

# L&Q Safeguarding Adults at Risk Policy

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## **1 Purpose**

- 1.1 This policy sets out our approach to safeguarding adults at risk (as defined in section 4) from harm, neglect and abuse regardless of whether they receive a care or support service.
- 1.2 We are committed to ensuring that those who are at risk are always in a safe, healthy and supportive environment when using our services.

## **2 Scope and Exclusions**

- 2.1 This policy covers our approach to safeguarding adults at risk. For information on our approach to safeguarding children, please refer to our Safeguarding Children at Risk Policy.
- 2.2 This policy applies to all staff employed by us. It also applies where we commission agencies/ contractors to deliver a service on our behalf, they are required to follow this policy or have their own effective safeguarding policies in place.
- 2.3 The Care Act 2014 (Section 42) requires Local Authorities to make enquiries if it believes an adult with care and support needs is experiencing, or is at risk, of abuse or neglect. Local Authorities will have different approaches for determining if a referral meets the criteria of being a safeguarding enquiry. This policy refers to concerns escalated by employees that may meet the criteria and therefore require us to report the matter to the Local Authority for them to determine if an enquiry should be made. We recognise that Local Authorities are one of our key stakeholders and we will cooperate fully with them and their investigations into statutory safeguarding enquires. Please see section 8 on for more information on how we work with statutory agencies.
- 2.4 We have other policies in place such as Supporting Residents with Additional Needs, Anti-Social Behaviour and Domestic Abuse to deal with cases that don't meet the criteria.

## **3 Legislation and Regulation**

- 3.1 Key legislation that supports and outlines approaches to the safeguarding of adults at risk includes, but is not limited to:
  - The Care Act 2014
  - The Human Rights Act 1989
  - The Equality Act 2010

- The Data Protection Act 2018 and UK General Data Protection Regulation (UK GDPR)

## 4 Definitions

**Adult safeguarding** – protecting an adult’s right to live in safety, free from abuse and neglect.

**An adult at risk** – is defined as a person aged 18 or over who has care and support needs regardless of whether they are receiving them, and because of those needs they are unable to protect themselves against abuse or neglect.

An adult at risk may therefore be a person who:

- is elderly and frail due to ill health
- has a physical disability, cognitive impairment or a sensory impairment
- has a learning disability
- has mental health needs including dementia or a personality disorder
- has a long-term illness/condition.
- misuses substances or alcohol
- is unable to demonstrate the capacity to make an informed decision and has care and support needs
- is at risk of radicalisation or being drawn into terrorism and has care and support needs
- is experiencing domestic violence and has care and support needs

## 5 Types of Abuse

5.1 There are several types of abuse that an adult may experience. This is not an exhaustive list, but we train our employees to recognise the following as potential areas of safeguarding concerns:

- **Physical abuse** – such as hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, being force-fed, being given too much medication, restraining someone inappropriately or otherwise causing physical harm to an adult.
- **Emotional abuse** – such as telling or making an adult feel worthless, unloved, or inadequate.

- **Sexual abuse** – examples include being touched inappropriately or being kissed when it is not wanted, being sexually assaulted or raped, being made to listen to sexual comments, forced to look at sexual acts or materials.
- **Neglect and Acts of Omission** – such as the failure to:
  - provide adequate food, clothing and shelter (including exclusion from your home or abandonment)
  - protect an adult from physical and emotional harm or danger
  - ensure adequate supervision
  - ensure access to appropriate medical care or treatment
  - ensure access to appropriate medical care or treatment, including preventing over- medication

A landlord's failure to provide repairs or maintenance, in some cases, might be considered an act of neglect.

- **Self-Neglect** – includes neglecting to care for one's personal hygiene, health, or surroundings and includes behaviour such as hoarding.
- **Financial or Material Abuse** – such as theft, fraud, misuse of benefits, or not allowing access to money.
- **Organisational abuse** – ways of working within an organisation which results in people being mistreated, discriminated against or abused.
- **Discriminatory Abuse** – racist, sexist or acts based on a person's age, disability, gender or sexual orientation (or any of the other protected characteristics as defined under the Equality Act 2010). Any form of hate crime would also constitute discriminatory abuse.
- **Modern Slavery** – includes slavery, human trafficking, forced labour and domestic servitude and inhumane treatment.
- **Domestic Abuse** – psychological, physical, sexual, financial, emotional abuse between adults who are or have been intimate partners or family members, regardless of gender or sexuality.
- **Cuckooing** – a practice where people take over a vulnerable person's home and use the property to exploit them. There are different types of cuckooing:
  - using the property to deal, store or take drugs
  - using the property for sex work
  - to take over the property to live in it

- to live at the property and abuse or exploit the tenant
- **County lines** – a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas (within the UK), using dedicated mobile phone lines or other form of “deal line”. They are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.

5.2 For details of the types of abuse a child may experience, please refer to the Safeguarding Children at Risk Policy.

## 6 Key Principles

- 6.1 Safeguarding is everyone’s business, which means that we should never ignore a concern and should report any concerns or incidents of harm or abuse that are raised by a neighbour, members of the public or that we witness during our work, to the local authority. We will require our employees and those representing us, who are dealing directly with residents, to have an up-to-date DBS check. All employees will also receive training appropriate to their role, regarding adults at risk.
- 6.2 Our approach to safeguarding will be based on the six principles of safeguarding as set out in the Care Act 2014. These are:
- **Empowerment-** people being supported and encouraged to make their own decisions and informed consent.
  - **Prevention-** it is better to act before harm occurs.
  - **Proportionality-** the least intrusive response appropriate to the risk presented.
  - **Protection-** support and representation for those in greatest need.
  - **Partnerships-** 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 safeguarding practice.

