



CARE HOMES OF DISTINCTION (WRAY PARK) LTD
....we do care

SAFEGUARDING ADULTS POLICY

July 2024





Introduction

This Policy recognises that adults we support can suffer abuse, ill treatment and discrimination and this is an infringement of their human and civil rights. The primary aim of the policy is to prevent abuse from taking place. The purpose of this Policy is to ensure that people who use our service are safe and not left at risk. It provides clear procedures for staff to report alleged cases of abuse in a consistent way and how to refer those concerns. It provides guidance for managers in how to make a Safeguarding Adults report to the Local Authority and/or Police.

1.1. Statement of Intent

Care Homes of Distinction (Wray Park) Ltd and its associated companies are committed to safeguarding adults at all times. We will work in partnership in preventing, identifying and undertaking enquiries into allegations of abuse or neglect and the protection and support of people who may be at risk.

Should there be any allegations or suspicions of abuse, Care Homes of Distinction Ltd and Care Homes of Distinction (Wray Park) Ltd will ensure the following procedure is actioned immediately:

They should report the matter immediately to the most Senior Person in the Home at the time. If the senior is the person suspected, the employee must contact the Manager or Director and take instruction.

The following procedure will be adopted immediately if a suspected case of abuse occurs.

- a) A timed report of events must be started immediately.
- b) Notify the Senior Person (as mentioned above) and Nicola Elliott (Director)
- c) The senior Person will take charge and inform the Local Authority.

Surrey County Council Safeguarding Team
Reigate and Banstead Social Services Department.
Town Hall
Castlefield Road,
Reigate, Surrey,
RH2 0SH
Tel: 01737 276794

And the CQC:

Care Quality Commission
Citygate
Gallowgate
Newcastle upon Tyne
NE1 4PA
Tel: 03000 616161
Email: enquiries@cqc.org.uk





This Policy and procedures will support local multi-agency safeguarding policy and procedures.

Care Homes of Distinction Ltd and Care Homes of Distinction (Wray Park) Ltd recognises that all adults have the right to live their lives free from violence, fear and abuse. This can be maximised by promoting the empowerment and well-being of adults at risk through service provision. We will act in a way that supports the rights of the individual to lead an independent life based on personal choice. This involves supporting individuals to take positive risks and effective management of risk taking. Clear risk assessments should ensure that any risk is identified and shared with the individuals concerned.

The policy applies to all staff and volunteers.

1.2. Recruitment

The following recruitment procedures are applicable to applicants applying to work, (paid or unpaid), with adults at Care Homes of Distinction Ltd and Care Homes of Distinction (Wray Park) Ltd:

- All applicants are asked to complete an application form
- All applicants are asked to complete a disclosure form detailing any criminal convictions
- All suitable applicants are invited to attend an interview, of which there will be a minimum of two individuals on the interview panel
- All successful applicants must provide two satisfactory references prior to starting work
- All successful applicants need to complete a DBS form and will not commence lone working until a satisfactory DBS is returned

1.3. Induction & Training

Newly appointed employees recruited to work with adults will complete a six-month probationary period and comprehensive induction training and mentoring which will include:

- The structure of Care Homes of Distinction Ltd and Care Homes of Distinction (Wray Park) Ltd, including clarification on the roles and responsibilities of employees within the organisation and the Company's aims and objectives
- A record of employees training and development requirements
- Clear details of the expectations, roles and responsibilities of all newly appointed employees
- Agreeing and signing up to the organisation's adults safeguarding policy and procedures
- Safeguarding training and a copy of the organisation's Code of Conduct
- The contact details, role and responsibility of Care Homes of Distinction Ltd and Care Homes of Distinction (Wray Park) Ltd.'s Team Leaders roles in adults safeguarding
- Refresher training every year





1.4. Aims

The aim of adult safeguarding is to:

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

Protecting adults at risk represents the commitment of all staff (paid and unpaid) working within Care Homes of Distinction Ltd and Care Homes of Distinction (Wray Park) Ltd, to work together with the Local Authority and other organisations to safeguard adults at risk.

