

Safeguarding Policy



1.0 Introduction

Clarion is committed to working with statutory agencies to ensure the safety and wellbeing of our residents, service users and staff. Safeguarding is an important part of this commitment with accountability for safeguarding on the Group Board held by the Chair of our Audit Committee and responsibility for ensuring the Group meets its obligations to residents and service users delegated to the Group Executive Team through the Group Director of Commercial Services.

2.0 Policy Statement

This policy is to ensure that Clarion staff effectively identify and make referrals:

- RESPOND** Take action to make sure the person is safe.
- REPORT** Concerns immediately to a manager in Clarion.
- RECORD** Concerns; completing & submitting a referral to Local Authority Safeguarding Adults/Children's Team.
- REVISIT** Referral – Clarion's Safeguarding Team will get an update from the local authority Adult/Children's Safeguarding Team.

We will:

- (a) Demonstrate leadership, accountability, and commitment in working with statutory partners to safeguard our residents, and those we engage with in the communities we work.
- (b) Ensure staff are well-trained, have the knowledge and confidence to identify and make safeguarding referrals.
- (c) Ask for consent to make referrals where it is appropriate. Where it is not, we will communicate this to the Local Authority or police to ensure that they are fully aware of risk attached to the referral, and the reason why consent has not been obtained.
- (d) Work proactively within our services to identify abuse and report this, for example our income teams (financial abuse) and domestic abuse through our visiting services.
- (e) Develop robust local partnerships and multi-agency working to develop a pro-active approach to safeguarding and learn from best practice.
- (f) Participate in multi-agency risk assessment conferences and any other multi-agency meeting that require involvement to safeguarding our residents.
- (g) Work with Safeguarding & Community Safety Boards in the regions we work – using these links to improve our management of safeguarding and in partnership on serious case and domestic homicide reviews.

3.0 Principles and Duty

Included in The Care Act 2014 are six Principles of Safeguarding. These principles are intended

to form a core set of standards for anyone who has a responsibility for safeguarding adults at risk. The principles aim to highlight every individual's wants and needs as a human being and should underpin all work with adults at risk.

The six Principles of Safeguarding as defined by The Care Act 2014 are:

- **Accountability** – accountability and transparency in safeguarding practice
- **Empowerment** – people being supported and encouraged to make their own decisions and give informed consent.
- **Partnership** – local solutions through services working with their communities. Communities have a part to play in preventing, detecting, and reporting neglect and abuse.
- **Prevention** – it is better to act before harm occurs.
- **Proportionality**- the least intrusive response appropriate to the risk presented.
- **Protection** – support and representation for those in greatest need

Why does Clarion make safeguarding referrals considering these principles:

- prevent death or serious harm.
- coordinate effective and efficient response.
- enable early interventions to prevent the escalation of risk.
- prevent abuse and harm that may increase the need for care and support.
- maintain and improve good practice in safeguarding.
- reveal patterns of abuse that were previously undetected and that could identify others at risk of abuse.
- identify low-level concerns that may reveal people at risk of abuse.
- help people to access the right kind of support to reduce risk and promote wellbeing.
- help identify people who may pose a risk to others.

Safeguarding duties apply to any **adult** (a person 18 years of age or above), regardless of mental capacity who:

- has needs for Care and Support (whether these have been assessed or are being met by the Local Authority or not),
- is experiencing, or at risk of experiencing abuse or neglect; **and**
- as a result of Care and Support needs is unable to protect themselves against the abuse or neglect.

The definition of safeguarding, as per the Working Together to Safeguard Children (2018) Legislation is:

- Protecting children from maltreatment.
- Preventing impairment of children's health or development.
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care.
- Taking action to enable all children to have the best outcomes.

Essentially, safeguarding is how you ensure the safety of the children. It is the responsibility of every professional who encounters a child, not simply those who work in education.

4.0 Definition of Abuse

Everyone has the right to live safely, free from abuse and neglect. Abuse and neglect can occur anywhere: in a home or a public place, or for example in a hospital, day centre, or in a college or care home.

