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Housing Management Safeguarding Policy	SPO1	1	Nov 2019	RBKC Housing Management



## **Housing Management Safeguarding Policy**

### **1. Introduction**

- 1.1. The safeguarding of adults and children is a statutory duty for Local Authorities.
- 1.2. The Care Act 2014 and the 1989 and 2004 Children Acts make it clear that safeguarding is everyone's responsibility and that professionals, organisations and local authorities must work in partnership when carrying out their duties under the relevant legislation.
- 1.3. When working with adults the Care Act 2014 makes it a duty on local authorities to promote individual well-being in the exercise of its functions and to safeguard adults with care and support needs at risk of or experiencing abuse or neglect.
- 1.4. When working with children the 1989 and 2004 Children Acts set out the duties on the local authority to safeguard and promote the welfare of all children and young people in their area.
- 1.5. The Royal Borough of Kensington & Chelsea's approach to these requirements is set out in its corporate safeguarding policy and overseen by the Local Safeguarding Children Board for Kensington and Chelsea, Hammersmith and Fulham and Westminster, and the Bi-Borough Safeguarding Adults Board.

### **2. Safeguarding Policy for Housing Management**

- 2.1. This policy aims to complement and work in tandem with the relevant statutory safeguarding policy<sup>1</sup> and guidance.
- 2.2. It draws on and reflects the relevant legislation and guidance on safeguarding for both children and adults at risk and sets out the housing management

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<sup>1</sup> London Multi-agency Adult Safeguarding Policy and Procedures 2019  
London Child Protection Procedures and Practice Guidance 2019

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service's aims, role and responsibilities for ensuring effective safeguarding in partnership with other agencies. It includes:

- Definitions of safeguarding and those who may be at risk.
- Types of abuse and neglect.
- How the housing management service may be involved in identifying instances of abuse or neglect.
- How we will respond to instances of abuse and neglect.
- How we will share information and work with others.

2.3. This policy is supported by the Housing Management Safeguarding Procedure ([hyperlink to procedure](#)) which outlines what is expected of housing management staff, and the escalation and referral process.

2.4. For the purposes of this policy, safeguarding is taken to mean protecting children and adults at risk from abuse, neglect, maltreatment or significant harm. The following, more detailed definitions of safeguarding reflect the relevant legislation or official guidance.

## 2.5 Guidance and legislation

The following are the key policies, procedures and codes of practice that will inform our practice:

- Pan London Safeguarding Adult Procedures
- Mental Capacity Act Code of Practice
- Deprivation of Liberty Safeguards Code of Practice
- Bi-Borough Safeguarding Adults Handbook
- Safeguarding adults from neglect or abuse
- Neglect matters
- Threshold of needs guide
- Children Act 1989 / 2004
- Working Together to Safeguard Children 2018
- Local LSCB guidance
- London Child Protection Procedures
- Care Act 2014
- Crime and Disorder Act 1998
- Human Rights Act 1998

## 3. Safeguarding Children

3.1. In the Government's guidance 'Working Together to Safeguard Children' (Updated 2018) safeguarding and promoting the welfare of children is defined as:

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- 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.

#### **4. Safeguarding Adults**

- 4.1. The Care Act 2014 defines safeguarding as protecting an adult’s right to live in safety, free from abuse and neglect and promoting the adult’s wellbeing.
- 4.2. It is aimed at people with care and support needs who may be in vulnerable circumstances and at risk of harm, abuse, neglect or exploitation.
- 4.3. The guidance also states that local authorities should not limit their view of what constitutes abuse or neglect, as they can take many forms and the circumstances of the individual case should always be considered.
- 4.4. Incidents of abuse may also be one-off or multiple and affect one person or more. Professionals and others should look beyond single incidents or individuals to identify patterns of harm. (Care Act Guidance para 14.18).

#### **5. How we identify children or adults who may be at risk**

- 5.1. Government guidance<sup>2</sup> provides examples of the personal circumstances or care and support needs of children and adults which may help identify them as needing early help or being particularly at risk.

