

Safeguarding Adults and Children’s Policy

1. Purpose and Scope

This policy is for staff, volunteers and trustees of Healthwatch Bristol, North Somerset and South Gloucestershire.

SAFEGUARDING IS EVERYBODY’S BUSINESS

**Safeguarding is the responsibility of everyone including statutory, independent and voluntary agencies as well as every citizen. Healthwatch Bristol, North Somerset and South Gloucestershire will work together to prevent and minimise abuse and protect vulnerable adults, children and young people from harm.**

**This policy applies to all individuals involved with the work of Healthwatch including staff, volunteers, work placements and board members.**

**The fundamental principle that underpins this policy, applying to all Healthwatch activity, is that all people have the right to live their lives free from violence, fear and abuse.**

**If we know or suspect that a person is being abused or at risk of abuse, we will do something about it and ensure our response is properly recorded (see section 9 of this Policy).**

**This policy sets out the aims and responsibilities of Healthwatch and it is designed to help Healthwatch recognise and respond to cases of abuse, in particular to:**

* **Increase awareness of issues concerning abuse**
* **Reduce and prevent incidences of abuse**
* **Respond quickly and sensitively to suspicions or disclosed incidents of abuse**

**Healthwatch will work in partnership with the Safeguarding Adults and Children’s Boards, Multi Agency Safeguarding Hubs and partner agencies in Bristol, North Somerset and South Gloucestershire to ensure our staff team’s understanding of, and compliance with, this safeguarding policy relating to vulnerable adults and children.**

**Additional reading information provided by Safeguarding Boards in Bristol, North Somerset and South Gloucestershire is available in the Safeguarding folder on the HealthwatchShared files. Staff are expected to familiarise themselves with the information relevant to their area/s.**

1. Legislative Framework

This Policy is based on the Social Care Institute for Excellence (SCIE) adult safeguarding practice questions (published March 2015), revised Care and Support Statutory Guidance March 2016 and the national guidance Working Together to Safeguard Children (DfE, 2018). It is drawn up in line with the Bristol, North Somerset and South Gloucestershire Clinical Commissioning Group’s (CCGs) Safeguarding Policy 2018-21 and NSPCC’s safeguarding standards and practice. All staff, volunteers and board members are expected to familiarise themselves with this Policy and the BNSSG CCG Safeguarding Policy 2020-22 on the HealthwatchShared files here. <https://hwnorthsomerset.sharepoint.com/:f:/s/HealthwatchShared/EmOxyz_z_Q9FvxZznYvUtrwBHieGDpltivULUjv39Vga5g?e=RKvl0b>

Our adult centred approach is supported by:

The Care Act 2014, which places a duty on Local Authorities to make enquiries or cause others to do so when they reasonably suspect an adult (to whom safeguarding duties apply) is experiencing, or at risk of experiencing abuse or neglect and is unable to protect themselves.

The Act places a duty on all partner agencies to co-operate by sharing information and contributing to these enquiries.

The Act stresses that enquiries should be proportionate to the level of risk and that responses should be personalised and must consider the wishes and views of the adult and their desired outcome.

The Mental Capacity Act (MCA) 2005 and Deprivation of Liberty Safeguards

The MCA 2005 provides a statutory framework to empower and protect people who may lack capacity to make decisions for themselves, and establishes a framework for making decisions on their behalf. It applies to anyone over 16 who is unable to make some or all decisions for themselves. All decisions taken in the adult safeguarding process must comply with the Act.

Deprivation of Liberty Safeguards apply. The MCA 2005 created criminal offences of ill-treatment and wilful neglect in respect of people who lack the ability to make decisions. The offences can be committed by anyone responsible for that person’s care and support, e.g. paid staff; family carers; people who have the legal authority to act on that person’s behalf i.e. persons with power of attorney or court-appointed deputies.

Healthwatch is represented on the North Somerset Safeguarding Adults Board, the Keeping Bristol Safe Partnership and South Gloucestershire Adult Safeguarding Board.

Principles

This Policy is based on the 6 principles of safeguarding that underpin all adult safeguarding work:

* Empowerment – adults are encouraged to make their own decisions and are provided with appropriate support and information
* Prevention – strategies are developed to prevent abuse and neglect that promote resilience and self-determination
* Proportionate – a proportionate and least intrusive response is made balanced with the level of risk
* Protection – adults are offered ways of protecting themselves and there is a co-ordinated response to adult safeguarding
* Partnerships – local solutions are sort through services working together within their communities
* Accountable – accountability and transparency in delivering a safeguarding response

Our children and young people centred approach is supported by:

The Children Act 1989 (amended by Section 53 of the Children Act 2004). This Act requires local authorities to give due regard to a child's wishes when determining what services to provide under Section 17 of the Children Act 1989, and before making decisions about action to be taken to protect individual children under Section 47 of the Children Act 1989. These duties complement requirements relating to the wishes and feelings of children who are, or may be, looked after (Section 22 (4) Children Act 1989), including those who are provided with accommodation under Section 20 of the Children Act 1989 and children taken into police protection (Section 46(3) (d) of that Act;

The Equality Act 2010

The Equality Act 2010 puts a responsibility on public authorities to have due regard to the need to eliminate discrimination and promote equality of opportunity. This applies to the process of identification of need and risk faced by the individual child and the process of assessment. No child or group of children must be treated any less favourably than others in being able to access effective services which meet their particular needs.

