

1. Definitions

Healthwatch refers to Healthwatch Brighton and Hove.

Employees: refers to all Healthwatch employees.

CEO refers to the Healthwatch Chief Executive Officer.

The Board refers to the Healthwatch Board of directors.

Volunteers: refers to all Healthwatch volunteers, including Directors.

Safeguarding refers to protecting someone's right to live in safety, and free from abuse and neglect.

Designated Safeguarding Lead (DSL) refers to the Healthwatch employee with responsibility for safeguarding. This is the CEO, or their designated deputy.

2. Scope

This policy covers all employees and volunteers whose work involves direct contact with adults and which all employees and volunteers are expected to follow. It differs from children's safeguarding as the legislation is different.

The Board has overall responsibility for the effective operation of this policy. The Board has delegated responsibility for overseeing its implementation to the Chief Executive Officer and Non-Executive Board member with responsibility for safeguarding. Suggestions for changes to this policy should be reported to them.

3. Summary

Healthwatch has a responsibility to ensure that abuse or neglect of adults at risk, when suspected or discovered by its employees or volunteers, is recognised, and responded to appropriately.

- 3.1. This document is designed to support employees, volunteers, professionals, partner agencies and providers working with adults who have care and support needs, to identify and report safeguarding concerns and when to do so.
- 3.2. It provides a framework to manage risk and to assist in identifying whether abuse and or neglect is taking place, in which case a safeguarding concern must be referred to the local authority – or if not, what alternative actions should be considered.
- 3.3. This policy is based on the Pan-Sussex Safeguarding Thresholds guidance which can be accessed at: bhsab.org.uk/professionals/thresholds-guidance.

- 3.4. The thresholds guidance should be used in conjunction with the Sussex Safeguarding Adults Policy and Procedures (Sussex Safeguarding Adults Boards, 2019), which can be accessed at: <https://sussexsafeguardingadults.procedures.org.uk>.
- 3.5. Guidance to help recognise the type of people who might be at risk, and how and report abuse and neglect can be found by visiting the Sussex Safeguarding Adults Policy and Procedures: sussexsafeguardingadults.procedures.org.uk/pkotq/sussex-safeguarding-adults-procedures/recognising-and-reporting-abuse-and-neglect.
- 3.6. Safeguarding Advice can be found here: brighton-hove.gov.uk/adult-social-care/keep-people-safe/help-adult-risk-abuse-or-neglect

4. Safeguarding Criteria

Section 42 (1) and (2) of the Care Act 2014 sets out the criteria that must be considered in relation to raising a safeguarding concern, and the subsequent decision as to whether a safeguarding enquiry is triggered.

Under the Act 2014 a 'safeguarding concern' is:

Section 42 (1): Whether there is 'reasonable cause to suspect' that an adult:

- Has needs for care and support (whether the local authority is meeting any of those needs)
- Is experiencing, or is at risk of abuse or neglect, and
- As a result of their needs, is unable to protect themselves.

Section 42 (2):

- Making (or causing to be made) whatever enquiries are necessary.
- Deciding whether action is necessary – and if so, what and by whom.

5. Adults at Risk and Safeguarding

- 5.1. Abuse or neglect could happen anywhere, and by anyone. It could happen once, or regularly. For a full description of the different types of neglect and examples, please refer to pages 8-17 of the Pan-Sussex Safeguarding Thresholds guidance (see Summary section for details).
- 5.2. Safeguarding duties apply regardless of whether a person's care and support needs are being met, whether by the local authority or anyone else. They also apply to people who pay for their own care and support services.
- 5.3. An adult with care and support needs may be:
 - a person with a physical disability, a learning difficulty, or a sensory impairment,

- someone with mental health needs, including dementia or a personality disorder,
 - a person with a long-term health condition,
 - someone who misuses substances or alcohol to the extent that it affects their ability to manage day-to-day living.
- 5.4. This is not an exhaustive list. In its definition of who should receive a safeguarding response, the legislation could also include people who are victims of sexual exploitation, domestic abuse, and modern slavery.
- 5.5. Adult safeguarding duties apply in whatever setting people live in, except for prisons and approved premises such as bail hostels.
- 5.6. Safeguarding duties apply regardless of whether someone can make specific decisions for themselves at specific times. There may be times when an adult has care and support needs and is unable to protect themselves for a short, temporary period – for example, if they were significantly unwell due to an infection.

