



## SAFEGUARDING POLICY

### Policy Control

Policy reference	HM005
Department	Housing Management
Author	Bobby Howe
Owner	Carl Tring-Willis
Version	V5.0
Reason for revision	Periodic
Status	Final
Intended recipients	Staff
Training and dissemination	
To be read in conjunction with (other policies)	As defined within the Policy
Policy approved by Designation Date	
Meeting approved Date	Operational Board 12 December 2023
Implementation Date	
Review period	Triennial
Next review date	December 2026

## Contents

1.0	Introduction	2
2.0	Policy Statement	2
3.0	Derby Homes Commitment	3
4.0	Equality and Diversity	4
5.0	Safeguarding Children	4
6.0	Safeguarding Adults	5
7.0	Domestic Abuse	6
8.0	Other initiatives that contribute to safeguarding and wellbeing	8
9.0	Statutory Guidance	9
10.0	The Seven Golden Rules to Sharing Information	10

## **1.0 Introduction**

Derby Homes is committed to working in partnership with other partner agencies to ensure the safeguarding of children and adults at risk. We believe Children and adults at risk have a right to live in their homes free from abuse.

Safeguarding and promoting the welfare of children and adults at risk, particularly in protecting them from harm, depends upon effective joint working between agencies and practitioners, who have differing roles and expertise.

Derby Homes staff have many opportunities to identify potential cases of neglect and abuse whilst undertaking their day-to-day duties. We will ensure that staff are aware of what constitutes abuse or neglect and are sufficiently trained to report anything they see that makes them uncomfortable or suspicious.

The emphasis in recent years has widened from merely protecting vulnerable people from abuse to promoting the welfare of adults and children. The key message therefore is not just to protect but to safeguard. This ethos is reflected in many of Derby Homes' policies and procedures and in the way we deliver our services.

Derby Homes takes account of safeguarding risks in decisions they make and actions they take.

## **2.0 Policy Statement**

Derby Homes follows the principles laid down in Derby City Adult and Children's safeguarding policies and procedures. Both the adults safeguarding board website [www.derbysab.org.uk](http://www.derbysab.org.uk) and the children's safeguarding board website [www.ddscp.org.uk](http://www.ddscp.org.uk) provide good sources of information.

All Derby Homes staff who come into contact with children and young people or adults in need of care or support, in the course of their work, have a duty of care to safeguard, prevent, and report neglect or abuse.

All staff must ensure that they are aware of the contents of Derby Homes Safeguarding policy. If any member of staff has any concerns about the safety or wellbeing of a child, young person, or adult at risk they must immediately discuss them with their line manager or a safeguarding champion following the Safeguarding Referral and Follow Up Process. When dealing with safeguarding concerns, it is important that all staff should "Think Family" and consider the other members within the household and wider networks who may be at risk of or experiencing abuse.

It is not the role of Derby Homes to decide whether a child or adult at risk has been abused. This is the task of statutory agencies that have the legal responsibility.

It is, however, everybody's responsibility to ensure concerns are shared and appropriate action taken.

### **3.0 Derby Homes commitment**

We will:

- Clearly identify priorities for safeguarding children and adults at risk.
- Share information when appropriate with key partners to keep children and adults at risk safe.
- Have a strong commitment from Derby Homes Senior Management Team and Board on the importance of safeguarding.
- Have a clear line of accountability within the organisation.
- Complete appropriate checks through Safe recruitment processes for relevant staff volunteers, and contractors.
- Ensure that all staff have appropriate training.
- Ensure that any funded or commissioned services we grant fund or commission adhere to local safeguarding policies and procedures.
- Ensure that Contractors are trained and follow safeguarding processes.
- Have arrangements in place to work effectively with any external services.
- Openly seek the views of children and adults at risk, appropriate to their level of understanding and develop our services accordingly.
- Attend appropriate safeguarding meetings for adults and children.
- Be mindful of social, economic, and climate impact on our customers in our service delivery.

### **3.1 Safeguarding Champions**

Derby Homes has several Safeguarding Champions who have a keen interest in safeguarding people. They work throughout the organisation and provide advice and guidance to staff working in their service area on a day-to-day basis.

The champions receive training from the safeguarding lead and respective safeguarding boards to a level where they are competent to deliver in-house training.

