
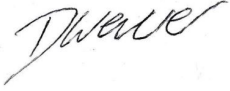


## Safeguarding Adults Policy

<b>Approved by:</b>	Purple Zest Ltd Board
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<b>Date cascaded to staff:</b>	October 2023
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### Overview

Purple works with adults at risk as part of the delivery of high-quality support services at national and local levels. This includes providing financial and support services, information, advice and guidance relating to employment of care arrangements for individuals across our contracted areas within the UK.

The term 'adult at risk' is used in this policy to replace 'vulnerable adult'. This is because the term 'vulnerable adult' may wrongly imply that some of the fault for the abuse lies with the victim of

abuse. We use 'adult at risk' as an exact replacement for 'vulnerable adult' as that phrase is used throughout existing government guidance.

Purple are committed to safeguarding and promoting the welfare of adults at risk and recognise that this is everyone's responsibility. We want to deliver good quality, safe services and will take appropriate action if we become aware of allegations or concerns about an adult's welfare and safety and/or allegations or concerns about inappropriate behaviours towards them.

This policy sets out how Purple fulfils its duties and responsibilities effectively and provides safeguarding guidance to assist staff working with adults at risk.

## **Purpose**

The procedure relates to the safeguarding of adults from harm or exploitation.

The Care Act 2014 states that safeguarding duties apply to an adult who:

- has needs for care and support (whether or not 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 and neglect

## **The National Service Framework produced by the DOH (2009)**

This concentrates on the mental health needs of working age adults and covers health promotion, assessment and diagnosis, treatment, rehabilitation and care, and encompasses primary and specialist care and the roles of partner agencies. The Framework also touches on the needs of children and young people, highlighting areas where services for children and adults interact, for example the interface between services for 16-18 year olds, and the needs of children with a mentally ill parent.

Adults 'who may be eligible for community care services' are those whose independence and wellbeing would be at risk if they did not receive appropriate health and social care support. They include adults with physical, sensory and mental impairments and learning disabilities, whether present from birth or due to advancing age, chronic illness or accident.

They also include family and friends who provide personal assistance and care to adults on an unpaid basis. They are not a self-defined community, but a group that has been created by social policy.

An adult at risk can be a person:

- With a mental health problem (including dementia);
- With a physical disability;
- With drug and alcohol related problems;
- With a sensory impairment;
- With a learning disability;
- Who has a physical illness;

- With an acquired brain injury;
- Who is frail and/or is experiencing a temporary illness.

In addition, Purple recognise that some members of society are subject to negative discrimination as a result of gender, race, religion, belief, ethnicity, sexuality, disability, age, marital status, etc., and that this disadvantage can increase vulnerability.

## **The scope of this policy**

This policy and associated procedures apply to all staff and anyone working on behalf of Purple, including senior managers and the board of directors, paid staff, volunteers, sessional workers, agency staff and students and any person working for or in collaboration with Purple.

This is one of several safeguarding procedures for staff and is available on the intranet and should be read alongside other policies and procedures, including:

- Dealing with allegations of abuse
- Role of the designated safeguarding officer
- Managing allegations against staff and volunteers
- Safer recruitment policy and procedures
- Code of conduct for staff and volunteers
- Anti-bullying policy and procedures
- Online safety policy and procedures for responding to concerns about online abuse
- Photography and image sharing guidance
- Records retention and storage policy
- Whistleblowing policy
- Equality and Diversity policy
- Information Sharing policy
- Complaints and Compliments Policy

## **Effective Governance**

Purple's experienced Board provide strategic leadership for safeguarding, monitoring all governance/safeguarding matters and associated policy development to ensure best practice.

Purple's CEO is the Designated Safeguarding Lead and takes operational responsibility. The CEO is also the member of the Board with lead responsibility for safeguarding.

Team Managers have day-to-day safeguarding experience and responsibility, reporting to the CEO as accountable officer.

Purple's Operations Director is Deputy Safeguarding Lead responsible for data collection and analysis of safeguarding issues, reporting to the Board, management team and wider staff through lessons learned training. Changes to practice are embedded in service operations manuals.