The person causing the harm may be a stranger but, often they can be known by an individual and they feel safe with them. They're usually in a position of trust and power, such as a health or care professional, relative or neighbour.

5.0 Forms of Abuse

There are many forms of abuse and neglect.

Physical abuse: Causing someone physical harm - for example by hitting, pushing, or kicking them, mis-using medication, causing someone to be burnt or scalded, controlling what someone eats, restraining someone inappropriately or depriving them of liberty.

Sexual abuse: Sexual acts to which a person has not or cannot give their consent or which they have been pressurised into. For example, rape, inappropriate touching or use of sexualised language, or sexual acts with minors i.e., under 16 years of age.

Psychological abuse: Causing someone mental and emotional distress by using threats, humiliation, control, intimidation, harassment, verbal abuse or depriving them of contact with other people.

Financial abuse: Taking money, goods, or property without permission. This can include theft, fraud, exploitation or putting pressure on someone to make a will, transfer the ownership of property or carry out other financial transactions.

Neglect and acts of omission: Failure to provide access to services to meet a person's health, social care or educational needs or withholding the necessities of life such as medication, food, clothing, and heating.

Discriminatory abuse: Treating someone in a less favourable way that causes them harm, because of their age, gender, sexuality, disability, ethnic origin, or religion.

Domestic abuse: The abuse of an individual within an intimate or family relationship. It is the repeated, random, and habitual use of intimidation to control that person. The abuse can be physical, emotional, psychological, financial, or sexual.

Organisational abuse: Where services fail to recognise the rights of service users and offer a poor quality of care or condone ways of working which cause harm.

Self-neglect: Any failure of an adult to take care of themselves - A refusal or inability to cater for basic needs, including personal hygiene and appropriate clothing; Neglecting to seek assistance for medical issues; not attending to living conditions; letting rubbish accumulate in the garden; or dirt to accumulate in the house; hoarding items or animals.

Modern Slavery: A global problem that transcends age, gender, and ethnicities, including here in the UK. It can include victims who have been brought from overseas and people in the UK who are forced to illegally work against their will in many different sectors, including brothels, cannabis farms, nail bars and agriculture - can be physical, emotional, psychological, financial, or sexual.

Coercive Control: An act, or a pattern of acts, assaults, threats, humiliation and intimidation or other abuse that is used to harm, frighten, or punish their victim. The controlling behaviour is designed to make a person dependent by isolating them from support, exploiting them, depriving them of independence and regulating their everyday behaviour.

Cuckooing: A form of crime, termed by the police, in which drug dealers take over the home of

a vulnerable person to use it as a base for county lines drug trafficking.

County Lines: The 2018 Home Office Serious Crime Strategy states the National Society for the Prevention of Cruelty to Children's (NSCC) definition of a County Lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas [within the UK], using dedicated mobile phone lines or other form of "deal line". They are likely to exploit children and vulnerable adults to move [and store] the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.

The following forms of abuse can apply for children:

Physical Abuse: This happens when a child has been hurt or injured, and it is not an accident. Physical abuse does not always leave visible marks or injuries.

Child Sex Abuse: Sexual abuse happens when an adult, teenager or child uses their power or authority to involve child in sexual activity.

Emotional Abuse: This happens when a child is treated in a way that negatively impacts their social, emotional, or intellectual development.

Neglect: This happens when a child's basic needs are not met, affecting their health and development.

Online abuse: Online abuse is any type of abuse that happens on the web, whether through social networks, playing online games or mobile phones.

Child exploitation: Child sexual exploitation is a type of sexual abuse in which children are sexually exploited for money, power, or status.

Female genital mutilation (FGM): This is the partial or total removal of external female genitalia for non-medical reasons.

Bullying or cyberbullying: Bullying can happen anywhere - at school, home or online - causing physical and emotional harm.

Child trafficking: A type of abuse where children are recruited, moved, or transported and then exploited, forced to work, or sold.

Grooming: Children and young people can be groomed online or in the real world, by a stranger or by someone they know - for example, a family member, friend or professional.

