



Safeguarding Policy

Protection of vulnerable adults from abuse

(Reviewed and updated 18th October 2024)

Introduction

MLMC believes that every individual who accesses our services has a right to a life free from abuse, to be treated with dignity and respect, to have their choice respected and not to be forced to do anything against their will.

What is Adult Safeguarding?

Adult Safeguarding is aimed at adults with care and support needs who may be vulnerable and at risk of abuse or neglect. Safeguarding is everyone's business and local services work together to identify those at risk and take steps to protect them.

Care Act 2014

The Care Act 2014 creates a legal framework for organisations and individuals with responsibilities for adult safeguarding to work together to keep adults at risk safe.

Section 42 of the Care Act 2014

An enquiry by the local authority is sought when an adult experiencing abuse or neglect or is at risk of it and meets the following criteria.

This section applies where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there)—

- (a) has needs for care and support (whether or not the authority is meeting any of those needs),
- (b) is experiencing, or is at risk of, abuse or neglect, and
- (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

Definition of Abuse

Abuse is described as *"a violation of an individual's human or civil rights by any other person or persons"* (No Secrets, Department of Health - 2000).

Categories of Abuse (Threshold of Needs Matrix, Oxfordshire Safeguarding Adults Board - 2021)

- **Physical abuse** - The act of causing physical harm to someone else.
- **Domestic violence/ Domestic abuse** - 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.
- **Sexual abuse** - When an adult is forced or persuaded to take part in sexual activities. This doesn't have to be physical contact and it can happen online.
- **Psychological or emotional abuse** - This is the ongoing psychological/emotional maltreatment of an adult.



- **Financial or material abuse** – This is the unauthorised and improper use of funds, property or any resources. This includes the use of theft, coercion or fraud to obtain or try to obtain a person's money, possessions or property.
- **Modern slavery** - This is holding a person in a position of slavery , forced servitude, or compulsory labour, or facilitating their travel with the intention of exploiting them soon after.
- **Discriminatory/hate crime** - Unequal or abusive treatment based on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation.
- **Organisational or institutional abuse** - This is neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation, resulting in ongoing neglect or poor care.
- **Neglect or acts of omission** - Ongoing failure to meet a person's basic physical or psychological needs.
- **Self-neglect** - A person living in a way that puts his or her health, safety, or well-being at risk. NB: Only exceptional cases of self-neglect will trigger adult safeguarding. All standard interventions must be used first to manage risk e.g. Care Management/Care Plan Approach/Multi-Disciplinary Team.

Risk and protection

MLMC believes that each person has a right to a life that maintains independence and enables them to make their own decisions and choices. We also acknowledge that an individual's rights to independent living sometimes involves a degree of risk and we therefore aim to ensure that any risk is recognised, understood by all and minimised whenever possible. We also understand that there will be cases where an individual may be unable to make their own decisions and/or to protect themselves or their assets.

Prevention of and dealing with incidents of abuse

MLMC acknowledges that its primary responsibility is the prevention of abuse, and where this fails there are robust measures in place to deal with incidents of abuse. Measures for preventing incidents of abuse include:

- All staff have up to date safeguarding training to understand their safeguarding responsibilities, recognise and identify the different types of abuse and understand the reporting process.
- Ensuring that robust policies and procedures are in place and are being followed by staff. Procedures are reviewed regularly.
- Effective recruitment and selection processes which involve Enhanced DBS checks and thorough checking of employment history references.
- Ensuring that breaches of policy and procedures are dealt with appropriately and consistently.



- Maintaining effective partnership with other agencies, including Social Services and the police and working in line with local inter-agency guidelines for the protection of vulnerable adults.
- Cases of abuse are reported to the named safeguarding leads (Rachael Fraser or Yazz Davies in their absence) and then to the Charity Coordinator who reports to the Jobs and Money team of Trustees.
- Allegations where a staff member is the alleged perpetrator of abuse, will be discussed with the Charity Coordinator (where appropriate) and with the Jobs and Money team of trustees. All complaints must be dealt with in accordance with MLMC's complaints procedure.

Disclosures of abuse, suspected abuse or neglect

Many incidents of abuse only become known because the abused individual discloses the information himself or herself. Often, they may not realise they are being abused and may not be aware of the significance of what they are disclosing. Some disclosures may happen after many years. There may be good reasons for this and any delay in reporting or disclosing by an abused person should not cast doubt on their truthfulness. Staff members will be expected to take all allegations seriously, however insignificant they may initially seem.