Care Homes of Distinction Ltd and Care Homes of Distinction (Wray Park) Ltd.'s Safeguarding policy and procedures aim to make sure that:

- The need 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 in line with the current Pan London Safeguarding procedures
- All decisions and actions are taken in line with the principles of the Mental Capacity Act 2005
- The Safeguarding Clauses within the Care Act 2014 are adhered to

The Care Act 2014 (implemented in April 2015 and amended March 2016) identifies that the local authority has the lead role in coordinating the response to safeguard adults; however, the Care Act recognizes that successful responses need to have effective multi-agency and multi-disciplinary working.

2. Making Safeguarding Personal

'No decision about me without me' means that an adult has the right to know about how Care Homes of Distinction (Wray Park) Ltd and other agencies can work with them to find the right solutions to keep people safe and support them in making informed choices. Making safeguarding personal means that an agency's work with adults should be person-led and outcome-focused. It means engaging the person in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control, as well as improving quality of life, wellbeing and safety.





This person led approach to safeguarding leads to services which are: person centred and focused on the outcomes identified by the individual; planned, commissioned, and delivered in a combined way between organisations; responsive and which can be changed when required.

Personalised care and support are for everyone, but some people will need more support than others to make choices and manage risks. Making risks clear and understood is crucial to empowering and safeguarding adults and in recognising people as ‘experts in their own lives’.

Safeguarding adults from abuse is everyone’s responsibility and there is a duty to report all concerns. All employers and volunteers within Care Homes of Distinction Ltd and Care Homes of Distinction (Wray Park) Ltd have a duty to protect the adult and take action to manage the immediate safety of the adult and to report the concerns in line with Care Homes of Distinction Ltd and Care Homes of Distinction (Wray Park) Ltd, and the Surrey County Council Safeguarding Adults Policies and Procedures.

All staff and volunteers within Care Homes of Distinction Ltd and Care Homes of Distinction (Wray Park) Ltd, whatever the setting, have a key role in preventing abuse or neglect occurring and in taking action when concerns arise.

3. Principles and Values

3.1. Six key principles underpin all adult safeguarding work:

- **Empowerment** – People being supported and encouraged to make their own decisions and informed consent
‘I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens’
- **Prevention** – It is better to take action before harm occurs
‘I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help’
- **Proportionality** – The least intrusive response appropriate to the risk presented
‘I am sure that professionals will work in my interest as I see them and they will only get involved as much as needed’
- **Protection** – Support and representation for those in greatest need
‘I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want’
- **Partnership** – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
‘I know that staff treat any personal and sensitive information in confidence, only





sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me'

- **Accountability** – Accountability and transparency in delivering safeguarding

'I understand the role of everyone involved in my life and so do they'

3.2. Adults at risk

- Services provided should be appropriate to the adult at risk and not discriminate because of disability, age, gender, sexual orientation, 'race', religion, culture or lifestyle
- The primary focus/point of decision making must be in discussion with the adult at risk, and the person must be supported to make choices.
- Adults at risk, must be offered advocacy services where the adult needs the support of an advocate to fully engage and be part of the decisions following a concern of abuse being reported and there is no one in the person's support that is appropriate to do this. **This is the responsibility of the local authority.**
- There is a presumption that adults have the mental capacity to make informed decisions about their lives. If someone has been assessed as **not** having mental capacity which is decision specific, decisions will be made in their best interests as set out in the Mental Capacity Act (MCA) 2005 and MCA Code of Practice
- Adults at risk should be given information, advice and support in a form that they can understand and have their views and what outcomes they want included in all forums that are making decisions about their lives
- All decisions taken by professionals about a person's life should be timely, reasonable, justified, proportionate and ethical and must be made in discussion with the adult or where appropriate, their advocate.

3.3. Care Homes of Distinction Ltd and Care Homes of Distinction (Wray Park) Ltd staff working with adults at risk

- All staff (paid and unpaid) **must** understand their role and responsibilities in regard to this policy and procedure and must know how to recognise abuse and how to report and respond to it
- All staff (paid and unpaid) have a duty to report in a timely way any concerns or suspicions that an adult at risk is being or is at risk of being abused and to gain the consent of the adult where possible or where this is not possible, to make a best interest decision to report without consent
- **All concerns and suspicions that an adult at risk is being or is at risk of being abused by a member of staff or a volunteer, must be reported even if consent is absent**
- Actions to protect the adult from abuse should always be given a high priority with dignity, safety and the well-being of the individual a priority within the actions
- Concerns or allegations must be reported without delay and given a high priority
- As far as possible, our staff (paid and unpaid) must respect the rights of the person causing harm. If that person is also an adult at risk they must receive support and their needs must be addressed
- All staff (paid and unpaid) must undertake the relevant levels of safeguarding training in line with the company's training framework





