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**Safeguarding Adults Policy**

**Policy Statement**

Safeguarding adults is an important part of our work in the Office of the Police and Crime Commissioner. The aim of this policy is to set the direction for our contribution to safeguarding adults in Surrey.

This Policy applies to anyone working for and on behalf of the Office of the Police and Crime Commissioner.

This includes the Police and Crime Commissioner, the Deputy Commissioner, all staff, volunteers, agency staff and students.

1. **Purpose, context and objective**

The purpose and objective of this policy is that, by setting the direction of our safeguarding adults work, we will do better at:

* Promoting the wellbeing of adults in Surrey who have care and support needs and are experiencing or at risk of abuse and neglect
* Reducing the risks that they face
* Responding when concerns arise in ways that the person with care and support needs finds useful, and which do what is needed to meet the aims of securing justice, promoting recovery and preventing reoccurrence

An adult is anyone over the age of 18 and those at risk could include:

* Those with learning/physical disabilities, mental health needs including dementia, long-term illness/condition and those lacking the mental capacity to make decisions
* Older people who are frail due to ill health or disability

The adults may be perceived as an easy target and may be less likely to identify abuse themselves or to report it. People with communication difficulties can be particularly at risk because they may not be able to alert others. Sometimes people may not even be aware that they are being abused and abusers may try to prevent access to the person they abuse.

The context for this policy is:

* The Care Act 2014, the Care and Support Statutory Guidance, and the associated regulations: These create the legal framework for safeguarding adults work, within which this policy must operate. In particular, the statutory guidance has expectations of what must be covered in the policies and processes of all partners involved in safeguarding adults work, and some requirements for local authorities regarding their decision-making role in safeguarding enquiries
* Making Safeguarding Personal: A sector-led improvement initiative which emphasises that safeguarding adults enquiries and reviews must keep the adult with care and support needs at the centre and in control as much as possible. Making Safeguarding Personal says that important measures of the effectiveness of enquiries and reviews is how well they are done in finding out what outcomes the person wants, and then meeting these outcomes
* Surrey Safeguarding Adults Board: The Board sets the local context and will place expectations on the Council and others, and its policies and procedures set the context for this policy and procedure.

This policy and its associated procedure and guidance avoids repeating what is in these other documents unless it is required here for clarity. It is assumed readers of this policy and procedure have made themselves familiar with these other documents.

1. **The Office of the Police and Crime Commissioner for Surrey**

The Office of the Police and Crime Commissioner will not tolerate the abuse of adults with care and support needs. It is committed to promoting wellbeing, preventing harm and responding effectively if concerns are raised.

The Office of the Police and Crime Commissioner is committed to the aims of adult safeguarding:

* prevent harm and reduce the risk of abuse or neglect to adults with care and support needs
* stop abuse or neglect wherever possible
* safeguard adults in a way that supports them in making choices and having control about how they want to live
* promote an approach that concentrates on improving life for the adults concerned
* raise public awareness so that communities, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect
* provide information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult
* address what has caused the abuse or neglect.
1. **Definitions of harm**

Abuse can take many forms including:

* **Physical abuse** - this includes being hit, shaken, kicked, being locked in a room or inappropriate restraint.
* **Sexual abuse** - this includes an adult being made to take part in a sexual activity when they have not given or are not able to give their consent.
* **Psychological abuse** - this includes being shouted at, ridiculed or bullied, threatened with harm, blamed or controlled by intimidation or fear.
* **Financial or material abuse** - this includes theft, fraud, financial exploitation and pressure in connection with financial matters or misuse of someone else's finances.
* **Neglect** - this includes the failure to provide essential care and support needs that results in someone being harmed.
* **Discrimination** - this includes ill treatment, harassment, threats or insults due a person's age, gender, sexuality, disability, race or religious belief.
* **Modern slavery** - this includes human trafficking and forced labour.
* **Self-neglect –** this includes a lack of self-care to an extent that it threatens personal health and safety; personal hygiene, health or surroundings; an inability to avoid self-harm; inability or unwillingness to manage one’s personal affairs
1. **Organisational responsibilities**

The Commissioner’s Office is responsible for the implementation of the Safeguarding Policy. The Commissioner’s Office may designate a certain member of staff to oversee the implementation of this Safeguarding Policy within the context of specific project, working place or duration for practical reasons.

