



Safeguarding Policy September 2015

Policy Details

Policy Title	Safeguarding Policy		
Owner	Lead DSO		
EIA Date	July 2012 reviewed Sept 2013, Jun 14		
EIA Review Date	September 2016		
No. Pages			
Colour code Key	Black applies across Trust	Green applies to Young People (Adult) Services	Blue applies to Children Services

Issue Control

Revision Schedule	Date	Key Amendments
<i>Rev 0</i>	<i>July 2012</i>	<i>Written by J Taylor</i>
<i>Rev 1.0</i>	<i>Sept 2013</i>	<i>Reviewed and updated by AM Okotie</i>
<i>Rev 2</i>	<i>June 2014</i>	<i>Updated by K Corey</i>
Rev 3.1	Sept 2015	Updated by N Giles Version for review by DSO
Rev 3.2	19 Oct 2015	Version for review by SST Safeguarding Board and ELT
Rev 3.3	Oct 2015	Clean version agreed and updated on SP

Distribution Control

Name	Position	Organisation
Gwen Carr	Chair of Board of Directors	Seashell Trust (SST)
Mark Ascroft	Director of Finance	Seashell Trust (SST)
Nikola Giles	Director of Resources	Seashell Trust (SST)
Mark Geraghty	Chief Executive	Seashell Trust (SST)
Bernie White	Director of Education	Seashell Trust (SST)
Jane Woodward	Director of Education	Seashell Trust (SST)
Debbie Gittins	Registered Manager YP	Seashell Trust (SST)
Sam Chesney	Registered Manager Childrens	Seashell Trust (SST)
Katherine Corey	Head of College	Seashell Trust (SST)
Anne Gough	Head of School	Seashell Trust (SST)
Jane Plummer	Senior HRBP	Seashell Trust (SST)
David Sanders	Director (Chair of Safeguarding Board)	Seashell Trust (SST)

SAFEGUARDING ALL CHILDREN, YOUNG PEOPLE & ADULTS AT SEASHELL TRUST

The FOUR Rs

R**ecognise** the signs and indicators of abuse

R**espond** as soon as possible

R**ecord** everything you have heard, was said or any actions

R**efer** to the designated person:

DSO	Ext	Contact No:
Katherine Corey	308	0161 610 0150
Nikola Giles	282	0161 610 0116
Debbie Gittins	310	0161 610 0746
Anne Gough	262	0161 610 0172
Alison Higton	279	0161 610 0169
Peter Lawson	400	0161 610 0100
Jane Plummer	257	0161 610 0112
Bernie White	230	0161 610 0120
Jane Woodward	309	0161 610 0165

SAFEGUARDING PHONE NO: 07742904949

To do *nothing* is Not an Option

Safeguarding Alert Process

Alert (all staff)

Ensure immediate safety of child, young person and/or member of staff, if any individual is in immediate danger call 999

If immediate safety is established report concern(s) to DSO or line manager completing a *Cause for Concern form*



Referral (DSO)

A Trust DSO will log the details on the Trusts central safeguarding register, review the concern and clarify initial information/facts to inform decision to accept as a Safeguarding referral and establish the level of concern

Once the level of concern has been established the details will be logged with the relevant Stockport Safeguarding team (Children or Adults) and home authority of student if required

The Safeguarding team will confirm if the concern will be investigated internally by the Trust or externally by Stockport / home authority safeguarding team

Internal Process



DSO lead and Senior HRBP Officer commence internal investigation (same day or within 5 days)

Investigation findings reported and presented to Lead DSO (within 10 days of concern being raised)

Any recommendations to invoke disciplinary procedure referred to HR team and line manager (within 10 days of investigation being completed)

Report finding and outcomes reported to Safeguarding Authority (at conclusion of investigation)

Internal Actions and Recommendations Plan implemented

External Process



Decision whether to investigate under Safeguarding Procedures and level of response

Inform Trust of decision and/or refer to another agency if appropriate

Strategy Meeting/Discussion held, formulating a multi-agency plan for assessing the risk and addressing any immediate protection needs. This will include co-ordinating the collection of information about abuse or neglect that has occurred or might occur. It will decide if an investigation is needed and if so, who will be responsible actions distributed by next day (same day or within 5 days)

Multi-Agency Investigation (Within 20 days of referral)

Safeguarding Conference Meeting to agree outcome and develop Safeguarding Protection Plan (Within 5 days of completing investigation)

Safeguarding Plan co-ordinating a multi-agency response to the risk of abuse that has been identified in order to protect the individual or individuals at risk sent out to all agencies by next day and implemented as required.

Review to be held within 3 months of Case Conference and if further review is required, at least 6 monthly until no further Safeguarding action

CASE CLOSED by Safeguarding Authority

Purpose

The children and young people at the Seashell Trust have a range of learning difficulties and disabilities such as multi-sensory impairment, autism, sensory processing difficulties, challenging behaviour, severe learning difficulties, profound learning difficulties and complex medical needs. The purpose of this policy is to clearly define the processes, mechanisms and environment that the Trust will create in its endeavour to safeguard and protect children, young people and adults at risk from harm and abuse.