Harmful sexual behaviours: Children and people who develop harmful sexual behaviours harm themselves and others.

County Lines: Gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas [within the UK], using dedicated mobile phone lines or other form of "deal line". They are likely to exploit children and vulnerable adults to move [and store] the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.

6.0 Abuse involving staff:

There may be exceptional instances when a staff member is involved in the abuse of an adult at risk or a child. All staff members take responsibility to report any concerns immediately via the organisational **Whistleblowing Policy**. Normal disciplinary procedures would apply to investigate any allegation. The Strategic Head of Specialist Services must be involved in all initial meetings linked to staff cases to offer advice and guidance to ensure that safeguarding and risk management is adhered to.

A Head of Service/and or Director will inform the Director of Governance who must also be informed if a financial abuse allegation has been made towards a staff member.

In addition, if any staff member has a concern regarding a colleague and their wellbeing they should report immediately to their line manager, or another available manager. The manager will need to immediately contact the Employee Relations (ER) Team. If there is a reason why the manager cannot be the first contact for the staff member they should go immediately to the ER Team, or they can contact the Strategic Head of Specialist Services or the Safeguarding Lead.

A critical factor in all cases is the accurate keeping of records, these could be required by the Local Authority Safeguarding Team, Police and/or Clarion HR Team. – Any notes relating to formal staff action will be held by the ER Team, any notes relation to safeguarding referrals, follow-ups, etc. will be held under the CRM Safeguarding Process.

7.0 Partnership Working

Whilst Clarion staff will be aware of how to identify safeguarding concerns and report these to statutory services following their investigations, it is the Local Authority Adult Safeguarding and Children's Services teams and the Police who hold the statutory duty to complete enquiries to protect those at risk once Clarion staff have referred; we will work in partnership with these statutory services to make adults and risk and children safe.

8.0 Representation on Safeguarding Boards

The Head of Housing/Operations (or a manager they appoint) for the relevant part of the business will take the lead for Clarion on Safeguarding Boards if required as part of our commitment to partnership working.

[Schedule 2 of the Care Act](#) specifies that members of a Safeguarding Adults Board (SAB) must include at least the Local Authority that established it, the National Health Service (NHS) Clinical Commissioning Group and the Chief Officer of Police. Councils can decide who else should be a member, such as housing authorities or provider organisations. The Managers/Heads of Service will attend these Boards by invitation if it is in area where we have substantial stock, or a safeguarding investigation involves one of our residents/service users. They will update safeguarding@clarionhg.com that they are a member of these Boards.

[The Children and Social Work Act 2017 \(the Act\)](#) replaces Local Safeguarding Children Boards (LSCBs) with local safeguarding arrangements, led by three safeguarding partners (Local Authorities, Chief Officers of Police, and Clinical Commissioning Groups). It also places a duty on child death review partners (Local Authorities and Clinical Commissioning Groups) to review the deaths of children normally resident in the local area – or, if they consider it appropriate, for those not normally resident in the area.

9.0 Responding to Concerns about a Child's Welfare

Staff may have to respond to concerns about the welfare of a child. This might relate to the actual or alleged harm of a child, or where a child discloses abuse or concerns directly, or where the behaviour of an adult leads to concerns about the welfare and safety of a child.

All members of staff have a responsibility to ensure concerns about children, no matter how uncertain, are passed on and assessed appropriately.

For England, Sections 11 and 12 of the [Children Act 2004](#) place a statutory duty on agencies to co-operate to safeguard and promote the welfare of children. For further information, please see the government guidance [Working Together to Safeguard Children](#).

10.0 Action – Concerns of abuse or neglect

If you have any concerns that an individual is being abused/harmed/neglected, you should notify your line manager immediately of your concern, or a covering manager if your line manager is unavailable.

If a line manager does not take a safeguarding concern raised by one of their direct reports seriously, then that colleague can escalate this via whistleblowing@clarionhg.com

You should contact Emergency Services if there is an immediate risk to life or you think a crime has been committed; this should be followed up by raising a safeguarding concern to the Local Authority's Adult and/or Children's Safeguarding Teams in your area via their official reporting channels. These can be found via the Local Authority's website.

