

Oxfordshire County Council Policy for Safeguarding Adults

Purpose

1. This policy outlines the council's policy for the safeguarding of vulnerable adults. It provides a framework to support professionals and others to take appropriate and timely safeguarding action while not prescribing how organisations undertake their safeguarding duties. It includes definitions of scope and a statement of principles for use by agencies to develop and assess the effectiveness of their local safeguarding arrangements. It also describes, in broad terms, the outcomes for adult safeguarding, for both individuals and agencies.
2. There can be no tolerance of abuse. It is the right of all residents to be treated as an individual with dignity and respect, to live their lives free from abuse and fear of abuse and to have care and support in accordance with their needs. This right is underpinned by the duty on public agencies under the Human Rights Act 1998 to intervene proportionately to protect the rights of citizens.
3. The policy is aligned with the Care Act 2014, associated regulations and statutory guidance, which has replaced the Department of Health 'No Secrets' statutory guidance on safeguarding adults.
4. This policy should be read in conjunction with other Oxfordshire County Council policies and associated guidance. This includes other adult social care policies, and children's social care policies where applicable (insert link when available).
5. It should also be read in conjunction with partners' policies and guidance where applicable, such as those of health commissioning and provider partners.
6. Procedures and guidance to support the implementation of this policy can be found on the Oxfordshire Safeguarding Adults Board website, 'Safe from Harm' www.safefromharm.org.uk

Context

7. Oxfordshire County Council aims to support and promote strong communities so that people live their lives as successfully, independently and safely as possible. The council aims to promote independence and choice, be fair and equitable and give service users more power and control over their lives.

8. Keeping people safe depends upon strong multi-agency and multi-disciplinary partnerships. As a member of the Oxfordshire Safeguarding Adults Board, the council is committed to adopting a multi-agency approach to safeguarding vulnerable adults from abuse and neglect, and improving their wellbeing.
9. Wellbeing relates to any of the following:
 - a. personal dignity (including treatment of the individual with respect);
 - b. physical and mental health and emotional wellbeing;
 - c. protection from abuse and neglect;
 - d. control by the individual over day-to-day life (including over care and support provided and the way it is provided);
 - e. participation in work, education, training or recreation;
 - f. social and economic wellbeing;
 - g. domestic, family and personal relationships;
 - h. suitability of living accommodation;
 - i. the individual's contribution to society.
10. The Oxfordshire Safeguarding Adults Board brings together local agencies to work in partnership to help and protect adults whose circumstances make them vulnerable. It does this by creating a framework within which all responsible agencies ensure the development and implementation of coherent process and approach for the protection of vulnerable adults at risk of abuse and neglect. It also enables a consistent and effective response to any circumstance giving grounds for concern or formal complaint, or expressions of anxiety.
11. This policy and its associated guidance can be used by all council staff, including managers, professionals, volunteers and staff working in public, voluntary and private sector organisations, to understand their safeguarding duties and responsibilities.

Policy Principles

12. The council is committed to ensuring that all incidents of suspected harm, abuse or neglect are reported and responded to proportionately to:
 - **Enable people to maintain the maximum possible level of independence, choice and control.**
 - **Promote the wellbeing, security and safety of vulnerable people consistent with his or her rights, capacity and personal responsibility and to prevent abuse occurring wherever possible.**
 - **Ensure that people feel able to complain without fear of retribution.**

- **Ensure that all professionals who have responsibilities relating to safeguarding adults have the skills and knowledge to carry out this function.**
 - **Ensure that safeguarding adults is integral to the development and delivery of services in Oxfordshire.**
13. To achieve these aims, everything the council does must be underpinned by the following key principles:
- **Empowerment:** Providing people with support, assistance and information, enabling them to make choices and give informed consent.
 - **Protection:** Support and representation for those in greatest need.
 - **Prevention:** It is better to take action before harm occurs.
 - **Proportionality:** Proportionate and least intrusive response, appropriate to the risk presented.
 - **Partnership:** Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
 - **Accountability:** Accountability and transparency in delivering safeguarding.
14. These principles will be used by the council to benchmark existing adult safeguarding arrangements and to measure future improvements.

Policy Inclusions

15. 'Safeguarding adults' relates to all work that enables vulnerable adults to live a life that is free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted including, having regard to their views, wishes, feelings and beliefs in deciding on any action.
16. The council's safeguarding duties apply to an adult who:
- a. has needs for care and support (whether or not the local authority is meeting any of those needs);
 - b. is experiencing, or at risk of, abuse or neglect; and
 - c. as a result of those care and support needs, is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

17. If a safeguarding issue concerns a person over the age of eighteen who is continuing to receive children's services, the adult safeguarding team may involve children's safeguarding colleagues and other partner organisations/persons relevant to the case. This also applies to people moving from another local authority to Oxfordshire who are in the process of transitioning from children's to adult social care.

What are abuse and neglect?

18. Abuse or neglect can take many forms and the individual circumstances of each case will always be considered; although the criteria in paragraph 16 will need to be met before the issue is considered a safeguarding concern. Exploitation, in particular, is a common theme within the sphere of abuse and neglect.

