



## Feeling safe, staying safe

### Safeguarding Adults at Risk Policy and Procedure

# Safeguarding Adults at Risk Policy and Procedure

<b>Policy implemented:</b>	April 2016
<b>Last reviewed:</b>	January 2018
<b>Significant changes:</b>	Yes
<b>Next review due:</b>	January 2019

## Summary

Safeguarding and protecting customers effectively is central to all of Ambito's work and supports Ambito's strategy to maximise the life opportunities and the health and wellbeing of disabled people. All staff and volunteers recognise that safeguarding is everyone's responsibility irrespective of the role they undertake or whether their role has direct contact or responsibility for our customers or not.

This is the latest revised version of Ambito Safeguarding Adults at Risk Policy and Procedure and there are references to separate guidance throughout this document to help services operationalise this policy and procedure effectively. The policy, procedure and guidance have been issued in accordance with the statutory safeguarding adults responsibilities, set out in the Care Act 2014 and the Social Services and Wellbeing Act 2014 (Wales) and the associated English and Welsh Statutory Guidance and Codes of Practice, Schedules and Regulations.

The Care Act 2014 is the most significant piece of legislation for Health and Social Care since the National Assistance Act 1948, and brings together a patchwork of Health and Social Care legislation into one statute. The Care Act 2014 statutory guidance replaces No Secrets Guidance and sets responsibility for adult safeguarding in primary legislation, endorsing the principle of wellbeing and placing safeguarding adults' duties on a statutory footing. (Please see separate guidance document on more information on 'Safeguarding Adults and the Law')

In Wales, the Social Services and Wellbeing Act 2014 provides the legal framework for improving the well-being of people who need care and support, and carers who need support, and for transforming social services in Wales. It applies to both children and adults and Part 7 of the Act and associated statutory guidance relates specifically to safeguarding. Ambito takes its safeguarding responsibilities very seriously and has a zero-tolerance approach to abuse. The Policy, Procedure and accompanying guidance applies to all adults regardless of their age, ethnicity, disability, religion, gender, gender identity or sexual orientation.

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This policy and procedure must be followed in conjunction with the relevant local multi-agency safeguarding adults procedures. It is imperative that managers and DSAs know their authority’s procedure and it is adhered to. Any conflicting requirements must be identified and discussed with Ambito Safeguarding Manager. Changes must not be made to Ambito’s corporate policies and procedures without corporate approval but, where needed, local procedures should be developed to accompany these.

## Definitions used in policy and procedure

**Safeguarding-** Protecting an adult's right to live in safety, 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, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action.

**Adult at Risk-** Safeguarding duties apply to all adults at risk. Where a local authority has reasonable cause to suspect that an adult (aged 18 years or more) in its area (whether or not ordinarily resident there) —

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

The local authority must make (or cause to be made) whatever inquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case and, if so, what and by whom.

The decision to carry out a safeguarding inquiry does not depend on the person's eligibility for local authority services but upon the criteria stated above.

An adult at risk may therefore be a person who, for example:

- is an older person who is frail due to ill health, physical disability or cognitive impairment
- has a learning disability
- has a physical disability and/or a sensory impairment
- has mental health needs including dementia or a personality disorder
- has a long-term illness/condition
- misuses substances or alcohol
- is an unpaid carer such as a family member/friend who provides personal assistance and care to adults and is subject to abuse
- lacks mental capacity to make particular decisions and is in need of care and support

This list will not be exhaustive.

## Categories of Abuse

In identifying abuse or neglect it is important to not be constrained by a definitive list of categories of abuse. The Care Act statutory guidance (DoH, 2016) identifies the following categories of abuse, not as an exhaustive list but for illustrative purposes:

- Physical abuse
- Domestic violence
- Sexual abuse

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- Financial and material abuse
- Psychological
- Modern slavery
- Neglect
- Self-Neglect
- Discriminatory abuse
- Organisational abuse

Abuse is carried out in different forms, and there are a number of issues that interface with abuse which we must be aware of. These are (but not limited to)

- Honour-based violence
- Forced marriage
- Extremism and Radicalisation
- Hate and mate crime
- Missing persons

(Please refer to separate guidance documents on [‘Signs and Indicators of Abuse’](#), [‘Other Signs of Abuse’](#) and [‘How to Respond to Concerns of Self-Neglect’](#))

### **E Safety**

Ambito recognises that advances in technology and the use of mobile phones, the web and social media in everyday life, means a greater risk of abuse and exploitation via this technology and online, unless there are appropriate measures and monitoring in place.

(Please see Ambito’s position statement and separate [guidelines on ‘E-Safety’](#), [‘Use of Mobile Technology’](#) and local policies and guidance where required)

### **Extremism and Radicalisation**

Ambito recognises that the issue of radicalisation is a growing safeguarding concern that can affect vulnerable adults as well as children and young people. The Prevent Strategy (Home Office 2011) recognises that the presence of key vulnerabilities such as Learning Disabilities, autism or Mental Health problems can increase an individual’s susceptibility towards radicalisation and to be influenced by extremism. Any concerns that someone you come into contact with through your work is being radicalised this procedure must be followed, and your concern raised with your Designated Safeguarding Advisor. Please refer to Ambito’s position statement and additional guidelines on [‘preventing radicalisation and extremism’](#) and your own local authority’s policies on this subject.

### **Missing Persons**

Ambito recognises that when adults go missing they are at increased risk of all forms of abuse and exploitation, and that we have responsibilities in reporting this to the authorities so that a multi-agency approach can be taken where there are concerns. All Ambito services (in social care and education) are required to have local procedures on what to do when a child or young person goes missing. (Please see separate Ambito Missing Persons guidance on this issue, and local procedures as required)

## **Safeguarding Adults Policy**

This is a mandatory policy for all Ambito Services to adhere to and may not be changed unless it has been through the corporate quality assurance process.

### **1. Policy**

#### **1.1. Policy Statement**

1.1.1. This policy and procedure has been updated to follow the principles of the Care Act 2014 (England) and the Social Services and Wellbeing Act 2014 (Wales) and associated statutory guidance. The purpose of this policy and procedure is to provide all staff and volunteers in Ambito with a framework to prevent and minimise the risk of harm to adults at risk who use Ambito's services. All staff and volunteers in Ambito share this responsibility and must use the document when dealing with concerns of abuse or neglect. The procedure details the steps that individuals are expected to take when presented with concerns of abuse or neglect.

1.1.2. This procedure must not be read in isolation, but be read alongside the relevant local multi-agency safeguarding adults procedures. It is also advisable to read and have access to Ambito's Safeguarding Children and Young People Policy and Procedures, this is to ensure these documents are familiar to staff in line with a 'think family' approach.

#### **1.2. Principles**

##### **'Wellbeing principle'**

1.2.1. The Care Act 2014 and the Social Services and Wellbeing Act 2014 (Wales) introduces a duty to promote wellbeing when carrying out any care and support functions in respect of a person. This is a guiding principle that puts wellbeing at the heart of care and support. This principle must be applied to all safeguarding practice and decisions. "Wellbeing" is a broad concept, and it is described as relating to the following areas in particular:

- personal dignity (including treating people with respect);
- physical and mental health and emotional wellbeing;
- protection from abuse and neglect;
- control by the individual over day-to-day life (including care and support and the way it is provided);
- participation in work, education, training or recreation;
- social and economic wellbeing;
- domestic, family and personal relationships;
- suitability of living accommodation;
- the individual's contribution to society.

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- 1.2.2. Promoting “wellbeing” means actively seeking improvements, for the adult with care and support needs (regardless of whether they have eligible needs or not).

### Six principles of adult safeguarding

- 1.2.3. The following six principles apply to all sectors and settings. They should inform the ways in which professionals and other staff work with adults to safeguard;

**Empowerment** – People being supported and encouraged to make their own decisions and informed consent. “I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens.”

**Prevention** – It is better to take action before harm occurs. “I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help.”

**Proportionality** – The least intrusive response appropriate to the risk presented. “I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as needed.”

**Protection** – Support and representation for those in greatest need. “I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want.”

**Partnership** – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse. “I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me.”

**Accountability** – Accountability and transparency in delivering safeguarding. “I understand the role of everyone involved in my life and so do they.”

### Preventing abuse

- 1.2.4. Prevention of abuse is the primary goal. Ambito is committed to ensuring it has systems in place that minimise the risk of abuse.
- 1.2.5. Prevention starts with ensuring we recruit the right staff, that are suitable to work with adults at risk. (See Ambito’s Safer Recruitment Policy and Procedure) Prevention involves promoting awareness and understanding and supporting people to safeguard themselves from the risk of abuse. This includes helping people to identify and make informed decisions about risks and develop forward plans that keep them safe. This principle must be applied when following this procedure. (Please refer to separate guidance on [‘prevention in safeguarding’](#))

### **Making safeguarding personal**

1.2.6. Ambito is committed to the principles of 'Making Safeguarding Personal', a project developed by the Local Government Association and the Association of Directors of Adults Social Services. The aim of 'Making Safeguarding Personal' is to ensure that safeguarding is person-led and focused on the outcomes that people want to achieve. It engages the person in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control as well as improving quality of life, wellbeing and safety. It is about seeing people as experts in their own lives and working alongside them. It is a shift from a process supported by conversations to a series of conversations supported by a process. (Please refer to separate guidance on how to implement principles of ['Making Safeguarding Personal'](#).)

