



Opening doors
to independence

CHESS Homeless Safeguarding Adults Policy

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Section 1: Safeguarding Adults Policy

1. Introduction

CHESS Homeless works to ensure that people who find themselves homeless are supported in ways that enable them to move forward purposefully and in good health. Our motto is Opening doors to independence, and we work to support people from the streets into their own accommodation.

CHESS Homeless provide services for the homeless and those at risk of homelessness, respecting their need for safety and dignity. We promote a sense of security, self-worth and acceptance of the diversity of the individuals we serve. We encourage the growth and development of our staff and service users through partnerships and training opportunities with others. We are committed to equality of opportunity for all.

CHESS Homeless is committed to Safeguarding Adults in line with national legislation and relevant national and local guidelines. This is further explored throughout this document.

CHESS Homeless will safeguard adults by ensuring that our activities are delivered in a way which keeps all adults safe.

CHESS Homeless is committed to creating a culture of zero-tolerance of harm to adults which necessitates: the recognition of adults who may be at risk and the circumstances which may increase risk; knowing how adult abuse, exploitation, or neglect manifests itself; and being willing to report safeguarding concerns. This extends to recognising and reporting harm experienced anywhere, including within our activities and within other organised community or voluntary activities.

CHESS Homeless work to best safeguarding practice and to uphold the rights of all adults to live a life free from harm from abuse, exploitation, and neglect.

CHESS primarily works with adults but recognises that in the course of its activities personnel may have interaction with or concerns about the welfare of a young person or child. CHESS are committed to reporting these concerns in line with the SET Child protection guidelines.

2. Policy Statement

CHESS Homeless is committed to safeguarding adults, young people and children from abuse,' to identify, record and report possible abuse. We will also take action to create a safe environment for everyone and will be vigilant to prevent abusers gaining opportunities with us (as staff, trustees, volunteers, students, agency workers or contractors) in order to access those whom we regard as at risk - whether they come under the formal definition or not.

CHESS Homeless believes everyone has the right to live free from abuse or neglect regardless of age, ability or disability, sex, race, religion, ethnic origin, sexual orientation, marital or gender status.

CHESS Homeless is committed to creating and maintaining a safe and positive environment and an open, listening culture where people feel able to share concerns without fear of retribution.

CHESS Homeless acknowledges that safeguarding is everybody's responsibility and is committed to prevent abuse and neglect through safeguarding the welfare of all adults involved.

CHESS Homeless recognises that safeguarding is wider than just protecting adults at risk. It involves protecting all adults' and children's right to live in safety. It is about people and organisations working together to prevent abuse and neglect, and to promote well-being, taking the views, wishes, beliefs and concerns of those at risk into account.

CHESS Homeless recognises that there is a legal framework within which it needs to work to safeguard adults who have support needs and for protecting those who are unable to take action to protect themselves and will act in accordance with the relevant safeguarding adult legislation and with local statutory safeguarding procedures.

Actions taken by CHESS Homeless will be consistent with the principles of adult safeguarding ensuring that any action taken is prompt, proportionate and that it includes and respects the voice of the adult concerned.

CHESS Homeless works primarily to provide services to adults but recognises that in the course of activities personnel may come into contact with or be made aware of children or young persons at risk and are committed to reporting these concerns in line with CHESS Safeguarding Children and Young Person Policy and Procedures.

3. Purpose

The purpose of this policy is to demonstrate the commitment of CHESS Homeless to safeguarding adults and to ensure that everyone involved in CHESS Homeless is aware of:

- The legislation, policy and procedures for safeguarding adults.
- Their role and responsibility for safeguarding adults and ensuring the wellbeing of adults.
- What to do or who to speak to if they have a concern relating to the welfare or wellbeing of an adult within the organisation.

4. Scope

This safeguarding adult policy and associated procedures apply to all individuals involved in CHESS Homeless including trustees, staff, volunteers, agency workers, students and contractors and to all concerns about the safety of adults whilst taking part in our organisation, its activities and in the wider community.

We expect our partner organisations, to adopt and demonstrate their commitment to the principles and practice as set out in this Safeguarding Adults Policy and associated procedures.

