



GROUP SAFEGUARDING VULNERABLE ADULTS POLICY

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LEGAL STATUS

'YOU' is the operating name of 'The YOU Trust', a Company Limited by Guarantee and registered in England No.1898188 and Charity No. 291489.

My Learning Cloud Limited is registered in England No. 8191627, a wholly-owned subsidiary of The YOU Trust. All statements in policies referring to YOU or The YOU Trust apply to My Learning Cloud Limited - Collectively known as The You Group.

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1 PURPOSE

This policy is intended to provide everyone working at or with the **YOU Group** charity regarding the **YOU Group's** safeguarding policy and procedures. The **YOU Group** operates a zero-tolerance approach to abuse both within the organisation and with all people we work with, including those we work with, family and friends and other organisations we work with in partnership.

2 SCOPE

All staff, trustees, workers and volunteers are responsible to be aware of issues of abuse, neglect or exploitation and following the **Group's** safeguarding processes and procedures. The **Group's** commitment to defined quality standards are fundamental to creating and sustaining trust between staff and the people who use our services.

This policy is to be read in conjunction with the **YOU Group's** [Adult Safeguarding Procedures](#) and Safeguarding Adults [Further Information for Best Practice](#)

3 RESPONSIBILITIES

DIRECTORS

- 3.1 The Director of Operations and Business Development is the **YOU Group** lead officer for Safeguarding Vulnerable Adults and is ultimately responsible for ensuring all policies and procedures followed within the Group are in line with national legislation and local guidance and practice.

YOU and MLC Directors are responsible for working together to ensure that all policies and procedures and ultimately all services within **YOU companies** are up to date with any and all changes to legislation and working practice.

YOU and MLC Directors ensure that all Managers within their services are cognisant of their responsibilities around safeguarding and are able to support their staff teams to be aware of issues that may lead to a safeguarding concern or alert.

YOU GROUP BOARD AND MY LEARNING CLOUD BOARDS

- 3.2 The Boards have a responsibility to support the policy and be aware of issues and promote the development of initiatives relating to safeguarding vulnerable adults.

The policy is part of the YOU Group Board's response to ensure all necessary steps are taken to safeguard vulnerable adults within the **YOU Group**.

LINE MANAGEMENT—TEAM LEADERS, DEPUTY MANAGERS AND MANAGERS

- 3.3 Line managers have a responsibility to ensure they and their teams identify and respond appropriately to allegations of abuse and/or suspicion or disclosures of abuse immediately.

Line managers will ensure that all people working in their team, whether paid or unpaid, have completed appropriate safeguarding training and are aware of and follow the **YOU Group** policy and procedures.

Line managers are responsible for ensuring that all staff have access to their areas reporting processes as agreed via the local safeguarding adults board.

Line managers have a responsibility to ensure that staff work proactively with people in areas of keeping safe, understanding what abuse is and what constitutes abusive behaviour for example mate/hate crime and how to seek help/advice or report to other agencies, if they feel they or someone else is being abused.

STAFF, WORKERS AND VOLUNTEERS

- 3.4 Staff, workers and volunteers have a responsibility to make sure they read and fully understand all **YOU Group** safeguarding policies, procedures, guidance and local processes.

Staff, workers and volunteers will immediately inform their line manager or duty manager of any concerns or issues relating to safeguarding and follow agreed processes.

Staff, workers and volunteers have a responsibility to those they work with in helping them understand behaviours that are abusive and can report abuse to other agencies.

CENTRAL ADMINISTRATIVE SUPPORT

- 3.5 Designated central support staff have a responsibility to receive, request and gather safeguarding data from all services in order to maintain and update a central safeguarding register.

4 DISCLOSURE AND BARRING SERVICE (formerly Independent Safeguarding Authority)

- 4.1 The **YOU Group** is a safer recruiting organisation and all workers, staff and volunteers who will be working with any vulnerable people are subject to pre-employment DBS checks at the appropriate level.

- 4.2 All new staff at the **YOU Group** is enrolled in the DBS Update Service which allows applicants to keep their DBS certificates up to date online and allows employers to check a certificate on line.

5 VULNERABILITY FACTORS

5.1 An adult who may be at risk of abuse, neglect or exploitation and in need of care and support may have additional factors that impact on their level of vulnerability and risk. These are further explored in the **Group's** Safeguarding Guidance and may also include: -

- Being elderly, frail, have ill health, physical or cognitive impairment
- Having a learning disability/physical disability
- Substance misuse issues
- Experiencing domestic abuse
- Is a carer and is subject to abuse
- Is unable to demonstrate ability to make a decision

6 DEFINITIONS AND CONTEXT

6.1 *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 experience of abuse or neglect, whilst at the same time making sure that the adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feeling and beliefs in deciding any action.*

Abuse of a person at risk may consist of a single act or repeated acts affecting more than one person. (Hampshire Adult Safeguarding Board)

6.2 The **YOU Group** will promote the persons wellbeing in any safeguarding arrangements, be mindful of other areas of their life and what the person wants for themselves.

