessary to reassess the adult allegedly causing the harm.

Under the Mental Capacity Act 2005, people who lack capacity and are alleged to be responsible for abuse, are entitled to the help of an Independent Mental Capacity Advocate to support and represent them in the enquiries that are taking place. This is separate from the decision whether or not to provide the victim of abuse with an independent advocate under the Care Act.

### **5.24 Management of Allegations Against People in Positions of Trust (PiPoT)**

A relationship of trust is one in which one person is in a position of power or influence over the other person because of their work or the nature of their activity. Any allegation against a person who works with adults with care and support needs must be reported immediately to Charlotte Cole.

When an allegation is made against a PiPoT, Promoting Independent Care Ltd will refer this to South Gloucestershire Council as part of the safeguarding process. For sensitive information, it may be necessary to contact the Adult Local Authority Designated Officer directly and Promoting Independent Care Ltd will ensure this information is readily available as well as the South Gloucestershire Council policy itself which outlines the local protocol in this instance.

Where the person alleged to have caused the harm or neglect is a volunteer or a member of a community group, Promoting Independent Care Ltd must work with adult social services to support any action under this policy.

Where the person alleged to have caused the harm is a neighbour, a member of the public, a stranger or a person who deliberately targets vulnerable people, the Service User at risk should receive the services and support that they may need. In all cases, issues of consent, confidentiality and information sharing must be considered.

### **5.25 Safeguarding Concerns about the Registered Manager, Nominated Individual and/or Martina Hroncova**

If staff at Promoting Independent Care Ltd have safeguarding concerns about the Registered Manager or Betrand Awah, they can report their concerns to the Safeguarding Adults Lead - Martina Hroncova in confidence. If they have concerns about the Martina Hroncova they can report their concerns to the Deputy Safeguarding Lead or to the Registered Manager.

In some services where there may be dual roles held role by the same person, you can report your concerns in the following routes:

- **Follow the Raising Concerns, Freedom to Speak Up, Whistleblowing Policy and Procedure at Promoting Independent Care Ltd**

Alternatively you may wish to contact:

- **Local Authority Safeguarding Team:** South Gloucestershire Council
  - Contact: Lisa Harvey Engine Common Lane, Yate, South Gloucestershire, BS37 7PN
  - Telephone: 01454 868007
- **The Care Quality Commission (CQC):**
  - Address: Citygate, Gallowgate, Newcastle upon Tyne NE1 4PA
  - Email: [enquiries@cqc.org.uk](mailto:enquiries@cqc.org.uk)
  - Telephone: 03000 616161
  - Report online: <https://www.cqc.org.uk/give-feedback-on-care>
- **The Police**

- If your safeguarding concerns involve criminal activity, such as physical or sexual abuse or if someone is in immediate danger, you should report the matter to the police. They can investigate and take immediate action if needed

In cases where the Registered Manager or Martina Hroncova are suspended due to a pending investigation, the Discipline Policy and Procedure will be followed. In these instances, Promoting Independent Care or another representative instructed by Promoting Independent Care Ltd, will be responsible for this process.

### **5.26 Allegations Against People who are Relatives or Friends**

There is a clear difference between unintentional harm caused inadvertently by a relative or friend and a deliberate act of either harm or omission, in which case the same principles and responsibilities for reporting to the police apply. In cases where unintentional harm has occurred, this may be due to lack of knowledge or due to the fact that the relative's own physical or mental needs make them unable to care adequately for the adult at risk. The relative may also be an adult at risk. In this situation, the aim is to protect the adult from harm, work to support the relative to provide support and to help make changes in their behaviour in order to decrease the risk of further harm to the person they are caring for. A carer's assessment will take into account a number of factors and a referral to South Gloucestershire Council will be made as part of the safeguarding process.

### **5.27 Pressure Ulcers**

Promoting Independent Care Ltd must follow local safeguarding reporting requirements and the Department of Health and Social Care (DHSC) guidance 'Pressure Ulcers: How to Safeguard Adults' (a link can be found in the Underpinning Knowledge section of this policy) with regards to pressure ulcers.

The aim of the DHSC guidance is to provide a national framework, identifying pressure ulcers as primarily an issue for clinical investigation rather than a safeguarding enquiry led by the local authority. Indicators to help decide when a pressure ulcer case may additionally need a safeguarding enquiry are included.