Link to Mission / Statement of Purpose

'The children and young people in its care are supported to be safe, happy and achieve the best life outcomes so that they are valued and valuable members of their communities'

This organisation is committed to safeguarding its children / young people and ensuring they are protected from harm at all times.

We believe every child / young person should be valued, safe and happy. We want to make sure that those who have contact with Trust know this and are empowered to tell us if they are suffering or at risk of harm.

We want people who use or have contact with Trust to enjoy what we have to offer in safety.

We want parents and carers who use or attend our organisation to be supported to care for others in a way that promotes health and wellbeing and keeps them safe.

We want organisations who work with or commission work from us, or who provide funding to us to have confidence and recognise that we are a safe organisation.

We will achieve this by having an effective safeguarding policy that is dynamic, evolving, responsive to the needs of students and staff and responsive to national guidance, statute and duty.

This safeguarding policy applies to all staff, visitors, volunteers and users of the Trust and anyone carrying out any work for us or utilising the Trusts premises.

We will review our safeguarding policy and associated procedures annually to make sure they are still relevant and effective.

To positively achieve this Seashell Trust will:

- Arrange to take all reasonable measures to ensure the risks of harm to children / young people and adults are minimised
- Arrange to take all appropriate actions to address concerns about the welfare of the child / young person, working to agreed local policies and procedures in full partnership with other local services
- Ensure effective Safe Recruitment and Employment practices are observed as we recognise this is an important part in safeguarding children / young people and adults
- Have a senior member of the organisation to take lead responsibility for dealing with safeguarding, providing advice and support to staff, liaising with staff, and working with other agencies
- Listen to children / young people, encourage them to respect and care for others and take action to stop any inappropriate abuse or harassment taking place, in whatever form this happens
- Endeavour to create an open and accountable environment, permitting children / young people to voice/communicate their concerns about inappropriate behaviour and misconduct while providing strong sanctions to deter abuse, harassment, victimisation and cover up of malpractice
- Ensure our policies and procedures apply to all staff (paid or unpaid), governors, volunteers, children, young people, parents and carers regardless of gender, ethnicity, disability, sexuality or religion

Purpose and Intended Outcomes of the Policy

The children and young people at Seashell Trust have high dependency levels and rely on the trust, respect and decency of the staff as guardians for their safety and protection both in the education settings and within the registered homes. We believe that giving protection to our children and young people is best done through a series of processes including developing their own awareness of self and others; relationships and self-worth. Prevention

strategies which encompasses the understanding of right and wrong, inappropriate and appropriate behaviours and their consequences. Working in partnership with children, vulnerable adults, parents, carers and other agencies to protect children and young people.

It is the purpose of this policy to ensure that all staff have ready access to information and guidance to enable them to deal confidently and appropriately with any issue concerned with abuse. Staff need clear guidelines to ensure not only best practice in their care of the children and young people but also adherence to legal and statutory directives. **All staff** working at Seashell Trust share a responsibility for the protection and well-being of the children and young people in our care and work together to provide this effectively. Children and young people have a right to protection. It is the **responsibility of everyone** to ensure their right to this protection. This is particularly true in relation to children and young people with severe learning disabilities and additional complex needs, who due to their disabilities are vulnerable and at a higher risk.

Guiding Principles

- Services provided should be appropriate to the child / young person and not discriminate because of disability, age, gender, sexual orientation, 'race', religion, culture or lifestyle
- The primary focus/point of decision making should be as close as possible to the child / young people and individuals must be supported to make choices
- Children / young people should be offered advocacy services as appropriate to their needs
- Children / young people should be given information, advice and support in a form that they can understand and have their views 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
- *There is a presumption that adults (young people over the age of 16) have mental capacity to make informed decisions about their lives. If someone has been assessed as not having mental capacity, decisions will be made in their best interests as set out in the Mental Capacity Act 2005 and Mental Capacity Act Code of Practice.(see appendix 7 for Seashell Trust Mental Capacity Assessment and Policy)*

Definitions

Safeguarding

Measure taken to protect someone or something or to prevent something undesirable' **Oxford Dictionary**

'Safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect.' (CQC, 2010)

In relation to children and young people, **Ofsted** adopts the definition used in the Children Act 2004 and the Department for Education (**DfE**) guidance document: Working Together to Safeguard Children 2013 (paragraph 2), which define safeguarding and promoting children and young people's welfare as:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care, and
- taking action to enable all children to have the best outcomes

The above statutory guidance defines child protection as part of safeguarding and promoting welfare. Child protection is the activity undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.

Significant Harm - A child / young person is considered to be harmed significantly or at risk of significant harm when the basic rights and needs of that child or young person/adult are not being met.

Mental Capacity definition - The Mental Capacity Act 2005 came into force in England and Wales in 2007. The Act aims to empower and protect people who may not be able to make some decisions for themselves. The Act applies to anyone aged 16 or over in England and Wales. It protects people with mental health problems as well as people with dementia, learning disabilities, or stroke or brain injuries. The Mental Capacity Act sets out in law what happens when people are unable to make a particular decision.