The Commissioner’s Offiice Safeguarding Lead is:

Head of Policy & Commissioning, Lisa Herrington

The Commissioner’s Office will ensure the Safeguarding Lead and staff are supported with appropriate and regular training in Safeguarding.

1. **Responsibilities of the Safeguarding Lead**

It will be the responsibility of the Commissioner’s Office Safeguarding Lead to take appropriate action following any expression of concern raised by anyone working for and on behalf of the Commissioner’s Office. The Safeguarding Lead must ensure:

* Details of the concern are recorded in writing
* A decision, in adherence with this policy, is taken as to whether to inform Social Services and/or the police (contact details below), depending on the nature of the allegation
* Any details relating to the concern are kept strictly confidential and stored securely
* The employee who reported the disclosure is informed of any action taken and any outcome, where appropriate.
1. **All staff responsibilities**

All members of staff will be taken through this safeguarding policy.

Relevant checks including by the Disclosure and Barring Service will be made ahead of any contact with an adult with care and support needs.

Any failure to disclose convictions may result in disciplinary action or dismissal. Any positive disclosures will be discussed with the Safeguarding Lead and CEO. All this information will be kept on the personnel file. The DBS number and date of processing will be held on a secure database.

A risk assessment will be completed if there is a positive DBS check sent back.

The Commissioner’s Office staff have a specific duty of care to ensure that any suspected incident, allegation or other manifestation relating to adult safeguarding is reported using the procedures detailed in this Policy.

If in any doubt about what action to take, employees should seek advice from the Safeguarding Lead.

Safeguarding is everyone’s concern. So, if you see something that is of concern, even if it’s not strictly in a work capacity, you should report it using procedures detailed in this policy.

1. **Principles**

This policy and procedure is guided by the following principles and legislation:

**The Government's six principles for safeguarding adults**

1. Empowerment
2. Prevention
3. Proportionality
4. Protection
5. Partnership
6. Accountability

**Making Safeguarding Personal**

Making Safeguarding Person (MSP) is a sector-led improvement programme which promotes a shift in adult safeguarding practice from a focus on process to a focus on working with people experiencing abuse or neglect to achieving the outcomes that have meaning for them. This involves:

* Developing a real understanding of what people wish to achieve,
* Agreeing, negotiating and recording their desired outcomes,
* Working out with them (and their representatives or advocates if they lack capacity) how best those outcomes might be realised; and the
* Seeing, at the end, the extent to which desired outcomes have been realised.

**Human Rights Act**

In particular:

* Article 2: Right to life
* Article 3: No one shall be subjected to torture or to inhuman or degrading treatment or punishment.
* Article 4: Prohibition of slavery and forced labour
* Article 5: No one shall be deprived of his liberty save, in accordance with a procedure prescribed by law
* Article 8: Right to respect for private and family life.

**Mental Capacity Act principles**

* A person must be assumed to have capacity unless it is established that they lack capacity.
* A person is not to be treated as unable to make a decision unless all practicable steps to help him to do so have been taken without success.
* A person is not to be treated as unable to make a decision merely because he makes an unwise decision.
* An act done or decision made under this Act for or on behalf of a person who lacks capacity must be done, or made, in his best interests.
* Before the act is done, or the decision is made, regard must be had to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive of the person's rights and freedom of action.

**The Public Sector Equalities Duty**

The Equality Act 2010 created an Equalities Duty on public bodies.

We will, when carrying out our day-to-day work with all people who may have impaired capacity to make decisions and their families and others in their lives:

* have due regard to the need to eliminate discrimination
* advance equality of opportunity
* foster good relations between different people when carrying out their activities.