### **Mental capacity and consent**

1.2.7. The law presumes that adults have mental capacity to make their own decisions. However there will be times and situations in which an individual lacks mental capacity in relation to particular decisions. Issues of mental capacity and the ability to give informed consent are central to decisions and actions within the safeguarding adults procedure. All interventions need to take into account the ability of adults to make informed choices about the way they want to live and the risks they want to take. If an individual refuses intervention to support them with a safeguarding concern or requests that information about them is not shared their wishes should be respected. However, there are a number of circumstances where this consent can be overridden. The separate guidance provides examples of such circumstances. (See separate guidance on [Information Sharing in Safeguarding](#) and Section ['Reporting a safeguarding concern without consent of the adult'](#) in this procedure.

### **Information sharing**

1.2.8. Early sharing of information is key to providing effective support where there are emerging concerns. The wellbeing of adults at risk of abuse is likely to be more important than concerns about sharing information.

1.2.9. No-one should assume that someone else will pass on information which they think may be critical to the safety and wellbeing of an adult at risk of abuse or neglect. If anyone has concerns about an adult's welfare and believes they are suffering abuse or neglect, they should immediately share their concerns with their line manager.

1.2.10. Ambito is committed to working with its safeguarding partners, cooperating and sharing information when there are safeguarding enquiries with our adults and when we know other adults and/or children could also be at risk. All services need to be fully informed and signed up to their local authority sharing information protocols. (See separate guidance on ['Information Sharing in Adult Safeguarding'](#))

## **Record Keeping**

1.2.11. Ambito recognises that good records and record keeping is integral to effective safeguarding practice and prevention. Records must be kept to evidence any developments in response to a concern and the communication and sharing and exchange of information with relevant professionals and agencies. All services must ensure there are confidential safeguarding files held for individual children and young people, which are in a safe, secure, central location. This is so that relevant managers have access to this information to ensure concerns are acted on appropriately and risks are being effectively managed.

## **1.3. Who is covered by this policy and procedure?**

1.3.1. The application of this policy is mandatory for all Ambito services staff, volunteers, agency/bank staff and all other Ambito representatives.

1.3.2. This policy and procedure will be communicated/disseminated across the workforce through its promotion by Safeguarding Officers, Educational/Regional and Senior Management Teams, email communication by the Safeguarding Manager and online via the Quality team newsletter.

1.3.3. Staff understanding of this policy will be assured through training, assessment of competency and supervision.

## **1.4. Areas of Governance**

1.4.1. This policy has been written with expert contribution from appropriate stakeholders within Ambito. The Ambito Services Quality Group will monitor, reflect on and gain organisational learning from Safeguarding Adults data relating to customers who are using Ambito services.

1.4.2. This policy will be reviewed and updated annually by Ambito's Safeguarding Manager unless legal changes demand a more timely amendment.

## **Safeguarding Adults Procedure**

This procedure has been developed in the context of best practice. Services will need to review local processes to operationalise this procedure in the most effective way to suit the service.

### **2. Procedure**

There are 8 possible steps when there is a concern that an adult at risk has suffered harm or is likely to suffer to harm, but depending on the local authority's response to the concern, not all these steps will necessarily be applicable.

Step 1 – Raising a concern (previously known as the alert)

Step 2 – Reporting a concern (the safeguarding referral)

Step 3 – Initial enquiries (by the local authority to make decisions on further action)

Step 4 - The response

- Issue resolved during initial enquiries

- Risk management response

- Further Section 42 (England), Section 126 (Wales) enquiries initiated

Step 5 – Planning (strategy) meeting

Step 6 - Section 42 / Section 126 statutory safeguarding adult enquiries

Step 7 – Case conference

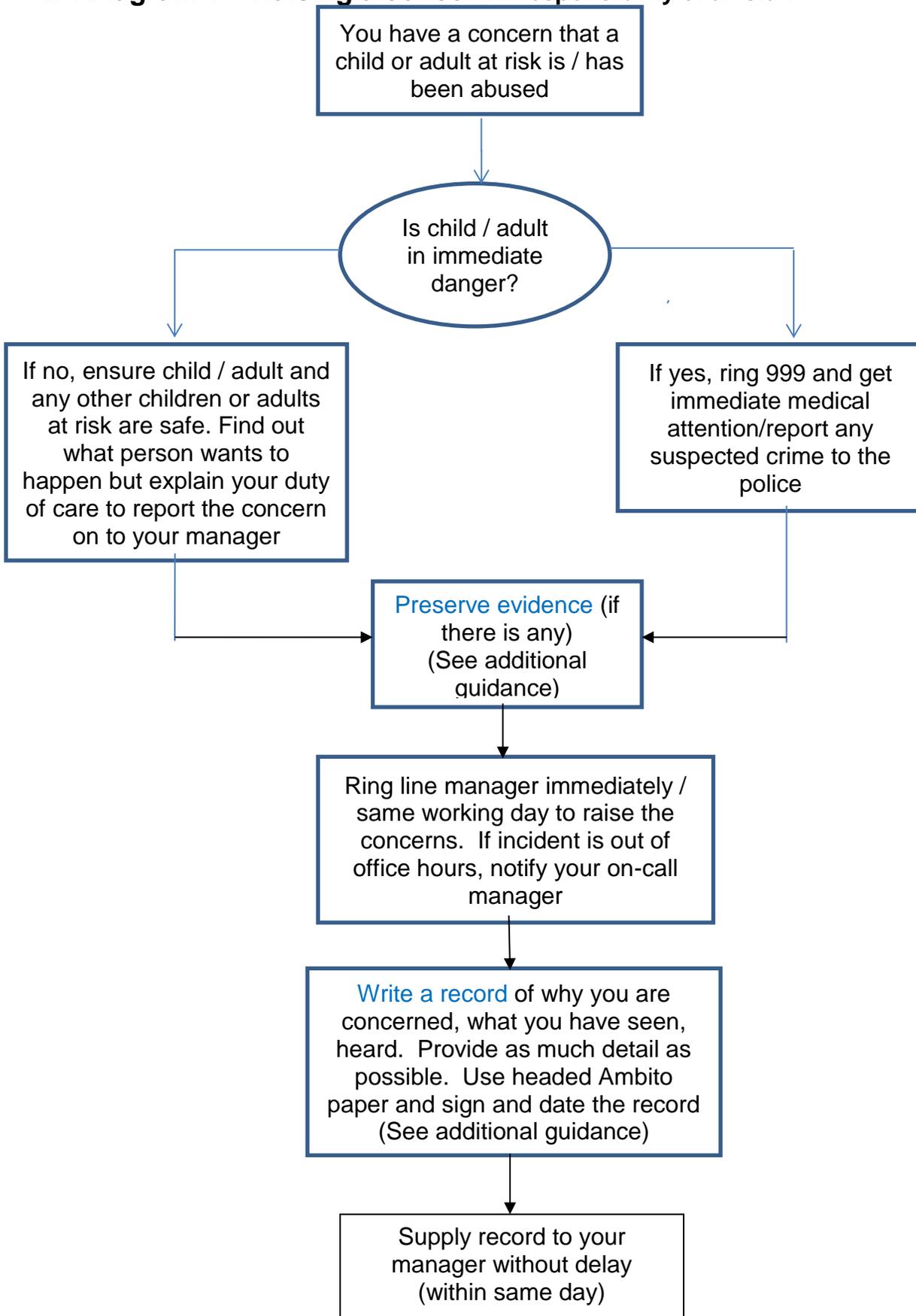
Step 8 - Closure

### **The Flowcharts**

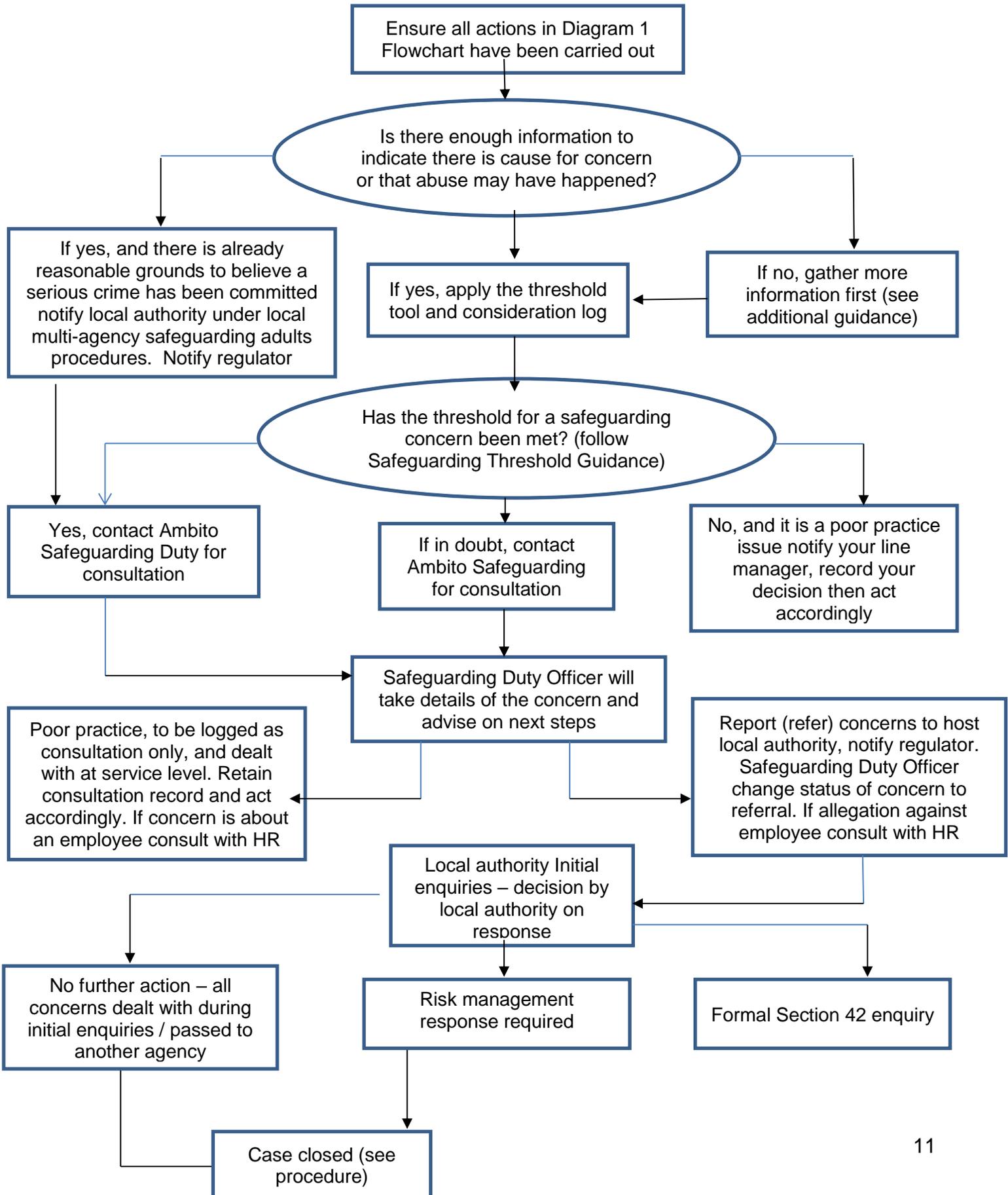
Diagram 1 – Raising a concern

Diagram 2– Reporting a concern (the safeguarding referral)