Any staff member not complying with this policy and procedures will be subject to disciplinary processes.

## Legal framework

This policy is underpinned by legislation, national policy and best practice guidance, including:

- Human Rights Act 1998
- The Public Interest Disclosure Act 1998
- Sexual Offences Act 2003
- Domestic Violence Crime and Victims Act 2004
- The Mental Capacity Act 2005 (and the Deprivation of Liberty Safeguards)
- The Safeguarding Vulnerable Groups Act 2006
- The Care Act 2014
- Making Safeguarding Personal 2014
- The Counter-Terrorism and Security Act 2015 (and the Prevent Duty)

## Our values and principles

- We believe that all adults regardless of age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation have a right to equal protection from exploitation and abuse of all kinds.
- The welfare of adults at risk is paramount and overrides all other considerations.
- We will value, listen to and respect the adults we support and take any concerns, disclosures and allegations made by them seriously and report these immediately.
- We recognise that some adults are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or disabilities and we will pay attention to individual needs and work in an inclusive way, making reasonable adjustments where appropriate.
- We are committed to creating a culture of openness and vigilance in our workplace where staff and service users are valued and respected. Bullying of any kind is not tolerated.

## We will strive to keep the adults we work with safe by:

- implementing robust policies and procedures underpinned by best practice guidance and legislation and appointing a nominated safeguarding lead, a deputy safeguarding lead and a lead board member for safeguarding.
- recruiting staff through safer recruitment processes which will include a comprehensive induction. All staff will complete Safeguarding Adults training appropriate to their roles and responsibilities. Basic Awareness training will be a minimum requirement for all staff. Safeguarding training is considered mandatory and will be refreshed at least every two years.
- working in partnership with the adults we support, their families and our partners and other agencies to promote the welfare of adults at risk by supporting them to achieve their desired outcomes and acting in a way that supports the rights of the individual to lead an independent life based on self-determination and personal choice. Purple staff work to the six principles embedded in the Care Act outlined in Appendix 2.

- being proactive in promoting the empowerment and well-being of adults at risk and supporting our service users to communicate their views and feelings, helping them to understand their rights and advocating for them where needed to ensure their voice is heard.
- providing a complaints procedure for service users and their families to whom services are provided and seeking regular feedback on the service they have received. (see Complaints Procedure)
- providing staff with regular supervision and a code of conduct which promotes the safety and wellbeing of the adults we support.
- recording and storing information professionally and securely.

## Recognising Abuse

‘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 experiences of abuse and 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.’ (Care Act 2014 – Statutory Guidance 2017, 14.7).

Abuse can fall into the following categories:

### ➤ **Physical**

This includes assault, hitting, slapping, pushing, giving the wrong (or no) medication, restraining someone or only letting them do certain things at certain times.

### ➤ **Domestic**

This includes psychological, physical, sexual, financial or emotional abuse. It also covers so-called ‘honour’ based violence.

### ➤ **Sexual**

This includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, taking sexual photographs, making someone look at pornography or watch sexual acts, sexual assault or sexual acts the adult didn’t consent to or was pressured into consenting.

### ➤ **Psychological**

This includes emotional abuse, threats of harm or abandonment, depriving someone of contact with someone else, humiliation, blaming, controlling, intimidation, putting pressure on someone to do something, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or support networks.

### ➤ **Financial or material**

This includes theft, fraud, and internet scamming, putting pressure on someone about their financial arrangements (including wills, property, inheritance or financial transactions) or the misuse or stealing of property, possessions or benefits.

An adult at risk of financial abuse is likely to display one or more of the following:

- the person is unable to manage their own finances due to lack of capacity or sufficient numeracy skills.
- The person is dependent on another person or people to manage their money.
- The person is dependent on others for all aspects of daily living, such as those who live in residential care.
- The person is known to be isolated or is regarded at risk within the community
- a person who is isolated lives on their own may be more at risk of being exposed to financial pressure e.g. from sales persons, loan firms, rogue traders or bogus callers.
- the person is susceptible to emotional grooming
- for older people, in particular, potentially increased assets coupled with low-cost lifestyles and a lack of awareness of the modern world may make them more susceptible.