The procedures and any guidance that accompany this policy will set out ways of working that will incorporate these elements.

**Natural justice and adult safeguarding**

Natural justice is a term in law for the rule against bias. It is part of a general duty to act fairly. There are two key principles to natural justice:

* No-one should be judge in their own cause: There should be no actual bias, or the appearance of possible bias. This is sometimes summed up as "Justice must not only be done, but must be seen to be done"
* Hear the other party too: No-one should be judged without a fair process, in which they get to hear and respond to the evidence against them.

**Holding ourselves to the same standard**

Adult safeguarding concerns will sometimes be about what we in the Office of the Police and Crime Commissioner have or have not done. When this is the case we hold ourselves accountable in our adult safeguarding work in the same way that we hold others accountable. We recognise that this can be difficult for staff and the Commissioner’s Office Senior Management Team (SMT) is committed to supporting staff and each other to do this well.

1. **What we will do to put this policy in to practice**

**Safeguarding Strategy**

Safeguarding Adults is a priority in the Police and Crime Commissioner’s Police and Crime Plan.

**Surrey Safeguarding Adults Board**

We shall be an active member of Surrey Safeguarding Adults Executive, and we will ensure we offer the Board meaningful assurance of our adult safeguarding work.

**Learning culture**

SMT will promote a culture of learning and continuous improvement around adult safeguarding, which will involve:

* Ensuring adult safeguarding concerns are recognised and acted upon through raising adult safeguarding enquiries
* We take action with what we have learned, and help others to do so, in order to promote continuous improvement

**Safeguarding Advice for staff**

* Always maintain a professional manner when working with them.
* Always keep a record of any text or email exchanges with an adult at risk. Always use a work phone where available in any indirect contact you may need to have for work purposes.
* Always be aware that your comments or actions may be perceived differently than intended, so be sensitive to the situation.
* Do not meet with an adult at risk alone, this is for the safety and well-being of the adult and for yourself. If you are alone with an adult at risk, this should be for a short time in a public place or in a visible area of company premises.
* An adult at risk should be accompanied at all times including lunch and rest times, with the exception of bathroom breaks.
* Avoid detailed discussions about your personal experiences, and any discussion of drugs, alcohol or sex.
* Never speak to the media about an adult at risk.

**Reporting procedures**

**In an emergency:**

It is vital to take every action which is needed to safeguard the adult at risk. Immediate action is necessary in the following situations:

* If emergency medical attention is required, phone the emergency services or take the person to the nearest Accident and Emergency department.
* If the person is in immediate danger the police should be contacted by calling 999.

Do not wait for the Safeguarding Lead in an emergency. You should inform the Safeguarding Lead as soon as the person is in receipt of care from a health professional or the police.

**At all times:**

* Any suspicion, allegation or disclosure of abuse or harm should be reported immediately or as soon as practicably possible on the day of the occurrence to the Safeguarding Lead:

Lisa Herrington, Head of Policy and Commissioning

* If you case you are unable to contact the Safeguarding Lead, please contact an individual from the below list:

Alison Bolton, Chief Executive

Kelvin Menon, Chief Finance Officer

Nathan Rees, Head of Communications and Engagement

**Reacting to a disclosure**

Individuals in contact with an adult at risk should consider that disclosure or evidence for concern may occur in a number of ways; this could include a comment made, physical evidence such as bruising, a change in behaviour or inappropriate behaviour or knowledge.

* Listen carefully, rather than asking leading questions.
* Never *promise* any particular action or NOT to disclose any information shared.
* Allow silence and allow a person to be upset.
* Try to relate to the understanding or vulnerabilities of the person.
* Write down carefully the information you have been given as soon as possible, always within 24 hours and only including what you have been told.
* Discuss this as soon as possible with the Safeguarding Lead.
* Any concerns about informing the person’s carer must be discussed with the Safeguarding Lead, unless the person is in immediate danger.

This policy was last reviewed on:

Date: 07 September 2022

Signed:
Lisa Herrington, Office of the Police and Crime Commissioner Safeguarding Lead