Policy

Aims

Protecting children and young people represents the commitment of Seashell Trust to work with multi agencies to safeguard children and young people in its care. The policy aims to make sure that:

- the needs and interests of children/young people are always respected and upheld
- the human rights of children/young people are respected and upheld
- a proportionate, timely, professional and ethical response is made to any child or young person who may be experiencing abuse
- All decisions and actions are taken in line with the Mental Capacity Act 2005. (Adults and young people over the age of 16)

The policy and associated procedures also aim to make sure that each child and young person maintains:

- Choice and control
- Safety
- Health
- Quality of life
- Dignity and respect

Confidentiality

Seashell Trust strives to maintain confidentiality with all parents and professionals wherever possible, we consider it an essential feature of our partnerships with all our families and associated professionals. Notwithstanding this, if information is passed to members of staff who feel there is concern that may cause harm to any child or young person; they must pass this information on to the relevant professionals. Where a child / young person may have been subjected to significant harm, staff will be expected to treat such information as confidential, and not to divulge it to any other party, other than on a need to know basis (see the Trusts policy on Confidentiality).

Reporting Procedures

Any person who has knowledge of, or a suspicion that a child or young person is suffering significant harm has a duty to refer their concerns to one of the Trust's Designated Safeguarding Officers (DSOs) details of the DSOs and their contact details are given in Appendix 1. To remain silent is to protect the abuser. At all times, the safety of the child and young person at the Trust is paramount.

The children and young people at Seashell Trust are very vulnerable due to their complex needs and communication disorders. It is not likely that they will disclose 'abuse' in the normal sense of the word. Therefore, the staff should be aware of changes in behaviour, exhibiting behaviour or any other clues which may be a cause for concern. All children or young people, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity will be protected from all types of harm, abuse or significant harm.

All concerns, suspicions and allegations of abuse are taken seriously. Therefore any breach of this policy or associated procedures will be treated seriously under the Trust's Grievance and Disciplinary Procedure. If a member of staff is unable or prevented from following procedure they must immediately inform their Line Manager or DSO.

The safety and welfare of children and young people is safeguarded and promoted throughout the process by following this policy and in line with:

Stockport Safeguarding Adults at Risk (The Multi-Agency Policy for Safeguarding Adults at Risk and Multi Agency Operational Procedures for Responding to and Investigating Abuse)
<http://www.stockport.gov.uk/2013/2996/41105/safeguardingadultspolicyoct2013>

Greater Manchester Safeguarding Children Procedures Manual
<http://greatermanchesterscb.proceduresonline.com/>

- Consideration for the safety of other children/young people must take place and steps must be taken to ensure that other children / young people are not at risk of abuse.
- By raising staff's knowledge and awareness through a planned programme of regular mandatory training (meeting statutory requirements) there is a likelihood of a reduction in safeguarding reportable incidents.
- Maximum protection is given to staff and to the reputation of Seashell Trust by having a clear Policy statement and robust procedures in place which ensures a clear documented record of every step in the protection process. **IF ANY STEP IN THE PROCESS IS NOT RECORDED THEN IT IS ASSUMED THAT IT DID NOT HAPPEN.**
- Safe recruitment and employment practices are observed as we recognise that this is an important part in safeguarding children/ young people and adults (See Safer Recruitment and Selection Procedure)
- The Trust has a nominated senior member of the organisation to take lead responsibility for dealing with safeguarding issues, providing advice and support to staff , liaising with staff and working with other agencies

Children and Young People

At Seashell Trust, particular attention has to be paid to the learning difficulties and disabilities of the children and young people and the need to support them to be able to report any abuse. Many of the children and young people have sensory and/or physical disabilities and/ or autism spectrum conditions which often require individual risk assessments to be carried out to ensure maximum safety within and outside their home environment.

The organisation has a responsibility to protect children and young people from harm, take any emergency action, and work with the placing authority, the Safeguarding Children and Safeguarding Adults teams and the police. Recording of any information must be detailed, precise, factual, complete and contemporaneous to enable it to be used by agencies which, at some stage in the future, may take either criminal or civil court action or be used in an interagency strategy meeting. Advice from the placing authority/Safeguarding Children or Adult teams will need to be given to the organisation's staff members concerning any further action to be taken.

Seashell Trust respects the entitlement of those children and young people to protection under the Stockport policy and procedures handbook for the Protection of Children and the Protection of Vulnerable Adults (POVA) which is always followed should a case of alleged abuse arise. All concerns, suspicions and allegations of child or adult abuse are taken seriously.

We will endeavour to safeguard children / young people by:

- Valuing them, listening to and respecting them
- Following protection guidelines through procedures and a code of conduct for all staff and volunteers
- Recruiting staff and volunteers safely ensuring all necessary and appropriate checks are made
- Sharing information and good practice about children and adult protection with children, young people, adults, parents, staff and volunteers
- Provide clear guidelines around concern's, disclosures, allegations and complaints
- Effect management for staff and volunteers through supervision, appraisal, debriefing, support and training

Safeguarding System

A safeguarding system is required by law where agencies, involved in the prevention, detection and treatment of a child or young person who is likely to have been or has been the subject of significant harm. These services and resources act to protect that child or young person.