2.1. Diagram 1 – Raising a concern – responsibility of all staff



**2.2. Diagram 2 – Reporting a concern to the Local Authority**



**Step 1- Raising concerns (immediately/on the same day- previously known as the alert).**

This step of the procedure is relevant to all staff and volunteers. Staff and volunteers should familiarise themselves with this and raise any training needs with their line manager.

**2.3. Step 1: Raising Concerns**

2.3.1. All staff (paid and volunteers) **have a duty** to act immediately (or on the same working day), and raise concerns to their Designated Safeguarding Advisor or a line manager. (See appendix 5) A safeguarding concern can be about an individual or a group and the concern itself can be that the individual or group:

- **Is being** abused or neglected; **or**
- **Has been** abused or neglected; **or**
- Is **at risk** of being abused or neglected.

2.3.1 The suspected abuse can happen **anywhere**;

- in one of our services,
- where the customer lives,
- in a hospital,
- school, sports or holiday club,
- or out in the community (this is not an exhaustive list)

2.3.2 The safeguarding concern can be as a result of:

- What you have **witnessed**
- What you **suspect** (as long as there are reasonable grounds to believe that abuse could be happening)
- What an adult at risk, or a third party (e.g. staff member, member of the public, another external professional) has told you.

2.3.3 The person who has or may have caused harm to an adult could be any of the following (this is not exhaustive):

- A paid staff member, at any level of the Organisation
- A volunteer
- Another adult or child
- A member of the public
- A relative
- Another professional / external Organisation

**Acting in an emergency / taking immediate action**

2.3.4 The first priority is making sure that the adult(s) is safe. In a situation where there is immediate risk of harm or need for treatment, all staff must be authorised to call the police and/or ambulance service without seeking permission by a line manager, if not

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doing so would cause unnecessary delay in safeguarding the adult's health and wellbeing.

- 2.3.5 Failing to act immediately in such cases may later be construed as negligent or failing in duty of care.

### Preserving evidence

- 2.3.6 In cases where a serious sexual assault or physical assault may have taken place, evidence at the scene will need to be preserved. (See separate guidance on '[Preserving and Protecting Evidence](#)')

### Responding to an adult that is directly disclosing abuse

- 2.3.7. Do not make promises about keeping information shared secret. You must explain to the adult at risk that you have a duty of care to raise concerns with your manager and that you cannot keep secrets when there is a concern that someone is being harmed. (See separate guidance on '[How to Respond to a Disclosure](#)'.) Failing to act is abusive in itself and can unnecessarily prolong abuse.

### When abuse is witnessed

- 2.3.8. Take care when intervening to stop abuse; you are not required to take certain actions that if by doing so you are placing yourself or the adult at further risk of harm. When the abuse has stopped follow the above steps '**acting in an emergency / taking immediate action**' and '**preserving evidence**'.  
Do not approach or question the person who has allegedly harmed the adult(s).

### What are the desired outcomes / wishes of the adult(s) at risk?

- 2.3.9. When abuse has been witnessed or an adult directly discloses to you, whenever possible find out what the adult at risk wants to happen, and what support they want to stop the abuse and how to keep themselves safe. (See separate guidance on [Making Safeguarding Personal](#))

### When you suspect abuse?

- 2.3.10. If you suspect abuse, there must be grounds for and substance to this. Think about the reasons why you suspect abuse; is this because of something you have seen, something you have been told? Are there a series of signs and indicators that you are concerned about? (See separate guidance on '[Signs and Indicators of Abuse](#)')

### Raising concerns with your line manager and record keeping

- 2.3.11. Anyone can make a referral to Adult Social Care. So that the appropriate managers and senior leadership teams can fulfil their responsibilities in safeguarding it

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is best and Ambito procedure that you report your concerns immediately with a DSA, line manager or on-call manager; **do not** share or discuss your concerns with anyone else in the service. Write a record of your concern as soon as possible after the incident / disclosure and provide to your line manager. Written records must be written on Ambito headed paper and be as detailed as possible, including what you saw, what you heard, and who was present. (See separate guidance on '[Writing a Record and Record Keeping](#)')

### Outside normal office hours

- 2.3.12. In the event that you suspect a child or young person has been abused or been placed at serious risk in an evening, bank holiday or a weekend, you must follow your local on call arrangements and speak with an appropriate line manager without delay. Do not wait until the next day.

### Whistleblowing

- 2.3.13. Whistleblowing is when you raise concerns about unsafe or illegal practice, which can include concerns about abuse and neglect. Your line manager should be your first port of call but if you feel unable to share information with them because you believe they are implicated or involved then you need to be able to speak to someone else instead. You should be able to raise your concern with your manager's line manager. Or you can follow Ambito's Speak Up Policy and Procedure, which will guide you on what steps to take and, in accordance with the Public Disclosure Act 1998, provide some protection from victimization if you have raised concerns about malpractice, in good faith.
- 2.3.14. If you have grounds to believe that managers in Ambito are ignoring your concerns and not taking appropriate action then you have the right to go directly to your local authority and/or regulator. Your manager must make sure that these numbers are available to you and displayed somewhere you can access them.

### Confidentiality

- 2.3.15. You must respect and adhere to confidentiality at all times during a safeguarding process. Your line manager will provide feedback to you on what actions are being taken to respond to the concern, but this information must be treated confidentially. Any discussion with other team members will be dealt with as a disciplinary offence.
- 2.3.16. If however the adult at risk chooses to discuss their concern further with you do not stop them, but do not probe or ask questions; write a record of what the adult at risk told you and tell your line manager immediately after.

**Step 2 Reporting concerns – (by the next working day) (Note that steps 2-8 are relevant to Service Managers, DSA's and Safeguarding Officers only)**

This stage is relevant to all Managers, Designated Safeguarding Advisors (DSA's) and Ambito Safeguarding Officers. Managers, DSA's and Ambito Safeguarding Officers should familiarise themselves with this and raise any training needs with their line manager.

**2.4. Step 2: Reporting Concerns**

**Using the threshold tool**

2.4.7. When a manager receives a concern the threshold tool and consideration log should be referred to in order to support decision making on whether the concern is an allegation of abuse, and that the adult at risk has suffered or is at risk of harm. (See separate guidance on the '[Safeguarding Thresholds Tool, Guidance and Consideration Log](#)') If this is the case then the concern must be reported on in accordance with this procedure. If the threshold tool indicates that the adult at risk has experienced or is at risk of no or very low harm (e.g. graze), or that the concern is a poor practice issue as opposed to an allegation of abuse, then this can be dealt with at service level. It is important to take into account other factors however such as, has there been previous incidents, is there a power imbalance, is the adult at risk distressed and upset by the incident? The consideration log takes into account these wider factors.

**Information gathering**

2.4.8. It may be necessary to gather more information before deciding if there is reasonable cause to believe there is an allegation of abuse. This could include checking rotas, daily records, and on occasion may require some very broad discussion with staff or adults. (See separate guidance on '[What is Information Gathering](#)'). Ensure the staff member who raised the concern has written a formal record, and that body maps for bruising have been filled in. (see appendix 4 for body maps)

**Calling Ambito Safeguarding Service for a Consultation**

2.4.9. Once you have discussed the concern with the relevant Area manager and you are certain (or in any doubt) that there is an allegation of abuse Ambito Safeguarding Service must be contacted by telephone, via Ambito Safeguarding Duty Number (See Appendix 6 for safeguarding duty telephone number poster). **This call should take place by the next working day from the concern being raised.** The area manager should, wherever practicable, be made aware of the concern before calling the Safeguarding Service. The Duty Safeguarding Officer will discuss the nature and details of the concern with the caller, and ask for specific details so that the concern can be added to Ambito's Safeguarding Database. (See Appendix 1 [Information Checklist for Consultations and Referrals](#))

2.4.10. The Duty Safeguarding Officer will advise on whether this concern meets thresholds for reporting on to the local authority in accordance with local multi-agency

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safeguarding adults procedures. There may also be other important actions recommended in order to secure the safety and wellbeing of the adult at risk.

- 2.4.11. There will be times when it is appropriate to follow local multi-agency safeguarding procedures before contacting Ambito Safeguarding Service (e.g. if the concern is an emergency situation, is out of normal office hours or when there has already been delay incurred). Where a concern is raised at a weekend and there is an immediate risk of harm to a customer then the local authority must be contacted using their Emergency Duty Number. Ambito Safeguarding Service must then be called for a consultation by the next working day.

