

SAFEGUARDING POLICY

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Gofal a Thrwsio ym Mhowys
Care & Repair in Powys



CYMDEITHAS GOFAL
THE CARE SOCIETY



1. Purpose and scope

Barcud Group (known as Barcud) comprises Barcud Housing Association, its direct labour maintenance team Medra, its subsidiary organisations, Care & Repair in Powys, EOM and The Care Society.

This Safeguarding policy outlines the commitment of Barcud Group in relation to Safeguarding of Adults and Children at risk. This policy covers all functions and services provided by the Group and applies to all colleagues, board members, individuals undertaking work placements, apprentices, temporary workers and any volunteers, including tenant volunteers. It applies to:

Barcud HA (including Medra)

The Care Society

Care & Repair Powys

EOM

Detailed procedures underpin this policy and are organisational specific. Barcud Group will also require external contractors to have an agreed approach to safeguarding and this will be embedded in the contractor Code of Conduct.

Safeguarding is about protecting children and adults from potential and actual abuse or neglect, ensuring that everyone recognises the signs and dangers and knows what to do if they are concerned.

One of the most important principles of safeguarding is that it is everyone's responsibility. Each professional and organisation must do everything they can to ensure that children and adults at risk are protected from abuse and neglect,

This policy aims to clarify the safeguarding arrangements in place across the Barcud Group so that in all cases where abuse or neglect occurs or is suspected, the issues are dealt with promptly and effectively.

The current guidance which underpins this policy are the Social Services and Well-Being (Wales) Act 2014, the 'Wales Safeguarding Procedures and <https://safeguarding.wales/>.

Barcud Group also works with local partners and this policy sets out how we develop and implement multi-agency processes to protect and support adults and children at risk from abuse and neglect.

2. Policy Statement

Barcud Group is committed to promoting equality and valuing diversity through all of our services and is dedicated to treating our tenants, customers, clients and colleagues with respect.

This policy is broad ranging and in practice will be implemented via a range of policies and procedures across Barcud such as the Working for Barcud Policy, Health & Safety Policies and Procedures, Whistleblowing Policy, Equality and Diversity Policy.

This policy takes into account the ethnic origins, gender, gender identity, sexual orientation, age, religious and cultural backgrounds of people living in our communities and is designed to counteract abuse or neglect, whatever the underlying motivation.

All of the members of the Barcud Group have key roles to play in the protection of vulnerable adults and children, in spotting and reporting actual or potential safeguarding concerns and liaising with other professionals as appropriate.

Barcud Group will ensure that all colleagues, temporary workers, board members and volunteers understand the nature of abuse and neglect, how adults and children might be at risk of harm and seek support to prevent it. We will ensure that when responding to reports, the concerns raised are taken seriously and progressed appropriately.

All the Group's colleagues are to be aware that they have a duty to report concerns about the behaviour of colleagues, other professionals/volunteers and apply the Barcud group Whistleblowing Policy where appropriate.

Barcud Group will ensure that all colleagues (including volunteers) are subject to safer recruitment processes, and have the knowledge, skills and training commensurate with their roles and responsibilities and are able to notify any incident, complaint or disclosure of abuse or neglect in accordance with the Wales Safeguarding Procedures 2019.

This policy, procedures and appendices are available electronically. Safeguarding is included in all inductions and appropriate training is provided commensurate with the role undertaken by individual colleagues. Regular updates and briefings are given to colleagues where appropriate.

Aims of the Policy

- Ensure the safety and protection of children and adults at risk;
- Promote the health and well-being of children and adults at risk;
- Enhance the quality of life of children and adults at risk
- Improve the identification of cases of abuse / potential abuse
- Work to prevent an adult, vulnerable adult / child being abused;
- Train colleagues to recognise, respond and work to prevent abuse and outline the procedure to follow, if abuse is suspected; and
- Monitor safeguarding concerns to ensure improve the recognition, response and prevention of abuse.
- Ensure we collaborate with all relevant agencies e.g. Police/Social Services etc to provide holistic responses.

3. Definitions

The definition of an **adult at risk** is an adult who meets the following three conditions:

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

A **child** is anyone who has not yet reached their 18th birthday. 'Children' therefore means children and young people. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate for children and young people, does not change their status or entitlement to services or protection under the Children Act 1989 (see Children's Act 2004).

A child at risk

The Social Services and Well-being (Wales) Act 2014 affords new and increased powers to safeguard children to ensure their well-being and that they are kept safe from abuse or neglect.