6.3 This policy is consistent with and follows statutory guidance within the Care Act 2014 and reflects guidance found within local Safeguarding Adults Policies developed via the Safeguarding Adults Boards.

6.4 The Care Act 2014 created a new legal framework for working together to protect adults at risk of abuse or neglect. Chapter 14 of the Care Act introduced a statutory framework for adult safeguarding which replaces the 'No Secrets' Guidance (DoH 2000)

The Care Act 2014 Section 42 requires the local authority or others (as directed by the local authority) to make enquires where they reasonably suspect that an adult in its area is at risk of neglect or abuse.

6.5 A section 42 enquiry will only take place when a person with care and support needs is experiencing or is at risk of abuse or neglect and is unable to protect him/herself. The section 42, statutory safeguarding duty, applies whether or not that person

usually resides in the local authority area or where the local authority is meeting any of their additional needs or not.

See the **YOU Group's** Safeguarding Guidance for further information about the Care Act 2014.

- 6.6 The Care Act 2014 was amended in 2022, to include the creation of the Integrated Care Board (ICB) which have replaced the Clinical Commissioning Groups (CCGs), with regards to the transferring of safeguarding responsibilities.

7 REGULATION 13 REQUIREMENTS

- 7.1 *Regulation 13 of the Health and Social Care Act 2008 Regulations 2014* addresses safeguarding those we support from suffering any abuse and improper treatment. This would include discrimination, unlawful restraint - deprivation of liberty under the terms of the Mental Capacity Act 2005.

The **YOU Group** meets the requirements of this regulation by having a zero-tolerance approach to abuse in all forms.

- 7.2 Reg. 13.1: *Service users must be protected from abuse and improper treatment in accordance with this regulation.* The **YOU Group** has and implements policies and procedures to ensure that people are protected. The **YOU Group** has and implements scrutiny processes such as the Safeguarding risk register managed by the senior management team, with oversight conducted by Trust board members at the Performance and Quality Trust meetings. Overall responsibility for Safeguarding is held by the You Group Board and MLC Board.

- 7.3 Reg. 13.2: *Systems and processes must be established and operated effectively to prevent abuse of service users.* The **YOU Group** has: -

- robust induction processes which includes awareness of safeguarding responsibilities,
- clear Safeguarding policies detailing role responsibilities
- relevant safeguarding training
- additional written guidance
- support to recognise different types of abuse and reporting mechanisms
- working together groups developing safeguarding processes with clients and staff members
- supervision and team meeting processes to identify potential abuse and agree preventative actions
- excellent partnership working arrangements to support safeguarding risk assessments and information sharing
- specialist training for all those staff, workers and volunteers on the Mental Capacity Act

7.4 Reg. 13.3: *Systems and processes must be established and operated effectively to investigate, immediately upon becoming aware of, any allegation or evidence of such abuse.* The **YOU Group** has an internal Incident Referral System that triggers action and support from senior managers following any safeguarding allegations or incidents. Any actions taken are in line with local Safeguarding Adults Boards, all **YOU Group** staff, workers and volunteers: -

- know and understand their local safeguarding policy and procedures
- know and understand how to refer to their local adult safeguarding teams
- have access to duty managers and senior managers out of hours via your organisations on call procedure
- are able to work flexibly to meet the needs of any person who requires additional support following allegations of disclose of abuse or neglect
- will engage with any actions required to redress the abuse and take any necessary steps to ensure the abuse is not repeated
- will engage in Serious Case Reviews and implement any recommended changes to practice

7.5 Reg. 13.4: *Care or treatment for service users must not be provided in a way that: -*

- *includes discrimination against a person on grounds of any protected characteristic*
- *includes acts intended to control or restrain a person that are not necessary or proportionate*
- *is degrading for a person*
- *significantly disregards the wishes of the person in their own treatment*
- *deprives a person of their liberty*

The **Group** has a robust induction process that includes equality and diversity and promotes working with a person as an individual with their own needs and requirements. The **YOU Group** has a tiered complaints process that supports an individual to report any allegations about staff, this can be directly to another member of staff, through the **YOU** website, through multi media - face book and twitter and via the telephone. Any complaint upheld will result in your organisation taking corrective action and making changes to prevent it happening again. The **YOU Group** strives to learn from all complaints, whether upheld or not, and learning is an expected outcome from a complaint process - this is shared with the individual and/or teams as appropriate.

Interventions and care at The **Group** are planned and delivered in a way that enables a person's needs to be met. Staff are allocated appropriate time, as agreed with clients, to ensure those needs are assessed correctly and interventions designed with the person. If, for any reason, staff are not able to provide planned then that member of staff will raise immediately with their line manager and an alternative intervention will be discussed with the person.

- 7.6 Reg. 13.5: *A person must not be deprived of their liberty for the purpose of receiving care of treatment without lawful authority.* The **YOU Group** act at all times in accordance with the Mental Capacity Act 2005: Deprivation of Liberty Safeguards Code of Practice 2008.