#### **6. Children who may be at risk**

- 6.1. Government guidance in ‘Working Together to Safeguard Children’ 2018 defines a child as being anyone who has not yet reached their 18<sup>th</sup> birthday.
- 6.2. It indicates that providing early help is crucial in safeguarding children and requires all staff to understand their role in identifying emerging problems and sharing information with other professionals.

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<sup>2</sup> Care and Support Statutory Guidance updated Oct 2018 & ‘Working Together to Safeguard Children’ 2018

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- 6.3. We will ensure housing management staff are alert in particular to the potential need for early help for a child who:
- Is disabled and has specific additional needs.
  - Has special educational needs.
  - Is a young carer.
  - Is showing signs of engaging in anti-social or criminal behaviour.
  - Is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic violence.
  - Has returned home to their family from care.
  - Is showing early signs of abuse or neglect
  - Is vulnerable to exploitation including criminal and sexual.

## 7. **Adults who may be at risk**

7.1. The safeguarding duties apply to an adult who:

- has needs for care and support (whether the local authority is meeting any of those needs)
- is experiencing, or at risk of, abuse or neglect
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect

7.2. Some adults may be more at risk of abuse because they are

- Elderly or frail due to ill health.
- Have a physical disability, sensory impairment or a long-term illness/condition.
- Have mental health needs including dementia or a personality disorder.
- Have a learning disability.
- Unable to demonstrate capacity to make decisions.
- Dependent on alcohol, illegal drugs or medication.
- A care leaver
- Unable to protect themselves against abuse or neglect

## 8. **Six key principles underpin all adult safeguarding work**

- **Empowerment**
- People being supported and encouraged to make their own decisions and informed consent.
- **Prevention**

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- It is better to take action before harm occurs.
- **Proportionality**
- The least intrusive response appropriate to the risk presented.
- **Protection**
- Support and representation for those in greatest need.
- **Partnership**
- Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
- **Accountability**
- Accountability and transparency in delivering safeguarding.

## 9. Making safeguarding personal

9.1 Making safeguarding personal means the safeguarding process should be person-led and outcome-focused. It should engage 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.

9.2 Nevertheless, there are key issues that should be considered if there is a suspicion or staff are made aware of abuse or neglect. If the adult has the mental capacity to make informed decisions about their safety and they do not want any action to be taken, this does not preclude the sharing of information with relevant professional colleagues. This is to enable professionals to assess the risk of harm and to be confident that the adult is not being unduly influenced, coerced or intimidated and is aware of all the options. This will also enable professionals to check the safety and validity of decisions made. It is good practice to inform the adult that this action is being taken unless doing so would increase the risk of harm.

## 10. Sources of Risk

### Identifying Risk

10.1 Not every situation or activity will entail a risk that needs to be assessed or managed. The risk may be minimal and no greater for the adult, than it would be for any other person.

- Risks can be real or potential;
- Risks can be positive or negative;

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- Risks should take into account all aspects of an individual's wellbeing and personal circumstances.

## 10.2 Sources of risk might fall into one of the four categories below:

- Private and family life: The source of risk might be someone like an intimate partner or a family member which is domestic abuse;
- Community based risks: This includes issues like 'mate crime', anti-social behaviour, and gang-related issues; radicalisation, cuckooing, county lines
- Risks associated with service provision: This might be concerns about poor care which could be neglect or organisational abuse, or where a person in a position of trust because of the job they do financially or sexually exploits someone;
- Self-neglect: Where the source of risk is the person themselves.

## 11. Types of abuse

11.1 Incidents of abuse may be one-off or multiple, and affect one person or more. Professionals and others should look beyond single incidents or individuals to identify patterns of harm, just as the CCG, as the regulator of service quality, does when it looks at the quality of care in health and care services. Repeated instances of poor care may be an indication of more serious problems and of what we now describe as organisational abuse. In order to see these patterns it is important that information is recorded and appropriately shared.