Under the terms of the Social Services and Well-being (Wales) Act 2014 anyone under the age of 18 is considered to be a child and defines a 'child at risk' as a child who:

"is experiencing or is at risk of abuse, neglect or other kinds of harm; and has needs for care and support (whether or not the authority is meeting any of those needs)"

Under the Social Services and Well-being (Wales) Act 2014, a child's well-being is made central and is defined with ten common aspects.

Definitions of the ten common aspects are noted within separate procedure documents

Abuse means: physical, sexual, psychological, emotional or financial abuse - this includes theft, fraud, pressure about money, misuse of money.

Abuse can take place in any setting, whether in a private dwelling, an institution or any other place.

Neglect describes a failure to meet a person's basic needs, physical, emotional, social or psychological needs, which is likely to result in an impairment of the person's well-being (for example, an impairment of the person's health).

It can take place in a range of settings, such as a private dwelling, residential or day care provision.

Self-neglect covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. Self-neglect is defined as the inability or unwillingness to provide for oneself or having the goods

and services needed to live safely and independently. It can show itself in a range of ways, these include, but are not limited to:

- Hygiene including poor personal hygiene, domestic squalor, and/or hoarding behaviour.
- Life threatening behaviour including refusal to eat, drink, take prescribed medications, and/or comply with an understood medical regime.
- Financial including the mismanagement of financial affairs.

Barclay people should be aware that the following behaviours could place the adult at risk of abuse or neglect:

- Violence against women, domestic abuse and sexual violence (VAWDASV) this includes [Female Genital Mutilation](#)
- [Modern Slavery](#)
- [Domestic abuse and violence](#) against men
- Criminal exploitation

NB These are NOT exhaustive lists.

The inclusion of 'at risk' enables early intervention to protect an adult at risk. The decision to act does not require actual abuse or neglect to have taken place. The aim is to protect people who need it and to help *prevent* abuse or neglect.

It is important to note:

- the three conditions necessary to demonstrate an adult is at risk of abuse or neglect ensures that protection is provided to those with care and support needs who *also* require actions to secure the individual's safety in the future because they are unable to protect themselves;
- that the abuse of adults deemed to be 'at risk' is often linked to their circumstances rather than the characteristics of the people experiencing harm; and
- risk of abuse or neglect may be the consequence of one concern or a result of cumulative factors.

Well-being

Within the Social Services and Wellbeing (Wales) Act 2014 there is a new overarching duty to promote the well-being of people who need care and support. In the Act well-being is defined with eight common aspects, one of which is protection from abuse and neglect. The definitions of the eight common aspects are noted within separate procedures.

Mental Capacity

Under the Mental Capacity Act 2005 everyone is assumed to have capacity to make decisions for themselves if they are given enough information, support and time. An adult at risk therefore may have or may lack mental capacity to make specific decisions

and if they lack capacity they may be especially vulnerable. The Mental Capacity Act 2005 specifies that:

‘... a person lacks capacity in relation to a matter if at the material time he is unable to make a decision for himself in relation to the matter because of an impairment of, or a disturbance in the functioning of, the mind or brain’.

An adult at risk of abuse or neglect may therefore be a person who:

- is older and / or 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 a carer, such as a family member/friend who provides personal assistance and care to adults and is subject to abuse
- is unable to demonstrate the capacity to make a decision and is in need of care and / or support

Modern Slavery is a term used to encapsulate both offences in the Modern Slavery Act 2015, slavery, servitude and forced or compulsory labour, and human trafficking.

- Slavery – is defined as behaviour on the part of an offender as if he/she had a right of legal ownership over a person, which deprives the victim of his freedom. Servitude – is the obligation to provide services that is imposed by the use of coercion and includes the obligation for the individual to live on another person’s property and the impossibility of changing his or her condition. Forced or compulsory labour – is defined as all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered him / herself voluntarily.
- Human trafficking – requires that a person arranges or facilitates the travel of another person with a view to that person being exploited.

Radicalisation is the act or process of making a person more radical or favouring of extreme fundamental changes in political, economic, or social conditions, institutions or habits of the mind. Extremism is defined as the holding of extreme political or religious views. Safeguarding against radicalisation is no different from safeguarding against any other vulnerability.

Sexual exploitation of children and young people under 18 involves exploitative situations, contexts, and relationships where young people (or a third person or persons) receive ‘something’ (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and /or another or others performing on them, sexual activities. Child sexual exploitation can occur with technology without the child’s immediate recognition; for example, being persuaded to post sexual images on the Internet/mobile phones with or without immediate payment

or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

Mate Crime is when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. This may not necessarily be an illegal act but still has a negative effect on the person.

