

Southern Health & Social Care Trust  
Adult Safeguarding Policy, Prevention and Protection in Partnership  
version 3.0

<b>Lead Policy Author &amp; Job Title:</b>	Deborah Hanlon, Head of Service Adult Safeguarding
<b>Directorate responsible for document:</b>	Mental Health & Disability Services
<b>Issue Date:</b>	01 September 2021
<b>Review Date:</b>	01 September 2023



## Policy Checklist

<b>Policy name:</b>	Southern Health & Social Care Trust Adult Safeguarding Policy, Prevention and Protection in Partnership version 3.0
<b>Lead Policy Author &amp; Job Title:</b>	<b>Deborah Hanlon, Head of Service Adult Safeguarding</b>
<b>Director responsible for Policy:</b>	Exec Director for Social Work has lead responsibility for adult safeguarding but all Directorates have responsibility for implementing the policy.
<b>Directorate responsible for Policy:</b>	Mental Health & Disability Services
<b>Equality Screened by:</b>	<b>Patricia Trainor</b>
<b>Trade Union consultation?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Policy Implementation Plan included?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Date approved by Policy Scrutiny Committee:</b>	01 September 2021
<b>Date approved by SMT:</b>	N/A
<b>Policy circulated to:</b>	Eg Directors, Assistant Directors, Heads of Service for onward distribution to line managers, Global email, Staff Newsletter
<b>Policy uploaded to:</b>	Sharepoint – adult safeguarding tile

## Version Control

<b>Version:</b>	<b>Version 3.0</b>		
<b>Supersedes:</b>	Southern Health & Social Care Trust Adult Safeguarding Policy, Prevention and Protection in Partnership version 3.0		
<b>Version History</b>			
<b>Version</b>	<b>Notes on revisions/modifications and who document was circulated or presented to</b>	<b>Date</b>	<b>Lead Policy Author</b>
<b>Version 2.0</b>	Updated to reflect new Regional Policy and Procedures 2016/17	01/04/2017	Deborah Hanlon
<b>Version 3.0</b>	Updated to include new legal references. <b>To be reviewed in line with regional developments from Interim Adult Protection Board NI</b>	01/09/2021	Deborah Hanlon



## **1.0 Introduction**

**1.1** The Southern Health and Social Care Trust Adult Safeguarding Policy, “Prevention and Protections in Partnership” is intended to provide staff with guidance and support in responding appropriately to incidents of alleged, suspected or confirmed harm of adults at risk and adults in need of protection. The Trust policy reflects the Regional Adult Safeguarding: Prevention and Protection in Partnership Policy” (DHSS&PS 2015)

## **2.0 Purpose and Aims**

**2.1** This policy aims to ensure that all Trust staff, including students, volunteers working on Trust premises and services commissioned by the Trust involved in the care of adults at risk who are subject to alleged harm or serious harm, respond in a co-ordinated and consistent way to support and protect such adults.

**2.2** This policy is designed to provide a clear, comprehensive and consistent approach to the management of concerns of alleged harm or serious harm of adults at risk within the Southern Health and Social Care Trust. The Southern Health & Social Care Trust is fully committed to delivering on the regional policy and supporting regional procedures. “Adult safeguarding Operational Procedures. Adults at risk of harm and adults in need of protection.” 2016 (Appendix 1). The regional procedures set out the Trust’s expectations regarding recognising alleged harm to an adult at risk and providing an appropriate alternative response. The regional procedures also set out at the Trust’s expectations for recognising, reporting and responding to concerns of alleged serious harm to an adult in need of protection. This includes responsibilities and requirements for investigation and providing protective in preventions.

## **3.0 Definitions**

**3.1** The Trust has adopted the definitions of an adult at risk and an adult in need of protection, from the DHSS&PS regional policy. The policy

defines “an adult at risk of harm” as

*“a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their (A) personal characteristics and/or (B) life circumstances.”*

Furthermore, the policy defines “an adult in need of protection” as

*“A person aged 18 or over whose exposure to harm through abuse, exploitation or neglect may be increased by their (A) personal characteristics and/or (B) life circumstances*

**AND**

*(C) who is unable to protect their own well-being, property, assets, rights or other interests*

**AND**

*(D) where the action or inaction of another person or persons is causing, or is likely to cause, him/her to be harmed.”*

In order to meet the definition of an ‘adult in need of protection’ either (A) or (B) must be present, in addition to both elements (C), and (D).