3.4. Working together in safeguarding adults

- All staff (paid and unpaid) will contribute to effective inter-agency working and effective multi-disciplinary assessments and joint working partnerships in order to provide the most effective means of safeguarding adults
- Actions taken under the Surrey County Council Multi Agency safeguarding procedures does not affect the obligation on Care Homes of Distinction Ltd and Care Homes of Distinction (Wray Park) Ltd to comply with its statutory responsibilities such as notification to regulatory authorities under the Health and Social Care Act 2008/CQC Fundamental Standards, to comply with employment legislation
- Our staff (paid and unpaid) may have information about adults who may be at risk from abuse and may be asked to share this where appropriate, with due regard to confidentiality

4. Information sharing

4.1. Sharing the right information, at the right time with the right people, is fundamental to good safeguarding practice. The Care Act 2014 Section 45 'supply of information' duty covers the responsibilities of others to comply with requests for information. Sharing information between organisations as part of day-to-day safeguarding practice is already covered in the common law duty of confidentiality, the Data Protection Act 1998, the Human Rights Act 1998 and the Crime and Disorder Act 1998.

As a general principal our staff (paid and unpaid) must assume it is their responsibility to raise a safeguarding concern if they believe an adult at risk is suffering or likely to suffer abuse or neglect, and/or are a risk to themselves or another, rather than assume someone else will do so. They should share the information with the local authority and/or the police if they believe or suspect that a crime has been committed or that the individual is immediately at risk.

5. Adult(s) at risk and adult abuse

5.1. Definition of an adult at risk

The Care Act 2014 defines an adult at risk who requires a safeguarding response as being someone who is:

an adult who is aged 18 or over who has needs for care and support

AND

Is experiencing or at risk of, abuse or neglect?

AND

As a result of their care and support needs are unable to protect themselves from either the risk of, or the experience of abuse or neglect





‘Local authority statutory adult safeguarding duties apply equally to those adults with care and support needs regardless of whether those needs are being met, who is meeting those needs, regardless of whether the adult lacks mental capacity or not, and regardless of setting, other than prisons and approved premises where prison governors and National Offender Management Service (NOMS) respectively have responsibility’.

Where someone is 18 years or over but is still receiving children’s services and a safeguarding issue is raised, the concern should be dealt with through adult safeguarding arrangements. For

example, this could occur when a person with substantial and complex needs continues to be supported in a residential educational setting until the age of 25.

5.2. Ill Treatment and Wilful neglect

An allegation of abuse or neglect of an adult at risk who does not have capacity to consent on issues about their own safety must always be referred to the Local Authority as a safeguarding concern.

5.3. Consent

Our staff (paid and unpaid) must always seek the consent of the individual before taking any action or sharing personal information. However, there may be circumstances when consent cannot be obtained because the adult lacks the capacity to give it, but the best interests of the individual or others at risk, demand action.

Whether information is shared with or without the adult at risk’s consent, the information sharing process should abide by the principles of the Data Protection Act 1998. In those instances where the person lacks the mental capacity to give informed consent, staff should always bear in mind the requirements of the Mental Capacity Act 2005, and whether sharing it will be in the person’s best interest.

If after discussion with the adult at risk who has mental capacity, they refuse any intervention; their wishes will be respected unless:

- There is a public interest, for example, not acting will put other adults or children at risk
- There is a duty of care to intervene, for example, a crime has been or may be committed
- The person alleged to have caused harm is employed in a position of trust, such as a health or social care professional

A person’s refusal to give consent does not preclude Care Homes of Distinction Ltd and Care Homes of Distinction (Wray Park) Ltd staff from sharing information with other relevant agencies.

5.4. Types of Harm

Abuse may consist of a single or repeated acts. Abuse can involve an intentional, reckless, deliberate or dishonest act by the perpetrator. The Police should always be consulted for advice where there is a concern that the abuse may be a criminal act.