Whilst a person who lacks capacity may be considered to be more at risk financial abuse, it should be remembered that someone with capacity can be equally susceptible. For example, it should not be assumed that if a person who has capacity makes a gift, then it cannot be regarded as theft. Coercion and undue influence, emotional grooming and predatory behaviours as well as reasonableness of the transaction will need to be considered.

### ***Planning investigations/enquiries into the misuse of direct payments***

The misuse of direct payment will not always require a safeguarding alert to be raised especially if the client manages their own direct payment. Care managers and payment service officers will need to consider:

- the client's capacity to manage the direct payment
- if there was an intention to misappropriate the direct payment
- the clarity of the support plan and the understanding of the client.

If a third party is suspected of misusing a client's direct payment this will usually result in safeguarding alert being raised. A s42 enquiry/investigation can be progressed by either the police and/all the counter fraud team within Internal Audit.

All direct payment misuse should be reported, detailing:

- the name and any unique references of the client
- a copy of the support plan

- a brief summary of the misuse, including details of the client's capacity to understand the support plan
- what actions are being taken to stop misuse
- what actions are being taken to recover any monies misused.

➤ **Modern slavery**

This covers slavery (including domestic slavery), human trafficking and forced labour. Traffickers and slave masters use whatever they can to pressurise, deceive and force individuals into a life of abuse and inhumane treatment.

➤ **Discriminatory**

This includes types of harassment or insults because of someone's race, gender or gender identity, age, disability, sexual orientation or religion.

➤ **Organisational**

This includes neglect and poor care in an institution or care setting such as a hospital or care home, or if an organisation provides care in someone's home. The abuse can be a one-off incident or repeated, on-going ill treatment. The abuse can be through neglect or poor professional practice, which might be because of structure, policies, processes and practices within an organisation.

➤ **Neglect and acts of omission**

This includes ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, or not giving someone what they need to help them live, such as medication, enough nutrition and heating.

➤ **Self-neglect**

This covers a wide range of behaviour which shows that someone is not caring for their own personal hygiene, health or surroundings. It includes behaviour such as hoarding.

Abuse can take many forms. It might not fit comfortably into any of these categories, or it might fit into more than one. Abuse can be carried out by one adult at risk towards another. This is still abuse and should be dealt with. The adult at risk who abuses may also be neglecting him/herself which could also be reason for a safeguarding referral.

## **Raising Awareness and Understanding of Safeguarding**

All staff and volunteers will undertake safeguarding training as part of their induction which will include information on types of child abuse and spotting the signs. This is updated annually.

All services users will be provided with information and advice about safeguarding from first contact and throughout their relationship with Purple, with information provided in the customer agreement, information packs and Purple's website.

A monthly e-bulletin is sent to all service users providing updates and signposting to resources on Purple's website about managing their direct payment. This includes information about safeguarding.

The contact details for who to contact in the event of any concerns are attached at the appendix on Page 15 and 16.

## **Reporting abuse**

### **What should you do?**

If you have concerns about an adult or an adult makes an allegation of abuse to you, **you must share this with your Line Manager or a senior member of staff responsible for safeguarding immediately.**

### **Who should you refer to?**

With the support of your Line Manager and the Purple Safeguarding Lead you will refer the concern/allegation to the relevant Local Authority Adults Safeguarding Team. **A verbal referral must be followed up in writing within 24 hours.** The Local Authority will decide on the appropriate response which may involve informing the Police if a crime has been committed and must inform the referrer within 24 hours of their intended response.

Purple is committed to '[Making Safeguarding Personal](#)'. This means that employees and volunteers must adopt a person-led and outcomes-focused approach to safeguarding. The adult at risk should be engaged in a conversation about how best to respond to their safeguarding situation in a way that enhances their involvement, control and choice at the beginning, middle and end of the safeguarding process.

### **How do you decide if something is a concern or allegation?**

The discussion you have with the Line Manager or senior colleague will help decide whether a referral is necessary. Ensure you make a written record of the discussion on the person's file whether a referral is made or not. Include the reasons for the decision and the evidence that supports the decision.