Derby Homes staff can find an up-to-date list of the champions and their contact details on the Derby Homes intranet site (DHNET).

### **3.2 Derby Homes staff**

The Champions will ensure that all staff are trained on safeguarding from general awareness to more serious issues depending on their level of contact with children and young people, adults at risk, or carers.

The training Derby Homes staff receive in-house will be sufficient for them to carry out their day-to-day roles.

However, they can also access additional, more specialist courses provided by the safeguarding boards. These are discussed and agreed with managers during one-to-one discussions.

### **3.3 Derby Homes Intranet Page**

Derby Homes has a dedicated Intranet Page where staff can easily access internal and external information on Safeguarding. On the Intranet we have detailed information about types of safeguarding issues, our internal referral process, contact information for internal Safeguarding Champions who staff can speak too and external services including Adult and Childrens Social Services. We also have safeguarding links to external providers that we work in partnership with.

### **4.0 Equality and Diversity**

Every adult and child has a diverse and unique identity.

Derby Homes will aim to ensure that:

- Equality of opportunity will be available to all 'adults and children at risk' regardless of their identity or personal circumstances; and
- All investigations under this policy will be carried out in a setting, manner, and language appropriate to the level of understanding of each person concerned.
- Reasonable adjustments are considered where appropriate at the earliest opportunity.

This policy will directly impact on the most vulnerable and socially excluded groups in our society as they are the most likely to experience abuse. The impact will be regularly monitored at the Safeguarding champions meetings and the Safeguarding lead will provide an overview report to the senior management team every three months.

### **5.0 Safeguarding Children**

Housing and homelessness services in the local authority may become aware of conditions that could have an adverse impact on children. Under Part 1 of the Housing Act 2004, authorities must take account of the impact of health and safety hazards in housing on vulnerable occupants, including children, when deciding on the action to be taken by landlords to improve conditions. Housing authorities also have an important role to play in safeguarding vulnerable young people, including young people who are pregnant, leaving care or a secure establishment.

Safeguarding and promoting the welfare of children and young people is defined as:

- protecting children and young people from maltreatment
- preventing impairment of children and young people's health or development
- Protecting children from risk of radicalisation, exploitation, and other harms e.g. drugs, alcohol, gangs, neglect, serious violence crime, sexual or criminal (including county lines) exploitation
- ensuring that children and young people grow up in circumstances consistent with the provision of safe and effective care, and
- taking action to enable all children and young people to have the best outcomes.

(Source: Working Together to Safeguard Children - 2018)

Due to the nature of our work, it is possible that young people may be residents of our accommodation or accommodation we manage or be the children of residents and service users or visitors to our accommodation.

For ease of reference, the terms 'child' and 'children' are used throughout the policy to refer to all children and young people up to the age of 18.

We also safeguard children in our workforce as we recruit apprentices who will be under the age of 18.

*Further guidance on safeguarding children is available on our safeguarding page on Derby Homes intranet site (DHNET).*

## **6.0 Safeguarding Adults**

Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action.

The safeguarding duties apply to an adult who:

- Has needs for care and support (whether the local authority is meeting any of those needs)

and

- Is experiencing, or at risk of, abuse or neglect.

and

- 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.

Duties apply in relation to any person who is aged 18 or over and at risk of abuse or neglect because of their needs for care and support.

Care and support are the mixture of practical, financial, and emotional support for adults who need extra help to manage their lives and be independent – including older people, disabled people or people with a long-term illness, people with mental health issues and carers. Care and support include assessment of people's needs, provision of services and the allocation of funds to enable a person to purchase their own care and support. It could include care home, home care, personal assistants, day services, or the provision of aids and adaptations.

(Source: Care Act - 2014)

## **6.1 Implications of the Care Act 2014**

The Care Act 2014 puts a greater emphasis on the responsibilities of housing providers with regards to safeguarding adults. The Adult Safeguarding Board can now ask housing providers to carry out safeguarding enquiries on their behalf. Derby Homes is an active member of the adult safeguarding board and already comply with the requirements of the Care Act which are listed as follows:

- All housing providers and housing support providers should have clear operational policies and procedures in adult safeguarding.
- All housing staff must be:
  - familiar with the six principles underpinning adult safeguarding.
  - trained in recognising the symptoms of abuse.
  - vigilant and able to respond to adult safeguarding concerns.