6. Raising safeguarding concerns - Overview

- 6.1. If you are concerned about an adult in Brighton and Hove experiencing, or at risk of, abuse and neglect you can visit the Brighton and Hove City Council website for more information (see Resources section at the end of the document for details).
- 6.2. You should always seek advice from the Designated Safeguarding Lead (DSL) or the Non-Executive Board member with responsibility for safeguarding or contact the local authority Adult Social Care department (see Resources section at the end of the document for details).
- 6.3. Section 5 of the Pan-Sussex Safeguarding Thresholds guidance (see Summary section above) contains some considerations to support you when assessing and managing risks and contains some examples. However, you should always consider the individual circumstances of each situation and use your judgement when deciding on the best course of action.
- 6.4. All incidents must be recorded and reported using the appropriate procedures but not all incidents will be safeguarding issues (see below).
- 6.5. It is important to consider in the first instance whether someone is in immediate danger or has been the subject of a crime. Criminal acts must be reported to the police and/or emergency treatment should be sought where necessary.

7. Raising safeguarding concerns - General procedure:

- 7.1. If an employee or volunteer (the discoverer), in the course of their work for Healthwatch, suspects or discovers abuse or neglect of an adult at risk, they should report this using the procedure set out below.

7.2. Volunteers must always report to employees at Healthwatch as soon as possible when they discover a safeguarding concern.

7.3. **In emergencies:**

- If the adult at risk appears to be in immediate danger, or it appears that a crime has been committed, the discoverer should phone the police on 999. If you think a crime has taken place, but it is not an emergency, phone Sussex Police on 101.
- The discoverer should then contact the CEO, their deputy, the Non-Executive Board member with responsibility for safeguarding or any other employee in their absence, at the earliest opportunity and report all relevant details. The CEO (or their deputy) will contact Brighton and Hove City Council Adult Social Services if this has not already happened and record details on the Healthwatch safeguarding log. If no member of the Healthwatch team is available, the discoverer should contact the local authority as set out above but still send details through to Healthwatch.

7.4. **Non-emergencies:**

- If the discoverer is a volunteer, and there appears to be no immediate danger, and no crime committed, they should contact the Healthwatch office at the earliest opportunity and report all relevant details. The Healthwatch employee who receives the alert should then contact the CEO, their deputy, the Non-Executive Board member with responsibility for safeguarding, or any other employees in their absence, at the earliest opportunity and report all relevant details.
- If the discoverer is an employee (other than the CEO) or a director, and there appears to be no immediate danger, and no crime committed, they should contact the CEO, their deputy, the Non-Executive Board member with responsibility for safeguarding at the earliest opportunity and report all relevant details.

7.5. In all cases, the CEO, or other employees in their absence will, where it is practicable and appropriate, ask the adult concerned:

- whether they see the issue as a cause for concern, or not,
- what they want to happen, if anything.

7.6. The CEO, or other employees in their absence, will decide whether to raise the matter as a safeguarding issue and will contact Brighton and Hove City Council Adult Social Services if they think it should be raised, or to seek advice.

7.7. All actions taken under section 7 should be recorded in the Healthwatch safeguarding log.

- 7.8. It is the responsibility of all employees to ensure that safeguarding concerns are properly reported to the appropriate person or agency.
- 7.9. In the absence of the CEO, the Head of Research or Non-Executive Board member with responsibility for safeguarding will deputise. In their absence, any employees must take the requisite action and subsequently alter the CEO at the earliest opportunity.

8. General guidelines

- 8.1. If you are in any doubt as to an adult's safety, then contact Brighton and Hove Council's Safeguarding Team (see Resources section at the end of the document for details):
 - Who the concern is about (safeguarding responsibility is focused on people who are or may need care and support under 2014 Care Act).
 - Details of the concern.
 - Yours, or the relevant person's, contact details.
- 8.2. Whenever there is information which indicates that an adult may be, or is, at risk of experiencing abuse, neglect, or exploitation, this should be shared with the local authority as soon as possible, even when it is also shared with other agencies that may need to be advised, such as the Police or Care Quality Commission.
- 8.3. Where possible and safe to do so, the person raising the safeguarding concern would have had a conversation with the adult regarding their consent, views and wishes and respect their privacy. However, it is important to remember that consent is not essential when deciding whether safeguarding concerns should be raised. For example, an exception to getting consent could be where there are concerns that having a conversation would increase the risk for the adult. You should only share information with people who need to know, for example Healthwatch employees and safeguarding professionals. This respects a person's right to privacy and protects them.