The system will ensure that the children and young people have the rights / the right to:

- To be valued as individuals
- To be treated with dignity and respect from staff, families, carers, multi-agency professionals and volunteers
- To be included in activities and opportunities of ordinary living
- To be kept safe, have adequate care and protection from all forms of abuse
- Identify a risk of significant harm
- Enable a child / young people to recover from the effects of significant harm
- Promote a child / young persons awareness of significant harm

- Enable a Child / young person to protect him/herself
- Provide parents and/or carers with advice and guidance where applicable
- Make all staff aware of the factors which indicate a child / young person is at risk of significant harm
- Collaborate and co-operate with those agencies involved in the development of services preventing significant harm

The Seashell Trust supports children / young people so that if any risk of, or actual significant harm to a child / young person is identified by a staff member, the matter will be reported to the DSO and/or On Call Manager, who will make a decision about the next steps to be taken.

The child / young person concerned will have given some information or shown behaviours for concern leading to the formulation of an opinion by the staff member that they have suffered or are at risk of significant harm. Although the child / young person should not be prevented from talking / signing, questions should be limited to the minimum necessary for clarification. It is an imperative that suggestions or leading questions are not used for fear of contaminating the evidence which, rightfully, is the role of the investigative team (usually social worker(s) and police).

Senior staff at Seashell Trust have undertaken achieving best evidence (ABE) training to enable them if requested to take part in the investigation process.

A child / young person who indicates either verbally, by his/her behaviour, by observation of injuries, by actions of other person/s against a child or young person, or from a third party, that s/he has been subjected to or is at risk of significant harm cannot be promised complete confidentiality, as it must always be shared with other appropriate agencies in order to protect the child / young person.

If medical attention is required as the result of harm suffered by the child / young persons, it should be given from an appropriate source, first aid/GP/hospital. Simultaneously, the DSO or senior staff member should consult on further action to be taken.

Responsibility whether or not to report the incident to the placing authority and /or Stockport Safeguarding Children or Adults Team will be made by the DSO. On occasion where there is uncertainty by the organisation about whether or not to make a referral, an informal approach, to either the placing authority and/or the Stockport Safeguarding Children Team for Children or Stockport Alert Centre for Adults must be made requesting advice about how a matter might be dealt with or handled. Where a decision is made by Seashell Trust to make a referral, all information must be made available.

Recording of the information must be detailed, precise, factual, complete and contemporaneous to enable it to be used by agencies which, at some stage in the future, may take either criminal or civil court action or be used in an interagency strategy meeting.

CATEGORIES OF ABUSE

Physical Abuse

Physical Abuse is any acts which result in causing physical harm to a child / young person or adult.

Including:

- Physical abuse is non-accidental harm to the body, including:
- Hitting, slapping, shaking, throwing, kicking, shaking, pinching, dragging, pulling or pushing.
- Burning or scalding
- Poisoning
- Drowning
- Suffocating
- Force feeding or tampering with food
- Misuse or mal-administration of medication
- Giving medication without consent or **Mental Capacity Assessment being held if the young person/adult lacks capacity.**
- Inappropriate restraint or treatment
- Inappropriate isolation or confinement

- Withdrawal of sensory or mobility aids
- Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child / young person or adult whom s/he is looking after. This situation is described as fictitious illness by proxy or Munchausen syndrome by proxy.

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 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 key pads 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. (See Behaviour Management Policy)

As a provider of health and social care we have in place internal operational procedures covering the use of physical interventions and restraint incorporating best practice guidance and the Mental Capacity Act, Mental Capacity Act Code and the Deprivation of Liberty Safeguards (DOLS).

Neglect and Acts of Omission

Neglect is the persistent failure to meet a child /young person's basic physical and/or psychological needs, likely to result in the serious impairment of the child's / young person's health or development.

It may occur deliberately or by omission and includes:

- A parent or carer failing to provide adequate food, shelter and clothing.
- Failing to protect a child / young person from physical harm or danger.
- Failure to ensure access to appropriate medical, psychiatric, psychological or social care or treatment.
- Neglect of or attitudes of unresponsiveness to, a child's / young person's basic emotional needs.
- Neglect is failing to provide adequate standards of care
- Failure to assess risk or to intervene to avert or reduce danger
- If the individual committing the neglect is aware of the consequences and the potential for harm then the result, due to the lack of action(s), then the neglect is intentional in nature.
- Unintentional neglect could result from a carer failing to meet the needs of a child / young person because they do not understand the needs of the child / young person at risk, may not know about services that are available or because their own needs prevent them from being able to give the care the person needs. It may also occur if the individuals are unaware of or do not understand the possible effect of the lack of action on the child / young person at risk

Sexual Abuse

Sexual abuse involves forcing or enticing a child / young person or adult to take part in sexual activities, whether or not the child / young person or adult is aware of what is happening. Without their voluntary and informed consent and may also include sexual activity where one party is in a position of trust, power or authority.