Derby Homes staff will embed in its culture and training the following six adult safeguarding principles:

- **Empowerment** – presumption of person led decisions and informed consent.
- **Prevention** – it is better to act before harm occurs.
- **Proportionality** – proportionate and 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 abuse.
- **Accountability** – accountability and transparency in delivering safeguarding.

Derby Homes will train staff to understand the importance of Making Safeguarding Personal by ensuring that the adults wishes and feelings are considered, and that safeguarding is done with, not to, people.

Section one of the Care Act 2014 includes protection from abuse and neglect as part of the definition of wellbeing and states that local authorities must promote wellbeing in carrying out all of their care and support functions. Wellbeing is one of the key principles at the heart of Safeguarding.

*Further guidance on safeguarding adults is available on our safeguarding page on Derby Homes intranet site (DHNET).*

## **7.0 Domestic Abuse**

‘Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who have been intimate partners or family members regardless of gender or sexuality’.

This can encompass but is not limited to the following types of abuse:

- Psychological
- Physical
- Sexual

- Financial
- Emotional

When working with survivors of domestic abuse, staff have a duty to talk to survivors about the concerns, make them aware a referral is being made and to gain an understanding of what they would like the outcome of the safeguarding process to be.

### **7.1 Impact of Domestic Abuse on children**

Prolonged and/or regular exposure to domestic abuse can have a serious impact on a child's development and emotional wellbeing, despite the best efforts of the survivor /parent to protect the child.

Domestic abuse has an impact in several ways:

- Posing a threat to an unborn child as assaults on pregnant women frequently involves punches or kicks to the abdomen, risking injury to mother and foetus.
- Children may suffer blows during episodes of violence.
- Children may be distressed by witnessing the physical and emotional suffering of a parent.
- Exposure to parental conflict, even where violence is not present, can lead to serious anxiety and distress among children, particularly when the children are implicated in the conflict.

The physical and psychological abuse suffered by adult victims of domestic violence may have a negative impact on their ability to look after their children.

The negative impact of domestic abuse is exacerbated when:

- The violence is combined with alcohol or drug misuse.
- Children witness the violence.
- Children are drawn to the violence.
- Children are pressurised into concealing the assaults.

Derby Homes has a separate policy and procedure detailing its approach to dealing with domestic abuse.

### **7.2 Domestic Abuse Workplace Champions**

Employers have a responsibility to provide staff with a safe working environment and we know that for some staff the workplace can be the only haven from domestic abuse and violence.

Derby Homes has several Workplace Domestic Abuse Champions to offer support to colleagues affected by domestic abuse. They are fully equipped with the



understanding, knowledge, and skills to respond safely and appropriately, to offer support and signpost victims to specialist support.

Champions will ensure appropriate information is available to offer support to colleagues at a time when they may need it the most. They will also provide a vital link between the organisation and the Champions' Network, ensuring access to the most up-to-date training, policies, and information on domestic abuse.

## **8.0 Other initiatives that contribute to safeguarding and wellbeing.**

### **8.1 Partnerships**

Safeguarding and promoting the welfare of children and adults at risk depends upon effective joint working between agencies and practitioners who have differing roles and expertise.

Derby understands the importance of working in partnership and Derby Homes are involved in several partnership groups related to safeguarding issues. Derby Homes works to embed place-based risk (contextual safeguarding) in their approach.

Derby Homes promotes and supports wellbeing initiatives and activities within their organisation and with external partners.

### **8.2 Customer Engagement & Community Development**

Derby Homes' Customer Engagement & Community Development Team monitors the balance of our engagement profile to ensure that we are reaching minority customers.

This will be compared to our overall customer profile, where any underrepresented groups can be targeted for either specific consultations or to increase representation.

**To engage with customers who are traditionally 'hard to reach'** – hard to reach groups are generally defined as groups or communities that are difficult to engage through conventional methods.

These can include those from minority ethnic backgrounds, young people, those with learning difficulties or mental health issues and those who are in full time work. We will ensure, that by delivering engagement and community development in new, innovative ways, we will break down some of the barriers these groups face and empower them to engage effectively with us, thus building community capacity.