It is the policy of CHESS Homeless and their partners to comply fully with the safeguarding requirements of the Care Act (2014) as expressed in the Care and Support Statutory Guidance, and any revisions that may be made to the guidance. This document sets out our approach to doing so.

This policy supersedes any previous Policies implemented by CHESS Homeless.

5. Commitments

To implement this policy, CHESS Homeless will ensure that:

1. Everyone involved with CHESS Homeless is aware of the safeguarding adult procedures and knows what to do and who to contact if they have a concern relating to the welfare or wellbeing of an adult.
2. Any concern that an adult is not safe is taken seriously, responded to promptly, and followed up in line with CHESS Homeless Safeguarding Adults Policy and Procedures.
3. It seeks to maximise people's choice, control and inclusion and protects their human rights. The well-being of those at risk of harm will be put first and the adult actively supported to communicate their views and the outcomes they want to achieve. Those views and wishes will be respected and supported unless there are overriding reasons not to (see the CHESS Safeguarding Adults Procedures).
4. Any action taken in response to safeguarding concerns will be consistent with the principles of adult safeguarding ensuring that any action taken is prompt, proportionate to the risk of harm and respect the rights and dignity of all those involved.
5. Services provided should be appropriate to the client and not discriminate because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Clients should be offered advocacy services as appropriate to their needs. Clients should be given information, advice and support in a form that they can understand and have their views included in all forums that are making decisions about their lives. All decisions taken by professionals about a person's life should be timely, reasonable, justified, proportionate and ethical.
6. Confidential, detailed, and accurate records of all safeguarding concerns are maintained and securely stored in line with CHESS Data Protection Policy and Procedures.
7. It acts in accordance with best practice advice.
8. It will cooperate with the Police and the relevant Local Authorities in taking action to safeguard an adult.

9. All Board members, staff, officials and volunteers understand their role and responsibility for safeguarding adults and have completed and are up to date with safeguarding adult training and learning opportunities appropriate for their role.
10. It uses safe recruitment practices based on the ESAB guidance¹ and continually assesses the suitability of volunteers and staff to prevent the employment/deployment of unsuitable individuals.
11. CHESS Homeless shares information about anyone found to be a risk to adults with the appropriate bodies. For example: Disclosure and Barring Service, Services, Police, Local Authority/Social Services.
12. When planning activities and events CHESS Homeless includes an assessment of, and risk to, the safety of all adults from abuse and neglect and designates a person who will be in attendance as a Safeguarding Lead for that event.
13. CHESS seeks to understand how diversity, beliefs and values of people who use services may influence the identification, prevention, and response to safeguarding concerns.
14. CHESS endeavours to educate and advise clients on the safeguarding principles.
15. Information is available for all people that deliver or use CHESS services, which describes the procedure within CHESS and also how they can contact Adult Social Care² directly if they have an immediate concern.
16. There is a Children and Young Persons Safeguarding Policy and procedures in place for staff to follow when concerns are raised about a child or young person.
17. When advised or notified of concerns about one of their personnel which could pose a transferable risk to the adults they work with, they may contact the Adult LADO for advice and support.³
18. Will contact LADO⁴ within 24hrs when advised or notified of concerns about personnel which suggests they have:
 - behaved in a way that has harmed a child, or may have harmed a child;
 - possibly committed a criminal offence against or related to a child;
 - behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; or
 - behaved or may have behaved in a way that indicates they may not be suitable to work with children.
19. To engage and assist with government initiatives relating to safeguarding homeless adults including those implemented in periods of emergency, such as the Covid 19 'Everyone in' campaign.

¹ Essex Safeguarding Board: <https://www.essexsab.org.uk/media/1896/doc-set-safer-recruitment-guidance.pdf>

² Essex Adult Social Care: <https://www.essex.gov.uk/adult-social-care-contacts>

³ Essex Adult Safeguarding Board: <https://www.essexsab.org.uk/media/2960/adult-lado-guidance-march-2022-1.docx>

⁴ Essex County Council: <https://eycp.essex.gov.uk/safeguarding/report-a-concern-about-a-member-of-the-workforce>

6. Implementation

CHESS Homeless is committed to developing and maintaining its capability to implement this policy and procedures.