### **Who should be notified?**

The adults Social Worker (if applicable) must be informed about the concern/allegation and referral and any other agency involved with the adult as appropriate. It is important to inform all the relevant people and to do so **in consultation with** the area Local Authority.

### **How should I respond to an adult if they are making an allegation or telling me something concerning?**

Listen to what the person has to say, but on no account question them. Reassure them that you have listened very carefully and understand what they say.



- Explain that you need to let your manager know what has happened.
- Write down in detail exactly what the adult has said using their words as far as possible and record the time and date that you have received the information.
- Staff should not make judgments on their own as to what constitutes a serious allegation or disclosure by an adult at risk – **share the information as described above.**

**The Mental Capacity Act 2005** covering England and Wales, provides a statutory framework for people who lack capacity to make decisions for themselves, or who have capacity and want to prepare for a time when they lack capacity in the future. It sets out who can take decisions, in which situations, and how they should go about this.

The Act says that:

“a person lacks capacity in relation to a matter if at the material time he is unable to make a decision for himself in relation to the matter because of an impairment of, or disturbance in the functioning of the mind or brain”.

The presumption is that adults have mental capacity to make informed choices about their safety and how they live their lives. Mental capacity and a person’s ability to give informed consent are at the heart of decisions and actions taken within this policy. Every time we become involved in a safeguarding issue we need to take into account the ability of adults to make informed choices about the way they want to live and the risks they want to take. This includes how able they are:

- • to understand what is likely to result from or affect their situation
- • to take action themselves to prevent abuse
- • to take part as fully as they can in making decisions about getting other parties involved.

**Deprivation of Liberty Safeguards** are part of the MHA 2005, and this provides protection to people who have a mental disorder and who do not have mental capacity to make decisions about their care & treatment. This applies to people accommodated in a hospital or care home who receive care and treatment. The Supreme Court ruling on the 19th March 2014 extended this to people living in the community who receive care and treatment. Acid Test- if the person is under continuous supervision and control and is not free to leave. DOLS needs to be considered.

### **What if the concern or allegation involves a member of staff?**

There are specific procedures for dealing with allegations against members of staff. A

**Whistleblowing Policy** is in place and outlines how staff will be supported. Report the concern or allegation to the Service Manager or a senior colleague. If the allegation or concern is about the Service Manager, notify their manager. Further information is provided in the Allegations against people who work with adults at risk section set out in this procedure.

### **Where can I find out about local processes and procedures?**

All Local Authority areas are covered by Local Safeguarding Adults Boards (SAB). The overarching purpose of a SAB is to help and safeguard adults with care and support needs. It does this by:

- assuring itself that local safeguarding arrangements are in place as defined by the Care Act 2014 and statutory guidance

- assuring itself that safeguarding practice is person-centred and outcome-focused
- working collaboratively to prevent abuse and neglect where possible
- ensuring agencies and individuals give timely and proportionate responses when abuse or neglect have occurred
- assuring itself that safeguarding practice is continuously improving and enhancing the quality of life of adults in its area.

Safeguarding Adults Boards produce procedures and guidance for all agencies in their geographical area, advising how to respond to a wide variety of safeguarding issues including how to respond to concerns or allegations. You need to know which LSCB covers your area and where to access their procedures.

### **What about concerns or allegations involving adults with disabilities?**

Adults with disabilities are more vulnerable to abuse for a number of reasons. These include the increased likelihood of social isolation, their potential dependency on a number of carers for daily living and intimate care, and their communication needs which may prevent them from telling someone they trust. A real knowledge and understanding of the adult will assist in interpreting unusual behaviour, the impact of their disability on their behaviour and the impact of any specific medical condition.

### **What about concerns or allegations where the alleged perpetrator is also a service user?**

In these circumstances the same referral process should be followed with the addition that the alleged perpetrator should also be the subject of an assessment by the Local Authority investigating the allegation. It is important that considerations be given to a coordinated approach and partnership working, where it is identified that both the alleged abuser and alleged victim are our service users.

Where both parties are receiving a service, staff should discuss cases and work together, however meetings with both the alleged abuser and alleged victims in attendance are not appropriate.