Abuse can be viewed in terms of the following categories:

- Physical
- Sexual
- Psychological
- Financial or material
- Neglect and acts of omission
- Discriminatory
- Organisational
- Self-Neglect
- Domestic Violence
- Modern Slavery

5.5. Physical abuse

This may be defined as ‘the use of force, or any action, or inaction which results in pain or injury or a change in the person’s natural physical state’ or the ‘non-accidental infliction of physical force that results in bodily injury, pain or impairment’. Examples of physical abuse include: hitting, slapping, pushing, pinching, shaking, scalding, misuse of medication, restraint or inappropriate physical sanctions

5.5.1. Restraint

Unlawful or inappropriate use of restraint or physical interventions and / or deprivation of liberty is physical abuse. There is a distinction to be drawn between restraint, restriction, and deprivation of liberty. A judgement as to whether a person is being deprived of their liberty will depend on the particular circumstances of the case, taking into account the degree of intensity, type of restriction, duration, the effect and the manner of the implementation of the measure in question. In extreme circumstances unlawful or inappropriate use of restraint may constitute a criminal offence. Someone is using restraint if they use force, or threaten to use force, to make someone do something they are resisting, or where a person’s freedom of movement is restricted, whether they are resisting or not.

Restraint covers a wide range of actions. It includes the use of active or passive means to ensure that the person concerned does something, or does not do something they want to do, for example, the use of keypads to prevent people from going where they want from a closed environment. Appropriate use of restraint can be justified to prevent harm to a person who lacks capacity as long as it is a proportionate response to the likelihood and seriousness of the harm (refer to Care Homes of Distinction Ltd and Care Homes of Distinction (Wray Park) Ltd’s Restraint Policy).





5.6. Sexual abuse

Examples of sexual abuse/ sexual assault include rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual innuendo, sexual photography,

subjection to pornography or witnessing sexual acts, or sexual acts to which the adult has not consented or was pressured into consenting.

Rape and other sexual assaults are among the most serious offences investigated by the Police. The trauma that victims suffer presents unique challenges to any investigation. It is the responsibility of all staff to ensure that they are aware of their individual roles and responsibilities to maximise all evidential opportunities to assist any investigation of a sexual nature and the minimum standards required regarding immediate response, recording and reporting

5.6.1. Sexual Exploitation

Involves exploitative situations, contexts and relationships where adults at risk (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. It affects men as well as women. People who are sexually exploited do not always perceive that they are being exploited. In all cases those exploiting the adult have power over them by virtue of their age, gender, intellect, physical strength, and/or economic or other resources. There is a distinct inequality in the relationship.

5.7. Psychological/emotional abuse

This is behaviour that has a harmful effect on the person's psychological and emotional health. This can include: emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

5.8. Financial or material abuse

This is the main form of abuse recorded by the Office of the Public Guardian both amongst adults and children at risk. Financial abuse can occur in isolation, but it is also likely to be connected to some other forms of abuse. Although this is not always the case, everyone should be aware of this possibility. **Financial abuse is a crime.**

Examples may include: change in living conditions; lack of heating, clothing or food; inability to pay bills/unexplained shortage of money; unexplained withdrawals from an account; unexplained loss/misplacement of financial documents; the recent addition of authorised signers on a client or donor's signature card; sudden or unexplained changes in a will of other financial documents; theft; fraud; internet scamming, postal scams and doorstep crimes; coercion in relation to an adult's financial affairs or arrangements; the misuse or misappropriation of property, possessions or benefits.





5.9. Neglect and Acts of omission

This can take several forms and can be the result of an intentional or unintentional act(s) or omission(s). Neglect includes, ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition or heating.

The Police have the powers to investigate allegations of neglect under the Mental Capacity Act 2005, Section 44 and also under the Criminal Justice and Courts Act 2015 Section 20 and 21.

5.10. Discriminatory abuse

This exists when values, beliefs, or culture result in a misuse of power that denies mainstream opportunities to some groups or individuals. It is the exploitation of a person's characteristics, which excludes them from opportunities in society, for example, education, health, justice, civic status, and protection. It includes discrimination on the basis of age, disability, gender reassignment, marriage, civil partnership, pregnancy, maternity, race, religion or belief, sex or sexual orientation and includes hate crime incidents. Discriminatory abuse includes forms of harassment and slurs or similar treatment because of race, gender and gender identity, age, disability, sexual orientation or religion.