Sexual Abuse Includes:

- Physical contact, including penetrative (e.g. buggery, vaginal or anal rape) or non-penetrative acts.
- Non-contact activities, such as involving children / young people or adults in looking at, or in the production of pornographic material or watching sexual activities.
- Encouraging children / young people or adults to behave in sexually inappropriate ways
- Incest

- Female Genital Mutilation (FGM)
- Indecent assault
- Gross indecency
- Sexual harassment
- Forced marriage of someone with a learning disability
- Lack of choice of same sex staff to undertake intimate personal care.

All sexual activity involving staff with individuals for whom they care or know to be at risk is contrary to professional standards. (Section 5.4 of the General Social Care Council (GSCC) Code of Practice). It is abusive and will result in disciplinary proceedings.

A sexual relationship between a vulnerable adult and a care worker is a criminal offence under Sections 38–42 of the Sexual Offences Act 2003.

People with severe learning disabilities, (defined as an IQ of 50 or under), cannot in law give consent to sexual activity; it is a criminal offence for someone without a learning disability to indulge in sexual activity with someone they know to have a severe learning disability.

Psychological or Emotional Abuse

Emotional abuse is the persistent emotional ill-treatment of a child / young person such as to cause severe and persistent adverse effects on the child / young persons' emotional development. Please note psychological / emotional abuse will usually occur in conjunction with other forms of abuse.

It includes:

- Conveying to a child / young person that s/he is worthless or unloved, inadequate, or valued only insofar as s/he meet the needs of another person
- Age or developmentally inappropriate expectations being imposed on children / young people
- Causing children / young people frequently to feel frightened or in danger, or the exploitation or corruption of children and young people
- Any type of ill-treatment of a child / young person, though it may occur alone
- Behaviour that has an adverse effect on an individual's mental well-being
- Bullying and aggression
- Threats and intimidation
- Humiliation, ridicule and name calling
- Exclusion from group or marginalisation
- Denial of access to social contact, cultural or religious observance or possessions
- Disregard of choice and consent
- Verbal abuse

This is behaviour that has a harmful effect on the person's emotional health and development or any form of mental cruelty that result in:

- Mental distress
- The denial of basic human and civil rights such as self-expression, privacy and dignity negating the right of the child/young person to make choices and undermining their self esteem
- Isolation and over-dependence that has a harmful effect on the child, young person's emotional health, development or well-being.

Institutional Abuse

Neglect and poor professional practice may take the form of isolated incidents or poor/ unsatisfactory professional practice through the pervasive ill treatment of gross misconduct. Repeated instances of poor care may be an indication of more serious problems and is referred to as institutional abuse. Institutional abuse can take place in a person's own home, residential or nursing home, hospital or day care setting and can include:

- Any of the forms of abuse already described
- Excessively rigid routines
- Lack of personal possessions
- Lack of choice in everyday activities
- Changes in accommodation (within or between homes) without agreement
- Lack of dignity, privacy or respect
- Lack of support with personal hygiene.
- Deprivation of individual identity
- Inappropriate use of restraint

Institutional abuse is the mistreatment or abuse or neglect of a vulnerable adult by a regime or individuals within settings and services that vulnerable adults live in or use, that violate the person's dignity, resulting in lack of respect for their human rights.

Institutional abuse occurs when the routines, systems and regimes of an institution result in poor or inadequate standards of care and poor practice which affects the whole setting and denies, restricts or curtails the dignity, privacy, choice, independence or fulfilment of vulnerable adults.

Institutional abuse can occur in any setting providing health and social care. A number of inquiries into care in residential settings have highlighted that institutional abuse is most likely to occur when staff:

- Receive little support from management
- Are inadequately trained
- Are poorly supervised and poorly supported in their work
- Receive inadequate guidance.
- The risk of abuse is also greater in institutions:
 - With poor management
 - With too few staff
 - Which use rigid routines and inflexible practices
 - Which do not use person-centred care plans
 - Where there is a closed culture

It is the wilful infliction of mental suffering by a person who is in a position of trust and power to a child/young person. Psychological/emotional abuse results from threats of harm or abandonment, being deprived of social or any other sort of contact, humiliation, blaming, controlling, intimidation, coercion and bullying. It undermines the adult's self-esteem and results in them being less able to protect themselves and exercise choice.

Financial or material abuse

(although specific to Vulnerable Adults the Trust will also consider this in relation to all students as many are in receipt of pocket money etc. Any incidents will be recorded under safeguarding and dealt with through the Trusts disciplinary procedure as required)

Financial or material abuse is denying an individual the benefit of their own resources.

It includes:

- Theft, misappropriation or withholding of money, possessions or property
- Pressure, by threat or persuasion, to influence wills, inheritance, property or financial transactions
- Denying access to care or accommodation for financial reasons
- Exploiting service users or carers (Section 5.2 of the GSCC Code of Practice)
- It is contrary to professional standards for staff to lend borrow money from individuals for whom they care
- The misuse of an enduring power of attorney or a lasting power of attorney, or appointee ship.

Discriminatory abuse

Discriminatory abuse involves the prejudicial treatment of an individual on the basis of group identity.

It includes:

- Racism
- Sexism
- Sexual Orientation
- Ageism
- Disability discrimination
- Religious intolerance
- A lack of reasonable effort to enable the young person or adult to communicate in the language or medium most appropriate to them.

