

Safeguarding (in housing) Policy

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1.Introduction

The Affordable Housing Service (the Council as a landlord) are in contact with vulnerable people and households at risk throughout their day to day activities and are required through law, the regulator and their organisational objectives to have clear policies and procedures on Safeguarding and working with local agencies. These requirements are detailed within this policy.

Eastleigh Borough Council, as a local authority, have lead responsibility for safeguarding, and this policy is tightly linked to the council corporate policy.

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Eastleigh Borough Council believes that all children, young people and vulnerable adults have the right to be safe, happy and healthy and deserve protection from abuse. The Council is committed to safeguarding from harm all children, young people and vulnerable adults using any of its services and involved in any of its activities, and to treat them with respect during their dealings with the Council.

1.1 This policy is based on the Council's responsibilities under the Children Act 2004, specifically Section 11 which places a duty on key people and public bodies, including district councils, to make arrangements to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children.

1.2 Local authorities have the lead responsibility for safeguarding adults and children. Their role is to ensure that there is a local Safeguarding Adult Boards (SAB), that they provide services to people who need care and support and that they respond to concerns about harm and abuse. Adult services directors and lead councillors play a leadership role in safeguarding across councils, organisations and communities.

1.3 Police and Crime Commissioners act to ensure that their force is effectively offering protection and access to justice for adults in need of care and support. The police are also statutory members of the SAB.

1.4 A vulnerable adult at risk may become at risk of abuse because of their needs for care and support (whether or not the local authority is meeting those needs) and is experiencing, or at risk of abuse and neglect. As a result of those needs, they are unable to protect themselves from either the risk of, or the experience of, abuse and neglect. This may include their ability to communicate or making known their wishes and needs.

1.5 Safeguarding means protecting an individual'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. This must recognise that adults

sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances (Care Act Statutory Guidance 2016).

1.6 In their role as a Registered Provider, the Council are not statutory partners under this act but are obliged to:

- attend and provide information for Local Safeguarding Adults Boards if necessary (although not a statutory requirement).

Housing providers will also be asked to participate in relevant Safeguarding Adult Reviews;

- co-operate with local authorities in enquiries of suspected safeguarding concerns - these may result in the Council acting to protect an individual from any actual or risk of abuse or neglect as part of a safeguarding plan
- have a safeguarding policy and procedure
- keep clear and accurate records of safeguarding allegations, responses and actions, then share these with appropriate organisations when in the best interest of the vulnerable individual
- have safe recruitment practices and training relevant to safeguarding
- have a safeguarding lead for the organisation
- will ensure contractors are DBS checked

2.Aims and Objectives

The aims of the policy are to:

- Clarify the roles and responsibilities of all parties within the scope of the policy.
- Support the promotion of a safe working environment and a culture of care in which the rights of all children, young people and vulnerable adults are protected and respected.
- Promote best practice in how employees and associated workers interact with children, young people and vulnerable adults while providing Council services.
- Develop clear guidance and procedures for those employees working with children, young people and vulnerable adults and ensure through training and support that they are aware of these and able to implement them.
- Provide a framework for working with the Hampshire Adults and Children Safeguarding Boards.

3.Scope of Policy

This policy is organisational wide and not only applies to all Council employees of the Affordable Housing Service but all Council employees, members, volunteers, contractors or managing agents providing services for or on behalf of the Council.

The scope of this policy is in respect of the Council's responsibility towards:

- Children (including unborn children) and young people are legally defined as any person under the age of 18. From this point the terms child or children will be used to refer to this group.

- Vulnerable adults defined, for the purposes of this policy, as anyone over the age of 18 who because of a disability or illness may be in need of community care services and who may be unable to take care of themselves or protect themselves from significant harm or exploitation. The Council also considers people experiencing domestic abuse as vulnerable adults under this policy. (There is a separate policy to cover this in more detail).

3.1 It covers all the functions and services of the Council, its elected Members, staff and contractors.

Partner organisations will be informed of the policy as required.

3.2 The policy does not cover health and safety issues related to safeguarding children such as use of play equipment or provision of food at events.

