

1 Scope

- 1.1 Aster Group is a registered social housing provider. Within the Group, there is responsibility of safeguarding as a registered provider of care. This policy covers our responsibilities under both contexts and regulatory responsibilities.
- 1.2 This policy applies to adults who live in our properties or use our services, and to all Aster Group employees and volunteers. It outlines our approach to preventing and reducing the risk of harm to adults who are experiencing or are at risk of abuse or neglect.
- 1.3 Adult safeguarding is defined in the Care Act 2014 as the process of protecting adults aged 18 or over from abuse or neglect where they:
 - ❖ Have care and support needs.
 - ❖ Are experiencing or at risk of abuse or neglect / self-neglect.
 - ❖ Are unable to protect themselves from that abuse / neglect due to their care and support needs.
- 1.4 The Care Act 2014 lists ten types of abuse but states that they should not limit the view of what constitutes abuse or neglect to those types, or the different circumstances in which they can take place. These are:
 - ❖ Physical abuse
 - ❖ Domestic abuse
 - ❖ Sexual abuse
 - ❖ Psychological / emotional abuse
 - ❖ Financial or material abuse
 - ❖ Modern slavery
 - ❖ Discriminatory abuse
 - ❖ Organisational or institutional abuse
 - ❖ Neglect and acts of omission
 - ❖ Self-neglect.

2 Policy Statement

- 2.1 Aster has a zero tolerance of abuse. We believe that it is unacceptable for anyone to experience abuse, harm or neglect.
- 2.2 We recognise our responsibilities under the terms of the Care Act 2014, and the Mental Capacity Act 2005. As a registered provider, Aster is not a statutory partner under these acts, but we recognise our duty to:
 - ❖ Have a Safeguarding Lead
 - ❖ Attend and provide information for local Safeguarding Adult Boards and reviews where necessary.
 - ❖ Cooperate with local authorities in enquiries of suspected adult safeguarding concerns, this could result in us taking action to protect an adult from any actual or risk of abuse or neglect.
 - ❖ Have a safeguarding policy and procedure.
 - ❖ Keep clear and accurate records of adult safeguarding allegations, responses, and actions, and then share these with appropriate organisations when in the best interest of the vulnerable adult.

- ❖ Have safe recruitment practices and provide relevant safeguarding training.

2.3 This policy is based on the six key principles for adult safeguarding from the Care Act 2014:

- ❖ Empowerment – presumption of person-led decisions and informed consent.
 - We will make sure that the adult at risk is listened to and understood, respected and their needs are considered when responding to a safeguarding concern.
- ❖ Prevention – it is better to act before harm occurs.
 - We aim to hold up to date information on customers support needs and will use that information to inform our approach to safeguarding.
- ❖ Proportionality – proportionate and least intrusive response appropriate to the risk presented.
 - We will act quickly on any safeguarding concerns.
 - We will notify the local authority Safeguarding Team if abuse is identified or suspected.
 - We will take appropriate action against perpetrators of abuse. If a crime has been committed, we will report this to the police and share information where appropriate.
- ❖ Protection – support and representation for those in greatest need.
 - We recognise that mental capacity and consent are key issues in safeguarding and every adult has the right to make decisions about their own well-being. An adult is assumed to have mental capacity unless it is proved that they do not. We will make a referral to the local authority Adult Social Care Team when we have concerns that a person being abused lacks mental capacity to ensure that a mental capacity assessment can be made.
 - Where someone is considered as not having mental capacity to make an informed decision about their own wellbeing, decisions will be made in their best interest on their behalf. This decision will be made in accordance with the requirements of the Mental Capacity Act 2005, and with the necessary statutory services and agencies, involving carers and family members as appropriate.
 - Where necessary, we share information about concerns with agencies such as multi-agency public protection arrangements.
- ❖ Partnership – local solutions through services working in their communities.
 - We work with local authorities and other safeguarding partners and will co-operate with investigations of allegations of harm, abuse, and neglect to an adult at risk.
- ❖ Accountability – accountability and transparency in delivering safeguarding.
 - We have a Designated Safeguarding Lead who is responsible for delivery of the safeguarding policies and procedure and for co-ordinating our response to safeguarding concerns.
 - We hold quarterly Safeguarding Panels which shares learning from incidents and case reviews, revising and improving work practices.
 - We have clear procedures for identifying, assessing and managing generic risks associated with safeguarding (e.g. guidance on professional boundaries for lone workers), including how concerns are captured, subsequent actions and raising an alert to the local authority.