### **What about concerns that an adult may be at risk of Extremism/Radicalisation?**

The aim of radicalisation is to attract people to their reasoning, embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. **Prevent** is the government's counter terrorism strategy. It aims to provide support to young individuals at risk of being groomed into terrorist activities before any crimes are committed.

All staff working on behalf of Purple have a duty to work in ways that prevent people from being drawn into terrorism and radicalisation. Changes that may arouse concern in regard to adults with whom staff come into contact with may include:

- Reports of unusual changes in behaviour, friendships or actions and requests for assistance
- Indication of vulnerable person being insistently befriended by individuals or groups with radical views
- Evidence of service users/ staff accessing extremist material online

- Use of extremist or hate terms to exclude others or incite violence; writing or artwork promoting violent extremist messages or images

Any staff member who is concerned that a service user is at risk of radicalisation or may have become radicalised must contact the relevant Safeguarding Adults Team to raise this concern.

### **What happens after the referral has been made?**

- The safeguarding person or team will decide whether the person is at immediate risk of harm. If they are, the authority will take action. This could mean removing the person from the harmful situation, or removing the person causing the harm.
- There are many different courses of action and the best interests of the vulnerable adult will be kept at the centre of any response.
- The safeguarding person or team will decide whether they need to investigate the issues any further.

Further investigations may involve:

- discussing the issues with other professionals in the adult's care, and with the adult themselves
- building up a more detailed picture of what is happening and make further investigations
- considering measures that can be put in place to prevent the vulnerable adult from being abused and neglected drawing lessons from the case that can be used to improve the effectiveness of safeguarding procedures across the board.

### **Safer Recruitment**

This relates to the recruitment of all those who work for Purple either full or part-time, paid or unpaid and should be read in conjunction with Purple's Safer Recruitment Policy which complies with Local Safeguarding Adults Board recruitment standards.

Purple will take all reasonable steps to ensure that unsuitable people are prevented from working with adults at risk.

The following rules will be followed for all recruitment:

- all posts will have a job description and person specification which will include a commitment to safeguarding adults at risk
- a statement about our commitment to safeguarding and protecting adults at risk will be included on all job adverts
- we will require application forms, CV's are not accepted
- two references will be obtained and will ask for information specifically relating to working with adults at risk and safeguarding issues. One of these references will be from the last employer
- the selection process will include a face-to-face interview and the candidate's attitudes, behaviours and motives will be explored as well as their skills and experience

- the interview will explore any declared criminal convictions and candidates will be reminded that no conviction is considered 'spent', giving them the opportunity to declare any convictions, reprimands or warnings in light of this
- any gaps in employment will be discussed
- two forms of identification will be required
- candidates will have a DBS check to the level appropriate to their role
  
- an offer of employment will only be made following receipt by Purple of these checks and references

## **Induction and Training**

Purple undertakes a rigorous induction process followed by supervision and training. Safeguarding training as defined below is held for staff and volunteers in their first week of starting, appropriate to their role, and organised by HR:

- Safeguarding Children Level 1
- Safeguarding Vulnerable Adults Level 1
- Safeguarding Children (Advanced) Level 2
- Safeguarding Vulnerable Adults (Advanced) Level 2
- Designated Safeguarding Lead (Children)
- Designated Safeguarding Lead (Adults)

Training includes providing copies of the policy for staff and is refreshed annually for staff, or whenever the policy is updated, whichever is sooner, with records of completion held on HR files.

Purple use monthly 1:1 supervision and team meetings to ensure adherence to policy and procedures. Operational management team and Senior Leadership Team oversee policy review, learning lessons from day to day experiences and issues.

## **Allegations against people who work with adults at risk**

Purple will be proactive in reducing the risk of abuse taking place within the services they provide by:

- developing a safeguarding ethos in which adult at risk, volunteers and staff can express their concerns; where staff are encouraged to challenge constructively poor practice; and where 'whistleblowing' procedures can be engaged without fear;
- adopting safe recruitment and effective safe termination of employment practices;
- ensuring that all staff receive appropriate training in adult safeguarding matters: signs, symptoms and referral procedures, which include how to recognise and respond to allegations against staff;
- ensuring that staff understand what safe practice is and what is not safe. In particular, staff must be aware of behaviours that are likely to bring about criminal, adult protection or disciplinary action;
- ensuring that vulnerabilities expressed by staff are taken seriously and responded to at the earliest stage.