### **Consultation only – alternative pathways for action**

- 2.4.12. If thresholds are not met, the concern will be logged as a consultation only, and the Duty Safeguarding Officer will advise the caller of what alternative pathways and actions are required to secure the safety and wellbeing of the adult at risk, and potentially other adults. This could be updating risk assessments, seeking advice from HR due to poor practice concern, contacting GP. The Duty Safeguarding Officer may advise that in order to be open and transparent the concern and actions taken are shared without delay to the placing authority.
- 2.4.13. The Duty Safeguarding Officer will send out an email containing a summary of the concern and the recommended actions to take. This email will be copied to the relevant Area Manager and Operations Director.
- 2.4.14. The caller will be responsible for making contact with all other relevant managers, consultants and key staff in Ambito (e.g. HR Consultant, Finance Department, Health and Safety Manager) to follow up the concern.

### **When a consultation becomes a referral**

- 2.4.15. If thresholds for reporting to the local authority are met, or if there is **any doubt**, then the Duty Safeguarding Officer will advise the caller to follow their local Multi-Agency Safeguarding Adults Procedures, and report on the concern. At this point the concern will become an open referral with Ambito Safeguarding Service. The Duty Safeguarding Officer will send out an email containing a summary of the concerns, the recommended actions and confirmation of the referral status. This email will be copied to the relevant Area Manager and Operations Director. The caller will be responsible for ensuring all other key managers and consultants in Ambito (e.g. HR, Regulation and Compliance Manager) are contacted to in order to follow up the concern.

### **In the event of a professional disagreement**

- 2.4.16. Where a DSA or service manager is uncomfortable with the advice and instruction being given by the Duty Safeguarding Officer (or with the Allocated Safeguarding Officer at any point of the process) this advice cannot simply be ignored.

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Any differences in opinion must be escalated and addressed in accordance with the Safeguarding Professional Differences Procedure.

### **The wishes and desired outcomes of the adult / gaining consent**

2.4.17. When an adult has capacity to make decisions about support following a safeguarding concern, then, unless by doing so it would cause further distress to that person, it is imperative that we try to establish with them what are their desired outcomes and wishes in respect of the safeguarding concern, what do they want to happen, and what support do they want to stop the abuse and how to keep themselves safe. This includes gaining consent from the adult in reporting this to the local authority. The Duty Safeguarding Officer will ask for details of this as part of the referral. (See separate guidance on [‘Making Safeguarding Personal’](#)).

### **Reporting a safeguarding concern without consent of the adult**

2.4.18. If an adult refuses consent to report the concern to the local authority this must be respected however there are times when this has to be overridden:

- When the concern is about the actions of a staff member; this means other adults could be at risk
- When a serious crime has been committed
- When the allegation is about serious physical abuse or sexual abuse
- When we know other vulnerable adults and children could be at risk of harm from the person who is alleged to have caused harm.

### **Reporting a safeguarding concern for an adult that lacks capacity to consent / would have difficulty contributing to safeguarding process**

2.4.19. Ambito’s duty of care is to act in the best interests of any adult that lacks capacity to consent to a safeguarding concern being reported. Where we have reasonable cause to believe that the adult is being or is at risk of abuse then we must report this to the local authority in accordance with local authority Multi-Agency Safeguarding Adults Procedures.

2.4.20. The local authority will need to be made aware if the adult lacks capacity or will have ‘substantial difficulty’ in being involved in the process, and they have no one other than those acting in a professional capacity to support them, so they can consider if there is a ‘particular benefit’ to providing them with an independent advocate.

### **Managing allegations against staff, considering suspension or redeployment**

2.4.21. In accordance with Ambito’s Disciplinary Procedure and Suspension Procedure, all safeguarding concerns in which a Ambito employee is alleged to have caused harm must be referred to and discussed with a Human Resources Manager or Consultant. A decision must be made as to whether suspension without prejudice is required in order

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to safeguard the adult at risk and other adults from risk of harm. It may be appropriate to redeploy an employee if this measure eliminates risk.

- 2.4.22. At the point of suspension the employee can be informed in broad terms and what the nature of the concern is, but not specific details. This is particularly important if the allegations are a possible crime, which may lead to a full police investigation. (See separate guidance on the '[Assessment of the Need for Suspension](#)', and Ambito's Disciplinary Procedure and Suspension Procedure for guidelines on how to support staff during a process)

### **When reporting / referring the concern to the Local Authority**

- 2.4.23. The local authority will require detailed information about the adult, the person alleged to have caused harm, and details of the concern. The local authority will want to know what actions have been taken to assess and manage risk against the adult at risk to ensure they are safe.
- 2.4.24. The local authority will want copies of body maps, disclosure records, and any other records that have already been gathered to establish if there is a concern.
- 2.4.25. The Service Management are responsible for ensuring that a copy of any completed referral forms is supplied to the Allocated Safeguarding Officer and that a copy is retained on the adult's central and secure safeguarding file.

### **When to report the concern to the police**

- 2.4.26. When a serious crime or robbery has just taken place then there is a duty to call the Police via 999, as an emergency situation.  
With non-emergency situations, where a safeguarding concern involves a possible crime, the number 101 should be used to contact the police. The Duty Safeguarding Officer will be able to advise on whether the police should be contacted. When an allegation of abuse is also a criminal act then the wishes and consent of the adult must be respected however this will be overridden when
- the person alleged to have caused harm is a Ambito employee or volunteer.
  - a serious physical assault or sexual assault has been committed
  - we have reasonable cause to believe other vulnerable adults and children are at risk
- 2.4.27. If the situation is no longer an emergency and the concern we are reporting to the local authority is about another Organisation / external professional the local authority will advise who is best placed to contact the police.

### **Notifications to regulators**

- 2.4.28. Any allegation of abuse that occurs in an adult and domiciliary regulated care setting must be notified in England to CQC in accordance with Regulation 18 of the Care Quality Commission (Registration) Regulations 2009 and in Wales Regulation

## Safeguarding Adults at Risk

33(1) the Children's Homes (Wales) Regulation 2002 and Schedule 6 'Matters to be monitored and reviewed by the Registered Person.' (Regulation 38 notification). The Service Manager is responsible for liaising with Saludem's Head of Quality / Quality Manager for advice and guidance when a notification is required. (please see separate guidelines on notifications and sharing information with regulators)

2.4.29. The Service Management is responsible for ensuring a copy of the regulatory notification form is supplied to the Allocated Safeguarding Officer and that a copy is retained on the service's operational folder and the adult's central and secure safeguarding file.

### Who else needs to be notified?

2.4.30. **The placing authority**, if different to the host authority will also need to be notified of the concern, and of the actions that have been taken.

2.4.31. The relevant **Clinical Commissioning Group** will need to be notified if Health funds the adult at risk's placement.

2.4.32. **Deputies under Court of Protection / Person with lasting power of attorney-** Where a person is identified as a Deputy for Health and Welfare under Court of Protection, or has lasting power of attorney for Health and Welfare (or Finances in cases of alleged financial abuse) in accordance with Mental Capacity Act then this person must be informed of the concern. The local authority will then ensure that this person is consulted and involved in the process, on behalf of the adult.

2.4.33. **The adult at risk's circle of support / informal network-** The adult may express a wish for people important to them, e.g. friends, relatives, other key professionals, to be notified of the concern. This wish should be respected and support given where appropriate. If an adult does not have capacity to consent or be involved in the process then a best interest decision needs to be made on who else should be notified of the concern.

### When a concern is a whole-service concern (an allegation of organisational abuse)

2.4.34. Before a whole-service concern is reported to the local authority the Duty Safeguarding Officer must discuss with the Safeguarding Manager (or their line manager if not available), to ensure that all relevant senior and executive managers are fully aware of the concern, and the need to report externally to the relevant local authority.

2.4.35. If it comes to light at any point of the safeguarding process that this is a whole-service concern the [protocol on escalating serious incidents](#), due to reputational and other corporate risk to Ambito must be followed.

### 2.4.36. **Providing support and keeping the adult central to the process**

In the event that an adult has or has not consented to the concern being reported with the local authority, it is important that, unless by doing so causes distress, it is explained to the adult what actions have been taken so far. The adult should be advised who they can approach if they have a question or need some form of support.

## **Step 3 Initial enquiries – information gathering and decision making by the Local Authority.**

### **2.5. Step 3: Initial Enquiries**

2.5.7. The local authority will firstly check that the adult concerned meets the adult at risk criteria in accordance with The Care Act 2014 (England), The Social Services and Wellbeing Act 2014 (Wales) then will make initial inquiries or will cause others to do so in order to decide on the most appropriate and proportionate response to the concerns reported.

2.5.8. Initial enquiries may be conducted by:

- Gathering information
- Discussion with adult at risk or representative
- Confirming causes for concern
- Agreeing outcomes wanted and actions to be taken with the adult at risk or their representative

2.5.9. There are 3 main safeguarding responses to initial enquiries

- Issue resolved after initial enquiries
- Risk management response
- Further Section 42 (England) Section 126 (Wales) enquiries initiated

2.5.10. The Service Management Team is responsible for informing all key people in Ambito including their line management, the Allocated Safeguarding Officer, relevant HR consultant, of the outcome of the initial enquiry. The service management team must ensure that the adult has been involved in this stage of the process and that they are fully informed of the outcomes of initial enquiries.

