North West Leicestershire District Council’s
Policy and Procedures for Concerns regarding the Welfare of an Adult and the Protection of Adults in need of Safeguarding

June 2013
Review Date June 2014
Review Officer Claire MacRory-Smith

Important Rules

Remember it is not up to you to decide if abuse has taken place, that is the role of the lead agency, BUT it is up to you to report ANY concerns.
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Guide for Dealing with Concerns Relating to Safeguarding Adults

Staff, member, volunteer has concerns about an adult. (This could be something you have heard, seen, been told)

Call 999 for emergency services if the situation requires urgent police or health services help

- Stay Calm
- If the adult is present, reassure him or her
- Don't make promises regarding confidentiality
- LISTEN - but, do not ask probing questions

Complete Incident Report Form recording all details given

Contact a Designated Vulnerable Adult Safeguarding Officer (See Section 4.0 for list)
Pass on completed Incident Report Form

Designated Adult Safeguarding Officer to decide:
- Is the report relating to Safeguarding
- Is the report relating to a Cause for Concern

NO

If no further action is required, store Incident Report Form in secure Safeguarding file. Where the Adult may benefit from further support, make appropriate referrals

YES

Concern referred to Customer Services Centre / Police Services for appropriate action to be taken
Who are the Designated Safeguarding Officers?

In the first instance report to either:
Claire MacRory - Children's Services Coordinator 642
Amanda Shakespeare-Ensor – Senior HR Advisor 524
Sue Hallam – Strategic Housing Team Manager 612
Karen Talbot – Safer Stronger Team Leader 696

If all DSO’s unavailable or out of hours ask for advice from:

If you feel there is an immediate risk, call the emergency services!
1.0 Introduction

Every adult in need of safeguarding has the right not to be abused.

Section 7 of the government's guidance document ‘No Secrets’ issued by the Department of Health in 2000 states that:

Provider agencies will produce for their staff a set of internal guidelines which relate clearly to the multi-agency policy and which set out the responsibilities of all staff to operate within it. These will include guidance on:

- identifying those who are particularly at risk
- recognising risk from different sources and in different situations
- recognising abusive behaviour from other service users, colleagues and family members;
- routes for making a referral and channels of communication within and beyond the agency;
- assurances of protection for whistle blowers:
- working within best practice as specified in contracts;
- working within and co-operating with regulatory mechanisms;
- working within agreed operational guidelines to maintain best practice in relation to:

Internal guidelines should also cover the rights of staff and how employees will respond where abuse is alleged against them within either a criminal or disciplinary procedure.

The guidance also clearly defines who is considered to be an adult in need of Safeguarding, see definition section 1.2

To support this Multi-Agency approach, North West Leicestershire District Council, has produced this Safeguarding Policy in order to acknowledge its duty to protect adults in need of safeguarding as part of delivering services to the local and wider community.

In addition the following legislation supports the safety and wellbeing of adults in need of safeguarding:

- The Mental Capacity Act 2005,
- Sexual Offences Act 2003,
- Human Rights Act 1998,
- Health and Social Care Act 2008,
- Public Interest Disclosure Act 1998
Who is this policy for?

This policy is for you as a member of North West Leicestershire District Council staff, an elected member, a volunteer or anyone working on behalf of, delivering a service for or representing the Council.

This Policy ensures that all staff and volunteers delivering services to the community understand their duty to alert an appropriate Designated Safeguarding Officer, without delay, if they have concerns or suspicions relating to an adult in need of safeguarding.

As part of the reporting process you must:

- Never prevent or persuade another person from raising concern or suspicions or presenting evidence;
- Record all factual information accurately and clearly on the appropriate report forms

Council staff may come across cases of suspected abuse either through direct contact with an adult in need of safeguarding, for example, staff visiting homes as part of their day to day work, or through indirect referrals or via other information. We are committed to ensuring that all adults in need of safeguarding are protected and kept safe from harm whilst engaged in services provided by the Council.

What does this policy cover?