'It is the responsibility of the designated safeguarding lead in each setting to appropriately triage any safeguarding concerns and ensure that referrals to the local authority for consideration of a section 42 (2) enquiry are appropriate.' (GOV.UK 2025)

The DHSC guidance contains the following appendices that are used in the decision making:

- Appendix 1: Adult safeguarding decision guide
- Appendix 2: Body map
- Appendix 3: Adult safeguarding concern proforma regarding pressure ulceration

#### **Safeguarding Concern Assessment Guidance:**

- A history of the development of the skin damage should first be obtained by a clinician, usually a nurse
- Where there is concern from the clinician assessing the pressure ulcer that there has been abuse or neglect that can be directly associated with the pressure ulcer, there is a need to raise it as a safeguarding concern within Promoting Independent Care Ltd
- In some cases it may warrant raising a safeguarding concern with South Gloucestershire Council
- If the Service User's care has recently been transferred, this may require contact being made with former care providers for information to seek clarification about the cause and timing of the skin damage. This is the responsibility of Promoting

Independent Care Ltd and a concern should not be raised with South Gloucestershire Council until this has been done

- If a concern is raised that the Service User has severe damage, Charlotte Cole should:
  - Complete the adult safeguarding decision guide
  - Raise an incident immediately as per the policy of Promoting Independent Care Ltd
  - (Severe damage in the case of pressure ulcers may be indicated in some cases by multiple category 2 or single category 3 or 4 ulcers, but could also be indicated by the impact the pressure damage has on the Service User affected (for example, pain))

**Adult Safeguarding Decision Guide:**

- The decision guide should be completed by a qualified member of staff who is a practising registered nurse (RN) with experience in wound management and not directly involved in the provision of care to the Service User at the time the pressure ulcer developed
- The adult safeguarding decision guide should be completed immediately or within 48 hours of identifying the pressure ulcer of concern. In exceptional circumstances this timescale may be extended but the reasons for extension should be recorded
- The outcome of the assessment should be documented on the adult safeguarding decision guide. If further advice or support is needed with regards to making the decision to raise a concern to South Gloucestershire Council, the Registered Manager or the Safeguarding Lead, Martina Hroncova, should be involved
- Where the Service User has been transferred into the care of Promoting Independent Care Ltd it may not be possible to complete the decision guide. Contact should be made with the transferring organisation to ascertain if the decision guide has been completed or any other action taken
- Following this, a decision should be made whether to raise a safeguarding adults concern with South Gloucestershire Council, in line with agreed local arrangements
- The decision as to whether there should be a Section 42 enquiry will be taken by the local authority, informed by a clinical view. A summary of the decision should be recorded and shared with all agencies involved
- Where an internal investigation is required, this should be completed by the organisation that is, or was, taking care of the Service User when the pressure ulcer developed, in line with the local policies
- The local authority needs to decide or agree after completion of the internal investigation if a full multi-agency meeting (virtual or face to face) needs to be convened to agree findings, decide on safeguarding outcomes and any actions
- The safeguarding decision guide assessment considers 6 important questions that together indicate a safeguarding decision guide score. This score should be used to help inform decision making regarding escalation of safeguarding concerns related to the pressure ulceration. It is not a tool to risk assess for the development of pressure damage
- The threshold for raising a concern is 15 or above in most instances. However, this should not replace professional judgement
- Photographic evidence to support the report should be provided wherever possible. Consent for this should be sought as per local policy but great sensitivity and care must be taken to protect the identity of the individual
- A body map should be used to record skin damage and can be used as evidence, if necessary, at a later date. If 2 workers observed the skin damage, they should both

- sign the body map where possible
- Documentation of the pressure ulcer should include as a minimum:
    - Site
    - Size (including its maximum length, width and depth in centimetres)
    - Tissue type
    - Category
  - Where the decision guide score is 15 or higher, or where professional judgement determines safeguarding concerns, copies of the completed decision guide and safeguarding concern proforma should then be sent to the adult safeguarding team within South Gloucestershire Council. Copies of both should also be retained in the Service User's Care Plan
  - Where there is no indication that a safeguarding concern needs to be raised, the completed decision guide should be retained in the Service User's Care Plan

### **5.28 Medication Errors**

Promoting Independent Care Ltd must follow local safeguarding reporting procedures for medication errors and ensure that notifications are made to the CQC in line with statutory requirements. Promoting Independent Care Ltd will have an open and transparent approach to medication incidents, ensure that staff follow the Medication Errors and Near Misses Policy and Procedure at Promoting Independent Care Ltd and understand their duty of candour responsibilities.

### **5.29 Exploitation by Radicalisers who Promote Violence**

Individuals may be susceptible to exploitation into violent extremism by radicalisers. Staff will be expected to follow the Protecting Adults at Risk from Radicalisation Policy and Procedure in place at Promoting Independent Care Ltd.

### **5.30 Self-neglect and Refusal of Care**

Promoting Independent Care Ltd must ensure that staff understand the importance of delivering care as detailed in the Care Plan. Where the Service User refuses Care, this must always be documented. Where refusal occurs repeatedly, it must be escalated by Promoting Independent Care Ltd as a safeguarding concern and a request for a review of the Service User's Care will be instigated.

### **5.31 Restrictive Practices Including Restraint and Physical Interventions**

The Restrictive Practices Including Restraint and Physical Interventions Policy and Procedure must always be followed to prevent the unauthorised and potentially abusive use of restraint, physical interventions or restrictive practices at Promoting Independent Care Ltd.

