

SAFEGUARDING & PROTECT

Policy Statement

1.0 Introduction

- 1.1 HYELM (“us”, “our”, “we”) provides high standards of affordable, rented accommodation, facilities and services for 125 young people and key workers (aged 18–35) in housing need in London.
- 1.2 We are a housing association, providing sub-market rented accommodation to young adults who are embarking on or in the early stages of their careers and to key workers. It does not provide Social or Supported Housing in the traditional sense of their meaning within the Social Housing sector.
- 1.3 We recognise that by virtue of the nature of the housing we provide we do not routinely work with children or vulnerable adults. We do, however, have a responsibility to provide a safe and supported environment and protect those who are vulnerable.
- 1.4 This policy covers our approach to safeguarding children and adults at risk.
- 1.5 Any child visiting or at a property or premises owned by us must be accompanied, where appropriate, by a parent or legal guardian.
- 1.6 We are committed to challenging discrimination and promoting equality of opportunity in every area of our work. This policy is written from an equal opportunities perspective.
- 1.7 This policy, and others, if requested, are available in different formats, such as languages, large print and recorded form.

2.0 Scope and Objectives

- 2.1 This policy outlines our approach to preventing and reducing the risk of harm to children and adults who are experiencing or are at risk from abuse or neglect.

3.0 Legal & Regulatory Framework

3.1 This policy takes into consideration and should be read in conjunction with the provisions of:

- London multi-agency Adult Safeguarding Policy and Procedures.
- Care Act 2014.
- Multi-agency Statutory Guidance on Female Genital Mutilation.
- Female Genital Mutilation Act 2003.
- Mental Capacity Act 2005.
- Human Rights Act 1998.
- Modern Day Slavery Act 2015.
- Counter Terrorism and Security Act Prevent Duty 2015.
- The Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

4.0 Related Documents

4.1 This policy should be read in conjunction with:

- Safeguarding Procedures.
- Confidential Reporting Policy.
- Data Protection Policy.
- Equality & Diversity Policy.

5.0 Key Terms and Definitions

5.1 A **child** is a person who is under 18 years of age who is in need of care & support, or where there is reasonable cause to suspect that a child is suffering or is likely to suffer significant harm.

5.2 An **adult at risk** is a person aged 18 or over who is in need of care and support, (regardless of whether they are receiving them) and because of those needs are unable to protect themselves against abuse or neglect. (*London multi-agency Adult Safeguarding Policy and Procedures*)

5.3 **Statutory agencies** include local authorities and district councils, Police and NHS.

5.4 **Abuse** Abuse and neglect can take many forms. Local authorities should not be constrained in their view of what constitutes abuse or neglect, and should always consider the circumstances of the individual case. (*Care Act 2014*)

Types of abuse include:

- **Physical:** includes hitting, slapping, pushing, misuse of medication or inappropriate sanctions or restraint.
- **Sexual:** includes grooming, rape and sexual assault or sexual acts with a child or to which the vulnerable adult has not consented, or could not consent or was pressured into consenting.
- **Psychological:** includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation, cyber bullying or withdrawal from services or supportive networks.
- **Exploitation:** either opportunistically or premeditated, unfairly manipulating someone for profit or personal gain;
- **Financial or Material:** including theft, fraud, exploitation, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits;
- **Neglect & Acts of Omission:** including ignoring medical 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;
- **Discriminatory:** including discrimination on grounds of race, gender and gender identity, disability, sexual orientation, religion, and other forms of harassment, slurs or similar treatment;
- **Organisational:** including neglect and poor care practice within an organisation or specific care setting like a hospital or care home, for example. This may range from isolated incidents to continuing ill-treatment;
- **Female Genital Mutilation:** It is a criminal offence. It is a form of abuse and violence against women and girls. Cases should be dealt with as part of existing structures, policies and procedures on child protection and adult safeguarding;
- **Domestic Violence:** including violent or aggressive behavior within the home, typically involving the violent abuse of a spouse or partner.
- **Modern Slavery:** including bonded labour, forced labour, descent-based slavery, trafficking, child slavery and early/forced marriage.

5.5 A '**person alleged to cause harm**' replaces the term alleged perpetrator. Adults who are alleged to have abused a child or an adult at risk have the right to be assumed innocent until allegations against them are substantiated. Whether they are members of staff, a volunteer, a relative or a carer they also have the right to be treated fairly and their confidentiality respected.