(DHSS&PS 2015)

**3.2** The definition of “harm” contained within the regional policy is

*“Harm is the impact on the victim of abuse, exploitation or neglect. It is the result of any action whether by commission or omission, deliberate, or as the result of a lack of knowledge or awareness which may result in the impairment of physical, intellectual, emotional, or mental health or well-being. The full impact of harm is not always clear from the outset, or even at the time it is first reported. Consideration must be given not only to the immediate impact of harm and risk to the victim, but also the potential longer term impact and the risk of future harm.*

*Harmful conduct may constitute a criminal offence or professional misconduct. A number of factors will influence the determination of the seriousness of harm. A single traumatic incident may cause harm or a number of 'small' incidents may accumulate into 'serious harm' against one individual, or reveal persistent or recurring harm perpetrated against many individuals." (DHSS&PS 2015)*

**3.3** The definition of "serious harm" contained within the regional policy is

*"The judgement of what constitutes 'serious harm' is a complex one and demands careful application of professional judgement against a number of criteria. Assessments conducted by or on behalf of statutory HSC professionals should include consideration of the following:*

- a) The impact on the adult at risk;*
- b) The reactions, perceptions, wishes and feelings of the adult at risk;*
- c) The frailty or vulnerability of the adult at risk;*
- d) The ability of the adult at risk to consent and participate in the decision making process;*
- e) The illegality of the act(s);*
- f) The nature, degree and extent of harm;*
- g) The pattern of the harm-causing behaviour;*
- h) Previous incidents, including any previous HSC Trust involvement*
- i) The level of threat to the adult at risk's right to independence;*
- j) The apparent intent of the alleged perpetrator and extent of premeditation;*
- k) The relationship between the alleged perpetrator and the adult at risk;*
- l) The context in which the alleged harm takes place;*
- m) the risk of repetition or escalation of harm involving increasingly serious acts relating to this individual or other adults at risk; and*

n) *The factors which mitigate the risk through service provision or wider arrangements.*

*There are no absolute criteria for judging when harm has become ‘serious harm’; however this decision should include consideration of the degree, severity, duration and frequency of harm. The seriousness of harm depends on the impact experienced by the individual. Particularly careful consideration must be given to cases where the adult is unable to understand the impact harm is having on them. This will demand the application of professional judgement to consider all of the available evidence, the concerns and the wishes of the individual and to determine the seriousness of harm and the most appropriate intervention.” (DHSS&PS 2015)*

**3.4** The definition of “abuse” contained within the regional policy is

*“Abuse is ‘a single or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to another individual or violates their human or civil rights’<sup>5</sup>. Abuse is the misuse of power and control that one person has over another. Abuse may be perpetrated by a wide range of people, including those who are usually physically and/or emotionally close to the individual and on whom the individual may depend and trust. This may include, but is not limited to, a partner, relative or other family member, a person entrusted to act on behalf of the adult in some aspect of their affairs, a service or care provider, a neighbour, a health or social care worker or professional, an employer, a volunteer or another service user. It may also be perpetrated by those who have no previous connection to the victim”. (DHSS&PS 2015)*

## **4.0 Policy Statement**

**4.1** The Southern Health & Social Care Trust recognises that abuse is a violation of an individual's human and civil rights. The Trust has zero tolerance in relation to all forms of abuse and exploitation. The Trust is fully committed to ensuring that adults who are subject to alleged harm, serious harm or abuse are supported and protected.

**4.2** The Southern Health & Social Care Trust is fully committed to delivering on "Adult Safeguarding: Prevention and Protection in Partnership" (DHSS&PS 2015) and has developed a Corporate Adult Safeguarding Blueprint for 2017 -2022 to oversee the implementation of the new Regional Policy and Procedures.

**4.3** It is the policy of the Trust that all commissioned services are expected to recognise, respond and report concerns regarding adults at risk of harm to the relevant service group within the Trust. All commissioned services are expected to have in place an Adult Safeguarding Champion and where appropriate appointed persons, to deliver on the adult safeguarding responsibilities as outlined in the regional policy and procedures. Commissioned services are also expected to recognise, respond and report concerns regarding adults in need of protection to the Trust Adult Protection Gateway Team. Services commissioned by the Trust are also required to comply with legislative requirements and regional policies, procedures and protocols. Furthermore, commissioned services must have in place Adult Safeguarding and Protection arrangements that are compatible with the Southern Trust's Adult Safeguarding and Protection arrangements. These requirements are delivered through Service Level Agreements.

## **5.0 Scope of Policy**

**5.1** This policy is relevant to all staff, students and volunteers working within the Trust who, either directly or indirectly come into contact with adults at risk who may be subject to alleged, harm serious harm or abuse. This policy is a of particular relevance to staff working within Older People and Primary Care, Learning Disability Services, Mental Health Services, Physical Health & Disability Services including Sensory impaired and Acute Services. The policy recognises that harm and abuse of adults at risk can happen anywhere including community, hospital, residential care facilities and day care. It is therefore applicable in all setting and covers all types of harm and abuse including neglect and recognises that adults who are at risk cannot always protect themselves from harm.