At all times if restraint/physical intervention is used it:

- Must be only used when absolutely necessary, be proportionate in relation to the risk of harm and the seriousness of that harm to the person using the service or another person
- Takes account of the assessment of the person's needs and their capacity to consent to such treatment
- Follows current legislation and guidance

Promoting Independent Care Ltd will regularly monitor and review the approach to, and use of, restraint and restrictive practices. If any aspect of the restraint policy is not followed it is recognised that there may be abuse and in those situations this safeguarding policy will be used to assess, manage and define any actions taken.

### **5.32 Abuse and Sexual Safety**

We recognise that culture, environment and processes support the Service User's sexuality and keep them and staff safe from sexual harm. As such, Promoting Independent Care Ltd will ensure that sexuality is discussed as part of the Care Plan process and is addressed positively to support people to raise concerns where necessary.

The CQC publication on sexuality and sexual safety can be referred to for further guidance in this area.

### **5.33 Criminal offences**

Everyone is entitled to the protection of the law and access to justice. Behaviour which amounts to abuse and neglect, for example physical or sexual assault or rape, psychological abuse or hate crime, wilful neglect, unlawful imprisonment, theft and fraud and certain forms of discrimination also often constitute specific criminal offences under various pieces of legislation.

South Gloucestershire Council has the lead role in making enquiries. However, where criminal activity is suspected, the early involvement of the police should take place.

### **5.34 Risk Assessment and Management**

Achieving a balance between the right of the Service User to control their Care package and ensuring that adequate protections are in place to safeguard wellbeing is a very challenging task. The assessment of the risk of abuse, neglect and exploitation of Service Users will be integral in all assessment and planning processes. Assessment of risk is dynamic and ongoing, especially during the adult safeguarding process, and must be reviewed throughout so that adjustments can be made in response to changes in the levels and nature of risk.

### **5.35 Training and Competencies**

Promoting Independent Care Ltd has a robust training programme relating to safeguarding, ensuring that staff understand the different types of abuse and how to recognise and respond to incidents, allegations or concerns of abuse or harm.

Promoting Independent Care Ltd will benchmark its training and competencies within the service with the framework outlined in the Royal College of Nursing Intercollegiate Guidance, 'Adult Safeguarding: Roles and Competencies for Health Care Staff'(2024), which it recognises applies to social care staff also, and does not replace any local or contractual requirements but acts as a minimum benchmark. Promoting Independent Care Ltd will also refer to the 'NHS Prevent Training and Competencies Framework' for more specific training requirements in relation to the Prevent strategy.

Staff, including volunteers at Promoting Independent Care Ltd, are trained in recognising the symptoms of abuse or neglect, how to respond and where to go for advice and assistance.

Training takes place at all levels in Promoting Independent Care Ltd and is updated regularly to reflect current best practice. To ensure that practice is consistent, no staff group is excluded, including the Registered Manager and the Safeguarding Lead, Martina Hroncova at Promoting Independent Care Ltd.

Martina Hroncova is sufficiently qualified to hold such a role and has at least a Level 3 Safeguarding Qualification which is refreshed at least every 2 years as a minimum.

Martina Hroncova will cascade safeguarding information about adults at risk to appropriate staff members. Martina Hroncova will undertake and provide internal training and attend local safeguarding partnership updates, education and development sessions including regular group-based supervision.

Training needs to make a difference to the understanding, confidence and competence of staff. Assess what changes it has prompted through regular supervision sessions as well as annually during appraisals. Arrange refresher training if the annual check indicates this is needed.

### **5.36 Deprivation of Liberty**

Where a person lacks mental capacity to consent to the arrangements for their care or treatment, including depriving them of their liberty, Promoting Independent Care Ltd will follow a best interest process in accordance with the Mental Capacity Act 2005, including the use of the Mental Capacity Act 2005 Deprivation of Liberty Safeguards.

The applicable Deprivation of Liberty Safeguards (DOLS) Policy and Procedure for Promoting Independent Care Ltd will always be followed to ensure that where a person's liberty is controlled, this is only done when they are assessed as not having capacity, when it is in their best interests and an appropriate application has been made to the Local Authority.

It is recognised that if the Service User has their liberty denied, and they have capacity, this is abuse and this safeguarding policy will be used to define the actions to be taken.

### **5.37 Audit and Compliance**

It is essential that the implementation of this policy and associated procedures is audited to ensure that Promoting Independent Care Ltd is doing all it can to safeguard those receiving its services. The audit of this policy will be completed through a systematic audit of:

- Recruitment procedures and disclosure and barring checks
- Incident reporting, frequency and severity
- Training processes, including reviews of uptake of training and evaluations

Safeguarding concerns and incidents will be reviewed by the senior management team as part of a root cause analysis with the following terms of reference:

- Review incident themes
- Reports from the lead responsible for safeguarding within Promoting Independent Care Ltd
- Look in detail at specific cases to determine learning or organisational learning
- Ensure implementation of the Safeguarding Adults Policy and Procedure

Promoting Independent Care Ltd should maintain and regularly audit care records (in addition to external checks, such as audits or Care Quality Commission inspections) and ensure that they are complete and available in case they are needed if a safeguarding concern is raised.