4. Legislative Requirements

The adult safeguarding legal framework includes:

- Care Act 2014
- Equalities Act 2010
- The Modern Slavery Act 2015
- Deprivation of Liberty Safeguards (DoLs 2007)
- The Human Rights Act 1998
- Disclosure and Barring Service
- Family Law Act 1996
- Sexual offences Act 2003
- Female Genital Mutilation Act
- Domestic Violence Crime and Victims Act 2004
- Domestic Abuse Act 2021
- Homelessness Act 2002
- Data Protection Act 1998
- General Data Protection Regulation 2016
- Anti-Social Behaviour, Crime and Policing Act 2014
- Care Standards Act 2000

5. Identifying who needs help

5.1 Landlord Services assesses the vulnerability and support needs of all prospective tenants at the point an applicant is offered a tenancy. This sometimes is not sufficient as further evidence may come to light during the tenancy. There may be no visual or behaviour clues, the influence of alcohol or drugs may complicate the assessment, some tenants' reluctance to discuss or admit to being vulnerable. Therefore all housing staff need to know what to look for and will be trained to do this.

6. What is abuse?

A person may abuse a child or vulnerable adult by inflicting harm, or by failing to act to prevent harm. Children and vulnerable adults may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger.

6.1 Abuse of disabled children / adults.

Disabled children / adults are at increased risk of abuse and individuals with multiple disabilities are at even more significant risk both of abuse and neglect as they may:

- having fewer social contacts,
- be receiving intimate personal care from a larger number of carers
- and /or have an impaired capacity to challenge abuse or communicate issues.

6.2 Types of abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm, including fabricating the symptoms of, or deliberately causing ill health.

Emotional or Psychological abuse is the persistent emotional ill-treatment of a child or vulnerable adult such as to cause severe and persistent adverse effects on the victims' emotional development or self-esteem. It may involve conveying to the victim that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person. It may involve age or developmentally inappropriate expectations being imposed, causing the victim to frequently feel frightened, or the exploitation or corruption of children or vulnerable adults. It may involve deprivation of contact, control, coercion, intimidation, or harassment.

Sexual abuse involves forcing or enticing a child or vulnerable adult to take part in sexual activities whether or not the victim is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include involving the victim in looking at, or in, the production of, pornographic material, or encouraging them to behave in sexually inappropriate ways.

Neglect is the persistent failure to meet a child's or vulnerable adults' basic physical and/or psychological needs, likely to result in the serious impairment of their health or development such as failing to provide adequate food, shelter and clothing, or neglect of, or unresponsiveness to basic emotional needs. In vulnerable adults this may appear to be as a result of self-neglect but still requires action.

Financial abuse is particularly relevant to vulnerable adults and may include theft, fraud, exploitation and pressure in connection with wills, property or inheritance or financial transactions. It may include the misuse or misappropriation of property, possessions or benefits by someone who has been trusted to handle their finance or

who has been trusted to handle their finances or who has assumed control of their finances by default.

7. Missing, Exploited and Trafficked Children

7.1 The Hampshire 4LSCB (Hampshire 4 Local Safeguarding Children Safeguarding Board) Missing, Exploited and Trafficked protocol is intended to support practitioners in their work with children and young people who are at risk of, or who are going missing, being sexually exploited and/or are being trafficked.

7.2 The three issues are likely to appear together in day to day practice and the protocol is a single resource to guide practitioners. There are distinct issues for each area of concern, but the overlap and interaction between them is inescapable and should always be borne in mind.

7.3 Whilst children and young people go missing for a range of reasons, and for different lengths of time, there is always concern for a child/young person when they are not where they should be and it is essential that any response to a missing child is timely, effective and proportionate.

7.4 Child sexual exploitation (CSE) and child trafficking are child abuse and are completely unacceptable. Tackling these issues remains one of the most important challenges for the 4LSCBs. We recognise that they can have serious long term impact on every aspect of the child or young person's life, health and education. It also damages the lives of families and carers and can lead to family break up.

Missing children

Governmental guidance describes a young runaway or a missing child as 'children and young people up to the age of 18 who have run away from their home or care placement, have been forced to leave, or whose whereabouts is unknown'.

Definition

- **Absent:** A person is not at a place where they are required or expected to be. The level of risk is assessed as no risk or tolerable risk.
- **Missing:** Anyone a child under 18 whose whereabouts cannot be established and where circumstances are out of character, or the context suggests the person may be the subject of crime, or they may be a risk themselves or others. Risk will be assessed as medium or high.

7.5 Research estimates that some 100,000 children and young people runaway each year including 10,000 reported as missing from care. These children are vulnerable and can be exposed to the risks of being physically or sexually abused or exploited.