The United Nations Convention on the Rights of the Child (UNCRC).

This is an international agreement that protects the rights of children and provides a child-centred framework for the development of services to children. The UK Government ratified the UNCRC in 1991 and, by doing so, recognises children's rights to expression and receiving information.

1. Responsibilities

Healthwatch Bristol, North Somerset and South Gloucestershire will:

* Appoint a Designated Safeguarding Lead to lead on operational practice and co-ordinate the roll out of best practice across the organisation, and Designated Safeguarding Officers to be the contact point for staff and volunteers in Bristol, North Somerset and South Gloucestershire
* Ensure all staff, volunteers and board members are given sufficient training to be able to identify signs and symptoms of abuse and have access in policy documents to the correct reporting procedures. Mandatory training given at induction and in refresher courses.
* Ensure all staff and volunteers are familiar with procedures to report concerns and contact numbers of the Designated Safeguarding Lead (DSL) and Designated Safeguarding Officers (DSO) are displayed on the walls of Healthwatch offices and communicated to staff.
* Identify a member of the board to be appropriately trained to take lead responsibility for safeguarding vulnerable adults and children and overseeing safeguarding procedures
* Review and update this policy every two years

Healthwatch may ask children and young people to share their views on the national and local health and social care system. We will invite children aged 13 plus to make recommendations about the services and assistance they need/and or are available to them. Younger age groups can provide feedback with the consent of an adult parent or carer. We will ensure children have access to independent advice and support (for example, through advocates or children's rights officers) to be able to express their views and influence decision-making. When considering issues arising in relation to identity, diversity, culture, faith, sexual orientation language, disability, low confidence and trust, Healthwatch will where appropriate gather feedback from children.

Healthwatch will not publish person-identifying information. Prior to using photographs or case studies we will abide by Healthwatch England age guidelines to gain consent.

The Designated Safeguarding Lead (DSL) is the Area Manager and the Designated Safeguarding Officers (DSO) are Area Leads role. Their contact telephone numbers are:

DSL- 07591 932174

Designated Safeguarding Officer – 0117 2033594(Bristol)

Designated Safeguarding Officer – 01275 244238 (North Somerset)

Designated Safeguarding Officer – 01454 506176 (South Gloucestershire)

1. Information Sharing

All adults, children and young people have the right to expect that information given to Healthwatch will be treated with care and in confidence. In order to protect vulnerable adults and children, it may be necessary to share information which could be regarded as confidential in other circumstances. Healthwatch will need to justify why they are sharing information with another agency. However, the duty to protect an individual will in most cases outweigh the need to adhere to data protection and to maintain confidentiality.

In certain circumstances, and in line with our Confidentiality Policy and General Data Protection Regulations, Healthwatch reserves the right to break confidentiality. These circumstances include if:

* safeguarding concerns are identified
* it is believed that a person could cause danger to themselves or to others
* there is suspicion of abuse or knowledge of abuse
* the person gives information which indicates that a crime has been committed
* disclosure is required by law, for example, by the police
* a person is felt to lack the mental capacity to make a decision. In such cases staff, volunteers or trustees will discuss the matter with a manager and they will only act in the person’s best interest
* the person gives information which indicates a possible terrorist threat

The decision on whether to break confidentiality will be decided on a case-by-case basis and usually in conjunction with a manager. Breaching confidentiality is a decision made in conjunction with the DSL not a personal decision made by an individual staff member.

Such a disclosure will be made and recorded in line with current data protection legislation.

1. Temporary Vulnerability

Healthwatch Bristol, North Somerset and South Gloucestershire notes that under the ‘Protection of Freedoms Act 2012’ the term ‘vulnerable’ may be applied to adults for periods of time and for specific situations. (An adult in hospital ‘may’ be vulnerable for the period of their recovery; or an adult with dementia ‘may’ only be vulnerable with regard to a specific area of their life).

1. Safe Recruitment

Recruitment and selection of Healthwatch staff, volunteers and board members includes clear statements relating to Healthwatch’s commitment to safeguarding.

Staff, volunteers and trustees may be asked to have a Disclosure and Barring Service (DBS) check depending on their role, except if they are a member of staff or Volunteer involved in Enter and View work. This is made clear at recruitment and is included in the staff Handbook and Volunteer handbook . Healthwatch keeps a record of the DBS reference number and the date the check was completed on the relevant volunteer or staff file but does not keep a copy of the DBS check.

Recruitment and selection information is kept in accordance with Healthwatch Retention of Records Schedule.

1. Complaints or Allegations Against Professionals

Healthwatch recognises its duty to report concerns or allegations against its personnel (paid or unpaid) within the organisation or a professional from another organisation. Healthwatch has a grievance procedure where complains can be raised including allegations of abuse against a member of Healthwatch staff, board member, volunteer or authorised representative. This will be reported to Chair of the Board of Trustees who will allocate someone within the Board to take this further.