Purple will invoke disciplinary procedures when it is known that a member of staff has:

Purple will review all policies and procedures annually or in the event of any new legislation or best practice guidance related to safeguarding

- behaved in a way that has harmed, or may have harmed, an adult at risk;
- possibly committed a criminal offence against or related to an adult at risk;
- behaved towards any adult at risk in a way that indicates she is unsuitable to work with adult at risks.

These include concerns relating to inappropriate relationships between members of staff and adult at risks in their care e.g:

- having a sexual relationship with an adult at risk if in a position of trust even if the relationship appears consensual;
- the sending of inappropriate text/e-mail messages or images, providing gifts, socialising etc;
- possession of indecent photographs/pseudo-photographs of adults at risk.

If a crime is suspected a report will be made to the police. If the allegation concerns a member of staff, Purple HR should be consulted about the implementation of the disciplinary process, taking advice as appropriate.

It is important to remember that these criteria apply in all environments. If something happens at home or in the community, it has implications for the workplace and if something happens in the workplace it has implications for home and the community. A member of staff may also be a parent or grandparent and could be involved in a voluntary group for children and young people or adults at risk in their spare time.

## **Leaving Purple**

If the company dismisses a member of staff in relation to an allegation, or a member of staff resigns, but would have been dismissed, the company has a statutory duty to refer the person to the Independent Safeguarding Authority. The DBS will consider whether or not to bar the person from working with children or adults at risk. The decision making process for referrals to DBS must involve consultation with the Safeguarding Lead. Referrals in relation to members of staff will be made by Purple Safeguarding Leads and the relevant Service Manager in consultation with Purple HR Department.

Referrals to DBS must state the grounds for the referral and the evidence that demonstrates the referral criteria are met. If a Local Authority recommends referring either a member of staff to the DBS e.g. following a strategy discussion, it is essential that the request is received in writing, from the Local Authority, with the written agreement of the Local Authority Designated Officer (LADO), stating the evidence that supports the Local Authority's request. The company would normally only refer staff to DBS once any disciplinary process is complete and referrals must be made in line with the DBS guidance demonstrating how the individual has;

- engaged in relevant conduct;
- satisfied the Harm Test; or
- received a caution or conviction for a relevant offence.

Information on the Disclosure and Barring Service Referral Guidance can be found on the following link-: <https://www.gov.uk/government/publications/dbs-referrals-form-and-guidance>

## **Risk Management and Preventative Measures**

In line with Making Safeguarding Personal, we place adults at the centre of our positive approach to managing risks and their safety, ensuring they maintain ownership, choice and control over the risks they face.

We empower service users and their families to feel comfortable to report any safeguarding concerns, and support them to know their rights, understand what constitutes abuse, to ask questions and to say 'no'.

Our staff are friendly/supportive and defuse tension by building strong relationships, using open/honest communication techniques tailored to each individual, ensuring availability to discuss any issues/concerns. We:

- Acknowledge that each individual is best placed to identify risks, define their impact and whether or not the mitigation is acceptable.
- Encourage all customers to implement our safe recruitment policy in their PA recruitment via telephone, face to face and information packs (including 'key signs' and support networks)
- Speak to customers about safeguarding procedures to follow if they have concerns
- Include processes for monitoring/reporting safeguarding concerns in welcome packs including local contact telephone number
- Ask key organisations to promote our safeguarding guidance to encourage customers to talk about concerns.
- Support good information sharing at all times **Other preventative measures include:**

### **Use of photographic and digital recording equipment**

Purple does not permit photography or filming at any of its events without specific permission being granted by the individuals in attendance. Any breach of this policy will be investigated through the appropriate disciplinary policy and procedures.