During a disclosure of alleged abuse, staff should always explain that they are required to share this information with the named safeguarding lead.

Where a staff member is allegedly involved in the incident staff must report to the named safeguard lead and together with the Charity Coordinator a decision as to whether the staff member be told will be made.

If it is possible and appropriate, staff should make notes at the time of the disclosure, noting what the person actually says using their own words and phrases. In any event, a full and factual record of the disclosure must be made as soon as possible, and always within 24 hours.

Consent of the service user

For any action, including referrals to Social Services and the police, consent from the service user should be sought where possible. In every situation, it will be assumed that a person can make his or her own decisions and action will only be taken in the absence of consent from the service user where:

- They or others are in physical danger, i.e. they are not the only person at risk and the risk to others needs to be considered;
- It has been assessed (by a multi-disciplinary team) and agreed that the vulnerable adult is unable/incapable of making an informed decision for him or herself.

Disclosures made by a member of staff (regarding a colleague)



Where a member of staff wishes to disclose alleged abuse perpetrated by a colleague they must immediately contact the Charity Coordinator who will discuss the issue with the Jobs and Money team of Trustees who may then seek further professional HR advice.

An investigation will be set up immediately and this may involve the colleague being suspended from work.

If the member of staff wishes the allegation to remain confidential, the Charity Coordinator or the Jobs and Money team of Trustees will discuss the options for action and then feedback to the individual. The Charity Coordinator should consider the option of approaching the police with the individual if appropriate. All staff will take reasonable steps to respect the confidentiality of the person disclosing the alleged abuse. The organisation will aim to ensure that the staff member making the disclosure is supported and protected from reprisals or victimisation as a result of an expression of concern.

If staff observe a possible incident of abuse or have suspicions abuse is being perpetrated or receive a disclosure from a service user or another source, where the alleged abuser is a member of staff, they must comply with the Public Disclosure Act (1998). This Act requires staff to report any fraud, misconduct or malpractice to their line manager. Failure to do so may result in disciplinary action being taken against the staff member.

Adult Protection Procedure

Whenever abuse of a service user is suspected, all those who work at MLMC should follow this procedure.

Stage 1

- MLMC Workers should contact the emergency services immediately if a service user appears to be in immediate physical danger. Be aware of retaining forensic evidence.

Stage 2

- Workers should discuss the situation and courses of action available with the service user who has had abuse perpetrated upon them.
- Workers should contact one of the named safeguarding leads immediately who will report the full facts and circumstances of the situation to the Charity Coordinator and discuss options and required action. Having considered:
 - a) If immediate referral to the police or Social Services is required;
 - b) If there is a need to contact partner care/support agency;
 - c) Review of relevant records, particularly similar incidents of the same kind;
 - d) Consider the immediate health/welfare needs of the alleged victim or any other vulnerable adult who may be affected and methods for supporting the service user, including access to counselling services.

The Charity Coordinator may consider with the Jobs and Money team of Trustees the appropriateness or not of notifying the alleged abuser of the allegation made against them prior



to a referral to Social Services or the police. Social Services and/or interagency input should be sought when making this decision.

Stage 3

- Workers with input from the service user write a full report of the incident of abuse and any subsequent actions within 48 hours.
- It is essential that the above report is signed and dated and completed in a manner that is:
 - a) Clear and factual.
 - b) Reflects the words and phrases used by the person disclosing.
 - c) Describes the circumstances in which the disclosure came about i.e. the context, setting and anyone else who was there at the time.
 - d) Contains information only and not your own opinions. Any opinions or third party information must be clearly identified as such.
- A copy of the completed report, plus any additional records pertaining to the incident should be saved securely in the safeguarding drive, with permission to access only shared with named safeguarding lead and Charity Coordinator. The issue of confidentiality should be considered, for example if the allegation involves a staff member. Private and confidential information on staff should be kept separately and placed on the personnel file only.

Stage 4

With reference to the Oxford Safeguarding Adults Board (OSAB) Threshold of Needs Matrix ([OSAB Understanding Safeguarding \(Thresholds Matrix\) – January 2021](#)) a decision will be made about whether the concern should be monitored internally, consulted upon with the County Council's Safeguarding Team or immediately referred as a safeguarding concern.

OSAB Safeguarding Adults Service Consultation Line: **01865 328232** (Monday to Friday only)

If a referral is made to Social Services, this should be online via the Oxfordshire County Council's [Raising a Safeguarding Concern page](#). On submission of the form, someone from the Adult Safeguarding Team should be in contact within three working days to discuss your concerns. A copy of the referral should be kept for MLMC records.