In order to do this, the following will be in place:

- A clear line of accountability within the organisation for the safety and welfare of all adults.
- Access to relevant legal and professional advice.
- Development and delivery of our business plan and activities will refer to and consider this safeguarding policy.
- Resources set aside to meet our safeguarding responsibilities. This includes but not limited to training, DBS checks, document reviews and professional advice.
- Regular management reports to the Trustee Board detailing how risks to adult safeguarding are being addressed and how any reports of safeguarding concerns have been addressed.
- Safeguarding adult procedures that deal effectively with any concerns of abuse or neglect, including those caused through poor practice.
- A Safeguarding Lead and Deputy/ies
- Defined safeguarding roles and responsibilities within the organisation ([Appendix 1](#)).
- Arrangements to work effectively with other relevant organisations to safeguard and promote the welfare of adults, including arrangements for sharing information.
- Codes of conduct for Board members, Staff and Volunteers and other relevant individuals that specify zero tolerance of abuse in any form. ([Appendix 4](#))
- Risk assessments of services, positions and activities that include safeguarding. e.g. transporting adults.
- Policies and procedures that address the following areas and which are consistent with this Safeguarding Adults policy and are available on the shared drive.

✓ Safeguarding Children and Young People	✓ Discipline and grievance
✓ Bullying and harassment	✓ Comments, Compliments and Complaints
✓ Social Media	✓ Whistleblowing
✓ Equality, diversity and inclusion	✓ Safe recruitment and selection (staff and volunteers)
✓ Safe activities risk assessments	✓ Data protection and information sharing
✓ Code of Conducts and a process for breach of these -Board of Trustees, Staff and Volunteers.	✓ Employee, Volunteer and contractor Handbooks
✓ Transporting Service Users	

7. Training

All employees, trustees, agency staff, students and volunteers are required to attend and complete mandatory safeguarding training and learning opportunities appropriate for their role.

All employees, volunteers, agency staff and students - E- Safeguarding adults training will be undertaken on induction and at regular intervals of no more than two years thereafter.

The Safeguarding Lead is responsible for ensuring the above is completed.

Other training is provided relevant to the role is provided to be completed on induction and includes: Child Protection, Raising awareness of Trafficking and Modern Slavery, Safeguarding Young People, The Prevent Duty and Personal Boundaries training.

Managers and Coordinators- In addition to the above, managers and coordinators will undertake additional training in Safer Recruitment. This will be updated every two years or sooner.

The Safeguarding Lead, any deputies and Trustee with safeguarding responsibilities should undergo level 3 Designated Safeguarding Lead training to provide them with the knowledge and skills required to carry out the role. The training should be updated every two years.⁵

Trustees - E- Safeguarding adults training will be undertaken on induction and at regular intervals of no more than two years thereafter.

All training records will be kept electronically on the personnel file.

8. Monitoring

Individuals

All employees have monthly supervisions with their line manager, in which taking time to focus on Safeguarding is a key part.

The supervision process is an accountable, two-way process, which supports, motivates and enables the development of good practice for CHESS personnel and as a result, we aim to improve the quality of service provided by CHESS.

Monthly employee supervision is a vital part of individual performance management and helps inform annual employee appraisals and possible recommendations for the policy and procedure reviews.

Regular team meetings

Team meetings also allow peer level discussions, learning from cases and proposals for modifications to be considered as part of the policy and procedure reviews.

Team meetings occur at least monthly and the manager team meeting bi-monthly.

Spontaneous supervision and meetings

Employee supervisions and team meetings may also be spontaneously arranged by either the line manager or the employee/s where the need arises e.g. where there is a need for additional support during a case.

All supervisions and team meetings will have a clear record of discussions, learning and agreed actions and learning will be submitted to the Safeguarding Lead.