Discriminatory abuse exists when values, beliefs or culture result in a misuse of power that denies opportunity to some groups or individuals. It can be a feature of any form of abuse of an adult at risk, but can also be motivated because of age, gender, sexuality, disability, religion, class, culture, language, and 'race' or ethnic origin.

It can result from situations that exploit a person's vulnerability by treating the person in a way that excludes them from opportunities they should have as equal citizens, for example, education, health, justice and access to services and protection.

Self Neglect

Self-neglect is reported mainly as occurring in older people, although it is also associated with mental ill health. Differentiation between inability and unwillingness to care for oneself, and capacity to understand the consequences of one's actions, are crucial determinants of response

Recognised within the Care Act 2014 as part of the safeguarding framework

Exploitation

Either opportunistically or premeditated, unfairly manipulating someone for profit or personal gain

Radicalisation and Anti – Extremism

In addition to the above categories of abuse the Trust also recognises its responsibilities under the Counter-Terrorism and Security Act 2015 from 1 July 2015 all are subject to a duty under section 26 of the Act to have "due regard to the need to prevent people from being drawn into terrorism". This duty is known as the Prevent duty. The duty placed on schools covers 4 areas:

- Risk Assessment
- Working in Partnership
- Staff Training
- IT Policies

Channel Duty Guidance - Protecting vulnerable people from being drawn into terrorism

The Trust are aware of their requirements to refer concerns/individuals through the Channel process which may be appropriate for anyone who is vulnerable to being drawn into any form of terrorism. Channel is about ensuring that vulnerable children and adults of any faith, ethnicity or background receive support before their vulnerabilities are exploited by those that would want them to embrace terrorism, and before they become involved in criminal terrorist related activity. Success of the programme is very much dependent on the co-operation and co-ordinated activity of partners. It works best when the individuals and their families fully engage with the programme and are supported in a consistent manner.

Seashell Trust is aware of the responsibilities, which its Board, Governors, Senior Leadership Team, Staff (paid and unpaid), volunteers and partners have with regard to the safeguarding of children and vulnerable adults, and is committed to responding in all cases where there is concern.

Monitoring and Evaluation

This will be carried out in numerous ways by differing agencies and staff. Monitoring and evaluation systems for safeguarding are in place both internally and externally and include:

Weekly DSO Meeting (Internal) – reviews all cause for concern and live cases noting actions and feedback.

Monthly report to ELT (Internal) – Lead DSO details a monthly report to CEO and ELT on number and type of causes for concerns and live cases and updates on current position.

Termly Safeguarding Board (Internal) – All cases are reported to Safeguarding Board which is chaired by Trust Director. Cases are reviewed in terms of actions and outcomes. In addition national picture and legal updates are also provided to inform context of reporting.

Care Internal Monitoring (internal) - Independent monitoring takes place monthly in both children and adult homes ([Childrens Reg 44 \(external\)](#) and [Reg 45 \(external\)](#)) Monthly reports are scrutinised and the impact on the service and service users reviewed.

Monthly Reports Behaviour Watch (internal) – these reports are utilised to assess changes or increases in behaviours that may suggest areas of concern.

Recommendations and Action Plans (Internal) – following internal and external safeguarding cases lessons learned, recommendations and actions are documented and implemented, this is monitored, coordinate by the Senior HRBP.

[Reg 44 Reports](#) (External) – sent monthly to OFSTED and reviewed.

[Independent Monitoring Reports Reg 45](#) (External) – sent monthly to CQC

Stockport Adult Protection (External) – monthly report detailing cases and harm levels. Cases referred are monitored.

Stockport Child Protection (External) – cases referred are monitored

CQC Inspections (External) – safeguarding concerns, policy and procedure form part of regular inspection framework

OFSTED Inspections (External) – for Childrens Homes, School and College safeguarding concerns, policy and procedure form part of regular inspection framework

LA / Commissioner Safeguarding Assessments (External) – carried out as part of compliance audits

Peer Review Pilot (External) – piloting links to other similar providers to self-assessment and share good practice in relation to safeguarding

Risk Assessment and Management

Risk assessments that include the assessment of risks of abuse, neglect and exploitation of children, young people are integral in all assessment and planning processes at the Trust including assessments for self-directed support and the setting up of personal budget arrangements. Assessment of risk is dynamic and on-going for all students throughout their time at the Trust and during any safeguarding process. The assessment of any safeguarding risks and/or other risks are reviewed throughout the process so that adjustments can be made in response to changes in levels and nature of risk.

The primary aim of a Safeguarding risk assessment is to assess:

- The current risks that people face
- The potential risks they and others may face.

A Safeguarding risk assessment will determine:

- What the actual risks are – the harm that has been or may be caused and the level of severity of that harm and the views and wishes of the person at risk
- The person's ability to protect themselves
- Who or what is causing the harm
- Factors that contribute to the risk, for example, personal, environmental or relationships that result in increased or decreased risk
- The risk of future harm from the same source.