## **Step 4 The Response**

### **2.6. Step 4: The Response**

**Safeguarding response – No further action - Issue resolved during initial enquiries or actions required by another agency**

## Safeguarding Adults at Risk

- 2.6.7. The concerns being referred may all be about another agency. Once the local authority have undertaken their initial enquiries the local authority will feedback how they are going to respond to the concerns. If it is confirmed that there is no further action required from Ambito then at this point the referral can be closed.
- 2.6.8. Issue resolved during initial enquiries. This refers to those circumstances where there is or has been an issue of abuse or neglect, however no further enquiries are needed to respond to the concerns and no further safeguarding actions are required to safeguard the individual or others.
- 2.6.9. At this stage the local authority has satisfied itself that all the necessary safeguards have been or are being put in place
- 2.6.10. When the response is no further action the Service Management are responsible for ensuring that this outcome is recorded on the adult's confidential file, with the detail of when, and who, including their professional title, has advised this. Wherever possible, this confirmation should be obtained in writing. Any agreed actions from Initial Enquiries that Ambito is responsible for should also be recorded on the adult's confidential file / care plan and implemented.
- 2.6.11. The adult should be consulted to make sure they are fully aware of this outcome and that they are satisfied with this, or if there are any outstanding wishes to be met.
- 2.6.12. Please go to [Step 8 Closure Discussion](#).

### **Safeguarding response - Risk management response**

- 2.6.13. The local authority may decide during its initial enquiries that a risk management response is required. A risk management response is when there is no need for a formal enquiry into the safeguarding concern, but where there are some further actions needed to safeguard an adult or adults from abuse or neglect. A risk management response is the term used to reflect a broad range of different actions and approaches that may be used to respond to the risk of abuse or neglect.
- 2.6.14. There is no prescribed list of these actions, they may include:
- Assessment of care and support
  - Carers assessment
  - Unscheduled review of care and support,
  - Review of support plan
  - Mediation
  - Multi-agency risk assessment
  - Multi-agency behaviour management plan
  - Contracts Enforcement Actions
  - Regulatory Action
  - Service Quality Assurance actions and processes

## Safeguarding Adults at Risk

- 2.6.15. The local authority will advise on what actions are required and the Service Management are responsible for ensuring the Allocated Safeguarding Officer, line management and other key people involved in the concern e.g. HR consultant, are made aware of these further actions so that an action plan can be formulated, and all key people are kept up to date on progress.
- 2.6.16. The actions required should reflect the desired outcomes of the adult at risk, and be proportionate to the assessed risk to the individual and/or others. The approach taken must respond to the individual needs and circumstances of the adult at risk, alongside any service wide actions.
- 2.6.17. The local authority must be kept informed of progress, and along with key people in Ambito, documentary evidence supplied to demonstrate that the relevant actions have been taken. The local authority may wish to convene a review / series of reviews to establish whether appropriate actions have been taken, and that these continue to safeguard the person and any other people that could be at risk.
- 2.6.18. Once the local authority has satisfied itself that all the necessary safeguards have been or are being put in place, and that there is no further risk of harm, and that the adult's wishes and desired outcomes have been addressed the local authority will close the case. The Service Management are responsible for ensuring that this outcome is recorded on the adult's confidential file, with the detail of when, and who, including their professional title, has advised this. Wherever possible, this confirmation should be obtained in writing.
- 2.6.19. The adult should be consulted to make sure they are fully aware of this outcome and that they are satisfied with this, or if there are any outstanding wishes or desired outcomes to be met.
- 2.6.20. Please go Step 8 Closure Discussion
- 2.6.21. If the local authority are **not** satisfied that there is no longer risk of harm and choose not to close the case then it is possible that the case will move to Section 42 / Section 126 Further Formal Enquiries (see below)

### **When a Local Authority does not have a risk management response to safeguarding?**

- 2.6.22. Some local authority procedures may not include a risk management response as part of their safeguarding adults procedure. These actions may be considered as requirements outside of safeguarding procedures. If this is the case, where key managers / consultants and Ambito Safeguarding Service believe that abuse has occurred then this part of Ambito procedure will still be followed and the case will remain open until all appropriate actions have been taken.

### **Safeguarding response – Section 42 (England) Section 126 (Wales) Formal Enquiry**

- 2.6.23. During Initial Enquiries the local authority will decide if a formal enquiry is necessary in order to establish fact and gather evidence; to be able to identify and / or provide a basis for the safeguarding actions required. The objectives of a formal enquiry into abuse or neglect are to:
- Establish the facts
  - Ascertain the adult's views and wishes
  - Assess the needs of the adult for protection, support and redress and how they might be met
  - Protect from the abuse and neglect, in accordance with the wishes of the adult
  - Make decisions as to what follow-up action should be taken with regard to the person or organisation responsible for the abuse or neglect;
  - Enable the adult to achieve resolution and recover.

### **When would a Formal Enquiry be appropriate?**

- 2.6.24. A Formal Enquiry is the most likely course of action, but not limited to, the following circumstances:
- Organisational abuse
  - Concerns about the safety of a service
  - Allegations of abuse or neglect in relation to a 'person in position of trust'
  - Where formal or legal actions could be taken in relation to the person alleged to have caused harm.

## **Step 5 Planning Meeting (alternatively known as strategy meeting)**

### **2.7. Step 5: Planning Meeting**

#### **Planning Meeting**

- 2.7.7. Where Formal Enquiries are needed, it is possible that a planning meeting (alternatively known as a strategy discussion / meeting) will be held. Where a number of agencies are involved a planning meeting is used to coordinate the response and the contribution of all agencies to the Formal Enquiry. The planning meeting would usually take place before any Formal Enquiries have commenced.
- 2.7.8. The adult at risk may wish to attend a planning meeting. The local authority will need to be made aware if this person would have 'substantial difficulty' in being involved so that an independent advocate can be considered.
- 2.7.9. Where an adult lacks capacity to consent to be involved in the safeguarding process best interest decisions will be made on the adult's behalf and where there is a known representative for the adult such as a deputy or person with lasting power of attorney

they should be invited to attend the meeting.

- 2.7.10. Discussions on the telephone may take place instead of formal meetings, if this is proportionate to the nature of the concern and does not exclude the adult from being involved.

### Step 6 Formal Section 42 Safeguarding Adult Enquiries

#### 2.8. Step 6: Formal Section 42 Safeguarding Adult Enquiries

##### When police undertake a criminal investigation

- 2.8.7. It is possible that a criminal investigation will begin before a planning meeting has been convened. This will be to establish whether or not the allegations include a crime. The police investigation will take precedence over any other enquiries. If the police investigation is regarding an allegation against an employee, unless that employee has admitted to the offence, normal practice is to **not** commence an internal investigation until the criminal justice process has ended. This is so to avoid contaminating police evidence. In **exceptional** cases however, when there is a significant delay in the police completing their investigations and the case going to court, in consultation with HR and the Allocated Safeguarding Officer consideration will be given on whether the police and the local authority are approached about Ambito undertaking a parallel disciplinary investigation into the concerns.

##### When Local Authority undertake their own enquiries

- 2.8.8. The local authority may wish to undertake their own enquiries; when this is the case it is imperative that we cooperate with the local authority and share information that is necessary and relevant to the enquiry. Where their enquiries involve allegations against Ambito employees it is recommended that a discussion takes place with the local authority about joint interviews to avoid undertaking further disciplinary interviews and duplicating process.

##### When Ambito has been caused to complete the enquiry / investigation

- 2.8.9. When the allegation of abuse is about a person in trust e.g. one of Ambito staff or volunteers then it is likely that Ambito will be asked to undertake the investigation. Service Management are responsible for ensuring line managers, the Allocated Safeguarding Officer and all other key people have been informed of this, so that a Terms of Reference can be drawn up. This decision should be confirmed in writing, however where this is not possible then a clear written record must be made of when and who was spoken with, their professional title and what they advised. The investigation will be carried out in accordance with this procedure, and Ambito's Disciplinary Procedure. This will avoid duplication of process, and will mean that the

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case can go to a Disciplinary Hearing if there is a reasonable belief that the allegation has happened.

### Devising a Terms of Reference

- 2.8.10. The Terms of Reference is commissioned by the Area Manager. The Service Manager, unless implicated in the concern, will usually draft the Terms of Reference, as they will have knowledge / background to the concern, and knowledge of the support needs of the adult and person alleged to have caused harm. The Service Manager must use the Terms of Reference template to do this (See [Ambito Disciplinary Policy and Procedure, Templates and Guidance](#)).
- 2.8.11. The first draft is then shared with the following key people:-
- Allocated Safeguarding Officer
  - Safeguarding Manager
  - Area Manager
  - Regional Director
  - HR Manager / Consultant
  - Any other key person that can support the planning stage and enquiry e.g. Health and Safety Manager, Quality Manager, Finance
- 2.8.12. All the above people have responsibilities in ensuring the Terms of Reference clearly identifies the concerns, and what the specific issues are to be addressed.
- 2.8.13. This should include questions that focus on the actions of the person that has or may have caused harm, questions that focus on systems and practice in the Service, in order to identify service improvements, and how desired outcomes of the adult can be met. Once all the above people have suggested amendments and additions then a final version can be agreed, then signed off by the Regional Director. **From the point of confirmation by the local authority that Ambito will investigate, a Terms of Reference should be signed off by the commissioning Area Manager or Operational Director within 5 working days.**

### Identifying an Investigating Officer

- 2.8.14. The Area Manager (with support of the Operational Director when required) will identify an Investigating Officer. To ensure that an objective investigation will be carried out the Investigation Officer should not be linked to the Service. This person must also be trained in conducting safeguarding investigations, and wherever possible, have experience and skills specific to the nature of the concern.
- 2.8.15. A note taker should also be identified for the investigation and in cases of complex investigations two Investigation Officers is best practice. A Safeguarding Officer may investigate under the following criteria:-
- Where the allegation is about Organisational abuse / a whole-service concern and/or
  - Where the allegation is about sexual abuse or serious physical abuse

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- When the Service Manager is implicated

### **The Investigation (caused by Local Authority Section 42 / Section 126 Formal Enquiry)**

2.8.16. The Investigating Officer alongside Service Management will be responsible for ensuring that the adult's wishes regarding their involvement and contribution to the investigation will be met. The adult must be consulted on whether they want to be interviewed as part of the investigation. Consideration must be given on whether the adult has already been interviewed as part of a police process however ultimately it is the choice of the adult.