11.2 Patterns of abuse vary and include:

- serial abuse, in which the perpetrator seeks out and 'grooms' individuals. Sexual abuse sometimes falls into this pattern as do some forms of financial abuse
- long-term abuse, in the context of an ongoing family relationship such as domestic violence between spouses or generations or persistent psychological abuse
- opportunistic abuse, such as theft occurring because money or jewellery has been left lying around

11.3 We recognise that abuse and neglect can take many forms such as the following:

### 11.4 Physical abuse including:

- assault
- hitting
- slapping
- pushing
- misuse of medication
- restraint

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- inappropriate physical sanctions

### **11.5 Domestic abuse including:**

- psychological
- physical
- sexual
- financial
- emotional abuse
- so called 'honour' based violence

We recognise that domestic abuse isn't always physical. Coercive control is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten the individual at risk. This controlling behaviour is designed to make the individual dependent by isolating them from support, exploiting them, depriving them of independence and regulating their everyday behaviour.

### **11.6 Sexual abuse including:**

- rape
- indecent exposure
- sexual harassment
- inappropriate looking or touching
- sexual teasing or innuendo
- sexual photography
- subjection to pornography or witnessing sexual acts
- sexual assault
- sexual exploitation and/or acts to which the adult has not consented or was pressured into consenting

### **11.7 Psychological abuse including:**

- emotional abuse
- threats of harm or abandonment
- deprivation of contact
- humiliation
- blaming
- controlling
- intimidation
- coercion
- harassment
- verbal abuse
- cyber bullying
- isolation
- unreasonable and unjustified withdrawal of services or supportive networks

### **11.8 Financial or material abuse including:**

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- theft
- fraud
- internet scamming
- coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions
- the misuse or misappropriation of property, possessions or benefits
- other scams such as telephone, postal, doorstep and/or distraction burglary

Financial abuse is the main form of abuse investigated by the Office of the Public Guardian both amongst adults and children at risk. Financial recorded abuse can occur in isolation, but as research has shown, where there are other forms of abuse, there is likely to be financial abuse occurring. Although this is not always the case, everyone should also be aware of this possibility.

The report 'The Financial Abuse of Older People' provides further information.

### **11.9 Modern slavery encompasses:**

- slavery
- human trafficking
- forced labour and domestic servitude.
- traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment

Read Modern slavery:how the UK is leading the fight for further information.

### **11.10 Discriminatory abuse including forms of:**

- harassment
- slurs or similar treatment:
  - because of race
  - gender and gender identity
  - age
  - disability
  - sexual orientation
  - religion

Read Discrimination: your rights for further information.

### **11.11 Organisational abuse**

Including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a



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result of the structure, policies, processes and practices within an organisation.

### **11.12 Neglect and acts of omission including:**

- ignoring medical, emotional or physical care needs
- failure to provide access to appropriate health, care and support or educational services
- the withholding of the necessities of life, such as medication, adequate nutrition and heating

### **11.13 Self-neglect**

This covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.

### **11.15 Female genital mutilation (FGM)**

Involves procedures that intentionally alter or injure female genital organs for non-medical reasons. The procedure has no health benefits for girls and women. The Female Genital Mutilation Act (2003) makes it illegal to practise FGM in the UK or to take girls who are British nationals or permanent residents of the UK abroad for FGM whether or not it is lawful in another country.

Further information on safeguarding women and girls at risk of FGM is available via this link:

[www.gov.uk/government/publications/safeguardingwomen-and-girls-at-risk-of-fgm](http://www.gov.uk/government/publications/safeguardingwomen-and-girls-at-risk-of-fgm)

### **11.16 Forced marriages**

Is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse.

### **11.17 Hate crime**

The police define 'hate crime' as 'any incident that is perceived by the victim, or any other person, to be racist, homophobic, transphobic or due to a person's religion, belief, gender identity or disability'. It should be noted that this definition is based on the perception of the victim or anyone else and is not reliant on evidence. In addition, it includes incidents that do not constitute a criminal offence. The police monitor five strands of hate crime:

- disability
- race
- religion
- sexual orientation
- transgender.