Promoting Independent Care Ltd will also ensure that as part of lessons learnt duty of candour is always followed.

### **5.38 Sharing of Information**

Promoting Independent Care Ltd acknowledges that the sharing of information may be required when dealing with Safeguarding concerns.

Information will be made accessible to health professionals, advocates, families, legal representatives acting on behalf of Service Users, and those close to them. The process for sharing information will follow the steps set out within the Data Protection and UK GDPR Policies and Procedures at Promoting Independent Care Ltd.



## 6. Definitions

### 6.1 A Person with Care and Support Needs

- According to the Care Act 2014: an older person, a person with a physical disability, a learning difficulty or a sensory impairment, someone with mental health needs, including dementia or a personality disorder, a person with a long-term health condition, someone who misuses substances or alcohol to the extent that it affects their ability to manage day-to-day living

### 6.2 Investigation

- Investigation is a process that focuses on gathering 'good evidence' that can be used as a basis for the decision as to whether or not abuse has occurred
- It must be a rigorous process and the evidence must be capable of withstanding close scrutiny as it may later be required for formal proceedings

### 6.3 Referral

- Referral is when information regarding a possible safeguarding incident is passed on to another person for their direction. In the case of this policy, from the Provider to the Adult Social Care Team
- Sometimes this may be referred to as 'reporting'

### 6.4 Multi-agency

- More than one agency coming together to work for a common purpose
- This could include partners of the local authority such as: Integrated Care Boards (ICBs), NHS trusts and NHS foundation trusts, Department for Work and Pensions, the police, prisons, probation services, and/or other agencies such as general practitioners, dentists, pharmacists, NHS hospitals, housing, health and care providers

### 6.5 Caldicott Principles

- The Caldicott Principles were developed in 1997 following a review of how patient information is protected and only used when it is appropriate to do so
- Since then, when deciding whether they needed to use information that would identify an individual, an organisation must use the Principles as a test
- The Principles were extended to adult social care records in 2000
- The Principles were revised in 2013

### 6.6 Adults at Risk

- Adults at risk means adults who need community care services because of mental or other disability, age or illness, and who are, or may be, unable to take care of themselves against significant harm or exploitation
- The term replaces 'vulnerable adult'

### 6.7 Making Safeguarding Personal

- Making Safeguarding Personal is about person-centred and outcome-focused practice

- It is how professionals are assured by adults at risk that they have made a difference to people by taking action on what matters to people and is personal and meaningful to them

#### **6.8 Honour-based Violence**

- The terms 'honour crime', 'honour-based violence', and 'izzat' embrace a variety of crimes of violence (mainly but not exclusively against women), including physical abuse, sexual violence, abduction, forced marriage, imprisonment and murder where the person is being punished by their family or their community
- They are punished for actually, or allegedly, 'undermining' what the family or community believes to be the correct code of behaviour
- In transgressing this, the person shows that they have not been properly controlled to conform by their family and this is to the 'shame' or 'dishonour' of the family
- 'Honour crime' may be considered by the person(s) alleged to have caused the harm as justified to protect or restore the 'honour' of a family

#### **6.9 Forced Marriage**

- The Anti-Social Behaviour, Crime and Policing Act 2014 protects people from being forced to marry without their free and full consent as well as people who have already been forced to do so
- We will ensure that staff are reminded of the **one chance rule**: i.e. our employees may only have one chance to speak to a potential victim of forced marriage and, therefore, only one chance to save a life
- Forced marriage can involve physical, psychological, emotional, financial and sexual abuse including being held unlawfully captive, assaulted and raped
- Law enforcement agencies will also be able to pursue person(s) alleged to have caused the harm in other countries where a UK national is involved under powers defined in legislation

#### **6.10 Independent Mental Capacity Advocate (IMCA)**

- An advocate appointed to act on a person's behalf if they lack capacity to make certain decisions
- Refer to the Mental Capacity Act (MCA) 2005 Policy and Procedure

#### **6.11 Female Genital Mutilation (FGM)**

- **Mandatory Reporting of Female Genital Mutilation (FGM)**
- Female Genital Mutilation (FGM) is illegal in England and Wales under the FGM Act 2003 ('the 2003 Act')
- Promoting Independent Care Ltd has a mandatory duty to report known cases of FGM in under 18-year-olds to the police via the non-emergency number 101. 'Known' means that you have either visually identified that FGM has been carried out, or you have had direct verbal disclosure from the person affected
- Other ways to report FGM include:
  - The national FGM helpline on 0800 028 3550
  - The social care team at your local council
  - Crimestoppers, confidentially and anonymously