5.11. Organisational abuse

Repeated instances of poor or inappropriate care or support may be an indication of more serious problems, and this is referred to as 'organisational abuse'.

Organisational abuse occurs when an organisation's systems and processes, and / or management of these, fails to safeguard a number of adults leaving them at risk of, or causing them harm. Organisational abuse can also occur when the routines, systems and norms of an organisation override the needs of those it is there to support or fail to be the product of both ineffective and / or punitive management styles, creating an environment within which abuse can take place, intentional or otherwise.

Organisational abuse includes neglect and poor care practice within an institution or specific care setting such as a hospital or care home, or in relation to care provided in a person's own home. This may range from one-off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

5.12. Domestic Violence

Domestic Abuse is any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality.

This can encompass, but is not limited to, the following types of abuse:

- Psychological





- Physical
- Sexual
- Financial
- Emotional
- So called ‘honour’ based violence

A new offence of coercive and controlling behaviour in intimate and familial relationships was introduced into the Serious Crimes Act 2015. The offence will impose a maximum 5 years imprisonment, a fine or both.

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain.

5.13. Self-Neglect

This is ‘the inability (intentional or non-intentional) to maintain a socially and culturally accepted standard of self-care with the potential for serious consequences to the health and well-being of people who self-neglect and perhaps even to their community’ (Gibbons, 2006).

An individual may be considered as self-neglecting and therefore at risk of harm where they are:

- either unable or unwilling to provide adequate care for themselves
- unable or unwilling to obtain necessary care to meet their needs
and/or
- declining essential support without which their health and safety needs cannot be met.

This includes a wide range of behaviour neglecting to care for one’s personal hygiene, health or surroundings and includes behaviours such as hoarding, nourishment, medication and treatment, administration (utility bills/services), refusing help/services.

5.14. Modern Slavery

Modern Slavery exists in the UK and can be perpetrated against men, women and children, UK nationals, and those from abroad. Modern slavery includes slavery, human trafficking, exploitation in the sex industry, forced labour, domestic servitude in the home and forced criminal activity. These types of crime are often called human trafficking. It can include victims that have been brought from overseas, and vulnerable people in the UK, being forced to work illegally against their will in many different sectors, including brothels, cannabis farms, nail bars and agriculture. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

There are many different characteristics that distinguish slavery from other human rights violations, however only one needs to be present for slavery to exist. Someone is in slavery if they are:





- Forced to work - through mental or physical threat.
- Owned or controlled by an 'employer', usually through mental or physical abuse or the threat of abuse.
- Dehumanised, treated as a commodity or bought and sold as 'property';
- Physically constrained or has restrictions placed on his/her freedom of movement.

Contemporary slavery takes various forms and affects people of all ages, gender and races.

There is a national framework to assist in the formal identification and help to coordinate the referral of victims to appropriate services; this is called the National Referral Mechanism. The UK Human Trafficking Centre takes referrals of adults and children identified as being the victims of trafficking. Local authorities can provide a range of assistance on a discretionary basis. The Centre now comes under the Serious and Organised Crime Agency (SOCA).

The police are the lead agency in managing responses to adults who are the victims of human trafficking.

Human trafficking is defined as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

5.15. Related issues

5.15.1. Professional abuse

Professional abuse is the misuse of therapeutic power and abuse of trust by professionals, the failure of professionals to act on suspected abuse / crimes, poor care practice or neglect in services, resource shortfalls or service pressures that lead to service failure and culpability as a result of poor management systems / structures.

Signs of possible professional abuse:

- failure to refer disclosure of abuse
- poor, ill-informed or outmoded care practices
- denying an adult at risk access to professional support and services such as advocacy, service design where groups of users living together are incompatible
- punitive responses to challenging behaviours
- failure to whistleblow on issues when internal procedures to highlight issues have been exhausted.

5.15.2. Honour Based Violence (HBV)

HBV may be committed when family members feel that dishonour has been brought to their family. Women are predominantly (but not exclusively) the victims and the abuse is often committed with a degree of collusion from family members and / or the community. Many victims are so isolated and controlled that they are unable to contact the police or other organisations.