The policy equips you with the information you need regarding what actions to take if you suspect or are told about abuse, and what will happen next. Read it now and then keep it somewhere safe, this may just be the tool that helps you to save an adults life.

Whilst it is not our job to establish whether or not abuse is taking place, it is our responsibility to report any concerns we have over the welfare of an adult in need of safeguarding and to co-operate in any multi agency investigations as appropriate. This expectation extends to the identification of abuse, poor practice by internal members/staff of the Council, as well as allegations brought to the attention of the Council by a member of the public/community.

This policy outlines that your primary concern is to ensure that you record relevant information and pass it on to the Designated Safeguarding Officer’s without delay, so that they can discuss any action or referral to the relevant authority.
1.1 Policy Statement

North West Leicestershire District Council accepts responsibility, as a local provider of community services, to implement a Policy, that provides clearly defined procedures for alerting, reporting, and referring of concerns in relation to the protection of adults in need of safeguarding in order to safeguard their well being and protect them from abuse when they are engaged in services organised and provided by the Council.

We aim to do this by:

- Respecting and promoting the rights, wishes and feelings of adults in need of safeguarding.
- Raising the awareness of the duty of care responsibilities relating to adults in need of safeguarding throughout the Council.
- Promoting and implementing appropriate procedures to safeguard the well-being of adults in need of safeguarding to protect them from harm.
- Creating a safe and healthy environment within all our services, avoiding situations where abuse or allegations of abuse may occur.
- Recruiting, training, supporting and supervising staff, elected members and volunteers to adopt best practice to safeguard and protect adults in need of safeguarding from abuse, and minimise risk to themselves.
- Responding to any allegations of misconduct or abuse of adults in need of safeguarding in line with this Policy and Leicester, Leicestershire and Rutland Multi-agency Policy and Procedures as well as implementing, where appropriate, the relevant disciplinary and appeals procedures.
- Requiring staff, elected members and volunteers to adopt and abide by the Council’s Protecting Adults in need of Safeguarding Policy and Procedures.
- Reviewing and evaluating this Policy and Procedures document on an annual basis.

1.2 Definitions and Principles of Vulnerability

An adult in need of safeguarding is defined as “a person aged 18 years or over who is or may be in need of community care services by reason of mental or other disability age or illness; and who is or maybe unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation” (1997 Lord Chancellors Department and “No Secrets 2000”)

Examples of an adult in need of safeguarding can include:

- People with a learning disability
- People with a physical disability
- People with a sensory disability
- People with mental ill health
- People with dementia
- People who are frail due to age or other factors
- People with a drug or alcohol problem
- People with acquired brain injury
- People with certain types of physical illness
Additionally, a person who:

- Is living in residential accommodation, such as a care home or residential special school;
- Is living in sheltered housing;
- Is receiving domiciliary care in his or her own home;
- Is receiving any form of health care;
- Is in contact with probation services;
- Is receiving a welfare service of a description to be prescribed in regulations;
- Requires assistance in the conduct or his or her own affairs;
- Is at risk of harm;
- Is receiving a service or participating in an activity which is specifically targeted at people with age-related needs, disabilities or prescribed physical or mental health conditions or expectant or nursing mothers living in residential care (age related needs includes needs associated with frailty, illness, disability or mental capacity).

And who are aged 18 or over.

This policy and these procedures are based on the following principles:

- The welfare of adults in need of safeguarding is the primary concern.
- All adults in need of safeguarding, irrespective of their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/or sexual orientation have the right to protection from abuse.
- It is everyone's responsibility to report any concerns about abuse.
- All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly and appropriately.
- All personal data will be processed in accordance with the requirements of the Data Protection Act 1998.
- The terms staff, elected members and volunteers is used to refer to employees, district councillors, volunteers and anyone working on behalf of, delivering a service for, or representing the Council.

1.3 Support for members of staff, elected members or volunteers raising concerns

In the event of having a concern you must talk to a Designated Safeguarding Officer, who will support you to report your concerns.