Safeguarding concerns can also be raised with OSAB over the phone by calling **0345 050 7666** during office hours or the Emergency Duty Service number (**0800 833 408**) outside of those hours. Safeguarding is not an emergency service so if someone requires immediate protection because they are being harmed, call the Police on **999**.



Stage 5

If no referral is made to Social Services or no further action taken, including contacting the police, in line with a service user's wishes the nominated safeguarding lead will:

- Keep records of all decisions, including why no further action is to be taken.
- Regularly monitor the situation and review the agreed action plan
- Discuss appropriate help-line or services that are available with the service user.

Investigating Allegations of Abuse

When investigations into alleged abuse of service users are undertaken, it is crucial that the individual's privacy, dignity, independence and choice is taken into consideration throughout the entire process. Therefore, the organisation aims to ensure that the service user is fully supported and has access to all the relevant information to enable them to make informed decisions regarding possible follow-up action.

WHERE THE ALLEGED ABUSER IS A MEMBER OF STAFF, a full internal investigation must take place. This does not exclude investigations also being carried out by Social Services, the police and any registering authority.

External agencies to contact for referral and/or advice when a significant safeguarding concern arises.

1. Oxfordshire Safeguarding Adults Board (OSAB) and the Threshold of Needs Matrix

There is an expectation that all workers in Oxfordshire, who work with people with care and support needs, will refer to the "Threshold of Needs Matrix" document when they have concerns about a person.

The Oxfordshire Safeguarding Adults Board (OSAB) Threshold of Needs Matrix is designed to act as a guide when you are considering if, and when, a formal safeguarding concern should be raised.

Here is the [OSAB Understanding Safeguarding \(Thresholds Matrix\) – January 2021](#)

The OSAB website also offers comprehensive guidance and advice on all safeguarding issues. If the concern is related to a person not having adequate support or care, you should request a care needs assessment using this form: [Care Needs Form for Professionals](#)

2. Oxfordshire County Council for reporting, referrals and advice

It is the Council's expectation that the Learning Disability Team (LDT) and the Commissioning & Contracting (C&C) Team are both made aware of reportable incidents as soon as possible. Ideally, this should be on the same day or the next working day.



Additionally, incidents may also need to be reported separately to CQC and to the Health & Safety Executive and to other relevant regulatory bodies.

Any incident occurring outside of office hours should be notified immediately to the Council by way of the Emergency Duty Team (EDT). If an incident is notified to the EDT, it is still expected that the LDT and C&C Team will be notified at the earliest opportunity.

Incidents

Incidents which should be reported to the Council include:

1. Any incident where a vulnerable adult is harmed or placed at risk of harm as a result of abuse, neglect or misconduct (including poor practice). Incidents of this type will be dealt with under Oxfordshire Safeguarding Adults Policy, further details of which can be found on the website, www.oxonsafeguardingadults.org.uk
2. Complaints of a serious nature about your service.
3. Occasions of serious staff misconduct which would ordinarily lead to disciplinary investigation and/or suspension.
4. Tenancy violation – any action by a service user which breaches their tenancy agreement and may place their tenancy at risk.
5. Any incident involving a service user necessitating police involvement – including a situation where a service user goes missing.
6. Any incident which necessitates a service user needing hospital treatment or admission.

It is the Council's expectation that providers will also alert the Learning Disability Team and Commissioning & Contracting Team if and when they become aware of the recurrence of less serious incidents which may indicate a developing pattern.

When reporting, it is preferable that the first contact is made by telephone.

- Community Learning Disability Teams
 - If you live in North Oxfordshire please call 01865 903500 (during normal working hours) or email LDnorth@oxfordhealth.nhs.uk
 - If you live in Oxford City please call 01865 904555 (during normal working hours) or email LDcity@oxfordhealth.nhs.uk
 - If you live in South Oxfordshire please call 01865 903100 (during normal working hours) or email LDsouth@oxfordhealth.nhs.uk
- Commissioning & Contracting Team at County Hall via Adult Social and Health Care (03455 050 7666)
- Emergency Duty Team (for out of hours incidents) 0800 833408

Depending on the situation, follow up information may be required in a written form.

Obviously, some incidents are clearly reportable, but others rely on an element of subjective judgement. If you have any uncertainty about whether an incident should be reported please contact Adult Social and Health Care (03455 050 7666).



You can also raise a concern to OCC online <https://www.oxfordshire.gov.uk/residents/social-and-health-care/keeping-safe/raising-safeguarding-concern>

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