As outlined in the Retention of Records Schedule in the Healthwatch Record Keeping and Retention Policy, if allegations are made about a member of staff, volunteer or trustee, the staff record will be retained until they reach normal retirement age or for 10 years, if that is longer.

1. Training

Staff

Safeguarding Adults and Children’s training will be provided for staff at induction, with updates provided so they can review and refresh their working practice every two years. Staff are required to attend safeguarding training at a level commensurate with their roles.

The DSL and DSO receive training appropriate to their role, updated every 2 years. The DSL is registered to receive automated updates whenever changes are made to the South West Local Safeguarding Children Board procedures. The DSL is responsible for rolling out relevant BNSSG policy changes to the Healthwatch team.

Volunteers and board members

Safeguarding Adults training will be provided for volunteers and board members at induction with updates provided so they can review and refresh their working practice every two years. Safeguarding Children’s training will be provided on an ‘as needed’ basis.

All staff, volunteers and board members are required to sign the Healthwatch Bristol, North Somerset and South Gloucestershire Confidentiality Policy and keep up to date with safeguarding procedures.

To ensure staff are up to date, safeguarding is a mandatory discussion point at staff appraisal sessions.

The content of training sessions will include, but not be limited to:

* Recognising signs and symptoms of abuse
* Policy and legislative context
* Procedure for reporting concerns
* Exploitation
* Domestic abuse
* Elder abuse
* Female genital mutilation, honour-based violence and forced marriage
* Prevent
* Spiritual, cultural and religious beliefs
* Peer on peer abuse

1. Reporting Concerns

Anyone who is in contact with vulnerable adults or children has a role in safeguarding and child protection. If anyone connected with Healthwatch Bristol, North Somerset or South Gloucestershire is concerned about an adult or child, they must use the following contact to raise concern:

BRISTOL:

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| If you have immediate concerns about your own, or someone else’s safety, call the Police on 999. If it isn’t an emergency but you need help fast, call the Police on 101.  Adults  If you suspect that an adult in Bristol with care and support needs is being abused or neglected but their health or welfare is not in immediate danger, use this form to connect with Care Direct <https://www.bristol.gov.uk/social-care-health/form-contact-adult-care-services>  You can also call Care Direct on 0117 922 2700, 8.30am to 5pm, Monday to Friday.  There’s an answerphone service outside these hours.  Children and young people  If your concern relates to a disclosure of abuse from a child requiring a same day response, you can contact First Response straight away on 0117 903 6444.   You can use the form:  <https://www.bristol.gov.uk/social-care-health/report-your-concerns-about-a-child> |

NORTH SOMERSET:

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| If you have immediate concerns about your own, or someone else’s safety, call the Police on 999. If it isn’t an emergency but you need help fast, call the Police on 101.  North Somerset Care Connect service, deals with enquiries relating to social services for children and young people, adults and disabled people. The Care Connect service is available Monday to Friday, 8am to 6pm.  Adults  01275 888 801  Children and young people  01275 888 808  Email  [care.connect@n-somerset.gov.uk](mailto:care.connect@n-somerset.gov.uk)  If you need to report the matter in the evening or at weekends call the North Somerset Emergency Duty Team on 01454 615165. |

SOUTH GLOUCESTERSHIRE:

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| If you have immediate concerns about your own, or someone else’s safety, call the Police on 999. If it isn’t an emergency but you need help fast, call the Police on 101.  Adults If you have any concerns about an adult at risk, you must report these concerns by calling adult care on 01454 868007.Monday to Friday 9am ‐ 5pm. 01454 615165 ‐ Out of hours and at weekends Children and young people  If you are concerned about a child or young person, ring:  01454 866000 ‐ Monday to Thursday 9am ‐ 5pm, Friday 9am – 4.30pm  01454 615165 ‐ Out of hours and at weekends |

The procedure for reporting concerns is set out as follows:

* Assess - the situation and consider course of action
* Communicate - concerns with the Designated Safeguarding Officer (DSO) or Designated Safeguarding Lead (DSL) if the office cannot be contacted.
* Respond - staff team to record their concerns and register them immediately with the Designated Safeguarding Lead who will follow an appropriate course of action. If the DSL or DSO is not available to discuss the matter, or in an emergency situation, staff members, volunteers or trustees must report concerns as above.

The DSL or DSO will ensure that relevant support is in place for both the vulnerable person and Healthwatch staff, volunteer or board member as appropriate.

Concerns reported to social services must be recorded on a Record of Concern form, as outlined in Healthwatch GDPR procedures, and stored securely if it is in a hard copy. All ‘records of concern’ and related information will be kept for 10 years. If the record relates to children and young people the record must be kept until they are 21 years old.

All concerns regarding safeguarding will be made known to the Healthwatch Board as soon as possible.

Review: 08.03.2022

Date Approved: 10.03.2022

Date for Review:

Signed…………………………………........................

(Chair of the Healthwatch Board of Directors)