8 FORMS OF ABUSE OR NEGLECT

Abuse can be something that is done, or omitted from being done, to a person. It may happen within different settings including, home and work and may be perpetrated by a worker, family member, a friends or another member of the community, it can be:

- Physical - including slapping, pushing, kicking, misuse of medication, restraint
- Sexual - including rape and sexual assault, non-consensual sexual acts, giving consent under duress
- Psychological and emotional - including threats of harm or abandonment, deprivation of human contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal
- Financial - including theft, fraud, exploitation, wills, property, misuse of property
- Neglect - including acts of omission, ignoring medical or physical care needs, failure to provide access to required services, heating, self-neglect and/or lack of intervention regarding self-neglect
- Discrimination - including racism, sexism, acts based on another person's protected characteristic including age, disability and sexual orientation, withholding a service that is offered to others
- Online abuse – any type of abuse that happens on the internet through social media or a mobile phone for example. Examples include trolling, stealing someone else identity, cyber stalking and cyberbullying – online abuse should be treated as if it was face to face i.e. if someone says/does something that would be unacceptable face to face it would be unacceptable on line and recording and reporting should be in line with the **YOU Group's** Safeguarding procedures
- Other areas may include - honour based violence, forced marriage, human trafficking, carers at risk of harm

9 RESPONDING TO AND REPORTING ABUSE

- 9.1 The wellbeing of the person experiencing abuse is paramount and it is important to ensure they are safe and in a place of safety if appropriate. When a staff member

receives a disclosure of abuse they must reassure the person disclosing or sharing the information regarding the abuse.

The member of staff, worker or volunteer will follow the **YOU Group** procedure and inform their line manager and seek advice regarding reporting to the local Safeguarding Adults Team.

- 9.2 All suspicions, allegations and disclosures must be treated seriously. Safeguarding concerns can sometimes arise through witnessing an incident or hearing of a particular issue or through a gradual building of information until a safeguarding concern emerges.
- 9.3 Section 42 of the Care Act 2014 places a duty on the Local Authority to make enquiries or to ask others to make enquiries, where they reasonably suspect that an adult is at risk of neglect or abuse. All **YOU Group** staff will follow the reporting process as set out in the **YOU Group's** Safeguarding Procedure and engage with the local authority adult safeguarding team at the earliest possible opportunity.
- 9.4 All staff at the **YOU Group** have a responsibility to take action if they suspect abuse, regardless if they are working directly with a person or not. All suspicions, allegations, disclosures or witnessed incidents should be reported immediately to the Line Manager or duty on call manager if out of hours.

10 PREVENTION OF ABUSE

- 10.1 The **YOU Group** acknowledges that an important aspect of safeguarding adults is in prevention and early intervention. The **Group's** first priority is to prevent abuse from occurring.
- 10.2 Adherence to the **YOU Group's** recruitment practices, code of conduct, thorough support planning and risk management including financial controls and quality assurance, can all contribute to preventing the abuse of vulnerable adults.
- 10.3 Early liaison with other agencies and proactive partnership work combined with positive client involvement can prevent challenging or complex situations escalating into safeguarding concerns. Prevention by empowerment through discussion, awareness-raising, accessible information sharing and policy consultation are vital aspects of the **Group's** safeguarding work.
- 10.4 Training of all **YOU Group** staff, workers and volunteers also contributes to early identification and prevention. **YOU Group** staff receive mandatory and specialist training that covers the skills and knowledge required to: -
- Recognise and respond to suspicions, allegations or disclosures of abuse
 - Intervene positively in situations where abuse is identified

- Promote safeguarding and contribute to the prevention and early intervention aspects of safeguarding work.
- Report abuse or suspected abuse in line with this policy and local protocols
- Improve practice and service delivery with relation to safeguarding
- Work in partnership with other agencies to share information which further protects and safeguards vulnerable adults.
- Promote client involvement in safeguarding decision making, including making available information to people in a variety of forms to meet their communication needs and preferences.

11 RELEVANT LEGISLATION AND GOVERNMENT GUIDANCE

- The Care Act 2014 (amended 2022)
- No Secrets (Department of Health 2000)
- Mental Capacity Act 2005
- General Social Care Council Code of Practice for Social Care Workers 2010
- NMC Code of Practice May 2008
- Data Protection Act 2018
- Human Rights Act 1998
- Public Interest and Disclosure Act 1998
- Freedom of Information Act 2000
- Confidentiality: DOH Code of Practice 2003
- Sexual Offences Act 2003
- Safeguarding Vulnerable Groups Act 2006
- Crime and Disorder Act 1998
- Achieving Best Evidence in Criminal Proceedings: Guidance on Interviewing Victims and Witnesses using Special Measures (CJS 2007)
- Caldicott Principles – a code of good practice for information sharing
- HM Government 2008 Information Sharing: Guidance for practitioners and managers
- Supporting People Quality Assessment Framework Standard C1.3 2009
- Health and Social Care Act (2008)
- Protection of Freedoms Act (2012)

For Admin use only

POLICY HISTORY

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When client review took place:	January 2022