### **Use of social networking sites on the Internet**

In line with Purple's IT use policy, staff are not permitted to use Purple's IT systems to access and use social networking sites such as Facebook and must never disclose any information about their work on their personal social media accounts.

Purple will always ensure written consent is obtained from all individuals who are photographed by the organisation if the photographs are going to be used for Purple's social media sites. Staff will further be expected to be conversant with the ESCB's e-safety Policy (June 2015). Purple's policies are subject to annual review and amended by the board.

## **Confidentiality and information sharing**

Purple holds information about the adults at risk with whom we work, which is regarded as confidential in the normal course of events, and subject to relevant policies and procedures to maintain that confidentiality.

Part 1 of The Care Act 2014 provides the legal setting for organisations to share information about individuals who may be at risk from abuse. This is also stressed by safeguarding adults (ADASS 2005) as the framework for good practice. It is important to identify an abusive situation as early as possible so that the individual can be protected. Withholding information may lead to abuse not been dealt with in a timely manner. Confidentiality must never be confused with secrecy. Staff have a duty to ensure information relating to suspected abuse with Social Care and Police.

Consent is not required to breach confidentiality (capacity issues must be considered) and make a safeguarding referral where;

- a serious crime has been committed
- where the alleged perpetrator may go on to abuse other adults
- other adults are at risk in some way
- the adult is deemed to be in serious risk
- there is a statutory requirement e.g. Mental Health Act 1983 or Care Standards Act 2000
- the public interest overrides the interest of the individual
- when a member of staff or statutory service, a private voluntary service or a volunteer is the person accused of abuse, malpractice or poor professional standards.

Any concern about the abuse of adults at risk provides sufficient grounds to warrant sharing information of a “need to know” basis and/or “in the public interest” in accordance with established data protection principles.

## **Policy Review**

This policy and associated procedures will be reviewed annually and updated as and when there are changes to legislation or regulations. The review process will be led by the Direct Payments operational management team and include feedback from staff and service users (or their representatives).

## Appendix - The Six Principles

Individual outcome	What we do to achieve that outcome	
<b>Empowerment</b>	<b>People being supported and encouraged to make their own decisions and informed consent.</b> ‘I am asked what I want is the outcomes from the safeguarding process and these directly inform what happens’	We give individuals the right information about how they recognise abuse and what they can do to keep themselves safe. We give them clear and simple information about how to report abuse and crime and what support we can give. We consult them before we take any action. Where someone lacks capacity to make a decision, always act in his or her best interests.
<b>Prevention</b>	<b>It is better to take action before harm occurs.</b> ‘I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help’	We help the community to identify and report signs of abuse and suspected criminal offences. We train staff how to recognise signs and take actions to prevent abuse occurring. In all our work, we consider how to make communities safer.
<b>Proportionality</b>	<b>The least intrusive response appropriate to risk presented.</b> ‘I am sure that the professionals work for my interest as I see them and they will only get involved as much as needed’	We discuss with the individual and where appropriate, with partner agencies what to do where there is risk of significant harm before we take a decision. Risk is an element of many situations and should be part of a wider assessment.
<b>Protection</b>	<b>Support and representation to those in greatest need.</b> ‘I get help and support to report abuse. I get help to take part in the safeguarding process to the extent in which I want’	We have effective ways of assessing and managing risk. A local complaints and reporting arrangements for abuse and suspected criminal fences work well. Local people understand how we work and how to contact us. We take responsibility for putting them in touch with the right person.



<p><b>Partnership</b></p>	<p><b>Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.</b> ‘I know that staff’s treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I’m confident that professionals will work together and with me to get the best results for me’</p>	<p>We are good at sharing information locally. We have a multiagency partnership arrangement in place and staff understand how to use these. We foster a ‘one team’ approach that places the welfare of individuals before the needs of the system</p>
<p><b>Accountability</b></p>	<p><b>accountability and transparency in delivering safeguarding.</b> ‘I understand the role of everyone involved in my life and so do they’</p>	<p>The roles of all agencies are clear, together with the lines of accountability. Staff understand what is expected of them and others. Agencies recognise their responsibilities to each other, act upon them and accept collective responsibility for safeguarding arrangements.</p>