When a member of staff, an elected member or a volunteer raises concerns with their Designated Safeguarding Officer (DSO), the DSO will ensure that:

- The procedures are followed appropriately in consultation with Social Care Services
- The relevant agencies, staff members are informed if appropriate
- Information is recorded and stored securely and appropriately
- Staff involved are supported as required in line with the Council’s employee wellbeing policies. This includes access to a confidential counselling service.

The Local Authority recognises that when safeguarding concerns relate to a colleague’s conduct that this can involve additional stress to reporters. We will fully support and protect all staff/members who, in good faith (without malicious intent), report his or her concern about a colleague’s practice or the possibility that an adult in need of safeguarding may be being abused.
1.4 Confidentiality

Every effort should be made to ensure that confidentiality is maintained for all concerned in the protection of adults in need of safeguarding. Information should be handled and disseminated on a need to know basis only. The Designated Safeguarding Officer will guide you as to who needs to know information about the case.

Where a staff member is approached regarding an allegation, issues of confidentiality should be clarified early in the discussion. The person should be informed that the member of staff will at the very least, have to disclose the conversation to a Designated Safeguarding Officer and depending on the severity of the information may be disclosed to the Customer Services Centre and/or the Police.

There may be occasions where an adult in need of safeguarding expresses a wish for concerns not to be pursued. It is important, however, that concerns are shared in order to ensure the safety of the person and others at possible risk of harm. Therefore, this decision will be the product of discussions between Designated Safeguarding Officer and Customer Services Centre where appropriate.

The responsible Designated Safeguarding Officer will:-
- Ensure that the procedures are followed appropriately in consultation with Social Care Services
- The appropriate agencies are informed
- Information is recorded and stored securely and appropriately
- Provide information to staff reporting concerns about support available to them

2.0 Procedures

This section contains internal and external procedures for officers dealing with concerns regarding the safeguarding of adults who are vulnerable.

2.1 Reporting your concerns

You are not expected to investigate suspicions or concerns, other agencies are trained to do this.

Most concerns arise because a member of staff notes a pattern of occurrences or a significant incident happens.

If you have a concern about the safety or welfare of an adult:
- Note the concerns and your reasons using the incident reporting form
- Report to an appropriate Designated Safeguarding Officer
- Maintain confidentiality

Do not
Undertake further investigations.

When there are ongoing concerns regarding a family member or carer in relation to the alleged abuse of an adult, the family member or carer should not be contacted
about the allegation of abuse. Social Care Services and/or the Police will do this at an appropriate time. You must however, ensure that the environment for the Adult in need of Safeguarding and any other Adults that may become a risk are made safe.

### 2.2 Responding to Disclosure

Abused adults are more likely to disclose details of abuse to someone they trust and with whom they feel safe. By listening and taking seriously to what is being said, you are already helping the situation. The following points are a guide to help you respond appropriately.

#### What to do if an adult discloses information to you:

- Stay calm
- Ensure that no one is in immediate danger
- Reassure the person that they were right to tell and do not make promises of confidentiality
- Take what the person says seriously
- Do clarify your understanding of what the person has said but avoid asking detailed or leading questions
- Be open and honest, explain to them that you will have to share your concerns with the Designated Safeguarding Officer
- Immediately record all details in writing, using the adults own words.
- As soon as possible fill out the Incident Reporting Form (See Appendix 1) again including all the details that you are aware of and what was said using the adult’s own words. Attach your original notes to the Incident Reporting Form and give these to an appropriate Designated Safeguarding Officer.