⁵ Safeguarding and protecting people for charities and trustees:

<https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees#children-adults-at-risk>

Internal Case Management Group

The Internal Case Management Group (see [Appendix 2](#) for responsibilities) will meet quarterly to review cases that have occurred and any possible learning that may influence proposed changes in procedure. These proposed changes will be submitted to the Board of Trustees for agreement and relevant learning will be passed on to personnel through training and or an email briefing.

Actions taken under this policy are reviewed by the Board of Trustees, Operations Manager and CEO on an annual basis.

Annual Reviews

CHESS have a monitoring checklist that is completed annually to review and confirm this safeguarding policy and associated procedures are implemented across all areas of the charity.

This policy and CHESS Safeguarding Adults Procedures are reviewed no less than annually and whenever there are changes in relevant legislation and/or government guidance as required by the Local Safeguarding Board, and/or National Governing Bodies and or as a result of any other significant change or event.

Section 2: Supporting Information and Definitions

9. Key Points

- There is a legal duty outlined in the Care Act (2014) on Local Authorities to provide support to 'adults at risk'.
- Adults at risk are defined in the Care Act (2014).
- Safeguarding legislation applies to all forms of abuse that harm a person's [well-being](#).
- The law provides a framework for good practice in [safeguarding](#) that makes the overall well-being of the adult at risk a priority of any intervention.
- The law emphasises the importance of person-centred safeguarding, referred to as 'Making Safeguarding Personal'.
- The Mental Capacity Act (2005) provides a framework for making decisions on behalf of adults who can't make decisions for themselves.
- The law provides a framework for organisations working with adults at risk to share concerns they have with the local authority.
- The law provides a framework for all organisations to share information and cooperate to protect adults at risk.

10. Safeguarding Adults Legislation

Safeguarding Adults in the UK is compliant with United Nations directives on the rights of disabled people and commitments to the rights of older people. It is covered by:

The Human Rights Act (1998)	https://www.legislation.gov.uk/ukpga/1998/42/co
The Data Protection Act (2018)	https://www.legislation.gov.uk/ukpga/2018/12
General Data Protection Regulations (2018)	https://www.legislation.gov.uk/ukpga/2018/12

The practices and procedures within this policy are based on the relevant legislation and government guidance.

Care Act (2014)	https://www.legislation.gov.uk/ukpga/2014/23
Equality Act (2010)	https://www.legislation.gov.uk/ukpga/2010/15
Human Rights Act (1998)	https://www.legislation.gov.uk/ukpga/1998/42
Mental Capacity Act (2005)	https://www.legislation.gov.uk/ukpga/2005/9
Care and Support Statutory Guidance (especially chapter 14) (2014)	https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance
Safeguarding vulnerable groups act (2006)	https://www.legislation.gov.uk/ukpga/2006/47
Homeless reduction act (2017)	https://www.legislation.gov.uk/ukpga/2017/13
Homelessness Act (2002)	https://www.legislation.gov.uk/ukpga/2002/7
Rough Sleeping Strategy (2018)	https://www.gov.uk/government/publications/the-rough-sleeping-strategy
Domestic Abuse Act (2021)	https://www.legislation.gov.uk/ukpga/2021/17

Many other pieces of UK legislation also affect adult safeguarding.

These include legislation about different forms of abuse and those that govern information sharing. For example, legislation dealing with:

- Murder/attempted murder
- Physical Assault
- Sexual Offences
- Domestic Abuse/Coercive control
- Forced Marriage
- Female Genital Mutilation
- Theft and Fraud
- Modern slavery and Human exploitation
- Hate crime
- Harassment
- Listing and Barring of those unsuitable to work with adults with care and support needs
- Online Abuse including digital harassment or sharing of indecent images of adults

England has legislation about the circumstances in which decisions can be made on behalf of an adult who is unable to make decisions for themselves. This can be found in the Mental Capacity Act (2005)⁶.

There are specific offences applying to the mistreatment of and sexual offences against adults who do not have Mental Capacity and specific offences where mistreatment is carried out by a person who is employed as a carer: e.g. wilful neglect and wilful mistreatment or financial abuse, where a person caring for or in a position of trust uses money belonging to the adult who lacks capacity for their own gain.