**5.2** The policy also applies to services commissioned by the Trust.

## **6.0 Responsibilities**

### **6.1 Responsibility of the Chief Executive**

As Accountable Officer, the Trust's Chief Executive has overall responsibility for ensuring that arrangements are in place to enable all staff to comply with this Policy.

### **6.2 Responsibility of Executive Director of Social Work**

Policies and Procedures are in place in relation to Adult Safeguarding and to ensure the commitment of appropriate resources so that staff are adequately trained and for providing assurances to SMT on compliance with the policy and procedures.

### **6.3 Responsibility of the Adult Safeguarding Champion(ASC)**

The ASC within the Southern Trust is the Assistant Director responsible for Adult Safeguarding. The ASC provides strategic and operational leadership and oversight in relation to adult safeguarding and is responsible for implementing its adult safeguarding policy. The ASC will ensure that, at a minimum, the Southern Trust safeguards adults at risk by:

- Recognising that adult harm is wrong and should not be tolerated
- Being aware of the signs of harm from abuse, exploitation and neglect
- Reducing opportunities for harm, abuse, exploitation and neglect to occur
- Knowing how and when to report adult safeguarding concerns to HSC Trusts and / or the PSNI

The ASC will delegate operational day to day responsibility for safeguarding to appointed persons within the Southern Trust. Appointed persons will report directly through existing management structures on safeguarding matters. The ASC will compile and analyse corporate adult safeguarding information which will be reported in the annual Southern Trust Position Report for the Local Adult Safeguarding Partnership and Delegated Statutory Function Report.

#### ***6.4 Responsibility of Senior Management***

All Trust Directors, Assistant Directors, Service Heads and Senior Managers have responsibility for the effective implementation of this policy and the associated procedures. They will ensure that the required action is implemented and monitored and that information required to evidence compliance is provided. They will also ensure that a requirement to comply with this policy is included in all Service Level Agreements.

#### ***6.5 Responsibility of Line Managers***

All managers have responsibility for the application of this policy. They should ensure staff are aware of and abide by the requirements of the policy and attend appropriate training.

All line managers should ensure they undertake training provided for managers responding to adult at risk of harm concerns. Line managers should be familiar with the regional adult safeguarding policy and procedures and deliver appropriate alternative safeguarding responses. They should also ensure adequate numbers of staff are trained as Designated Adult Protection

Officers, Investigating Officers and Specialist Interviewers (ABE), sufficient to meet the needs of the service.

### ***6.6 Responsibility of all Staff Working in the Trust***

All those working in the Trust have a responsibility to adhere to the principles and aims of this policy and the associated procedures and guidance. They must attend appropriate training and have a clear understanding of their role and responsibility.

## ***7.0 Legislative Compliance, Relevant Policies, Procedures and Guidance***

**7.1** It is recommended that staff working in the field of Adult Safeguarding and Protection read this document in conjunction with:

- The Public Interest Disclosure (NI) Order 1998
- Adult Safeguarding: Prevention and Protection in Partnership Regional Policy (DHSS&PS Sept 2015)
- Protocol for Joint Investigation of Adult Safeguarding Cases. (HSCB, PSNI, RQIA 2016.)
- Achieving Best Evidence – a practitioner’s guide.
- The Family Homes and Domestic Violence (NI) Order 1998
- Domestic Abuse and Civil Proceedings Act (NI )2021
- Stopping Domestic and sexual violence and abuse in Northern Ireland: 2021-2022
- The Safeguarding Vulnerable Groups Order (N.I.) 2007 Guidance on Consent & capacity DHSPPS
- Adult Safeguarding in Northern Ireland Regional and Local Partnership Arrangements March 2010.
- DHSS&PS Guidance in Safeguarding of Service User’s Finances with residential and Nursing Homes (Feb 2015)
- Mental Capacity Act (NI) 2016
- General Data Protection Regulation and the Data Protection Act 2018

**7.2** This Policy does not operate independently of other Southern Trust policies & procedures. Policies and procedures such as complaints whistle blowing and disciplinary procedures should be implemented concurrently in order to ensure the protection of adults at risk of harm.

## **8.0 Equality and Human Rights Considerations**

**8.1** This policy has been screened for equality implications as required by Section 75 and schedule 9 of the Northern Ireland Act 1998. Equality commission guidance states that the purpose of screening is to identify those policies which are likely to have a significant impact on equality of opportunity so that greatest resources can be devoted to these.

Using the Equality Commission's screening criteria; no significant equality implications have been identified. The policy will therefore not be subject to an equality impact assessment.