Safeguarding concerns that may indicate ‘honour’-based abuse include domestic abuse, concerns about forced marriage or enforced house arrest and missing person reports. If a concern is raised and there is a suspicion that the adult is the victim of ‘honour’-based abuse, a referral to the police should always be considered as they have the necessary expertise to manage the risk.

5.15.3. Forced Marriages

Forced marriage is a term used to describe a marriage in which one or both of the parties is married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of their parents or a third party in identifying a spouse. The multi-agency practice guidelines *Handling cases of forced marriage* (Home Office, 2009) recommend that cases involving forced marriage are best dealt with by child protection or ‘adult protection’ specialists.

In a situation where there is concern that an adult is being forced into a marriage they do not or cannot consent to, there may be an overlap between action taken under the forced marriage provisions and the adult safeguarding process. In this case action will be co-ordinated with the police and other relevant organisations, such as The Forced Marriage Unit.

Forced marriage is a criminal offence.

There is a website www.fco.gov.uk/forcedmarriage which provides further guidance, information and advice.

5.15.4. Female genital mutilation (FGM)

This involves procedures that include the partial or total removal of the external female genital organs for cultural or other non-therapeutic reasons. The practice is medically unnecessary, extremely painful and has serious health consequences, both at the time when the mutilation is carried out and in later life. The age at which girls undergo FGM varies enormously according to the community. The procedure may be carried out when the girl is new born, during childhood or adolescence, just before marriage or during the first pregnancy.

FGM constitutes a form of child abuse and violence against women and girls, and has severe physical and psychological consequences. In England, Wales and Northern Ireland, the practice is illegal under the *Female Genital Mutilation Act 2003*.

5.15.5 Disability Hate Crime

The Criminal Justice System defines a disability hate crime as any criminal offence, which is perceived, by the victim or any other person, to be motivated by hostility or prejudice based on a person’s disability or perceived disability. The Police monitor five strands of hate crime, Disability; Race; Religion; Sexual orientation; Transgender. It should be noted that this definition is based on the perception of the victim or anyone else and is not reliant on evidence. Individuals may be concerned that they would not be recognised as victims or be believed and taken seriously. Abusers may also control their victims, threatening to ‘out’ them to friends, family or support agencies.





5.15.6 Mate crime

A 'mate crime' as defined by the Safety Net Project is 'when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual.' Mate crime is often difficult for police to investigate, due to its sometimes-ambiguous nature, but should be reported to the police who will make a decision about whether or not a criminal offence has been committed. Mate Crime is carried out by someone the adult knows and often happens in private.

5.15.7. Radicalisation & Extremism

Radicalisation is comparable to other forms of exploitation, such as grooming and Child Sexual Exploitation. The aim of radicalisation is to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. This may be direct through a relationship, or through social media.

'Prevent' is a key part of the Government's Counter Terrorist Strategy. Its aim is to stop people becoming terrorists or supporting terrorism. It is the preventative strand of the government's counter-terrorism strategy, CONTEST. Early intervention to divert people away from being drawn into terrorist activity is at the heart of Prevent.

The government has defined extremism in [the Prevent Duty](#) as: "vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs." This also includes calls for the death of members of the British armed forces.

British values are defined as "democracy, the rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs".

Safeguarding adults from radicalisation is no different from safeguarding them from other forms of harm. Indicators for vulnerability to radicalisation include:

- Family tensions
- Sense of isolation
- Migration
- Distance from cultural heritage
- Experience of racism or discrimination.
- Feeling of failure

Individuals may be susceptible to exploitation into violent extremism by radicalisers. Violent extremists often use a persuasive rationale and charismatic individuals to attract people to their cause. The aim is to attract people to their reasoning, inspire new recruits and embed their extremist views and persuade vulnerable individuals of the legitimacy of their cause.

There are a number of factors that may make the individual susceptible to exploitation by violent extremists. None of these factors should be considered in isolation but in conjunction with the particular circumstances of the individual: identity or personal crisis, particular personal circumstances, unemployment or underemployment and criminality. All of these may contribute to alienation from UK values and a decision to cause harm to symbols of the community or the state.