Mate crime can be difficult for the police to investigate, due to its sometime ambiguous nature. This should always be reported to the police, where there are concerns, who will make a decision whether a crime has been committed. Mate crime often happens in private.

County Lines is a term used when drug gangs from big cities expand their operations to smaller towns, often using violence to drive out local dealers and exploiting children and vulnerable people to sell drugs. These dealers will use dedicated mobile phone lines, known as 'deal lines', to take orders from drug users.

Cuckooing describes a common feature in county lines drug supply which is the exploitation of young and vulnerable people. The dealers will frequently target children and adults - often with mental health or addiction problems - to act as drug runners or move cash so they can stay under the radar of law enforcement.

In some cases, the dealers will take over a local property, normally occupied by a vulnerable person, and use it to operate their criminal activity from. This is known as cuckooing.

People exploited in this way may quite often also be exposed to physical, mental and sexual abuse, and in some instances will be trafficked to areas a long way from home as part of the network's drug dealing business.

4. Roles and Responsibilities

All Barcud Group colleagues will:

- Undertake appropriate safeguarding training on a regular basis
- Take their safeguarding responsibilities seriously and ensure that appropriate alerts are raised in ALL circumstances where concerns are known or suspected. This applies regardless of the identity of the potential perpetrator. Alerts should be raised with the appropriate Designated Person (see below)
- Recognise risks and safeguarding concerns, act on those roles and concerns and play a part in preventing safeguarding incidents.
- Manage the safety and well-being of adults and children in line with the principles of safeguarding

- Familiarise themselves with other relevant policies – such as the Whistleblowing Policy – which would apply in cases where a colleague could potentially be implicated in a safeguarding issue.
- Be aware that the Social Care and Well-being (Wales) Act 2014 makes it clear that all colleagues have a duty to safeguard the welfare of children and adults and to report it appropriately when they have a reasonable cause to suspect that a person is an adult or a child at risk. A failure to report an allegation is a potential disciplinary matter.
- Uphold confidentiality, data protection and information sharing policy requirements and only disclose information given in confidence by an adult/child at risk, to their line manager and the relevant Designated Person
- Contact emergency services if there are any imminent threats to any persons or themselves.
- Ensure that all concerns to be recorded on relevant systems and are compliant with GDPR protocols
- Work with all relevant agencies to protect adults and children who are at risk of harm.
- Work in co-operation and collaboration with other agencies, such as social services, health services and the police in all instances or potential instances of safeguarding

Designated Persons will:

- Receive reports and advise on the relevant course of action.
- Support the colleague who identifies the situation of concern to make the report to the Local Authority Safeguarding Team if appropriate to do so.
- Support colleagues to work together to gather relevant information, decide on the appropriate course of action and notify relevant bodies as quickly as possible. This to include working with the person who is at risk at every stage to determine what they want the outcome to be and what action they want taken.
- Help colleagues follow local protocols, and work constructively with partners to ensure the concern is shared appropriately and in a timely manner.
- Assist in the development of multi-agency protocols and procedures to ensure the protection of adults and children at risk.
- Be responsible for keeping up to date contact information for Safeguarding officers within each Local Authority Area. This can be done via the Mid & West Wales Safeguarding Board (<https://cysur.wales/>). This board provides information about local procedures / contacts / and contains the up-to-date Multi Agency Referral Forms (MARFs)
- Help to identify lessons to be learned from cases where adults have experienced abuse or neglect

Designated Person(s) are:

- Heads of Housing (Ceredigion & Powys)
- Services Manager (The Care Society)
- The Assistant Director of Human Resources & Communication for colleagues
- Agency Manager (Care and Repair Powys)

- The Casework and Services Manager (Care and Repair Powys) is the deputy Designated Person
- General Manager (EOM)
- Medra Manager

Contractors Working for Barcud Group

All contractors- including EOM and those working for The Care Society and Care and Repair Powys will:

- Adhere to the applicable Contractor Code of Conduct.
- Have responsibility for reporting back to Barcud Group any Safeguarding issues or other concerns they have whilst undertaking their work.

Managing Agents

All Managing Agents who provide a housing management or other service on the Group's behalf will:

- Provide Barcud assurance that all of their colleagues have received the appropriate level of safeguarding training and are reporting cases appropriately to the relevant Barcud Group's and local authority Safeguarding Teams.