For those children living within the local authority care system their vulnerability to these risks are even greater and are disproportionately represented within the group of children known to be sexually exploited. Within the care system those living in residential care homes are at an even higher level of risk.

It is important to be aware of the potential risks to children and young people who are absent, as opposed to reported as missing. Within this cohort could be children who are victims of exploitation but attract less attention as perhaps they are only absent for a short period of time, or they are absent but their whereabouts is known. It is important for those working with children and young people, to be aware that not all children at risk of child sexual exploitation go missing or absent. In such cases it will be other information about the young person, changes in their behaviour and presentation that will be the trigger for concern.

7.6 Children and young people go missing for a number of reasons. A range of 'push' and 'pull' factors may be present:

Push factors:

- Conflict with parents/carers
- Feeling powerless
- Being bullied/abused
- Being unhappy/not being listened to

Pull factors:

- Wanting to be with family/friends
- Peer pressure
- Child sexual exploitation

Definition

"Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities.

7.7 Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

7.8 The guidance applies to male and female children up to the age of 18 years irrespective of whether they are living independently, at home, with carers, or in a residential setting.

7.9 Evidence gathered on CSE across the UK suggests that CSE often takes place 'off street', in private accommodation, hotels, or sauna/massage establishments. The hidden nature has a significant impact on the visibility of the problem. Disclosure of exploitation and violence is

always difficult for children and young people. The sophisticated grooming and priming processes executed by perpetrators and the abuse, act as additional barriers, which increase the fear for themselves and in some cases their families and make disclosure especially difficult. Many children and young people who are victims of sexual exploitation do not recognise themselves as such.

7.10 The key indicators of children being sexually exploited which can include:

- Going missing for periods of time or regularly coming home late
- Regularly missing school or education or not taking part in education
- Appearing with unexplained gifts or new possessions
- Associating with other young people involved in exploitation
- Having older boyfriends or girlfriends
- Suffering from sexually transmitted infections
- Mood swings or changes in emotional wellbeing
- Drug and alcohol misuse
- Displaying inappropriate sexualised behaviour

Trafficked

7.11 Definition

Human trafficking is defined by the UNHCR3 (UN Refugee Council Regional Refugee Resilience Plan) as a process that is a combination of three basic components:

- Movement (including within the UK);
- Control, through harm / threat of harm or fraud;
- For the purpose of exploitation

Children are a special case for whom there are only two components – movement and exploitation. Any child transported for exploitative reasons is considered to be a trafficking victim – whether or not s/he has been deceived, because it is not considered possible for children to give informed consent.

For those who have been trafficked into the United Kingdom as unaccompanied asylum seeking children there will be pressure to make contact with their trafficker

7.12 Children are unlikely to disclose they have been trafficked, as most do not have an awareness of what trafficking is or may believe they are coming to the UK for a better life, accepting that they have entered the country illegally. It is likely that the child will have been coached with a story to tell the authorities in the UK and warned not to disclose

8. Assessment tools

Council staff may be asked to participate in assessment tools to assess risk.

8.1 The Sexual Exploitation Risk Assessment Framework SERAF is the tool recommended for risk assessment by the 4LSCB Missing, Exploited and Trafficked Children Group, which was established by the 4LSCB chairs to provide strategic advice to the 4 LSCBs on matters including CSE.

8.2 A sexual exploitation risk assessment should be undertaken as part of the initial assessment to establish if a child is in need and requires protection. This should be completed by Children's Services in partnership with other agencies. A Child Trafficking Tool is also used by Children's services to identify children who may be being trafficked and the level of risk.

8.3 Further information Hampshire, Isle of Wight, Portsmouth & Southampton 4LSCB Missing, Exploited and Trafficked Children Protocol
http://4lscb.proceduresonline.com/pdfs/met_protocol.pdf

9. Prevent

9.1 The Counter Terrorism and Security Act 2015 places certain responsibilities onto the Local Authority which include for the purposes of safeguarding:

- Ensure all appropriate frontline staff and its contractors have training in recognising vulnerabilities of individuals being drawn into terrorism and an awareness of the programmes available to help and support.
- Ensure that publicly owned venues and resources do not provide a platform for extremists.