#### **6.12 Safeguarding Adults Board**

- The Care Act 2014 required each local authority to set up a Safeguarding Adults Board
- This includes the local authority, the NHS and the police. They should meet regularly to discuss and act upon local safeguarding issues

- They develop shared plans for safeguarding, working with local people to decide how best to protect adults in vulnerable situations

### 6.13 Whistleblowing

- The act of reporting a concern about safety, malpractice or wrongdoing within an organisation to formal authorities

### 6.14 Deprivation of Liberty Safeguards (DoLS)

- Deprivation of Liberty Safeguards (DoLS) are the legal protections under the Mental Capacity Act 2005 that apply where a person lacks capacity to consent to their care or treatment arrangements and those arrangements amount to a deprivation of their liberty, as defined by the Supreme Court "acid test"
- In residential and nursing homes, deprivation of liberty is authorised under the DoLS framework by the relevant Supervisory Body
- In community settings, including domiciliary care and supported living, any deprivation of liberty must be authorised by the Court of Protection
- Any restrictions must be necessary, proportionate, and the least restrictive option, and individuals and their representatives must be supported to understand and exercise their rights



## 7. Key Facts - Professionals

Professionals providing this service should be aware of the following:

- The Service User to whom the incident has happened will be consulted and supported to be involved in the safeguarding process and provided with information they understand throughout
- Promoting Independent Care Ltd is committed to supporting and protecting the wellbeing of Service Users by preventing harm and reporting and dealing with incidents of abuse through a proper process
- If the alleged victim requires immediate removal from harm or medical attention, this will be done immediately
- Promoting Independent Care Ltd will be led by the Local Authority Adult Safeguarding Team as to 'next steps' such as enquiries
- If it is suspected that a crime has taken place, the reporter of the incident must call the police immediately
- The Registered Manager or Martina Hroncova will refer safeguarding concerns to the Local Authority Safeguarding Adults Team
- Staff of Promoting Independent Care Ltd will report safeguarding concerns to the Registered Manager or Martina Hroncova
- Safeguarding is everybody's business. Agencies have a duty to report safeguarding concerns to the local Safeguarding Adults Team



## 8. Key Facts - People Affected by The Service

People affected by this service should be aware of the following:

- Promoting Independent Care Ltd will have reviewed your Care Plan and worked with you to support you through the enquiry process and moving on in the future
- When the facts are brought together and a way forward has been decided with your input if possible, you will be talked through the findings
- Promoting Independent Care Ltd has a duty to safeguard the people using its service
- If it seems a crime has taken place, the police will be called immediately
- Other agencies may be involved in getting to the facts of the incident
- If you need extra support such as an advocate, one will be provided for you
- If something happens that may be a safeguarding incident which involves you, Promoting Independent Care Ltd will make sure that you understand your choices and the next steps, and that you are included as much as you want and can be
- Promoting Independent Care Ltd will provide information and Care Plans to help you understand safeguarding and what to look out for



## Further Reading

**Please refer to the QCS Resource Centre for a full safeguarding pack as well as posters to raise awareness.**

**SCIE - Safeguarding Adults Training Course for Managers and Newly Appointed Safeguarding Leads:**

<https://www.scie.org.uk/training/safeguarding/adults-managers/>

**Home Office - Mandatory Reporting of Female Genital Mutilation: Procedural Information:**

[https://assets.publishing.service.gov.uk/media/5a8086f2ed915d74e33faefc/FGM\\_Mandatory\\_Reportin\\_g\\_procedural\\_information\\_nov16\\_FINAL.pdf](https://assets.publishing.service.gov.uk/media/5a8086f2ed915d74e33faefc/FGM_Mandatory_Reportin_g_procedural_information_nov16_FINAL.pdf)

**GOV.UK - Criminal Exploitation of Children and Vulnerable Adults: County Lines:**

<https://www.gov.uk/government/publications/criminal-exploitation-of-children-and-vulnerable-adults-county-lines>

**CQC - Promoting Sexual Safety Through Empowerment:**

[https://www.cqc.org.uk/sites/default/files/20200225\\_sexual\\_safety\\_sexuality.pdf](https://www.cqc.org.uk/sites/default/files/20200225_sexual_safety_sexuality.pdf)

**Prevent E-Learning:**

<https://www.elearning.prevent.homeoffice.gov.uk/edu/screen1.html>

**Worcestershire Safeguarding Adults Board - Protocol for responding to allegations about people in a position of trust (PiPoT) working with adults:**

<https://www.safeguardingworcestershire.org.uk/wp-content/uploads/2022/01/Position-of-Trust-Protocol-Final-Version-v2.1.pdf>

**Hillingdon Safeguarding Partnership - Adult Local Authority Designated Officer (ALADO) Process 2024-2026:**

<https://hillingdonsab.org.uk/wp-content/uploads/2024/05/Adult-LADO-Process-2024-2026-1.pdf>