### **11.18 Honour-based violence**

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Will usually be a criminal offence, and referring to the police must always be considered. It has or may have been committed when families feel that dishonour has been brought to them. Women are predominantly (but not exclusively) the victims and the violence is often committed with a degree of collusion from family members and/or the community.

### **11.19 Human trafficking**

This problem has a global reach covering a wide number of countries. It is run like a business with the supply of people and services to a customer, all for the purpose of making a profit. Traffickers exploit the social, cultural or financial vulnerability of the victim and place huge financial and ethical obligations on them. They control almost every aspect of the victim's life, with little regard for the victim's welfare and health.

### **11.20 Mate crime**

A 'mate crime' as defined by the Safety Net Project is 'when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual.'

Mate crime is often difficult for police to investigate, due to its sometimes ambiguous nature. Mate crime is carried out by someone the adult knows and often happens in private.

### **11.21 Restraint**

Unlawful or inappropriate use of restraint or physical interventions. Someone is using restraint if they use force, or threaten to use force, to make someone do something they are resisting, or where an adult's freedom of movement is restricted, whether they are resisting or not.

Restraint covers a wide range of actions. It includes the use of active or passive means to ensure that the person concerned does something, or does not do something they want to do, for example, the use of key pads to prevent people from going where they want from a closed environment.

### **11.22 Radicalisation**

Radicalisation is comparable to other forms of exploitation, such as grooming and Child Sexual Exploitation. The aim of radicalisation is to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. This may be direct through a relationship, or through social media.

## **12. How the Housing Management Service may be involved in the prevention of abuse**

- 12.1. Safeguarding issues may be brought to the attention of staff directly by residents, neighbours, contractors or other agencies in contact with residents

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or their families. In addition, housing management staff working with residents or entering residents homes to carry out visits, repairs, inspections or interviews may encounter situations causing concern for someone's welfare.

For example:

- Children or adults at risk whose care needs appear to be neglected or who appear to be subject to deliberate mistreatment.
- Adults at risk of financial abuse which may be indicated by a lack of heating, clothing or food, inability to pay bills/unexplained shortage of money, unexplained withdrawals from an account, unexplained loss/misplacement of financial documents, the recent addition of authorised signers on a client or donor's signature card, sudden or unexpected changes in a will or other financial documents. Children or adults who say they are being abused.
- Signs of self-neglect such as hoarding, unsanitary conditions, or alcohol or substance misuse.
- Repeated instances of poor or neglectful care by health and social care professionals or workers
- Neglect of a person's needs because those around them are unable to be responsible for their care, for example signs a carer may have difficulties caused by poor health, debt, alcohol or mental health problems.
- Difficulties in maintaining tenancy such as arrears or neighbour problems or harassment which may be linked to a learning difficulty or mental health problems and giving rise to exploitation, financial abuse or harassment.
- Where there is known or suspected domestic abuse.

12.2. We will ensure staff are trained to identify the wide range of circumstances in which potential victims of neglect or abuse may present.

12.3. The training that our staff will take will include the following:

Safeguarding Training for all HM staff:

- Best Practice Safeguarding Roadshow (Available in Learning Zone)
- Introduction to Safeguarding Children (Available in Learning Zone)
- Self-Neglect and Hoarding Awareness (Available in Learning Zone)
- Introduction to Safeguarding Adults (Being developed for Learning Zone)

Additional Safeguarding Training for HM departmental Leads:

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- Safeguarding Adults Enquiries and the role of service providers (Available in Learning Zone)

12.4. Guidance for front line staff working with adults is also set out in the handbook 'Safeguarding adults from neglect or abuse' which sets what abuse is, the legal context and the responsibilities of front line staff who may come into contact with possible cases of abuse and neglect in adults.

12.5. Guidance for staff working with children is set out in 'Neglect Matters' and 'Thresholds of need guide' which help staff to identify possible cases of neglect and officer guidance on how to respond.

### **13. How we will respond to suspected abuse or neglect**

13.1. We recognise that abuse, neglect or harm can arise in a range of settings and may be perpetrated by a wide range of people including relatives and family members, professional staff, volunteers, other service users, neighbours, friends and associates, or strangers.