11. Definition of an Adult at Risk

The Care Act (2014)⁷ creates specific responsibilities on Local Authorities, Health, and the Police to provide additional protection from abuse and neglect to Adults at Risk.

When a Local Authority has reason to believe there is an adult at risk, they have a responsibility to find out more about the situation and decide what actions need to be taken to support the adult.

Actions that need to be taken might be by the Local Authority (usually social services) and/or by other agencies, for example the Police and Health. Homeless organisations like CHES may need to act as part of safeguarding an adult, for example, to use the disciplinary procedures in relation to a member of staff who has been reported to be harming a service user. The Local Authority role includes having multi-agency procedures which coordinate the actions taken by different organisations⁸.

Safeguarding duties apply to an adult (over the age of 18) who;

- has needs for care and support (whether the local authority is meeting any of those needs),
- is experiencing, or 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.

12. Safeguarding Duties

Safeguarding means protecting an adult's right to live in safety, free from 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 any action.

The Care Act (2014) requires each Local Authority to:

- Make enquiries, or ensure others do so, if it believes an adult is experiencing, or is at risk of, abuse or neglect
- An enquiry should establish whether any action needs to be taken to stop abuse or neglect, and if so, by whom
- Set up a Safeguarding Adults Board.
- Arrange, where appropriate, for an independent advocate to represent and support an adult who is the subject of a safeguarding enquiry

⁶ Mental Capacity Act (2005) <https://www.legislation.gov.uk/ukpga/2005/9>

⁷ The Care Act (2014) <https://www.legislation.gov.uk/ukpga/2014/23>

⁸ Safeguarding Adults: <https://www.local.gov.uk/sites/default/files/documents/safeguarding-adults-roles-3e9.pdf>

- Or Safeguarding Adult Review where the adult has ‘substantial difficulty’ in being involved in the process and where there is no other appropriate adult to help them
- Cooperate with each of its relevant partners in order to protect adults experiencing or at risk of abuse or neglect⁹.

The aims of safeguarding adults are:

- To prevent harm and reduce the risk of abuse or neglect to adults with care and support needs
- To safeguard individuals in a way that supports them in making choices and having control in how they choose to live their lives “Making Safeguarding Personal”
- To promote an outcomes approach in safeguarding that works for people resulting in the best experience possible
- To raise public awareness so that professionals, other staff and communities as a whole play their part in preventing, identifying and responding to abuse and neglect¹⁰.

In order to achieve these aims, specific roles and responsibilities have been defined in [Appendix 5](#). It is required that all organisations work together to:

- Promote well-being and prevent abuse and neglect from happening in the first place
- Ensure the safety and wellbeing of anyone who has been subject to abuse or neglect
- Take action against those responsible for abuse or neglect taking place
- Learn lessons and make changes that could prevent similar abuse or neglect happening to other people (e.g. through learning and development programmes for staff).¹¹

The Principles of Adult Safeguarding in England

The principles of the Care Act (2014) ¹² are:

- **Empowerment** - People being supported and encouraged to make their own decisions and informed consent.
- **Prevention** – It is better to act before harm occurs.
- **Proportionality** – The least intrusive response appropriate to the risk presented.
- **Protection** – Support and representation for those in greatest need.
- **Partnership** – Local solutions 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.

⁹ NHS England, Adult Pocket Guide: <https://www.england.nhs.uk/wp-content/uploads/2017/02/adult-pocket-guide.pdf>

¹⁰ NHS England <https://www.england.nhs.uk/wp-content/uploads/2017/02/adult-pocket-guide.pdf>

¹¹ Local.Gov, Safeguarding Adult Roles:

<https://www.local.gov.uk/sites/default/files/documents/safeguarding-adults-roles-3e9.pdf>

¹² Care Act (2014): <https://www.legislation.gov.uk/ukpga/2014/23>

13. Abuse and Neglect

Abuse is a violation of an individual's human and civil rights by another person or persons. It can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it. Any or all of the following types of abuse may be perpetrated as the result of deliberate intent, negligence, omission or ignorance.

There are different types and patterns of abuse and neglect and different circumstances in which they may take place.