Where your concern also requires investigation by Clarion, for example, in cases of self-neglect and hoarding, domestic violence, cuckooing, verbal or physical abuse, the relevant process should be started e.g., Anti-Social Behaviour (ASB) or Advice and Support (A&S).

11.0 Concerns Regarding Children

Report immediately to your Local Authority Adult/Children's Safeguarding Team, or the Police if you feel the child is in immediate danger.

We are all responsible for reporting concerns about a child's welfare. Unless a child is in immediate danger, there will be an initial assessment of the child's needs and risk of significant harm following staff raising a concern with Local Authority Children's Safeguarding Team. The assessment should be carried out as soon as possible but must be within seven working days from alert.

"Harm" is the "ill treatment or the impairment of the health or development of the child".

It is determined "significant" by "comparing a child's health and development with what might be reasonably expected of a similar child".

Under Part 1 of the Housing Act 2004, we must take account of the impact of health and safety hazards in housing adults at risk and children and when deciding on the action to be taken in connection to their tenancy (example: drug use / weapons / dangerous animals / hoarding).

Clarion Housing Group has an important role to play in safeguarding children and young people - where we have concerns, we will always alert statutory services to investigate fully.

12.0 Consent to Make a Referral

Adults - Do I always need the adult's consent to report a safeguarding concern?

No - you do not always need consent to report a safeguarding concern. Sharing information for the purpose of safeguarding adults is different to for example, seeking consent when a service will be provided. Sometimes you must raise a safeguarding concern without consent, for example if someone else may be at risk, a crime may have been committed, to prevent harm, or the person does not have capacity to make that decision.

You must apply the Data Protection Act 2018 which includes 'Safeguarding of children and individuals at risk' as a condition that allows practitioners to share information without consent. Where possible, and if it will not cause further harm, keep the adult informed of your actions. This fits with the Making Safeguarding Personal approach [One-Minute-Guide-to-Making-Safeguarding-Personal.pdf \(hampshiresab.org.uk\)](https://www.hampshiresab.org.uk/One-Minute-Guide-to-Making-Safeguarding-Personal.pdf). Always record your decisions about sharing or not sharing information and the reasons for your decisions.

Children

When making a safeguarding referral it would be appropriate to inform a parent of a referral being made. However, there are some occasions when consent is not required, including: if it places the child/young person at significant harm, or could delay support. In these situations, it is important you record the reasons for not seeking consent on the referral form.

As above, you must apply the Data Protection Act 2018 which includes 'safeguarding of children and individuals at risk' as a condition that allows practitioners to share information without consent. Always record your decisions about sharing or not sharing information and the reasons for your decisions.

13.0 Information-sharing and Safeguarding

1. **Remember that the General Data Protection Regulation (GDPR) is not a barrier to sharing information** but provides a framework to ensure that personal information about living persons is shared appropriately.
2. **Be open and honest** with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be, shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. **Seek advice** if you are in any doubt, without disclosing the identity of the person where possible.
4. **Share with consent where appropriate** and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, that lack of consent can be overridden in the public interest. You will need to base your judgement on the facts of the case.
5. **Consider safety and wellbeing:** base your information-sharing decisions on considerations of the safety and wellbeing of the person and others who may be affected by their actions.

6. **Necessary, proportionate, relevant, accurate, timely and secure:** ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up to date, is shared in a timely fashion, and is shared securely.
7. **Keep a record** of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

14.0 Commissioned Support Services

Where we deliver support services, these are defined as:

Services that Clarion provides that are externally funded by a 3rd party, and within our agreement with the funder they require a service specific safeguarding procedure because of the needs of the service users.

Clarion will in these circumstances work to this Safeguarding Policy and Clarion's Safeguarding Procedure but will ensure any enhanced arrangements that are service-specific are considered and put in place.