5.6 Consideration given to the child or adult at risk's ability to give their **informed consent** is paramount.

Information will not be shared unless justified by the assessed risk to the vulnerable person as outlined in the multi-agency information sharing protocol or when required by law. If a

vulnerable person refuses intervention and has the mental capacity to do so, their wishes should be respected unless:

- Other people are at risk;
- The alleged perpetrator has care and support needs and may also be at risk;
- A serious crime has been committed;
- Staff or contractors are implicated;
- Coercion is involved;
- They are a child with child protection issues.

5.7 This policy includes a recommendation to consider whether the child or adult at risk has suffered **significant harm**.

The seriousness or extent of abuse is often not clear at the point of alert or referral. It is important therefore to approach reports of incidents or allegations with an open mind. In making any assessment of the seriousness of alleged abuse the following factors need to be considered:

- The vulnerability of the individual(s) involved.
- The nature and extent of the alleged abusive acts.
- The length of time the alleged abuse has been occurring.
- The impact of the alleged abuse on the child or adult at risk.
- The risk of repeated or increasingly serious acts of abuse involving the same or other children or adults at risk whether there is a public interest/protection issue for other vulnerable people.

5.8 **Self-harm** or **self-neglect** are not covered by these procedures. When responding to self-abuse or self-neglect staff should seek professional advice from local statutory agencies.

5.9 **Stranger abuse** will clearly warrant a different kind of response from that appropriate to abuse in an on-going relationship or in a care location. Criminal acts carried out by strangers are not usually included within the definition of abuse. Staff should seek professional advice from local statutory agencies.

5.10 **Contextual safeguarding** is an approach to understanding, and responding to, young people's experiences of significant harm beyond their families. It recognises that the different relationships that young people form in their neighborhoods, schools and online can feature violence and abuse.

6.0 Our Policy

6.1 We have a duty to act upon and report actual suspected or allegations of abuse (including non-recent abuse) in line with this policy and associated procedures.

- 6.2 We are not expected to be experts in identifying abuse or investigating allegations. Instead, and in line with statutory guidance, we will act as an alerting authority, by recording and referring concerns, suspicions or allegations of abuse or neglect to the lead agencies responsible for carrying out safeguarding assessments and enquiries, specifically the Local Authority. *(Section 42 of the Care Act 2014)*
- 6.3 We will co-operate with the Local Authority, lead agencies and relevant partners, supporting them in implementing their statutory duties around safeguarding in line with statutory procedures.
- 6.4 We will report any incidents of abuse that we suspect are a criminal offence to the Police. We will treat any disclosures of actual historical abuse in the same way as an allegation, disclosure or suspicion of current abuse.
- 6.5 We will share information for the purposes of safeguarding and will comply with the statutory duty to provide information where requested.
- 6.6 We will handle data in accordance with the Data Protection Act, GDPR and our Data Protection Policy and associated documents.
- 6.7 We will consistently apply fair practice and objective methods of selecting employees who may be required to work with children or adults at risk. Pre-employment screening checks will be undertaken, as appropriate.
- 6.8 We will ensure that this policy is communicated to all employees at induction and that role appropriate training is provided so that staff understand their roles and responsibilities in relation to safeguarding and are enabled to identify and report signs of abuse in accordance with our safeguarding procedures.
- 6.9 We will address any allegations or suspected abuse by our employees through formal statutory investigative procedures and our own internal disciplinary procedures.
- 6.10 We recognise the emotional impact on employees in dealing with, or being subject of, allegations or abuse. Support will be made available to any employees who wish to speak with a professional.

7.0 Radicalisation

- 7.1 Where there are concerns that an individual may be vulnerable or at risk of being exploited by radical views they should be dealt with as part of the policy and procedures in place for dealing with abuse.
- 7.2 All concerns of radicalisation should be reported to local statutory agencies and their advice followed.

8.0 Key Responsibilities

- 8.1 The Board has overall responsibilities for ensuring this policy complies with legal obligations and those under our control comply with it. The Chair is the Board's safeguarding lead.
- 8.2 The Chief Executive is responsible for the day-to-day monitoring and effective operation of the policy.
- 8.3 The Scheme Manager is the Dedicated Safeguarding Lead (DSL). The Director of Operations will deputise for them in their absence.

DRAFT