Where any member of Barcud Group enters into a Management Agreement with a Managing Agent, we will require regular reporting on safeguarding as well as undertaking regular review meetings to gather assurances. Review meetings to take place no less than annually.

Barcud Group Board

- Responsible for approving the Group policy, ensuring it meets the needs of all parts of the Group and is also formally adopted by subsidiary Boards

5. Legal Requirements / relationships with existing policies

In developing this policy we recognise a number of Acts and Regulations as well as Barcud Group's existing policies:-

Legislation:

- Safeguarding Vulnerable Groups Act 2006
- Social Services and Well-being (Wales) Act 2014
- Equality Act 2010
- Homeless Act 2002 and Housing (Wales) Act 2014
- Family Law Act 1996
- Protection from Harassment Act 1997
- Anti – Social behaviour Crime and Policing Act 2014
- Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015

- Human Rights Act 1998
- The Children Act 1989
- The Children Act 2004
- United Nations Convention on the Rights of the Child
- Protection of Children Act 1996
- Mental Capacity Act 2007 and code of practice
- General Data Protection Regulation (GDPR) 2018
- Modern Slavery Act 2015
- Counter Terrorism and Security Act 2015

Barcud Group policies:

- Comments, Compliments and Complaints Policy
- Group Whistleblowing Policy
- Group Information and Communication, Technology Security Policy
- Lone worker policy
- Health and Safety Policy

Other:

- Guidance document [DBS Checks: Working with Adults in the Charity Sector](#) (March 2019) will be used to establish the correct level of check required. This applies specifically to Care and Repair Powys as well as The Care Society.
- The [National Safeguarding Training, Learning and Development Standards](#) (Nov 2022) and the [National Safeguarding Training, Learning and Development Framework](#),
- Quality Compliance System (QCS) guidance for supported housing – which applies specifically to The Care Society.
- The Wales safeguarding guidance - previously called Working Together to Safeguard People - <https://www.gov.wales/safeguarding-guidance>

It should be noted that any safeguarding issue will take precedence over GDPR legislation, if the welfare or safety of a child or an adult at risk is, or is suspected of, being compromised:

The interests of the child at risk of harm must be the overriding consideration when making decisions as to whether to seek child and/or parental consent, prior to making a report.

Barcud Group Colleagues should try and seek consent from the parents. The reasons for this are that involving families and carers are more likely to:

- lead to engagement in the safeguarding process and to child-centred outcomes;
- promote an effective working partnership with the family.

Children, if competent, should also be consulted and their consent obtained. It is important to engage children in the process as early as possible to ensure their wishes and feelings are taken into consideration where possible and to avoid them becoming mere 'objects of concern'.

However, the safety and welfare of the child is the paramount consideration in terms of seeking consent. If unsure, Barcud Group colleagues should contact local social services team for advice.

The interests of the adult at risk must be the overriding consideration in making any decisions whether to seek consent prior to making a report. Barcud Group colleagues however, should aim to seek consent from the adult where possible. The reasons for this are that it is more likely to:

- lead to engagement in the safeguarding process and to effective outcomes;
- promote an effective working partnership with the adult.

It is important to engage adults in the process as early as possible to ensure their wishes and feelings are taken into consideration where possible and to avoid them becoming mere 'objects of concern'. More information is contained in procedure documents. Specifically, adults at risk should maintain:

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

The Welsh Government have issued the 'Welsh Accord for the Sharing of Personal Information' (WASPI). All organisations that are signed up to this policy and procedure have agreed to Information Sharing Protocols (ISP). The Accord sets out a common set of corporate principles and standards under which partner organisations will share information. Through signing up to the 'Accord' organisations demonstrate a commitment at the highest level in meeting agreed conditions, obligations and requirements for sharing personal information within the framework.

If the welfare or safety of a child or vulnerable adult is, or is suspected of, being compromised, the safeguarding issue will take precedent over data protection.

6. Monitoring and Review

A quarterly, Group report will be presented to and considered by the Leadership Team. The report will include:-

- Number of cases/concerns raised for the period.
- Number of those resulted in a Safeguarding Report to the Local Authority
- Analyse where safeguarding cases are being reported from
- What type of cases they are e.g. tenants or colleagues
- Any common or recurring themes/patterns

- Training requirements and training programme
- Any serious case reviews or domestic homicide reviews we've been involved in
- Any lessons learnt

In addition, the subsidiary boards will receive regular monitoring reports as appropriate

7. Revision to the Policy

This policy will be reviewed every 3 years or sooner to accommodate any changes to legislation or an identified business need.