2.4 Whilst safeguarding is everyone's responsibility, the responsibility structure at Aster is as follows:

- ❖ Designated Safeguarding Lead
 - Ensures that the safeguarding policies and procedures are reviewed every three years or earlier if prompted by change in legislation or good practice.
 - Is responsible for Safeguarding Panel meetings which are used to discuss safeguarding cases, review incidents and performance.
 - Leads the learning lessons following a serious case review.
 - Informs the Group Health and Safety Board in the event of a serious safeguarding incident or pending serious case review.
 - Presents an annual report to the Group Health and Safety Board on Aster Group's management of safeguarding throughout the year.
 - Measures performance in relation to safeguarding adults at risk.
 - Works with partnership agencies as appropriate.

- ❖ The Safeguarding Panel
 - Promote awareness and understanding of safeguarding within all departments at Aster.
 - Ensure that colleagues record and report safeguarding cases accurately.
 - Provide advice and guidance to colleagues, identifying any learning or training needs.
 - Attend and contribute to Safeguarding Panel meetings quarterly, conducting case reviews, and providing assurance that policy and procedure are being adhered to.
 - Will be central to policy and procedure review.

- ❖ All employees and volunteers
 - Are aware of their safeguarding responsibilities and are alert to any concerns for welfare, and signs of abuse or neglect.
 - Report all cases of suspected abuse or neglect.
 - Attend all mandatory safeguarding training and refresher training where relevant.
 - Are aware of situations which may present risk and manage these.

- 2.5 We will meet our responsibilities in the safe recruitment and selection of colleagues. In accordance with the Recruitment and Selection Policy, to safeguard the needs of adults at risk, Disclosure and Barring Service (DBS) registration and clearance may be required for particular roles. Where appropriate, this check will be repeated at three yearly intervals.
- 2.6 Information on this policy and its associated procedures will be given during induction for all employees, volunteers and Board Directors and committee members. It will be mandatory for all colleagues to undertake role specific safeguarding training to understand Aster's safeguarding policy and procedures.
- 2.7 Where we receive an allegation about a member of staff that constitutes an adult safeguarding issue, an investigation will be conducted in accordance with the disciplinary procedure and a safeguarding referral made to the appropriate local authority.
- 2.8 Any failure to report a safeguarding concern may be regarded as a conduct issue, dependant on circumstances. This will be dealt with under Aster's Resolution Policy, in conjunction with any Local Authority enquiry.
- 2.9 As Aster Group provides care services, we have a Duty of Candour. This is a legal requirement which means that when things go wrong or mistakes happen, the people affected understand what has happened, receive an apology and we learn how to improve for the future. We uphold a rigorous commitment to Duty of Candour.

- 2.10 For safeguarding alerts in care, the Care Quality Commission will be notified where appropriate.
- 2.11 We understand safeguarding goes beyond protection from abuse. Safeguarding should promote well-being and effective outcomes, to enable people to live safely in their community.
- 2.12 We will uphold peoples' human rights in line with the Human Rights Act 1998, and fully adhere to the Mental Capacity Act 2005 and Equality Act 2010. We will seek to ensure that we meet and exceed best practice requirements in all areas of our safeguarding practice.
- 2.13 We are committed to inclusivity and accessibility and will endeavour to provide our communication and policies in accessible formats and in other languages when requested or required.

3 Monitoring and Review

- 3.1 Policy overview sessions will be delivered to relevant teams following implementation of this policy to ensure the content and responsibilities are understood.
- 3.2 The effectiveness of this policy will be continuously monitored, and the embedding of the policy scrutinised after 12 months by the *Group Health & Safety Panel*.
- 3.3 A Safeguarding Panel with clear terms of reference will meet quarterly and take collective responsibility for safeguarding oversight and monitoring throughout Aster. A safeguarding headline report will be produced quarterly after each meeting for the Customer Service Leadership Team and the Group Health and Safety Panel.
- 3.4 This policy will be reviewed every 3 years unless business need, regulation or legislation prompts an early review.

4 Related Policies and Procedures

- ❖ Safeguarding Procedure – link to all
- ❖ Diversity and Inclusion Policy
- ❖ Data Protection, Privacy and Confidentiality Policy
- ❖ Resolution Policy
- ❖ Honesty Policy
- ❖ Domestic Abuse Policy and Guidance
- ❖ ASB Policy, Procedure and Appendices
- ❖ Capacity Procedure
- ❖ Care Act 2014
- ❖ Mental Capacity Act 2005
- ❖ NICE Guidance for Care Homes Feb 2021
- ❖ Human Rights Act 1998
- ❖ Equality Act 2010

- ❖ Modern Slavery Act 2015
- ❖ Modern Slavery and Human Trafficking: National Referral Mechanism

5 Governance			
Effective From:	19/08/2022	Expires:	19/08/2025
Policy Owner:	Regional Operations Director.		
Policy Author:	Policy and Assurance Officer		
Approved by:	Group Health & Safety Panel		
Delegation Matrix Code:	RO74	Version Number:	6.1