9.2 Front line staff will be given a more detailed training using a Home Office approved package.

9.3 A Home office approved online training session is included in the induction process for all new staff.

10. Safeguarding Concerns about Vulnerable Adults

10.1 There may be a number of factors which increase a person's vulnerability. This could include disability, age, mental health problems, and alcohol and drug problems. In most situations a person who shows signs of vulnerability may require no further care or support or may benefit from being signposted to other services or to Adult Services for a needs assessment.

However there can be situations where a safeguarding referral needs to be made. The Council is required to report safeguarding concerns to Hampshire County Council Adult Services or Children's Services.

10.2 In terms of safeguarding, a vulnerable adult is defined as a person over 18 years who has needs for care and support (whether the Local Authority is meeting these needs or not), is experiencing, or is at risk of, abuse or neglect and as a result of those needs is unable to protect themselves against the abuse or neglect or the risk of it.

10.3 If hoarding is an issue then please also refer to the separate guidance for staff on hoarding.

10.4 The principles for dealing with adults who exhibit vulnerability are drawn from the 2014 Care Act. These are set out below:

Empowerment	Presumption of person led decisions and informed consent
Prevention	It is better to take action before harm occurs
Proportionality	Proportionate and least intrusive responses appropriate to the risk presented
Protection	Support and representation to those in greatest need
Partnership	Local solution 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 delivering safeguarding

10.5 If there are any safeguarding concerns about a vulnerable adult then a referral should be made to Adult Services or Children’s Services. A vulnerable adult may be subject to abuse and neglect, and it is important to ensure that any safeguarding concerns are reported. The following criteria should be used:

- Does the adult have needs of care and support?
- Is abuse or neglect by a third party alleged?

And

- Is the adult unable to take care of him or herself?

Or

- Is the adult unable to protect him or herself against harm or exploitation?

If the answer is yes to these questions, then a safeguarding concern should be reported to Adult Services.

10.6 When undertaking work with a vulnerable adult, where a safeguarding referral has been made the following guidance should be followed:

- Advice provided by Adult Services or Health should be sought
- The person should be involved in decision-making and their consent sought for any actions if possible.
- Actions should be proportionate. The impact on the individual needs to be weighed against the impact on the community of their actions, for example when properties fall in to disrepair.
- The person should be informed what action is being taken in writing and in person if preferred.
- The case should be reviewed at each stage through a case conference.
- Signposting and referrals should be made at each stage of the process if required.
- Information should be shared as appropriate within the Council about vulnerabilities in the best interests of the person.

11. Who is responsible for safeguarding children and vulnerable adults?

In short, all persons working within the Council including Councillors are responsible. Responsibility for the implementation of this policy rests with different groups within the Council.

11.1 Councillors are responsible for:

- Ensuring that the Council has a policy, which adequately provides protection for children and vulnerable adults in receipt of its services and for the regular review of this policy in the light of changes to legislation e.g. Data Protection Act, or new legislation or regulation.

11.2 Managers are responsible for:

- Identifying those services and posts that are likely to have an involvement with children and vulnerable adults.
- All staff and volunteers will be trained in child and vulnerable adult protection. The HR Manager is responsible for identifying the level of training required and ensuring this is provided. The level of training is determined using the criteria set out in the Hampshire Safeguarding Children Board Learning and Development Policy.
- Ensuring that those people appointed by them to the Borough Council, whose normal duties involve caring for, training, supervising or being in sole charge of children or vulnerable adults are screened via the Disclosure and Barring Service process at the appropriate level and are appropriately qualified and/or trained in working with these groups.
- Ensuring that all necessary procedures and practices are in place to provide adequate protection both for the individuals in these groups and also protection for the employees involved with them.
- Ensuring that employees, volunteers and other workers dealing with these groups are adequately trained and aware of their responsibilities in this area.
- Ensuring that external contractors delivering Council Services are aware of the Council's expectation that workers are aware of and abide by the standards of behaviour expected of Council employees.
- Ensuring that carers and/or parents of the children and vulnerable adults are aware that, in providing services, Council employees is not acting in loco parentis.
- Ensuring that this policy is made available to carers and/or parents of the children and vulnerable adults to whom the Council is providing services.
- Ensuring that any evidence or complaint of abuse or lack of care is reported to the appropriate body e.g. children's Services or Adult Services at Hampshire County Council.
- Ensuring that proper records are kept of any incidents occurring within their service and that these are held securely and/or passed on to the Designated Safeguarding Officer (paid or voluntary) and also to Human Resources if the incident involves a member of staff.
- Working with other associated agencies to ensure the proper transfer of information relating to dealings with children and vulnerable adults, where necessary.