2.8.17. When a Safeguarding Officer is not investigating the concern, the Allocated Safeguarding Officer will offer guidance and support throughout and oversee the investigation process. This support will include (but not be limited to) investigation and interview planning, analysis of findings and the writing of the report.

### **Teleconference after the Investigation (chaired by Regional Director / Area Manager)**

2.8.18. When an investigation report has been written a teleconference is convened to discuss the outcomes of the investigation and next steps. The teleconference is usually arranged by the Regional Coordinator, on behalf of the Regional Director.

2.8.19. Key people, including the Allocated Safeguarding Officer, Service Management, Area Manager and HR Consultant should attend the teleconference.

2.8.20. The purpose of the teleconference is to discuss the following:-

- Investigating officer's feedback
- The report- group feedback on any factual inaccuracies / necessary amendments
- Staff member subject to allegations- is there a case to answer?
- Additional findings?
- Recommendations and action plan, agree timescales
- How will the outcomes of investigation and report be shared with the local authority?

2.8.21. For the purpose of an audit trail, the Allocated Safeguarding Officer will write a summary of the teleconference, send out to all attendees and save to the open referral on the safeguarding database.

2.8.22. Following agreement at the teleconference the report and other documentation relevant to the concern will be shared with the host local authority.

### **Disciplinary hearing**

2.8.23. The investigator will identify whether there are findings to support a reasonable belief that the allegation of abuse has happened; that there is a case to answer to.

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Where this is the case a disciplinary hearing will most likely be convened. (Refer to Ambito Disciplinary Procedure for further guidelines). The local authority may choose to wait for the outcomes of a disciplinary hearing before moving to Case Conference, other Local Authorities may wish to convene a Case Conference based on the findings contained in the investigation report.

### DBS referral

- 2.8.24. If following a Disciplinary Hearing the employee is dismissed (or in cases where the employee has resigned before a hearing, and the findings of the investigation would have most likely resulted in dismissal) and the employee works in regulated activity ([see DBS guidance](#)) and the harm test is satisfied, then we have a duty to refer to the Disclosure and Barring Service.
- 2.8.25. The Service Manager will complete the DBS referral form then send on to the Area Manager, HR and Regional Director and Head of Quality for checking. The DBS referral is then sent to Disclosure and Barring Service. (Please follow Ambito Procedure for DBS referral) The Allocated Safeguarding must be informed when a DBS referral has been sent and advised where the record has been stored.
- 2.8.26. The employee's professional association will also need to be notified.

## Step 7 Case Conference

### 2.9. Step 7: Case Conference

#### Case conference

- 2.9.7. The Case Conference is multi-agency meeting / discussion that will often be required after a Formal Enquiry is completed. This usually happens within 8 weeks of the commissioning of the formal enquiry. The purpose of the Case Conference is to review the findings of the Formal Enquiry, identify risks and agree safeguarding actions required to respond to the concerns. The adult at risk should also be invited to attend the case conference. Where a person has a 'substantial difficulty' or lacks mental capacity in relation to decisions, the local authority will need to be made aware of this so that consideration can be given to the need for an independent advocate.
- 2.9.8. The Case Conference involves:
- working towards wishes and desired outcomes of the adult at risk where possible
  - reviewing the Formal Enquiry report

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- determining whether abuse or neglect has occurred
- assessing the level of any ongoing risk
- agreeing a Safeguarding Plan where required
- agreeing further actions to be taken
- deciding how any Safeguarding Plan is reviewed and monitored
- If the adult at risk prefers, they may choose to not attend and have their views reported via a representative or in writing.
- The adult's views regarding the allegation should always be sought, noted and carefully considered at the Conference Discussion / Meeting.

2.9.9. If the adult at risk is not present, the Case Conference Discussion/Meeting will need to agree who is the best person to provide feedback to them. This should take place as soon as possible and be in addition to any minutes received. The adult at risk should be supported to raise any issues they may have about the decisions taken and the Safeguarding Plan that has been developed/proposed.

2.9.10. The minutes of the case conference should be kept with the adult at risk's confidential file (See separate guidance on 'Record Keeping') and a copy supplied to the Allocated safeguarding officer for adding to the Safeguarding Database.

## Step 8 Case Closure

### 2.10. Step 8: Case Closure

2.10.7. This end process can happen at any point during the safeguarding process, and can be dictated by the wishes and desired outcomes of the adult. At any point during the process it may be decided there is no longer risk of harm or that risk has been appropriately assessed and managed, or, in cases where the allegation is not about a person in a position of trust the adult may have reasons to want the formal enquiry to discontinue.

2.10.8. Where an adult at risk has suffered harm and abuse, before a case is considered for closure service management must liaise with the local authority in identifying ways to help the adult recover and develop resilience. This could be via the use of feeling safe / staying safe resources, or local organisations and support networks. (See E-Directory of resources)

2.10.9. Once Service Management have confidently established from the local authority that they are fully satisfied that all necessary actions have been taken, and that the adult's desired outcomes have been met then the case can be moved to closure.

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2.10.10. Service Management must aim to get the local authority to confirm closure of case in writing. If not, then a detailed record must be made of who was spoken with, including their professional title, when and exactly what was advised. Service Management must ensure that all documentation relevant to the case, including regulatory notification form, local authority referral form (for reporting the concern), meeting minute records, terms of reference, investigation report, completed action plan, has been forwarded to the Allocated Safeguarding Officer.

### **Closure discussion**

2.10.11. Once Service Management is confident that the case has been closed by the local authority and that all the relevant documentation has been forwarded to the Allocated Safeguarding Officer, then, in order for the case to be closed Service Management must request a closure discussion.

2.10.12. In cases where the safeguarding response has ended at the Initial Enquiry stage or when Risk Management has occurred, this discussion can take place between the Allocated Safeguarding Officer and Service Management. When the safeguarding response has been considered complex or when a Section 42 enquiry has been required, a teleconference can be convened, so that all key people involved in the concern e.g. Area Manager, HR Consultant, Regional Director, Investigating Officer are included. The Closure Discussion will address the following (but is not limited to):

- Has the adult received feedback and their wishes and desired outcomes been met?
- If not, why not and what further actions are necessary to achieve this?
- If a staff member has been dismissed as a result of the concern, has a DBS referral been completed?
- If measures have been recommended against the staff member, have those measures been put in place?
- Has the action plan into service improvements been completed?
- If not, what is outstanding and how will these improvements been achieved?
- Are there any further risks to the adult at risk and to other adults?
- If so, what further actions are required?

2.10.13. Once this discussion has taken place and all people involved in the Closure Discussion are satisfied that the concern has been appropriately dealt with, and that there is no further risk of harm to the adult at risk and any other adults or children the Allocated Safeguarding Officer will complete a closure record, summarising the discussion, then refers this to the Safeguarding Manager for sign off.

2.10.14. Once the Safeguarding Manager has reviewed and signed off the case, the closure record is then forwarded to Service Management confirming closure of the case.

### **2.11. Progress reports and updates for an open referral –**

2.11.7. For an ongoing open referral or a case where there are delays e.g. there has been a criminal investigation and the case is now waiting to go to court or where a disciplinary hearing has resulted in an ongoing appeal situation, it is imperative that the

## Safeguarding Adults at Risk

Service Management keeps the Allocated Safeguarding Officer and all other key people informed of any developments, and reasons for any delay in progress. Regular case discussion should take place and where there is little progress bi-monthly case discussion is the required minimum between the Service Management and the Allocated Safeguarding Officer. This discussion should include, but not be limited to what actions are outstanding, is the adult at risk aware of the delay, and in the meantime, have any desired outcomes for the adult at risk been achieved?

### **2.12. When a concern has media interest / reputational risk / financial risk**

2.12.7. The [protocol for the escalation of serious incidents](#) must be followed in all cases where there is media interest / reputational risk and financial risk.

### **2.13. When the concern is via Ambito Helpline / one-off support e.g. Ambito Response**

2.13.7. The procedure for raising and reporting concerns is still applicable. If however contact is one-off and no further Ambito service is on offer to the adult at risk once the local authority has provided feedback on how they are following up the concern this is then shared with the Allocated Safeguarding Officer who will then close the referral on Ambito's database as No Further Action required.

### **2.14. Medication Errors**

2.14.7. See diagram 3 for the flowchart for responding to medication errors.

2.14.8. All services that provide support to customers with the safe storage and administration of medicines must do so, in accordance with Ambito's Medication Policy and Procedure. Where errors and omissions have occurred then these must be notified via [mednotifications@Ambito.org.uk](mailto:mednotifications@Ambito.org.uk) by the next working day.

2.14.9. The Duty Safeguarding Officer screens all medication errors then records these on Ambito's Safeguarding Database. All fields on the notification form must be completed otherwise the form will be returned to the Service for further information. The Duty Safeguarding Officer will check the information on the form to ensure that appropriate actions have been taken in response to the error, and that all risks have been assessed and managed.

2.14.10. Prior to the completion of the notification form the Service Management are required to refer to the medication error threshold tool and consideration log. If harm has been caused to an adult due to a medication error, in addition to the completion of the notification form a call to Safeguarding Service via the Safeguarding Duty number for a consultation is also required.