This increase will also strengthen our understanding of our customer profile and the needs of these groups.

**Community Capacity is strengthened** – We will work with communities to respond to emerging needs, providing support to newly formed and existing community

initiatives which support community sustainability. We will ensure that the DACP partnership forum is also embedded in our approach to this.

**Young People** - Working with young people living in our properties and on our estates, we can influence their choices and build community capacity. We will give them access to opportunities and experiences that they may not be able to gain without our involvement. We will support young people to live well and provide good signposting to other professional organisations affiliated with the Youth Alliance.

Derby Homes' commitment to Safeguarding is reflected our Business Plans and core values and helps us to fulfil the objectives of our mission which is: 'To deliver a high-quality housing service for Derby.'

## **9.0 Statutory Guidance**

### **Working Together to Safeguard Children 2018**

A guide to inter-agency working to safeguard and promote the welfare of children.

### **Children's Act 1989 and 2004**

Defines that a child or young person is anyone who has not yet reached their 18<sup>th</sup> birthday. The fact that a child is 16, living independently, is in further education, or is a member of the armed forces, does not change the fact that they are entitled to services and protection.

**Every Child Matters 2003** - which set out five outcomes that is key to children and young people's wellbeing.

- Be healthy.
- Stay safe.
- Enjoy and achieve.
- Make a positive contribution; and
- Achieve economic wellbeing.

**The Children Act 2004** - which subsequently set out these outcomes in statute. The Children's Plan 2007 was developed having regard to the principles and articles of the UN Convention of the Rights of the Child, and further set out the role of Government and that of a wider range of agencies.

### **The Human Rights Act 1998**

This act imposes an obligation on the authorities to take preventative measures to protect a child at risk from harm. It also permits lawful enquires into the private lives of families where there are concerns about a child's welfare.

**Citizen and Immigration Act 2009** – important regarding trafficking and exploitation of children.

**The Rehabilitation of Offender Act (1974)** – In most circumstances an employer cannot refuse to employ or dismiss someone based on a 'spent' conviction. Under

the act all applicants for positions which give 'substantial, unsupervised access on a sustained or regular basis to children must declare previous convictions.

**The Police Act 1997** – provision to set up Criminal Records Bureau. Under this act it is a criminal offence for an employer to:

- Not check an employee working with children or adults at risk
- Give a job to someone who is inappropriate to work with children or adults at risk.

**Criminal Justice and Court Services Act 2000** – Covers disclosures and child protection issues. Appropriate for Derby Homes:

- Caring for, training, supervising, or being in sole charge of children
- Unsupervised contact with children
- Other positions which give rise to access or influence (e.g. Management committee members).

**Care Act 2014** - Highlights the responsibility of housing providers with regards to safeguarding adults.

### **Safeguarding Vulnerable Groups Act 2006**

In response to the Bichard Inquiry following the Soham murders. New arrangements for people whose jobs and voluntary work bring them into contact with children or adults at risk. (Barred lists will lie with the Independent Safeguarding Authority).

### **Crime and Disorder Act 1998 (section 115)**

Enables the disclosure of information to a relevant authority to prevent and reduce crime or the identification or apprehension of offenders. The maltreatment of children or adults at risk constitutes a crime.

### **Data Protection Act 2018**

The mutually agreed General Data Protection Regulation (GDPR) came into force on May 25, 2018, and was designed to modernise laws that protect the personal information of individuals. It also boosts the rights of individuals and gives them more control over their information.

## **10.0 The Seven Golden Rules to Sharing Information**

1. Remember that the General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing but provide a framework to ensure that personal information about living individuals is shared appropriately.

2. Be open and honest with the individual (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 from other practitioners, or your information governance lead, if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. Where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared. Under the GDPR and Data Protection Act 2018 you may share information without consent if, in your judgement, there is a lawful basis to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be clear of the basis upon which you are doing so. Where you do not have consent, be mindful that an individual might not expect information to be shared.
5. Consider safety and well-being: base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.
6. Necessary, proportionate, relevant, adequate, 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 individuals who need to have it, is accurate and up to date, is shared in a timely fashion, and is shared securely (see principles).
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.

*Taken from [Information Sharing: advice for practitioners providing safeguarding services to children, young people, parents and carers \(2018\)](#) HM Government*