5.15.8. Child protection

The Children Act 1989 provides the legislative framework for agencies to take decisions on behalf of children and to take action to protect them from abuse and neglect.

All Care Homes of Distinction Ltd and Care Homes of Distinction Ltd (Wray Park) Ltd staff (paid and unpaid) must be aware that in situations where there is a concern that an adult at risk is or could be being abused or neglected and there are children in the same household, they too could be at risk. In this situation a referral **must** be made to Children's services.

6. Legislation

There are a number of pieces of legislation that apply in the context of Safeguarding Adults. These are not exhaustive and include:

- The Care Act 2014
- The Sexual Offences Act 2003
- The Fraud Act 2006
- The Equalities Act 2010
- Corporate Manslaughter and Homicide Act 2007
- Vulnerable Groups Act 2006
- Public Interest Disclosure Act 1998
- Mental Capacity Act 2005
- The Criminal Courts and Justice Act 2015
- The Serious Crimes Act 2015
- Human Rights Act 1998
- Serious Crimes Act 2015 (offence of coercive and controlling behaviour in intimate and familial relationships)

Section 44 of the Mental Capacity Act 2005 makes it a criminal offence for care workers who ill-treat or wilfully neglects an adult at risk. This offence applies to adults who lack capacity and only the care worker can be liable.

Section 20 and 21 of the Criminal Justice and Courts Act 2015 makes it a criminal offence for a care worker to ill-treat or wilfully neglect someone in receipt of care irrespective of their mental capacity and applies to both the care worker and Care Homes of Distinction (Wray Park) Ltd as a care provider.

The Serious Crimes Act 2015 creates a new offence of coercive and controlling behaviour in intimate and familial relationships. The offence will impose a maximum 5 years imprisonment, a fine or both.

7. Responsibilities

Role of the Director/Registered Manager is to:

- Promote and support the aims of this Policy
- Ensure that managers have the appropriate authority and resources to implement this Policy





Role of Team Manager is to:

- Ensure that staff attend Safeguarding Adults training appropriate to their job role and receive refresher training every two years
- Inform staff that they have a duty to report
- Show the person that you have listened to their concern and inform them of the action you are going to take
- Ask staff to factually record what they have been told heard/seen/suspected
- Record actions on 'Safeguarding Report Form', (Appendix 1)
- Use full names, dates and timings, this must be legible, and sign and dated
- Record exactly what has been said
- Distinguish between fact and opinion
- Complete appropriate body map, (where applicable), (Appendix 2)
- Do not take photographs of injuries unless you have been directed to so by the Social Work and/or Safeguarding Team
- Follow the Balance Safeguarding Policy and Procedures

Role of Staff and Volunteers is to:

- Respond quickly if the person at risk is in immediate danger it may be necessary, even before reporting, to take action to ensure their safety by calling for the emergency service or for urgent medical attention or by removing them to a safe place
- Report as soon as possible. Failure to report could result in forensic evidence being lost/contamination of investigation
- You must not discuss your suspicions or what you have witnessed with anyone other than a manager
- In case of sexual assault, you must preserve evidence by ensuring the person does not bathe, change their clothes or take fluids before being medically examined
- Be factual when reporting, record notes accurately by recording times, dates, names and signatures
- Use full names, dates and timings, this must be legible, and sign and dated
- Record exactly what has been said
- Distinguish between fact and opinion
- Do not ask leading questions, this can also jeopardise investigations, if unsure seek advice from a Team Leader
- Do not take photographs of injuries

8. Annual Review of this Policy

The Safeguarding Policy and Procedure will be reviewed annually to reflect any legislative amendments and also to reflect lessons learned from Safeguarding Adult Reviews undertaken by Surrey County Council and the Safeguarding Adult Board as well as any other relevant reviews or enquiries where there is relevant learning.

In addition, Care Homes of Distinction Ltd and Care Homes of Distinction (Wray Park) Ltd and its associated companies will reflect upon the learning arising from all safeguarding concerns within the organisation and review the learning against this Safeguarding Policy and Procedure making amendments as necessary.





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Any amendments made will be recorded together with the date of any changes to the Policy and Procedure.

**Reviewed by Nicola Coomb (Director)
July 2024**