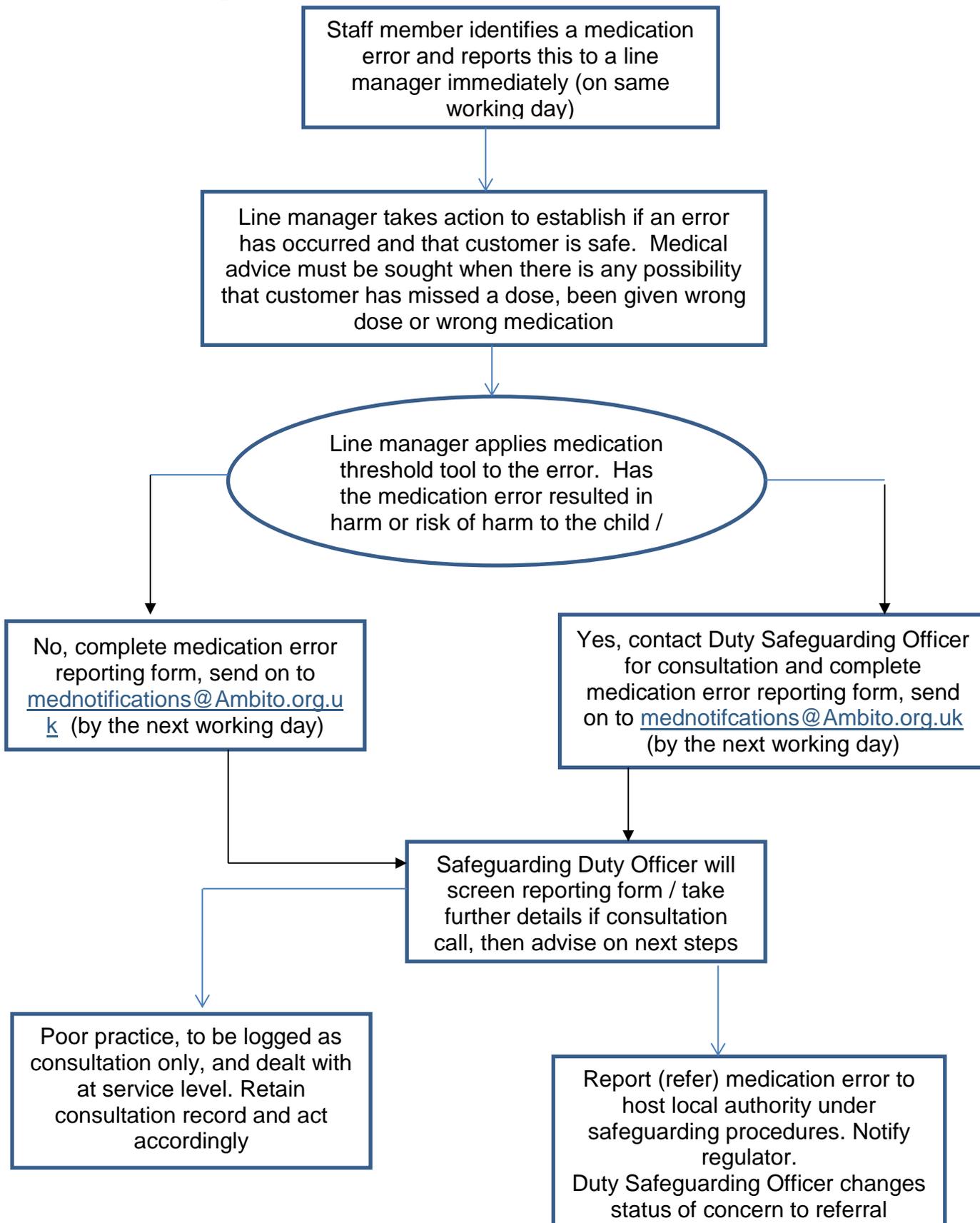
2.14.11. In cases where through the screening of a notification form the Duty Safeguarding Officer is concerned about the level of risk at a service and/or the risk of

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harm to that customer the Duty Safeguarding Officer will seek further information from the Service Management.

2.15. **See Diagram 3 - Medication error flow chart**

### 2.15. Diagram 3: Medication Error Flow Chart



### **3. Areas of Responsibility**

#### **3.3. Executive Directors:**

3.3.7. Ensure that effective safeguarding policies and practices are approved, implemented and monitored throughout Ambito. Take steps to ensure that any safeguarding risks arising from Ambito's activities and operations involving adults at risk and children are assessed and measures are put in place to reduce these risks to acceptable levels.

#### **3.4. Chief Executive Officer (CEO):**

3.4.7. Ensure that Ambito has appropriate and effective safeguarding policies and procedures in place and that the Executive Leadership Team is able to implement fully the Corporate Safeguarding Policy across all areas of Ambito's work.

3.4.8. Ensure that the Board of Trustees are immediately advised of any major causes of safeguarding concern. Ensure that the Executive Leadership Team routinely evaluates the quality and impact of Ambito's safeguarding activities, ensuring transparency and a learning culture across the organisation in securing any improvements to safeguarding policies, procedures and practices.

#### **3.5. Executive Director of Services:**

3.5.7. Development and effective implementation of Ambito's Corporate Safeguarding Policy based on national guidance and recognised best practice.

3.5.8. Ensure that the Chief Executive/Board of Trustees are immediately advised of any major causes of safeguarding concern. Delivery of effective corporate governance arrangements for safeguarding, primarily in the form of regular, relevant and rigorous reports about the quality, consistency and effectiveness of safeguarding practice across all of Ambito's operations. Chair the Corporate Safeguarding Board. Appropriate resourcing of safeguarding support and training throughout Ambito. Establish appropriate risk management strategies in relation to adults at risk and children throughout Ambito's Services.

#### **3.6. School and College Governors**

3.6.7. Establish safeguarding as a standing item at each Governor's meeting and ensure that the Head Teacher/Principal provides routine reports on any reported Safeguarding issues. Ensure that the requirements of the Corporate Safeguarding Policy and Procedures are being met. Ensure that any safeguarding action plans arising from the regulator's inspection findings and recommendations are discussed in advance of approval with the Head of Quality and thereafter submitted to the Executive Director of Services.

#### **3.7. Ambito Executive Board / Directors, Area Managers and Retail Managers:**

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3.7.7. Oversee effective delivery, management and monitoring of safeguarding within their area of responsibility and promote best practice throughout Ambito.

3.7.8. Ensure availability of resources to ensure the implementation of this policy, completion of training and systems to ratify, communicate and review this policy. Ensure there are clear disciplinary and other measures for staff who do not adhere to this policy.

### **3.8. Safeguarding Manager**

3.8.7. Ensure Ambito's corporate safeguarding practices, training and procedures comply with national legislation and guidance.

3.8.8. Ensure that the Executive Director of Services/Chief Executive is immediately advised of any major causes of safeguarding concern.

3.8.9. Develop, collate and report on safeguarding metrics across the organisation and to lead the annual programme of safeguarding audits

3.8.10. Ensure the development and delivering of safeguarding training across of Ambito's areas of work is high quality and up to date.

3.8.11. Manage and develop Ambito's Safeguarding Service and ensure the delivery of high quality, legally sound advice and guidance by the Safeguarding Officers.

3.8.12. Ensure the policy is monitored and organisational learning is enabled by systems of data collection and analysis as appropriate.

### **3.9. Safeguarding Officers**

3.9.7. Ensure all appropriate steps are taken in cases that have been referred to the Safeguarding Service. Ensure the safeguarding procedures are followed. Ensure advice, guidance and training is provided consistently and supports the full implementation of the policy and associated procedures.

### **3.10. Service Managers, Shop Managers, Employment Operations Managers & Designated Safeguarding Advisers (DSAs):**

3.10.7. Ensure all staff, approved carers and volunteers within their Service are aware of how to identify and respond to concerns and/or allegations of harm and neglect.

3.10.8. Ensure that staff and volunteers in their Service receive annual safeguarding training.

3.10.9. Ensure the local authority Safeguarding Adults procedure and Ambito's Adult at Risk Safeguarding procedure are accessible to all staff members and volunteers.

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- 3.10.10. Ensure their local authority Safeguarding Adults out of hours contact details and the Ambito on-call managers contact details are available to staff and volunteers within the Service. Ensure their Local Multi-Agency Safeguarding Adults procedure and Ambito's Safeguarding Adult at Risk procedures are accessible to all staff members and volunteers.
- 3.10.11. Responsible for ensuring their local authority out of hours contact details and the Ambito on-call managers contact details are available to staff and volunteers within the Service. (See separate guidance on '[Role and Responsibilities of the DSA](#)')
- 3.10.12. Responsible for own learning and development in accordance with Safeguarding Competency Framework. Use the resources available to meet development needs including undertaking safeguarding training provided by the local authority and Safeguarding Adults Board (LSAB) where this is offered and/or is a requirement in accordance with local contract and commissioning arrangements.

### **3.11. Individual Staff and Volunteers:**

- 3.11.7. Ensure concerns about the safety and wellbeing of an adult at risk are raised with their line manager immediately or without delay. Identify and take steps to safeguard and protect children and adults at risk when concerns arise. Take responsibility for learning in safeguarding, to contribute to discussions about this policy and safeguarding in general.

### **3.12. Other departments:**

- 3.12.7. Recognise that safeguarding is everybody's responsibility, and follow this policy and procedure if they have reasonable cause to believe that a child or adult at risk is being harmed or is at risk of harm from abuse and/or neglect.