13.2. The Housing Management Service will endeavour to safeguard children, young people and adults at risk in the ways outlined in the following sections.

### **14. Agreed procedures**

14.1. We will provide guidance and appropriate safeguarding procedures for housing management staff to ensure the timely reporting, management and referral of concerns or suspicions of abuse and neglect of individuals at risk. This is set out in the Housing Management Safeguarding Procedure.

14.2. Procedures include guidance and arrangements for supporting individuals at risk and working with different agencies across different local authority areas.

### **15. Recruitment, induction and training of staff**

15.1. We will ensure the selection and recruitment of staff, contractors and agencies takes into account the need to promote the safeguarding of children and adults. This will include the following:

15.2. All members of frontline staff who have regular contact with adults at risk or children will be subject to employment checks and Disclosure and Barring Service checks, where appropriate.

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15.3. As part of their induction in the Housing Management Service, all appropriate staff will be required to read and understand this policy and related guidance and procedures.

15.4. Staff will receive training in the legal responsibilities and duties in relation to safeguarding and how to identify signs of abuse and neglect, recognise harm and make appropriate referrals.

## **16. Management and supervision**

16.1. We will provide direction about the service's responsibilities and the promotion of effective practice in relation to safeguarding through regular management and supervision of staff and contractors, the monitoring of performance, reporting, complaints and annual review of policy and notable practice.

16.2. Managers will ensure through regular supervision that the policy and procedure are adhered to and that adequate arrangements with other parts of the council and other agencies are in place to ensure effective safeguarding and communication.

16.3. Safeguarding will be a regular item on team meeting agendas and staff supervision.

16.4. We will ensure all staff are enabled to challenge inappropriate behaviour in others, are able to access whistle blowing procedures and that any issues relating to the conduct of staff are addressed through appropriate procedures.

## **17. Sharing information**

17.1. We will ensure that all housing management staff understand government guidance for sharing information with other professionals and that information is shared effectively and efficiently to support early identification and assessment of any concerns.

17.2. As a directorate of RBKC, Housing Management shares the commitment to ensure that all data is in accordance with GDPR 2018 and the Data Protection Act 2018. We will ensure that all data is:

- processed lawfully, fairly and in a transparent manner
- collected for a specific and legitimate purpose and not used for anything other than this stated purpose, or as provided for in our privacy and fair processing notices
- relevant and limited to whatever the requirements are for which the data is processed

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- accurate, and where necessary, kept up to date. Any identified inaccuracies will be amended or removed without undue delay
- stored for as long as required, as specified within RBKC's Records Retention policy
- secured with appropriate solutions, which protect the data against unauthorised or unlawful processing and accidental loss, destruction or damage.
- For further information about the Council's commitment to the General Data Protection Regulations (GDPR), visit the Council's website at [www.rbkc.gov.uk](http://www.rbkc.gov.uk).

17.3. We will ensure the information we share is necessary for the purpose for which we are sharing it, it is shared only with those who need to have it, is accurate and up to date and shared securely.

17.4. We will be open about what and with whom information will or could be shared unless by doing so puts the adult at increased risk of harm, seeking consent and respecting confidentiality except where we consider safety or wellbeing of the adult or others to be at risk.

17.5. If staff are in any doubt about sharing the information concerned without disclosing the identity of the individual where possible they should contact either the Corporate Information Team or the Housing Management Data Co-Ordinator.

17.6. We will routinely review our data sharing arrangements to ensure that they are still appropriate.

## **18. Working with others**

18.1. We recognise that safeguarding is achieved through good joint working with other agencies, organisations and across local authority boundaries. This is an important consideration for the council which owns and manages housing across the local authority area.

18.2. As a provider of social housing and support services we will build and maintain partnerships and effective referral procedures with other local authorities, agencies and organisations to safeguard children and adults at risk.

## **19. Monitoring and review**

19.1. This policy and its related guidance and procedures will be kept under review (at least annually) by the Housing Management Safeguarding Group and

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amended to reflect any change in legislation, national guidance or local practice as necessary.