## **7 A Resident Centred Approach**

- 7.1 We are committed to making safeguarding personal, therefore our approach to safeguarding concerns should be resident led, and outcome focused. This means that the views and consent of the victim (or their representative) must be sought at the start of the process.
- 7.2 If someone doesn't want intervention or doesn't want their information shared with safeguarding partners, we must follow our commitment to report concerns or incidents of harm abuse or neglect but will ensure we assess the risk of doing this to those involved and the wider public.
- 7.3 There are several circumstances where we will override such residents wishes, including:
- The person lacks the mental capacity to make that decision – this must be properly explored and recorded in line with the Mental Capacity Act
  - The person has the mental capacity to make that decision, but they may be under duress or being coerced
  - Other people are, or may be, at risk, including children or the alleged perpetrator and therefore it is in the public's interest to override confidentiality
  - A duty of care applies i.e. a crime has been committed or could be prevented
  - Employees and those representing L&Q are implicated
  - The risk is unreasonably high and meets the criteria for a multi-agency risk assessment conference (MARAC) referral
  - A court order or other legal authority has requested the information
  - The employee has concerns about the safety or wellbeing of the person
- 7.4 Under the Care Act 2014 it is statutory responsibility to appoint an advocate to represent someone who has a 'substantial difficulty' in being involved in the process where there is not an appropriate individual to represent them.

## **8 Working In Partnership**

- 8.1 All L&Q employees and those working on our behalf have individual responsibility for the welfare of adults at risk using our services.
- 8.2 Several agencies hold the statutory duty to complete enquiries to protect those at risk once we have referred. These include Local Authorities the Police and the NHS and Integrated Care Boards. We will work in partnership with these statutory agencies to make adults at risk safe. This will include working with Local Safeguarding Boards.
- 8.3 The Data Protection Act 2018 and UK GDPR supports the sharing of relevant information for the purposes of keeping adults at risk safe. We understand information sharing, joint working and communication are essential in keeping people safe and we work to build and maintain good professional relationships to support the safeguarding process. We will ensure that records are factually accurate and shared in line with our Data Protection Policy.

## **9 Responding and Reporting**

- 9.1 We are committed to report any incident of alleged, suspected or witnessed abuse, neglect or harm within three working days and to take action to protect the individual where it is necessary to do so.
- 9.2 Where we have become aware of an incident or risk, we will report this to our Safeguarding Team in no more than three working days of the incident or risk being identified. The same timescales apply to reporting concerns both externally and internally.
- 9.3 All incidents, concerns or allegations of abuse will be reported to the relevant Local Authority Safeguarding Adults Boards immediately and no more than 3 working days of the incident or risk being identified.
- 9.4 If the adult at risk lacks mental capacity and we have detail of their next of kin and/or named 'attorney' (under MCA Lasting Power of Attorney legislation), we will inform them of the incident or concern within 24 hours of it occurring. The only exception will be if the next of kin or attorney is the suspected perpetrator. Where an adult at risk has mental capacity, they will choose who they want to involve.
- 9.5 We will manage all safeguarding effectively and have an escalation process in place. If we or someone employed by us are the alleged perpetrator in a safeguarding case, this will be treated seriously, and the same processes will apply.
- 9.6 Where we are concerned that an adult may be at risk but doesn't meet the threshold for a safeguarding referral, we are able to share concerns with relevant agencies.

## **10 Monitoring and Controls**

- 10.1 We have introduced KPI's to ensure compliance with this policy. These include:
- % of Safeguarding concerns reported within three working days
  - % of Safeguarding concerns compliant with L&Q's reporting procedures
  - % of staff with up-to-date safeguarding training
- 10.2 Customer Group Committee are provided with these safeguarding reports monthly.
- 10.3 The Group Board and Executive Group scrutinise annual safeguarding reporting data and information.

## **11 Equality, Diversity and Inclusion**

- 11.1 Under the Equality Act 2010 we have a responsibility to have due regard to the need to eliminate discrimination and promote equality of opportunity.
- 11.2 We recognise that in some circumstances, people with certain protected characteristics may be at greater risk of abuse or neglect, or of experiencing barriers to being able to access the right support. So that all residents can access our services, we sometimes need to adjust what we do.
- 11.3 For example, where a resident may not be able to express their feelings and wishes in the way that they would like to, we may be able to adjust how we communicate. This could include those who have communication difficulties, groups where English may not be their first language e.g. refugees, those who are victims of modern slavery and/or trafficking.
- 11.4 For further information on how we can support residents and make reasonable adjustments, please refer to our Supporting Residents with Additional Needs Policy.



## 12 Policy controls sheet

**Date of approval:** 10/04/2025

**Approved by:** Customer Group and Director of Governance and Accountability

**Effective date:** 10/04/2025

**Next Review date:** 10/04/2028

**Policy owned by:** Director of Governance and Accountability

**Associated documents:** Safeguarding Children at Risk Policy, Supporting Residents with Additional Needs Policy

Main change	Key points
Full programmed review of the policy, including updates to align with the new policy template and formatting	<ul style="list-style-type: none"><li>• Reviewed to align with the Supporting Residents with Additional Needs Policy</li><li>• Reviewed to align with updates to the Safeguarding Standard Operating Procedure</li><li>• Updated KPIs to reflect the change in time to report safeguarding concerns</li></ul>
Reviewed by: The Policy Team	
Approved by: Customer Group and Director of Governance and Accountability	