**Support and Help:**

- **Hourglass - Resources and Forums:** <https://wearehourglass.org/>
- **NHS - Social Care Telephone Helplines and Forums:** <https://www.nhs.uk/conditions/social-care-and-support-guide/help-from-social-services-and-charities/helplines-and-forums/>
- **NHS - Someone to Speak Up for You (Advocate):** <https://www.nhs.uk/conditions/social-care-and-support-guide/help-from-social-services-and-charities/someone-to-speak-up-for-you-advocate/>
- **MIND - Guide to Getting Help and Support for Abuse:** <https://www.mind.org.uk/information-support/guides-to-support-and-services/abuse/>
- **Citizens Advice - Domestic Abuse:** <https://www.citizensadvice.org.uk/family/gender-violence/domestic-violence-and-abuse/>

**NICE - Safeguarding Adults in Care Homes:**

<https://cks.nice.org.uk/topics/safeguarding-adults-in-care-homes/>

**Outstanding Practice**

To be "outstanding" in this policy area you could provide evidence that:

- The wide understanding of the policy is enabled by proactive use of the QCS App
- Service Users report that if they are involved in a safeguarding incident, then they are supported to be involved as much as they would like
- Staff report that the service is fully aware of its responsibilities with regard to safeguarding, that they are encouraged to report incidents and are fully supported through the process
- The same issues do not reoccur and robust measures and systems have been put in place to address the original safeguarding concern
- Records are kept in regard to safeguarding and are extremely clear, transparent and well-ordered with all incidents reviewed and learning disseminated. Training materials are updated to reflect any learning
- Care or support planning includes tailored information to support Service Users to make safe choices to promote independence and wellbeing. People report that they feel safe and well supported

**Forms**

The following forms are included as part of this policy:

Title of form	When would the form be used?	Created by
Safeguarding Incident Log - CR74	When a safeguarding concern or incident arises.	QCS
County Lines and Cuckooing - CR74	To raise awareness of different types of abuse.	QCS
Safeguarding Adults Statement - CR74	For display in the office.	QCS
Safeguarding Leaflet - CR74	On assessment, review or when concerns arise. To be used to offer guidance on who to contact. Please note an editable version can be located within the Resource Centre	QCS
<a href="#"><u>Safeguarding Adults Flowchart</u></a>	As a flowchart personalised with local contact information.	QCS

## Safeguarding Incident Log - CR74

<b>Service User Name:</b>	
<b>Name of person investigating incident/completing this form:</b>	
<b>Name of person reporting incident (if not Service User):</b>	
<b>Service User location:</b>	
<b>Time and date of incident:</b>	
<b>Precise location of incident:</b>	
<b>Details of incident (include description of incident, as well as the names of any individuals who may have been involved. Remember to take care not to lead the Service User):</b>	

*Use additional sheets if necessary*

<b>Name of witness(es):</b>
<b>Details of any injuries/was medical attention required?</b>
<b>What decision has been reached as a result of investigating the incident?</b>
<b>Name and designation of witness/advocate/support for Service User during discussion/report taking:</b>
<i>Use additional sheets if necessary</i>

**What immediate action was taken?**

**What lessons have been learned from this incident and investigation?**

**Were any outside agencies contacted? If so, who?**

*Use additional sheets if necessary*

**Registered Manager recommendations, including Care Plan changes:****What actions will be taken to prevent further incidents?**

<b>Signature:</b>	
-------------------	--

<b>Print Name:</b>	
--------------------	--

<b>Title:</b>	
---------------	--

<b>Date:</b>	
--------------	--

<b>Reported to Management Meeting by:</b>	
---	--

<b>Date:</b>	
--------------	--

*One copy of this form to be held in the Service User's personal file, one copy in the Safeguarding Incident file.*

*Use additional sheets if necessary*

## County Lines and Cuckooing - CR74

### Cuckooing and County Lines Fact Sheet

#### What are County Lines?

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of 'deal line'. They are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons. County lines activity and the associated violence, drug dealing and exploitation has a devastating impact on young people, vulnerable adults and local communities.

Gangs typically use children and adults at risk of harm to transport and/or deal drugs to customers. These victims are recruited using intimidation, deception, violence, debt bondage or grooming. During this process, the 'victims' are likely to commit criminal offences.

#### Who does it affect?

The term 'vulnerable adults' is used here in the context of 'vulnerable to harm or abuse'. They do not need to be receiving social care or support to be vulnerable. Some vulnerabilities are outlined in this fact sheet.