19. The most common types of abuse and neglect are:

Physical abuse – including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.

Domestic violence – including psychological, physical, sexual, financial, emotional abuse; so called 'honour' based violence.

Sexual abuse – including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

Psychological abuse – including 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.

Financial or material abuse – including theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Modern slavery – encompasses slavery, human trafficking, forced labour, and domestic servitude. 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.

Discriminatory abuse – including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.

Organisational abuse – including 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 one'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.

Neglect and acts of omission – including 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 and heating.

Self-neglect – this covers a wide range of behaviour including the neglect of one's personal hygiene, health or surroundings and behaviours such as hoarding.

20. Incidents of abuse may be one-off or multiple, and affect one person or more. It is important to note that abuse is not always intentional.

Policy Exclusions

21. The council's adult safeguarding duty does not apply to adults in prison and approved premises where prison governors and National Offender Management Service respectively have responsibility. However, senior representatives of those services may sit on the council's Safeguarding Adults Board and play an important role in the strategic development of adult safeguarding locally.

Decision not to take part in a safeguarding intervention

22. The council recognises that a person can refuse intervention to support them with a safeguarding concern, or request that information about them is not shared with other safeguarding partners. The individual's wishes will be respected. However, there are a number of circumstances where this request can reasonably overridden, including:
- the person lacks the mental capacity to make that decision – this must be properly explored and recorded in line with the Mental Capacity Act;
 - other people are, or may be, at risk, including children;
 - sharing the information could prevent a crime;
 - This list is not meant to be exhaustive.

Independent Advocacy

23. The council has a responsibility to identify support for people who are subject to a safeguarding enquiry or review. This will involve informing the adult about their right to an independent advocate and providing information on how to access appropriate services, such as independent legal advice.

Mental Capacity

24. What happens as a result of a safeguarding enquiry will reflect the wishes of the individual wherever possible. Where a person is unable to make informed choices about their own safety because they lack capacity to do so, and there is no one authorised to make decisions on their behalf (e.g. Power of Attorney or Court appointed deputy), the council will act in their best interests and ensure that all decisions are proportionate to the level of concern. This best interests process includes taking into account the past and present views, wishes and feelings, and beliefs and values of the person concerned, as well as consulting with relevant family and friends.
25. In line with the Mental Capacity Act 2005, the council will consider if an Independent Mental Capacity Advocate should be instructed for the person being abused or neglected, or the alleged perpetrator of the abuse or neglect. This should be considered if protective measures are proposed or have already been taken.
26. Where a person does have capacity but they appear to have care and support needs which if not met will leave them or others exposed to high levels of risk, a multi-agency risk assessment will be carried out to determine the level of risk and to decide what action (if any) should be taken to reduce this. This is covered in the associated guidance.

Roles and Responsibilities

27. In line with the Care Act 2014 the council will:
 - a. make enquiries, or cause others to do so, if it believes an adult is experiencing, or is at risk of, abuse or neglect. An enquiry should establish whether any action needs to be taken to prevent or stop abuse or neglect, and if so, by whom;
 - b. co-operate with each of its relevant partners in order to protect the adult. Each partner must also co-operate with the council;
 - c. arrange, where appropriate, for an independent advocate to represent and support an adult who is the subject of a safeguarding enquiry or

- Safeguarding Adult Review (SAR) where the adult has 'substantial difficulty' in being involved in the process and where there is no other suitable person to represent and support them;
- d. establish an Oxfordshire Safeguarding Adults Board.

Oxfordshire Safeguarding Adults Board

28. All providers and commissioners of care services have a responsibility for the quality and safety of these services. In commissioning services, the council will ensure that the following are included in the commissioning requirements:
- Oxfordshire Safeguarding Adults procedures, including allegations against staff, are followed.
 - Oxfordshire Information Sharing protocols are followed.
 - Staff receive appropriate safeguarding training.
 - Safer Recruitment policies are adhered to.
 - Agencies contribute as necessary to serious case reviews.
29. The Oxfordshire Safeguarding Adults Board will work in collaboration with other Boards and Partnerships that have a role in keeping people safe.
30. The Oxfordshire Health and Wellbeing Board and the Oxfordshire Safeguarding Adults Board have an on-going and direct relationship, communicating regularly through identified lead individuals. A [protocol on the working arrangements between the Oxfordshire Safeguarding Adults Board and the Oxfordshire Health and Wellbeing Board](#) is in place to support both partnerships to operate effectively.
31. The Oxfordshire Safeguarding Adults Board and the Oxfordshire Safeguarding Childrens Board will work together to ensure that the needs of the whole family are considered, making sure that it is understood that where there is concern about a vulnerable adult and there are children in the same household, they too could be at risk.
32. The council will work with the police in their responsibility to investigate and reduce crime and keep communities safe.
33. In line with the government's Prevent strategy the council will have due regard to its duty to prevent people from being drawn into terrorism as part of its responsibility to protect vulnerable adults from the risk and experience of abuse and neglect.
34. The council recognises that citizens and communities have an important role to play in preventing, detecting and reporting abuse.