A plan to manage the identified risk and to put in place protection measures will include:

- What action must be taken immediately to protect the person at risk
- What needs to be in place to meet the need for an interim care plan
- When and how quickly a strategy meeting or discussion needs to take place
- A proportionate response to the particular situation to manage the risk posed to the person who has been harmed and others who may be at risk from the person alleged to have caused the harm
- What measures need to be taken to address risks that are caused by the setting which is providing care to the person at risk
- What needs to be put in place to meet the on-going support needs of the person at risk?

Child Sexual Exploitation Monitoring Tool

Driven from the Missing from Care and Child Sexual Exploitation standard (NMS 9.28) this is an assessment utilised to identify children at low, medium and high risk. Outcome indicators are used to evaluate increased measures that may need to be put in place. This tool is used as part of the assessment process and support plan review mechanism for all residential children.

Involving The Adult At Risk

The identification of risk should usually be undertaken with the adult who has been harmed unless doing so is likely to increase the risk of harm or puts other people at risk.

Vital Interest

If the adult/ young person (over the age of 18) at risk has the mental capacity to make informed decisions about their safety and they do not want any action to be taken, this does not preclude the sharing of information under Safeguarding Adults procedures with relevant professional colleagues. This is to enable professionals to assess the risk of harm and to be confident that the adult at risk is not being unduly influenced or intimidated, and is aware of all the options. This will also enable professionals to check the safety and validity of decisions made. It is good practice to inform the adult at risk that this action is being taken unless doing so would increase the risk of harm.

Best Interest (See Mental Capacity Act Policy)

If an adult lacks capacity to make informed decisions about maintaining their safety and they do not want any action to be taken, professionals have a duty to act in their best interests under the Mental Capacity Act 2005. This would automatically trigger a Safeguarding Adults referral.

Public Interest

If the adult at risk has the mental capacity to make informed decisions about maintaining their safety and they do not want any action to be taken, practitioners have a duty to share the information with relevant professionals to prevent harm to others. This will automatically trigger a Safeguarding Adults referral.

Personal Decisions

The adult at risk will have views about what is an acceptable level of risk to them and about balancing the risks in order to maintain the lifestyle or contacts they wish. There may be a balance to be struck between the benefits of achieving safety and the loss of contact with someone whom they value. A person with mental capacity may choose to live in a situation which is seen as unsafe by professionals, if the alternatives they are being offered are unacceptable to them. They do not, however, have a right to make decisions about the protection other people may need where they may also be at risk from the same person, service or setting. Vulnerable adults need to be able to make informed choices from the information they are given. In order to do this they may need support in a variety of ways such as the help of a family member or friend (as long as they are not the person alleged to have caused the harm), an advocate or IMCA, a language interpreter or other Communication assistance or aid.

Allegations made against a member of staff

Any allegations made against a member of staff will be treated seriously and investigated thoroughly in line with the investigation process undertaken in relation to causes for concern and those used to establish if there is any disciplinary case to answer. The process will be carried out confidentially and as swiftly as possible to establish the facts and what further action needs to be taken. This will be led by an assigned DSO and supported by the HR department.

Depending on the circumstances the Trust may be required to suspend (without prejudice) an individual member of staff whilst investigations are pending. This is considered on a case by case basis taking into account the allegation, risk assessing the circumstances and environment whilst an investigation is ongoing and the effects of this for the individuals concerned. Cases that are externally investigated may require the Trust to suspend individuals until investigations are completed. Should a member of staff be suspended this process and the requirements of this will be fully detailed and explained, the HR department will be established as the key point of contact throughout this period.

Following investigation the outcomes will be fed back to individual staff which will result in the Trust Disciplinary process being invoked or the member of staff being supported back to work.

Safeguarding Development Plan

The Lead DSO produces and co-ordinates an annual Safeguarding Development Plan which highlights annual key areas of focus, details any actions and recommendations from self-assessment audits, inspections and local authority compliance audits. In addition the plan also reviews any recommendations and actions that are noted from safeguarding investigations that are required to improve safeguarding process and outcomes.

On Site Contractors

The Trust have a number of contractor who come on site on a regular basis all contractors are required to sign in at reception and are escorted to the required part of site. Preferred contractors are taken through a thorough process of induction which includes details on the Trusts Safeguarding policy and processes, again these contractors are required to sign in when they come onto site.

As the Trusts Masterplan develops on site and major contractors appointed to deliver elements of this plan the appointment process includes a focus on safeguarding on site and this is covered in the appointment and contract award process. Operatives who come on site as part of the contractors workforce are required to undertake a supplementary induction on safeguarding which is delivered by the Trust.

Site meetings cover safeguarding reviews as part of each meeting to ensure that risks associated with any on site works are dynamic and continually updated and reviewed.

Responsibilities

Roles and Responsibilities

Governing Body – responsibility for advising and overseeing the Strategic vision on Safeguarding and ensuring the operational implementation of safeguarding policy and procedures of the Trust.

Chief Executive / Principal – has overall responsibility for safeguarding children and young people in Seashell Trust Care

Chair of Safeguarding Board (Trust) – chair termly meetings at the Trust, agree agendas for the meetings and ensure reporting and actions from the meetings are undertaken accordingly.