Similarly, this policy has been considered under the terms of the Human Rights Act 1998, and was deemed compatible with the European Convention Rights contained in the Act.

## **9.0 Alternative formats**

**9.1** This document can be made available on request in alternative formats, e.g. plain English, Braille, disc, audiocassette and in other languages to meet the needs of those who are not fluent in English.

## **10.0 Records Management**

**10.1** The supply of information under the Freedom of Information does not give the recipient or organisation that receives it the automatic right to re-use it in any way that would infringe copyright. This includes, for example, making multiple copies, publishing and issuing copies to the public. Permission to re-use the information must be obtained in advance from the Trust.

## **11.0 Sources of Advice and Further Information**

**11.1** Line Managers should be contacted in the first instance, in relation to any specific queries on policy content. Line Managers should then escalate queries which they are unable to address, to the Policy Author.

## **12.0 References**

“Adult Safeguarding: Prevention and Protection in Partnership” Regional Policy (DHSS&PS 2015)

Protocol for Joint Investigation of Adult Safeguarding Cases (Sept 2016)

Achieving Best Evidence – a practitioners guide (Jan 2012)

Mental Capacity Act (NI) 2016

Adult Safeguarding Northern Ireland – Regional and Local Partnership Arrangements, DHSSPS March 2010

## Appendix 1

<http://vsrintranet.southerntrust.local/SHSCT/HTML/PandP/documents/adult-safeguarding-operational-procedures.pdf>

## Appendix 2

### POLICY IMPLEMENTATION PLAN

<b>POLICY TITLE:</b>	“Southern health & Social Care Trust Adult Safeguarding Prevention and Protection in Partnership Policy” Aug 2017
<b>ACCOUNTABLE DIRECTOR:</b>	Paul Morgan
<b>POLICY AUTHOR:</b>	Deborah Hanlon; Head of Service Adult Safeguarding
<b>CO-ORDINATOR FOR IMPLEMENTATION PLAN:</b>	Helen McCormick; Trust Adult Safeguarding Specialist Manager
<b>DATE APPROVED BY POLICY SCRUTINY COMMITTEE:</b>	15/3/18
<b>DATE APPROVED BY SMT:</b>	

KEY TASKS	ACTION TAKEN/PLANNED	LEAD	TIMESCALE
<b>Communicating and Engaging staff</b>	<ol style="list-style-type: none"> <li>1. Circulate the policy, and procedures to all staff via Directorates</li> <li>2. Information on the policy to be included in the staff E-brief</li> <li>3. Copy of the policy and procedures to be uplifted onto the Trust Intranet</li> <li>4. Copy of the policy and procedures to be tabled at the different professional governance meetings for discussion.</li> <li>5. Circulate the policy and procedures to all Voluntary sector, statutory and independent sector partners for their information</li> </ol>	<p>D. Hanlon</p> <p>D. Hanlon</p> <p>D. Hanlon</p> <p>D. Hanlon</p> <p>D. Hanlon via contracts dept., PHWB team and the LASP</p>	<p>Immediately following approval by SMT</p> <p>Immediately following approval by SMT</p> <p>Immediately following approval by SMT</p> <p>Immediately following approval by SMT</p> <p>Immediately following approval by SMT</p>
<b>Involving service users and carers</b>	<p>The Local Adult Safeguarding Partnership (LASP) and SHSCT Corporate Blueprint "Prevention and empowerment workstream" will be consulted on the best way of informing service users and carers about the Trust policy and how it can be assessed.</p>	<p>H. McCormick</p>	<p>Immediately following approval by SMT</p>

KEY TASKS	ACTION TAKEN/PLANNED	LEAD	TIMESCALE
<b>Training</b>	<ol style="list-style-type: none"> <li>1. Awareness raising sessions to be held for Senior Managers to familiarise them with their role and responsibilities. This will include the new role of the Trust Adult Safeguarding Champion and the delegated responsibilities to line managers through the existing reporting structures.</li> <li>2. Managers training scheduled in year and are delivered by SSTDT. This will include the delegated responsibilities for appointed persons managing adult at risk of harm cases through alternative safeguarding responses.</li> <li>3. All previously trained Designated Officers have received updated training to include new responsibilities as Designated Adult Protection Officers.</li> </ol>	SSTDT	<p>Ongoing annual Training available</p> <p>Completed and ongoing</p> <p>Completed</p>
<b>Evaluation</b>	<ol style="list-style-type: none"> <li>1. The Trust participated in the Regional 10,000 Voices Adult Safeguarding Service User Experience Survey. The adult protection Gateway team supported staff engagement with project. Further Ongoing work is being undertaken to ensure continuation of learning from user experience in adult protection cases</li> </ol>	H. McCormick and E. Colton	By 31/03/18