15.0 Contractors

Within our procurement process we will ensure that contractors are asked for their safeguarding procedures, so we are satisfied they have arrangements for their staff who may visit our properties/residents. If we have 3rd party partnership arrangements, we will ask the organisation we have engaged/or are working with for their safeguarding procedures, to ensure they have a robust approach (example: 3rd party organisations carrying out services for Clarion Futures).

16.0 Disclosure and Barring Service (DBS)

Our employee relations (ER) team will ensure that all relevant staff have the required checks by the Disclosure and Barring Service (DBS/DBS Enhanced), and that all managers are aware of the renewals process, so staff have a current and appropriate check. All managers must comply with Clarion's ER guidance to inform the DBS of a staff member no longer working for Clarion if they carried out regulated activities within their role and they are dismissed.

17.0 Review

Because of the importance of safeguarding in our work, and the role our staff take, this policy will be reviewed annually to ensure we are continually learning from case management and delivering a robust and effective system for managing safeguarding disclosures and alerts.

18.0 Training

Staff will complete e-learning safeguarding training, it is mandatory for all staff working in Clarion HA. For roles who work in-person, in homes, or speak with our customers, there will be

additional safeguarding training, Safeguarding Adults and Children, delivered by a specialist provider of safeguarding training, sessions are delivered via MS Teams.

Contractors working for Clarion will also confirm that their staff have received safeguarding training.

Staff who work more closely with our residents will have additional safeguarding training, to ensure they have enhanced knowledge and skills to deliver their role with our vulnerable customers. Managers will ensure they manage and monitor this.

19.0 Key Legislation

There is a range of relevant legislation that addresses different aspects of safeguarding and work with adults at risk and children. Much of the legislation gives statutory authorities powers, but as a key partner we work with them to assist and immediately raise concerns where we have them, ensuring individuals and families are made safe and assisted when needed:

- Care Act 2014
- Data Protection Act 2018
- Crime and Disorder Act 1998
- Domestic Violence, Crime and Victims Act 2004
- Children Act 1989
- The Children Act 2004
- Education Act 2011
- Children (Leaving Care) Act 2000
- Criminal Justice Act 2003
- Mental Capacity Act 2005
- Safeguarding Vulnerable Groups Act 2006
- Freedom of Information Act 2000
- Children and Families Act 2014
- Digital Economy Act 2017
- Adoption and Children Act 2002
- Female Genital Mutilation Act 2003
- Serious Crime Act 2015
- Children and Young Persons Act 2008
- Borders, Citizen, and Immigration Act 2009
- Working together to Safeguarding Children 2023
- Human Rights Act 1998
- Care Standards Act 2000
- Immigration and Asylum Act 1999
- Protection of Freedom 2012
- Sexual Offences Act 2003
- Public Interest and Disclosure Act 1998.

20.0 Associated Documents, System Entities and Process Flows

This policy relates to the CRM Safeguarding Process, off-system referral route and serious case

review process.

The Safeguarding Procedure must be referred to with this Policy, the procedure holds more detail in Clarion's approach to Safeguarding.

Associated Documents:

Policy	Procedure	Processes/Guidance
Vulnerable Residents Policy	Support Planning and Risk	LiveSmart Manual
Domestic Abuse Policy	Assessments Mental Capacity	Tenancy Sustainment Handbook Risk Register
Self-Medication Support	Domestic Abuse Adaptations	Deprivation of Liberties Vulnerable Residents
Service User Finances	Recruitment	Serious Case Review Process Guidance
Withdrawal of Support		Section, 17, 42 and 47 Guidance
Managing RISK		Complex Action Group Q&A

21.0 Effectiveness and Monitoring

The Head of Specialist Services as Senior Safeguarding Lead will monitor the effectiveness of the policy and monitor the organisation for safeguarding practice and implementation of professionalism in safeguarding – this will be done through monitoring KPI data on case management and outcomes, training, and the analysis of case reviews to ensure effective approach to safeguarding but also learning to deliver continuous improvement. Group Executive Team receive data on safeguarding monthly and the Board receive an annual review of Safeguarding. Safeguarding Champions are also integral to monitoring and cascading the effective approach to safeguarding within their teams at operational level.

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