Lead Designated Safeguarding Officer - ensures that all concerns, investigations and safeguarding complaints are logged, investigated, reported and tracked, lead weekly DSO meetings, investigate internal concerns, attend and support external investigations, liaison with multi agency professionals and lead safeguarding within Seashell Trust. Ensure an annual Safeguarding Development Plan is in place for all staff and volunteers. Support the internal delivery of safeguarding training.

Trained Designated Safeguarding Officers – work with the Lead DSO, attend weekly DSO meetings, investigate internal concerns, attend and support external investigations, liaison with multi agency professionals, families and staff. Attend training as required and support the delivery of internal safeguarding programmes.

HRBP and Development Manager - will ensure that Safer Recruitment processes are in place for all staff appointments at the Trust and that these are invoked and adhered to. The HR department will maintain a Single Central Record (SCR) which details the DBS reference number and the outcome of the check. The Trust will undertake an enhanced DBS check for all staff every three years. Co-ordinate the delivery of an annual update for all internal DBS ID Checkers.

HRBP and Development Manager will invoke the Trusts Disciplinary procedure, as appropriate, in relation to any safeguarding accusations raised in relation to a member of staff.

The HRBP and Development Manager will ensure that all staff receive adequate, appropriate and timely Safeguarding training and refresher training as per the Annual Safeguarding Training Plan as follows:

Individual Group	Training	Frequency
All new staff	Safeguarding Induction Training (all) Safeguarding Adults (College and YP Care Staff) Safeguarding Children (School and Childrens Care Staff) Prevent Duty Training Channel training	At induction
All staff	Annual Safeguarding Refresher Prevent Duty Training Channel training	Annually
DSO	DSO training for children and adult safeguarding	Every 2 years
Team Leaders	L3 Safeguarding Award	As required
Recruiting Managers	Safer Recruitment Training	1 programme delivered annually
On Call Managers	Safeguarding referral guidance as part of On Call Training	Reviewed annually
Identified Managers	Achieving Best Evidence (NSPCC)	As required
DBS ID Checkers	Annual update and refresh on DBS checks	Annual
Board of Directors / Governors	Safeguarding Awareness and refresher training. Training in relation to safeguarding required in their role as a Director or Governor	Annual / as required

Senior HRBP (Safeguarding) Officer – will ensure weekly DSO meetings are co-ordinated and minuted, the SP page on Safeguarding is up to date, upon receipt of a referral will set up a case file with a unique identification code and

number. All information including internal and external communications and correspondence will be recorded in this case file which will be maintained in a secure area. Guidelines will be included at the front of each case file to ensure confidentiality and good practice. Manage access to the case file by relevant managers with a need to read the case notes through prior authorisation by the Lead DSO. Co-ordinate internal investigations and liaise with relevant agencies in relation to any external investigations. Co-ordinate the delivery of an annual update for all internal DBS ID Checkers.

All Staff – Have a duty to report any safeguarding concerns and attend Safeguarding Induction and then annual refresher training

It is the duty and responsibility of every member of staff to ensure they are familiar with and regularly refresh their knowledge of the aspects and indicators of abuse described in detail. It is also **the duty and responsibility of every member of staff** to report immediately any CONCERN or SUSPICION of possible abuse of a child/young person or any ALLEGATION of possible abuse of a child/young person to their line manager or a DSO. If staffs have any doubts whether or not an incident or situation constitutes a safeguarding issue, it should be reported to a DSO.

The Seashell Trust is signatory to Stockport's All Agency Safeguarding Adults and Childrens Workforce Policy which requires that any and all allegations of abuse are notified to Stockport Safeguarding Department, CQC, OFSTED, the Police and relevant Social Services Departments. This requirement includes Allegations of Service User abusing another Service User.

Related Document(s)

Other Trust Policies and Procedures for reference:

- Code of Conduct
- Intimate Care
- IT Acceptable Users Policy
- Confidentiality
- Whistle Blowing (Do the Right Thing)
- Safer Recruitment and Selection
- Autism Policy
- Discrimination and Harassment Policy
- Data Protection Act
- MCA Policy
- Behaviour Management Policy
- Administration of Medication Policy
- DBS Policy and Procedure
- Disqualification by Association

Legislation and Guidance:

- Public Disclosure Act 1998
- Care Standards Act (2014) the Department of Health
- Capacity and Consent Mental Capacity Act 2005 including DOL's
- Children and Families Bill 2014
- Keeping Children in Education Statutory guidance for schools and colleges July 2015
- The Prevent duty - Departmental advice for schools and childcare providers June 2015
- Safeguarding disabled children - Practice guidance 2009
- Safeguarding Children and young People for Sexual Exploitation
- *Channel Duty Guidance* Protecting vulnerable people from being drawn into terrorism (Statutory guidance for Channel panel members and partners of local panels)

Appendices

1. Referral Flow Chart
2. Pre Incident Missing From Care & Child Sexual Exploitation Risk Assessment
3. Stockport's Mental Capacity Act E – Learning Programme guidance
4. Stockport Childrens – LADO Referral Form (April 2015)

5. Seashell Trust Cause for Concern Form
6. Seashell Trust Monthly Log for Harm Levels 1 and 2
7. Seashell Trust Mental Capacity Policy and Assessment