#### Actions to Avoid

The person receiving the disclosure should not:

- Promise to keep secrets
- Dismiss the concern
- Probe for more information than is comfortably offered – do not overpressure for a response
- Speculate or make assumptions
- Make negative comments about the alleged abuser
- Attempt to investigate yourself
- Discourage anyone from report concerns
- Leave message of your concern on voice mail

**Remember: Listen – write it down – report it**

### 2.3 Safeguarding Incident Reporting Form

You need to fill in an Incident Report Form for all concerns, suspicions and disclosures relating to the protection of an adult in need of safeguarding. This needs to be done as soon as practicable to ensure all the facts are recorded. Copies of the Incident Report Form are available from:

- Intranet
- Within central administration areas in the Council Offices
If you have to ask someone in order to find this form, do not discuss the situation with him or her. The same form is used for all disclosures and allegations and suspicions. Do not worry if all the sections do not apply to your situation, it is purely to help you to remember as much relevant information as possible. It is the responsibility of the Designated Safeguarding Officer to take a lead on suspicions and report them to Customer Services Centre and or the Police to take the appropriate course of action.

### 3.0 Additional considerations when concerns relate to an internal employee/member of the Council e.g. staff, contractors, volunteers, and Elected Members

It can be very worrying to have concerns about a person’s safety or welfare that relate to the conduct of a colleague. The Local Authority recognises that this can involve additional stress for those reporting concerns. Within the incident reporting structures there are support mechanisms in place to ensure that staff are confident that these concerns will be dealt with appropriately. These include confidentiality guidelines and access to counselling services.

Where you have concerns about a colleague, the reporting procedures should be followed in exactly the same manner as outlined above. You may need to have regard to which Designated Safeguarding Officer it is appropriate to report your concerns to Head of Human Resources.

There may be circumstances where allegations are about poor practice rather than abuse, but this should always be communicated to the Designated Safeguarding Officer for guidance and appropriate action.

Where an allegation is made against an elected member this should be referred to the Designated Safeguarding Officer who will then engage the Monitoring Officer or Deputy Monitoring Officer who has responsibility to address Member code of conduct related issues.

### 3.1 Types of Investigation

Where there are allegations of abuse or concerns about poor practice of an employee or member there may be three strands of investigation:

1. Adult Safeguarding Adults investigation (externally led by Social Care Services)
2. Criminal Investigation (externally led by the police authority)
3. A disciplinary or misconduct investigation (internally led)
4. Care Quality Commission (CQC) (Externally led)

In the first two instances, the Council will not be involved in any form of investigation unless requested to do so by the Social Care Services or the Police authority and feedback on outcomes of any investigation will not usually be fed back to the Designated Safeguarding Officer involved unless there are outstanding misconduct issues to address.

As a North West Leicestershire District Council employee the usual terms and conditions for disciplinary investigations will apply, if this happens consideration will be given to suspension on full pay pending the outcome of the investigation.
The Council will assess each individual allegation on its own, taking into account the findings of any criminal investigation and respond to the outcome of the investigation in line with Council policy and procedures. Depending on the outcome of the investigation, the Council will assess the appropriateness of the staff member returning to work in your previous environment. A decision to withdraw permission for the employee to work with vulnerable groups may lead to the Council having a legal duty to report the person to the Independent Safeguarding Authority. This also applies in instances where the Council would have withdrawn permission for the individual to engage in regulated or controlled activity had that individual not resigned, retired, been made redundant or been transferred to a position which is not regulated or controlled activity.

3.2 Dealing with Victims

Please be aware that there are agencies that are trained and funded to help victims of abuse or possible abuse and signpost where appropriate:

Victim Support – A national charity that gives free and confidential advice to victims of crime. They are not part of the police force and crimes do not have to have been reported in order for a victim to access the support.
0116 249 3324

The Samaritans Leicestershire – A confidential, emotional support service available 24 hours a day.
08457 90 90 90

4.0 Key Contacts

The Designated ADULT SAFEGUARDING OFFICERS for North West Leicestershire District Council are:

<table>
<thead>
<tr>
<th>Section</th>
<th>Designated Safeguarding Officer &amp; contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safer Stronger Team</td>
<td>Claire MacRory</td>
</tr>
<tr>
<td>Housing Advice</td>
<td>Sue Hallam</td>
</tr>
<tr>
<td>Safer Stronger Team</td>
<td>Karen Talbot</td>
</tr>
<tr>
<td>Community Services</td>
<td>John Richardson</td>
</tr>
<tr>
<td>Leisure Services</td>
<td>Jason Knight</td>
</tr>
<tr>
<td>Housing Management</td>
<td>Dea Stanley</td>
</tr>
<tr>
<td>Human Resources</td>
<td>Amanda Shakespeare-Ensor</td>
</tr>
<tr>
<td>Housing Management</td>
<td>Tina Roberts</td>
</tr>
</tbody>
</table>
External Agencies for reporting out of hours or directly –