Abuse can be:

Physical abuse - including hitting, slapping, pushing, misuse of medication, inappropriate restraint.

Sexual abuse - including rape and sexual assault or sexual acts the adult has not / cannot consent to.

Psychological or emotional abuse - including threats of harm or abandonment, harassment, verbal abuse, isolation.

Financial or material abuse - including theft, fraud, exploitation, misuse or misappropriation of property or wills.

Neglect and acts of omission - including withholding the necessities of life such as medication, food or warmth, ignoring medical or physical care needs.

Discriminatory abuse - including discrimination on grounds of race, gender and gender identity, disability, sexual orientation, religion and other forms of harassment, slurs or similar treatment. <https://www.anncrafttrust.org/what-is-discriminatory-abuse/~:text=Discrimination%20is%20abuse%20that%20focuses,the%20difference%20or%20perceived%20difference.>

Organisational abuse - including neglect and poor practice by an organisation.

Domestic abuse - including psychological, physical, sexual, financial, or emotional abuse between adults who are or have been intimate partners or family members.

Modern slavery - includes very little or no pay, excessively long and/or unusual working hours, poor physical health, not in control of own money, no financial records or ID documents. This includes forced labour and human trafficking.

Self-neglect - wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding, although if a person has capacity, it is not an offence or a police issue to live in such conditions.

Further information about the types and indicators of abuse types listed above can be found on the [Social Care Institute for Excellence Web-site](#).¹³

Abuse can take place in any relationship and there are many contexts in which abuse might take place, e.g. Institutional abuse, Domestic Abuse, Forced Marriage, Human Trafficking,

¹³ Social care institute for excellence, types and indicators of abuse:

<https://www.scie.org.uk/safeguarding/adults/introduction/types-and-indicators-of-abuse>

Modern Slavery, Sexual Exploitation, County Lines, Radicalisation, Hate Crime, Mate Crime, Cyber bullying, Scams.

Abuse or neglect could be carried out by:

- A spouse, partner, or family member
- Neighbours or residents
- Friends, acquaintances, or strangers
- People who deliberately exploit adults they perceive as vulnerable
- Paid staff, professionals or volunteers providing support

Often the perpetrator is known to the adult and may be in a position of trust and/or power.

The above types of abuse may constitute.

Elder Abuse- Elder Abuse is defined in the UK as: “A single or repeated act or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person”. It may take a variety of forms including Physical abuse; Psychological abuse; Financial abuse; Sexual abuse or Neglect¹⁴.

Contact the local police¹⁵ if you think a crime has been committed or contact the local council¹⁶ if you think someone is at risk or is being abused.

Hate crime- A hate crime is any criminal offence which is perceived by the victim, or anybody else, to be motivated by hostility or prejudice towards someone's:

- race
- religion
- sexual orientation
- transgender identity
- disability

These aspects are known as ‘protected characteristics’.

A hate crime can include verbal abuse, intimidation, threats, harassment, assault and damage to property. A hate incident is behaviour which isn't a crime but which is perceived by the victim, or anybody else, to be motivated by hostility or prejudice based on the 5 protected characteristics.

Report a hate crime

You can report a hate crime online or call 101 to speak to the police.

Call 999 if you're reporting a crime that's in progress or if someone is in immediate danger.¹⁷

Exploitation by radicalisers who promote violence

¹⁴ Reducing the Risk of Domestic Abuse: <https://reducingtherisk.org.uk/elder-abuse/#:~:text=Elder%20Abuse%20is%20defined%20in,distress%20to%20an%20older%20person%E2%80%9D>.

¹⁵ Police.UK: <https://www.police.uk>

¹⁶ Gov.uk, find Local Council <https://www.gov.uk/find-local-council>

¹⁷ HM Government: <https://hatecrime.campaign.gov.uk/>

Adults with care and support needs may be susceptible to exploitation into violent extremism by radicalisers who attempt to attract people to their cause using persuasion or charisma. The aim is to inspire new recruits and embed their extreme views.

The journey to becoming radicalised is different for everyone and there are many reasons why someone becomes vulnerable. Radicalisation can take place very quickly, or over a long period of time.