9. Dos and Don'ts about disclosure of abuse/neglect

- 9.1. **Do:**
 - Stay calm and try not to show shock or disbelief.
 - Listen carefully.
 - Be sympathetic.
 - Tell the person that.
 - they did right to tell you,
 - you are taking the information seriously,

- it was not their fault,
- say that you must share this information with Healthwatch employees but that this is important so they can be protected,
- reassure them that they will be protected and supported.
- Report to a manager immediately.
- Write down what was said by the person disclosing, noting dates and time, as above.
- Sign and date your report including the time disclosure was made and the time notes were written.

9.2. Don't:

- Stop someone who is freely recalling events; allow them to share whatever is important to them.
- Press for more details.
- Promise to keep secrets.
- Make promises you can't keep (e.g., this will never happen again)
- Contact the abuser.
- Be judgmental (e.g., "Why didn't you run away?")
- Break the confidentiality agreed with the person and your line manager (e.g., telling other members of employees what has happened unless it has been agreed with your line manager and the person that others need to know).

10. Training

- 10.1. Any employees or volunteer whose who are in direct contact with adults at risk will be required to attend a Safeguarding Adults Basic Awareness training course as soon as possible after the commencement of their duties, and an update course every three years following that.
- 10.2. Employees and volunteers may need to attend other safeguarding courses and events in line with their roles and responsibilities. A record of attendance at this training will be held in the personnel record of the person concerned.
- 10.3. Awareness and understanding of this policy will form part of the induction process for all new members of employees and volunteers.
- 10.4. Safeguarding will be an element of role-specific induction training for all Enter and View Authorised Representatives, Helpline volunteers and employees who are expected to meet people while performing their role.
- 10.5. Training will be kept under review to ensure it complies with the latest legislation and best practice guidance.

11. Safe Recruitment

- 11.1. DBS checks will be undertaken for all employees and volunteers when and if essential and appropriate to their role.

12. Whistleblowing / complaints

- 12.1. The Care Act 2014 requires organisations providing care and support services to have policies for dealing with allegations against people working in a position of trust. This includes some of Healthwatch's work.
- 12.2. A position of trust can be either a paid or unpaid role working with adults with care and support needs. This could include incidents, behaviours, and investigations which may have taken place outside the person's workplace. Anyone who becomes aware of allegations about the conduct or behaviour of a person in a position of trust, which might pose a risk to adults with care and support needs, should raise a safeguarding concern by reporting to Healthwatch staff.
- 12.3. The DSL or their deputy will then notify the local authority and the care provider as necessary.
- 12.4. If there is a concern about an employee or volunteer of Healthwatch this should be notified to the DSL, or their deputy who will deal with the matter in line with Healthwatch's employment and complaints policies and refer to the local authority as necessary.
- 12.5. All actions taken should be recorded in the Healthwatch safeguarding log, protecting privacy where necessary.

13. Resources - Important Safeguarding Contacts

- 13.1. **Healthwatch** Safeguarding team can be contacted at:
 - safeguarding@healthwatchbrightonandhove.co.uk.
 - **07458 690 040**
- 13.2. **Brighton and Hove City Council's Adult Safeguarding Team** can be contacted at:
 - Online referral form: brighton-hove.gov.uk/report-safeguarding-concern.
 - hascsafeguardinghub@brighton-hove.gov.uk
 - **01273 295 555**.

14. Review of Policy

- 14.1. This policy will be reviewed regularly by Healthwatch with input from the Non-Executive Board member with responsibility for safeguarding.
- 14.2. Reviews may also be triggered in the light of a serious incident.

15. Additional Policies & Documents

- 15.1. The Healthwatch policies and documents referred to in this policy are available on request by contacting the Healthwatch Team on 01273 234 040 or email to policies@healthwatchbrightonandhove.co.uk.

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| Date Policy Reviewed | 4 December 2023 |
| Date Approved by the CEO | 31 January 2024 |
| Date Approved by the Non-Executive Board member with responsibility for safeguarding | 31 January 2024 |
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