County lines exploitation:

- Can affect any child or young person (male or female) under the age of 18 years
- Can affect any vulnerable adult over the age of 18 years
- Can still be exploitation even if the activity appears consensual
- Can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence
- Can be perpetrated by individuals or groups, males or females, and young people or adults and
- Is typified by some form of power imbalance in favour of those perpetrating the exploitation. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

One of the key factors found in most cases of county lines exploitation is the presence of some form of exchange (e.g. carrying drugs in return for something). Where it is the victim who is offered, promised or given something they need or want, the exchange can include both tangible (such as money, drugs or clothes) and intangible rewards (such as status, protection or perceived friendship or affection).

Some of the factors that heighten a person's vulnerability include:

- Having prior experience of neglect, physical and/or sexual abuse
- Lack of a safe/stable home environment, now or in the past (domestic violence or parental substance misuse, mental health issues or criminality, for example)
- Social isolation or social difficulties
- Economic vulnerability
- Homelessness or insecure accommodation status
- Connections with other people involved in gangs
- Having a physical or learning disability
- Having mental health or substance misuse issues
- Being in care (particularly those in residential care and those with interrupted care histories)
- Being excluded from mainstream education, in particular attending a Pupil Referral Unit

### What happens?

- Once in debt to a dealer, they will be encouraged to sell drugs to pay the debt off
- The gang will ensure the debt is never fully paid off and the victim can quickly become trapped in a cycle where their only option is to commit further crime
- The more crime they commit, the less likely they are to tell someone what is happening or seek help
- They will be dispatched to travel to other parts of the country where they are not known to police or social services and can essentially fly under the radar
- During this time away from home they are highly at risk of coming to further harm at the hands of people they are dealing to or rival local drug dealers
- Older people may become exploited to also traffic drugs, weapons and cash but additionally their homes might get taken over by gangs needing somewhere to hide drugs or deal from
- Adults with mental or physical disabilities, adults with addictions or adults who are particularly elderly may experience '**cuckooing**' where a gang takes over their home
- Other victims include the relatives of the exploited person who 'lose' their loved one to a criminal gang, and the communities where the drug dealing and

associated violence is exported to

### **What are the signs in adults?**

In adults, signs of 'cuckooing' can include:

- A loved one or neighbour not being seen for some time
- Unknown visitors and vehicles to their house at unusual times
- Exchanges of cash or packages outside their home
- Open drug use in the street; damage and deterioration to the appearance of their home
- A change in their own personality or behaviour and appearing nervous, worried or intimidated

### **What should you do?**

If you are worried that a person is at immediate risk of harm, you should also contact the police, your local safeguarding team or, in the case of a child, your local safeguarding partner (the group of Local Authority, ICB and police. Refer to 'Working Together to Safeguard Children 2018' for more information.)

### **References**

Serious Violence Strategy April 2018:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/698009/serious-violence-strategy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/698009/serious-violence-strategy.pdf)

## Safeguarding Adults Statement - CR74

Safeguarding is described as 'protecting an adult's right to live in safety, free from abuse and neglect'. Adult safeguarding is about preventing and responding to concerns of abuse, harm or neglect of adults. Individuals who are vulnerable may be unable to take care of themselves or protect themselves against significant harm or exploitation. This means that they may be at risk of abuse or neglect due to the actions (or lack of action) of another person. In these cases, it is vital that Promoting Independent Care Ltd works together to identify people at risk and put steps in place to help prevent abuse or neglect.

Safeguarding adults is a priority for Promoting Independent Care Ltd. The activities carried out by Promoting Independent Care Ltd mean that there are a range of staff and people working on our behalf who may come into contact with people who are at risk of harm.

### **What action must you take if you have concerns?**

Promoting Independent Care Ltd follows South Gloucestershire Council safeguarding procedures and its own policy and procedure details the responsibilities and action required by all staff. If you have any concerns that someone is at risk of harm or abuse, is being harmed or abused, you **must** take action.

- Ensure your own safety – leave the situation if you are at risk of harm
- Where there is clear evidence of harm or an imminent danger, call the emergency services immediately
- Treat all allegations of abuse seriously
- Report concerns to your line manager as soon as possible

### **Who do you report your concerns to?**

At Promoting Independent Care Ltd the person responsible for safeguarding is:

#### **Martina Hroncova**

They can be contacted on **01454528329** or  
[martina.hroncova@promotingindependentcare.com](mailto:martina.hroncova@promotingindependentcare.com)

### **Escalating Concerns**

We report our concerns to **South Gloucestershire Council**

Lisa Harvey Engine Common Lane, Yate, South Gloucestershire, BS37 7PN

01454 868007

### **Raising a Concern to the CQC**

You can also contact the CQC if you feel that you cannot use the Raising Concerns, Freedom to Speak Up and Whistleblowing Policy and Procedure at Promoting Independent Care Ltd. The CQC can be contacted by using the following methods:

**Phone:** 03000 616161

**Email:** [Enquiries@cqc.org.uk](mailto:Enquiries@cqc.org.uk)

**Post:** CQC National Correspondence, Citygate, Gallowgate, Newcastle upon Tyne.  
NE1 4PA

*This statement and our full Safeguarding Adults Policy and Procedure is available online and in other languages by accessing [www.qcs.co.uk](http://www.qcs.co.uk)*