11.3 Support Services (HR) are responsible for:

- Working with managers in maintaining a record of those posts that are likely to involve working with children and vulnerable adults and identifying the level of involvement and the appropriate level of screening required.
- Ensuring that recruitment procedures are robust and that information pertinent to working with these groups is obtained during the recruitment procedure.
- Ensuring that all DBS checks are carried out at the level required in respect of every job identified as working with children and vulnerable adults.
- Supporting Managers in dealing with allegations of abuse or lack of care by staff.
- Referring any information about individuals who may pose a risk to the DBS.

11.4 Staff working with children and vulnerable adults are responsible for:

- Ensuring that they are familiar with and understand the policies and procedures relating to their work with or in the vicinity of children and vulnerable adults.
- Ensuring that they feel confident in working within this environment and working with their managers to ensure that they have the knowledge and skills to carry out their tasks in this context.
- Reporting to their line manager any concerns they may have about abuse or a lack of care of children and vulnerable adults either from other staff, from carers, parents or those in loco parentis or between members of the group.

11.5 Volunteers, contractors and other workers are responsible for:

- Working with employees of the Council, to the same standard, in ensuring the safety and wellbeing of children and vulnerable adults within their scope.
- Participating in any training or development opportunities offered to them to improve their knowledge of skills in this area.
- Reporting to their line manager any concerns they may have about abuse or a lack of care of children and vulnerable adults either from other staff, from carers, parents or those in loco parentis or between members of the group.

12. Links to strategies, policies, and associated documents:

12.1 This policy has links with the following documents:

- Data Protection Policy
- Domestic Abuse Policy
- EBC Safeguarding Policy
- Recruitment Policy
- Disciplinary Policy and Procedure
- Grievance Policy and Procedure
- Whistle Blowing Policy
- Antisocial behaviour Policy
- Income Management Policy
- Allocations Policy
- Tenancy Support Policy

13. Data Protection

The Council are committed to protecting and respecting the privacy of personal data. As a registered Data Controller (Reg. no. Z7118863) it complies with the General Data Protection Regulations 2018 (GDPR).

More information on how the Council collects, uses and keeps your personal information, and how it protects privacy can be found in our [Record of Processing Activity \(ROPA\)](#).

The corporate privacy notice provides general information about the council's personal data processing activities overall. As the range of services the council provides is so varied, it has also produced individual [privacy notices for each service area](#), to explain specifically how data will be used within each service.

14. Equality & Diversity

16.1 Equality and diversity are of fundamental importance to services provided regardless of a person's protected characteristics under the Equality Act 2010 (age, disability, gender reassignment, marriage and civil partnership, religion pregnancy and maternity, race, belief, or sex). All must be treated with respect. The Council treats everyone it houses, serves, and employs, fairly, and encourages others to do the same.

16.2 The Council provides information that is clear, accessible, and in an appropriate format (such as translated into another language, or in large print on request). Where appropriate, Council Officers will assist residents, by, for example, helping to complete paperwork. These policies ensure residents are treated in a fair and efficient manner.

15. Monitoring and Review

17.1 This policy will be reviewed regularly, to incorporate legislative and regulatory amendments and changes, best practice developments, or to address any operational issues with the procedure. Input will be sought from our residents (via the Residents Committee or similar) prior to making any substantive changes. This is in line with our Corporate Values and is intended to ensure our policy continues to meet the needs and aspirations of our residents.

16. Document History and Approval

Identity and Version Control

This document is the final approved version and will be a controlled document with an individual assigned to version review/amendment.

17. Where can I find more information?

The NSPCC website provides advice on keeping children safe.
NSPCC Helpline 0800 800 5000

Every Child Matters is the Government website that provides information on the legislation and the wider issues of child welfare.

The Independent Safeguarding Authority website has information on vulnerable adults.

Hampshire Safeguarding Children's Board website.

The HSCB learning and improvement framework has been produced in response to the requirement set out in Working Together 2013. This framework should enable organisations to be clear about their responsibilities, to learn from experience and improve services as a result.

1. Elder Abuse Response Helpline 0808 808 8141
2. Hampshire Police (non-emergency) 0845 045 4545
3. Support Hampshire is an online directory of services and groups
<https://connectsupport.hants.gov.uk/s4s/WhereILive/Council?pagelid=2361>