## **4. Learning and development**

- 4.1 Ambito is committed to ensuring that all staff and volunteers know what is expected of them regarding their safeguarding responsibilities so that customers are safe and appropriately supported. Ambito's Safeguarding Competency Framework must be used to identify and meet any training or development needs with staff. Staff should speak to their line manager in relation to their learning needs using supervision and the Performance and Development Process (PDP). (Please see separate document Ambito Safeguarding Training Strategy on training requirements and details on other courses and workshops available)
- 4.2 The Safeguarding Service train all Designated Safeguarding Advisors (DSA) on how to fulfil the role of DSA, this includes providing them with up to date knowledge on the legal context, best practice in safeguarding, as well as how to apply this procedure when there are concerns. The Safeguarding Service offer ongoing support to enable DSAs to continually develop their skills and knowledge as well as provide formal updates training to DSAs every three years (every two years for DSAs in Educational settings). The

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requirements regarding Ambito DSA training for DSAs in educational settings is currently being reviewed to take into account the requirement that training provided by local authorities is also attended.

- 4.3 All new staff and volunteers must attend online E-Learning course 'Safeguarding Everyone' provided by Virtual College as part of their induction and within the first six months of their employment.
- 4.4 There is an expectation that DSAs and Service Managers are responsible for providing at the very minimum annual safeguarding refresher training to all staff and volunteers within their service. An in-house four-hour training module has been developed by Ambito Safeguarding Service and is available on InAmbito for DSAs and Service Managers to use. The Safeguarding Link Worker for each region will support services in the delivery of the refresher training where this is identified by the Regional Management Team as a priority need. There are also additional modules and refresher training available through Virtual College.
- 4.5 Ambito encourages continual and ongoing learning and development in safeguarding; this can be achieved through discussion in team meetings and supervision. This helps embed safeguarding in day to day practice and develop an open, learning culture. The Safeguarding Service also offers short refresher modules and other resources to be used for this purpose if necessary.
- 4.6 Services must also look at what their local authority offers in respect of Safeguarding training and ensure they fulfil any requirements set out in their contract and commissioning arrangements.

## 5 Supporting guidance and additional resources

5.1 There is separate mandatory guidance to help operationalise this procedure:

- G1. Making Safeguarding Personal
  - G2. Physical Restrictive Interventions
  - G3. Role and responsibilities of Designated Safeguarding Advisor
  - G4. Guidance on the assessment for the need for suspension
  - G5. Medication thresholds tool and consideration log
  - G6. Record Keeping
  - G7. What is information gathering?
  - G8. Preserving or Protecting Evidence
  - G9. Tackling Extremism and Radicalisation Guidelines
- 
- GA1. Categories of Abuse and Signs and Indicators
  - GA2. Other Signs of Abuse
  - GA3. Responding to an Adult at Risk who is making a disclosure
  - GA4. Safeguarding Adults and the Law
  - GA5. Information sharing and safeguarding adults

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[GA6. Guidance on responding to self-neglect](#)

[GA7. Safeguarding Threshold Guidance and Consideration Log](#)

[GA8 Missing Persons](#)

[Prevention in Safeguarding \(still in development\)](#)

Ambito Safeguarding Competency Framework

Ambito Safeguarding Training Strategy

### 5.2 Links to other Ambito Policies and Procedures

- Confidentiality
- Deprivation of Liberty
- Disciplinary
- Suspension
- Recruitment and Selection (includes policy on safer recruitment)
- Mental Capacity Act
- Personalisation and Self-Directed Support
- Pornography and the use of the internet
- Privacy and Dignity
- Quality
- Restrictive Practices
- Ambito Code of Conduct and Behaviour Framework
- Safeguarding Children and Young People
- Safeguarding Internal Escalation Procedure
- Safeguarding Professional Differences Procedure
- Sexuality and Personal Relationships
- Speak up (whistleblowing)

This is not exhaustive.

### 5.3 Glossary of Terms

- 5.3.1 **Adult at Risk** – this refers to any adult at risk that Ambito is concerned about, it could include a Ambito customer but also a volunteer e.g. at a Ambito shop, or even an Adult at Risk that contacts Ambito helpline or comes into contact with Ambito in any other way.
- 5.3.2 **Allocated Safeguarding Officer** – the Safeguarding Officer that has been allocated the open referral and is holding the case, this is when a safeguarding process is being followed and Ambito’s Safeguarding Service provides advice and guidance throughout.
- 5.3.3 **Concern**- this term is used for all information that is initially reported to the Ambito Safeguarding Team, this could be a medication error, a consultation due to poor practice, or a concern that leads to an open referral because there is an allegation of abuse.

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- 5.3.4 **Consideration Log**- a decision making tool to support service management in making a professional judgement on whether a concern does not warrant a call to Ambito Safeguarding Service or to their local safeguarding authority, but instead can be dealt with at a local level, outside of safeguarding procedures.
- 5.3.5 **Duty Safeguarding Officer** – the Safeguarding Officer on duty for that day, the person responsible for responding to concerns.
- 5.3.6 **Medication error**- there has been a mistake, omission, or inaccuracy in the administration or storage of a customer's medication.
- 5.3.7 **Medication threshold tool**- a management tool to determine the level of risk to a customer as a result of a medication error
- 5.3.8 **Open referral** – this is when a concern reported to Ambito Safeguarding Service is reported to the relevant local authority. Some open referrals will be immediately closed, when a local authority feels that there is not an allegation of abuse or the safeguarding concern has already been resolved, when other referrals will remain open while risk management actions or a Section 42 Formal Enquiry is undertaken.
- 5.3.9 **Raising a concern** – this is when any member of staff or volunteer in Ambito has a concern and raises this concern with their manager. This is a duty of care under this procedure.
- 5.3.10 **Reporting a concern** – this is also known as the referral. This is when the manager / DSA of the service notifies line management and reports the concern to Ambito Safeguarding Service, this could then result in a referral to the local authority.
- 5.3.11 **Ambito Safeguarding Officer** – this is the individual members of Ambito's Safeguarding Team
- 5.3.12 **Ambito Safeguarding Service** – the Safeguarding Team, consisting of Safeguarding Officers and the Safeguarding Manager; all are registered social workers.
- 5.3.13 **Service Management** – includes DSA's, Team Leaders, Coordinators and the Service Manager
- 5.3.14 **Whole service concern** – replaces the term 'whole service alert'. A service in which there is evidence of persisting major concerns on the basis of compliance or safeguarding customers which impact so severely that customers cannot be protected against the abuse or receive an acceptable quality of care

**The Safeguarding Service can be contacted for further information that relates to this procedure (see Appendix 5 below)**

## **6 Appendices**

- 6.1 Appendix 1: Consultation and Referral Checklist**
- 6.2 Appendix 2: Open Referral Checklist and Tracking Sheet**
- 6.3 Appendix 3: Closure Discussion Checklist**
- 6.4 Appendix 4: Body maps for use**
- 6.5 Appendix 5: Safeguarding Contacts (internal and external)**
- 6.6 Safeguarding Duty Number Poster**

**Document Control**

Who has agreed the initial purpose and Scope of the new policy/procedure together with the process to be used for technical review and stakeholder consultation?	Director of Quality
Technical review carried out - Who? When?	Safeguarding Manager Dec 2015
Stakeholder consultation carried out – Who? When?	Safeguarding Officers Anthony Collins Solicitors Michael Albero
Final quality check carried out – Who? When?	Planning Performance Policy Manager Dec 2015
Policy/procedure signed off – Who? When?	Board of Trustees, Feb 2016
When was this policy and procedure issued?	April 2016
What is the version number?	1.1
What is the date of the next review? (Maximum of two years from last approval date)	January 2019
Which department does this policy and procedure originate from?	Services
What is the job title of the lead manager?	Safeguarding Manager
Who is the author/contact person, including their job title (if different from above)?	-

## Change Record Form

Version	Date of change	Date of release	Changed by	Reason for change
1.0	1 January 2016	1 April 2016	Jo Knowles	New policy. Significant updates and changes made.
1.1.	19 December 2016		Nicola Ross	Minor changes following six-month review: <ul style="list-style-type: none"> <li>• Changes to responsibilities following Quality team restructure</li> <li>• Addition of consideration log to the procedure and to diagram 2 flowchart.</li> <li>• Addition of 2.10.2 – supporting the adult at risk to develop resilience</li> </ul>
1.2	10 January 2018		Jo Knowles/ Nicola Ross	Minor changes and additions to body of text <ul style="list-style-type: none"> <li>• References to Social Services and Wellbeing Act 2014 now incorporated into policy</li> <li>• References to Section 126 Social Services and Wellbeing Act- duty to make enquiries when criteria for adult at risk has been met</li> <li>• New paragraph 1.2.11 in Policy on record keeping and a new emphasis on the need to retain documents and communication logs on the relevant adult's central and secure safeguarding file.</li> <li>• Paragraph 2.3.0 now includes statement 'anyone can make a referral to Adult Social Care. So that the appropriate managers and senior leadership teams can fulfil their responsibilities in safeguarding it is best and Ambito procedure...'</li> <li>• A new paragraph 2.3.11 under stage 1 raising a concern on 'outside normal office hours'</li> <li>• A new paragraph 2.4.10 Reference to Professional Differences Procedure in the event service management do not agree with the advice of the Duty or Allocated Safeguarding Officer</li> </ul>

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				<ul style="list-style-type: none"> <li>• Sections 3 and 4 now include references to Safeguarding Training Strategy and Safeguarding Competency Framework</li> <li>• Greater emphasis on accessing local authority / Local Safeguarding Adult Board (LSAB) training</li> <li>• Restricted Practice, Ambito Code of Conduct and Behaviour Framework and Safeguarding Children Policy and Procedure referred to in Section 5 Links to Other Policies</li> <li>• Timescale 'within one working day' changed to 'by one working day' throughout document</li> </ul>