35. When staff in provider services are concerned that a vulnerable person may be at risk of harm as a result of abuse, the manager of the service (through the relevant staff) is responsible and accountable for identifying and implementing immediate safeguards for the person. This will be reflected in the local policies of the provider services.

Membership of the Oxfordshire Safeguarding Adults Board

36. As a member of the Oxfordshire Safeguarding Adults Board the council will have a Designated Adult Safeguarding Manager responsible for the management and oversight of individual complex cases and coordination where allegations are made or concerns raised about a person, whether an employee, volunteer or student, paid or unpaid. The Designated Adult Safeguarding Manager will keep in regular contact with their counterparts in partner organisations. They should also have a role in highlighting the extent to which their own organisation prevents abuse and neglect taking place.
37. The council will identify a senior manager to take a lead role in the organisational and in inter-agency arrangements, including the Oxfordshire Safeguarding Adults Board, in order for the Board to be an effective decision-making body, providing leadership and accountability. The council's Safeguarding Adults Board member will be sufficiently senior and have the authority to commit resources and make strategic decisions. To achieve effective working relationships, based on trust and transparency, the council will make efforts to understand the contexts and restraints within which their Safeguarding Adults Board counterparts work.
38. The council will ensure that relevant training is provided for staff and volunteers on this policy, guidance and professional practices. This will include:
- basic mandatory induction training with respect to awareness that abuse can take place and the duty to report it;
 - more detailed awareness training, including training on the recognition of abuse and their own role and responsibilities;
 - specialist training for those who will be undertaking enquiries, and managers; and, training for elected members and others e.g. Healthwatch members; and
 - post qualifying or advanced training for those who work with more complex enquiries and responses, or who act as the council's expert in a particular field, e.g. in relation to legal or social work, those who provide medical or nursing advice to the council or the Oxfordshire Safeguarding Adults Board.

Information Sharing

39. The council will willingly share information requested by the Oxfordshire Safeguarding Adults Board in support of reviews or other safeguarding functions where it is appropriate to do so and in line with the Board's Information Sharing Agreement.
40. Any sharing of information between agencies for the purposes of safeguarding adults at risk of harm as a result of abuse or neglect will comply with the requirements of the Data Protection Act 1998.
41. The council will disseminate information about when and how to share information in cases where abuse of adults in vulnerable situations is suspected or encountered.
42. Any decision to share information must be proportionate to the individual circumstances. This does not preclude information being shared within the council usually with their line manager or safeguarding lead.

Monitoring and Review

1. This policy will be reviewed annually by the Deputy Director of Adult Social Care or by an appropriate delegated senior officer. The Oxfordshire Safeguarding Adults Board will be asked to report on the implementation of this policy.
2. This policy and accompanying guidance will be monitored and reviewed through learning from complaints, compliments and concerns.

Appendix 1 - Outcomes in Adult Safeguarding

This section sets out some suggestions for translating the council's safeguarding principles into outcomes (the difference that is made) for agencies involved in safeguarding adults and from the perspective of the vulnerable adult.

Vulnerable Adult

Empowerment	I am consulted about the outcomes I want from the safeguarding process and these directly inform what happens.
Protection	I am provided with help and support to report abuse. I am supported to take part in the safeguarding process to the extent to which I want and to which I am able.
Prevention	I am provided with easily understood information about what abuse is, how to recognise the signs and what I can do to seek help.
Proportionality	I am confident that the responses to risk will take into account my preferred outcomes or best interests.
Partnership	I am confident that information will be appropriately shared in a way that takes into account its personal and sensitive nature. I am confident that agencies will work together to find the most effective responses for my own situation.
Accountability	I am clear about the roles and responsibilities of all those involved in the solution to the problem.

Local agencies

Empowerment	We give individuals relevant information about recognising abuse and the choices available to them to ensure their safety. We give them clear information about how to report abuse and crime and any necessary support in doing so. We consult them before we take any action. Where someone lacks capacity to make a decision, we always act in his or her best interests.
Protection	Our local complaints, reporting arrangements for abuse and suspected criminal offences and risk assessments work effectively. Our governance arrangements are open and transparent and communicated to our citizens.
Prevention	We can effectively identify and appropriately respond to signs of abuse and suspected criminal offences. We make staff aware, through provision of appropriate training and guidance, of how to recognise signs and take any appropriate action to prevent abuse occurring. In all our work, we consider how to make communities safer.
Proportionality	We discuss with the individual and where appropriate with partner agencies the proportionality of possible responses to the risk of significant harm before we take a decision. Our arrangements support the use of professional judgement and the

	management of risk.
Partnership	We have effective local information-sharing and multi-agency partnership arrangements in place and staff understand these. We foster a “one” team approach that places the welfare of individuals above organisational boundaries.
Accountability	The roles of all agencies are clear, together with the lines of accountability. Staff understand what is expected of them and others. Agencies recognise their responsibilities to each other, act upon them and accept collective responsibility for safeguarding arrangements.

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