## Safeguarding Leaflet - CR74

<b>Concerned About Abuse</b>	
<b>A Guide to Keeping Safe for People who use our Services</b>	
<b>What Can You Do?</b>	
<ul style="list-style-type: none"><li>• No one should have to live with abuse</li><li>• By reporting abuse, you can help bring it to an end</li><li>• You may feel completely alone but you are not</li><li>• There are people who can help and it is important to get in touch with them</li><li>• Abuse can be very confusing especially if you look up to the person hurting you or if they are a friend or a member of your family</li><li>• You might not want to talk to someone you know and might prefer to speak to or email someone at one of the services in this factsheet</li><li>• These services have people who are trained to help and support you and they will not be shocked or surprised at what you say. They will listen to you and help you decide what to do</li></ul>	
<b>Who Can Help?</b>	
<b>Safeguarding Team</b>	<b>Police</b>
Martina Hroncova  01454528329  martina.hroncova@promotingindependentcare.com  Website:	In an Emergency: 999  In a non-emergency: 101
<b>Care Quality Commission (CQC)</b>	<b>Silverline</b>
Phone: 03000 61 61 61  Web: <a href="https://www.cqc.org.uk/">https://www.cqc.org.uk/</a>	Confidential 24-Hour Helpline  Phone: 0800 4 70 80 90  Web: <a href="https://www.thesilverline.org.uk/">https://www.thesilverline.org.uk/</a>
<b>Local Authority</b>	
Lisa Harvey Engine Common Lane, Yate, South Gloucestershire, BS37 7PN  01454 868007	

Adult Abuse	
What is Adult Abuse?	Adult Abuse is Wrong
<ul style="list-style-type: none"> <li>Adult abuse is when someone hurts or scares you on purpose</li> <li>They might say, 'Don't tell anyone'</li> </ul>	<ul style="list-style-type: none"> <li>Adult abuse can happen to anyone</li> <li>You need to know what to do if it happens to you or to someone you know</li> </ul>
Abuse can Happen Anywhere	Abuse can be Caused by Anyone
<ul style="list-style-type: none"> <li>At home</li> <li>In a residential or care home</li> <li>In hospital</li> <li>In a day service, work, school</li> <li>On the internet or phone</li> <li>Public place/in the community</li> </ul>	<ul style="list-style-type: none"> <li>A partner or relative</li> <li>A friend or neighbour</li> <li>Sometimes a person pretends to be your friend so they can abuse you. This is called 'Mate Crime'</li> <li>A paid or volunteer carer</li> <li>Other Service Users</li> <li>Someone in a position of trust</li> <li>A stranger</li> </ul>
Some Examples of Abuse	
Physical Abuse	Neglect
<ul style="list-style-type: none"> <li>Being hit, slapped, kicked, or hurt in another way</li> <li>Being pushed</li> <li>Being restrained</li> </ul>	<ul style="list-style-type: none"> <li>This is when you do not get the help you need. It might include not getting help with your medication, or your care needs, or not giving you enough food</li> </ul>
Sexual Abuse	Discriminatory Abuse
<ul style="list-style-type: none"> <li>This is when someone touches your private parts when you don't want them to, or makes you touch them</li> <li>It is also when someone talks to you about sex when you don't want them to</li> </ul>	<ul style="list-style-type: none"> <li>This is when someone treats you badly because you are different to them. This is sometimes called 'Hate Crime'</li> <li>This could be because of your age or gender; sexuality or disability; race or religious belief</li> </ul>
Financial or Material Abuse	Organisational Abuse
<ul style="list-style-type: none"> <li>This is when someone takes something that belongs to you without asking, or makes you give them things</li> </ul>	<ul style="list-style-type: none"> <li>If abuse is caused by an organisation, it is often called 'Organisational Abuse'. This is where you are not being cared for properly. It is where your own choices are ignored</li> </ul>

<b>Some Examples of Abuse (continued)</b>	
<b>Modern Slavery</b>	<b>Self-neglect</b>
<ul style="list-style-type: none"><li>• This is when someone is forced to work with little or no pay, or threatened with violence if they do not work</li></ul>	<ul style="list-style-type: none"><li>• This is when someone might come to harm because they do not look after themselves</li><li>• This might be not eating or taking their medication or looking after their personal hygiene</li></ul>
<b>Domestic Violence and Abuse</b>	<b>Psychological Abuse</b>
<ul style="list-style-type: none"><li>• When abuse occurs between partners or family members, it is often called 'Domestic Violence and Abuse'</li></ul>	<ul style="list-style-type: none"><li>• This is when someone tries to control or hurt you emotionally with what they say or do</li><li>• It could be name calling, threats, silence, humiliation, bullying</li></ul>

## Safeguarding Adults Flowchart