*Remember, if you make a report to an external agency, speak to a NWL Designated Safeguarding Officer at the first opportunity.*

**Social Care Services Contact Point** (office hours)
Tel: 0116 305 0004
Fax: 0116 305 0010

Email - 'adults@leics.gov.uk'

**Social Care Services adult’s emergency out of hours service**
Phone 0116 255 1606 (not office hours)
Fax 0116 256 8269 (office hours only)

**Leicestershire Constabulary**
101 or 0116 2222222

All emergencies
999

**Leicestershire Constabulary Common Referral Desk**
0116 248 5311

**Victim Support**
0116 249 3324
This service is open 8.30 am until 4.30 pm Monday to Friday. A confidential answer service is available at all other times.
**Appendix 1**

**Safeguarding Incident Reporting Form**

This form is used for reporting both suspicions and disclosures of possible abuse; therefore, not all sections may be appropriate. Please complete with as much information as possible, using verbatim reports from people involved where possible. This information will be treated in the strictest confidence.

<table>
<thead>
<tr>
<th>About you, the reporter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Your name:</td>
</tr>
<tr>
<td>Your job role:</td>
</tr>
<tr>
<td>Your telephone number and email address:</td>
</tr>
<tr>
<td>Are you reporting the concern on behalf of someone else?</td>
</tr>
<tr>
<td>If yes to above, what is their name and their position?</td>
</tr>
<tr>
<td>What involvement have you had? (Have you had contact with family/other professionals etc)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>About the Adult</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
</tr>
<tr>
<td>Age and date of birth:</td>
</tr>
<tr>
<td>Gender:</td>
</tr>
<tr>
<td>Address, telephone and email contact details:</td>
</tr>
<tr>
<td>Housing tenure (HBBC tenant/ Housing Association/private rented/ owner occupier):</td>
</tr>
<tr>
<td>Ethnic and/or religious background:</td>
</tr>
<tr>
<td>Disabilities or other special factors:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>About the person’s family/ support network</th>
</tr>
</thead>
<tbody>
<tr>
<td>Who is the person’s next of kin?</td>
</tr>
<tr>
<td>Address, telephone and email contact details:</td>
</tr>
<tr>
<td>Names of other people living at the address or significantly involved:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>About the concern</th>
</tr>
</thead>
<tbody>
<tr>
<td>What has happened/ what are your concerns? (Please give full details, using</td>
</tr>
</tbody>
</table>
verbatim reporting where possible and include physical or behavioural indicators)

Have you or anyone else involved spoken to the person or with their parents/ family/ carer others involved? If so, what was discussed (record this verbatim where possible)?
Remember, you are not expected to undertake investigations so don’t worry if you don’t know.

Dates and times of significant events:

### About the alleged abuser, if known

<table>
<thead>
<tr>
<th>Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job position/ role:</td>
</tr>
<tr>
<td>Address, telephone and email contact details:</td>
</tr>
</tbody>
</table>

### About other agencies involved

Are you aware of any other services or professionals who are involved with the person?

| Name of agency and professional: |
| Address, telephone and email contact details: |
| Details of involvement and any advice you have received with dates: |

### For Designated Safeguarding Officer use only

| DSO name: |
| Date, time, venue/ method of initial staff report regarding suspicions, concerns or disclosure relating to safeguarding: |
| Who was present: |
| Date, time and venue of Incident Reporting Form handover: |
| Who was present: |
| Notes regarding DSO follow up actions: |

Remember; do not discuss this with friends or colleagues. Arrange to see your Designated Safeguarding Officer urgently, they will initiate appropriate action.