More important than any one specific sign is the sense that something is not quite right with the person you're worried about. You could spot one sign or a combination of signs that seem to be increasing in intensity.

However, there are certain behaviours you can watch out for that we often see when someone is being led down the path of extremism.

Visit [ACT Early](#)¹⁸ to find out more about the signs that someone may be vulnerable to radicalisation¹⁹.

Working with other organisations, the police protect vulnerable people from being exploited by extremists through a Home Office programme called [Prevent](#)²⁰.

The role of Prevent Officers is to help people vulnerable to radicalisation move away from extremism. It can be hard to know what to do if you're worried someone close is expressing extreme views or hatred, which could lead to them harming themselves or others.

If you have concerns about anyone, you can tell Essex police about them by making a referral using a simple online form: <https://www.essex.police.uk/advice/advice-and-information/t/prevent/prevent/alpha/prevent-referral/>

If it's an emergency, you should call [999](#).

You can also call the national police Prevent advice line [0800 011 3764](#), in confidence, to share your concerns with specially trained officers.

If you see online material promoting terrorism or extremism, you can [report it online](#).

¹⁸ ACT Early, Signs of radicalisation – what to look for: <https://actearly.uk/spot-the-signs-of-radicalisation/what-to-look-for>

¹⁹ Essex Police, Prevent: <https://www.essex.police.uk/advice/advice-and-information/t/prevent/prevent/>

²⁰ GOV.UK, Factsheet: Prevent and Channel
<https://homeofficemedia.blog.gov.uk/2019/11/05/factsheet-prevent-and-channel>

Online Digital Abuse

Digital abuse is when someone monitors, stalks, harasses, threatens, controls or impersonates another person using technology.

This could involve stalking through social media, harassment by text message or humiliation by posting pictures or videos, for example.

Digital abuse can happen to anyone, but it most often happens alongside other types of domestic abuse.²¹

CHESS have online safety policies and procedures in place to protect personnel and service users, they include but not limited to social media usage, photography and videography, online relationships and reporting of e safety incidents.

14. Signs and Indicators of Abuse and Neglect

An adult may confide to a member of staff, volunteer, or another service user that they are experiencing abuse inside or outside of the organisation's setting. Similarly, others may suspect that this is the case.

There are many signs and indicators that may suggest someone is being abused or neglected. There may be other explanations, but they should not be ignored. The signs and symptoms include but are not limited to:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- Person has belongings or money going missing.
- Person is not attending / no longer enjoying their sessions.
- Someone losing or gaining weight / an unkempt appearance. There may also be a deterioration in hygiene.
- A change in the behaviour or confidence of a person. For example, a participant may be looking quiet and withdrawn.
- Self-harm.
- A fear of a particular group of people or individual.
- They may tell you / another person they are being abused – i.e., a disclosure

15. Wellbeing Principle

The concept of 'well-being' is threaded throughout the Care Act (2014). Our well-being includes our mental and physical health, our relationships, our connection with our communities and our contribution to society.

Being able to live free from abuse and neglect is a key element of well-being.

The legislation recognises that statutory agencies have sometimes acted disproportionately in the past. For example, removing an adult at risk from their own home when there were other ways of preventing harm. In the words of Justice Mumby '*What good is it making someone safe when we merely make them miserable?*' What Price Dignity? (2010)

²¹ Metropolitan Police <https://www.met.police.uk/advice/advice-and-information/daa/domestic-abuse/digital-domestic-abuse>

For that reason any actions taken to safeguard an adult must take their whole well-being into account and be proportionate to the risk of harm.

16. Person Centred Safeguarding/ Making Safeguarding Personal

Legislation also recognises that adults make choices that may mean that one part of our well-being suffers at the expense of another – for example we move away from friends and family to take a better job. Similarly, adults can choose to risk their personal safety; for example, to provide care to a partner with dementia who becomes abusive when they are disorientated and anxious.

If we are supporting someone to make choices about their own safety we need to understand 'What matters' to them and what outcomes they want to achieve from any actions agencies take to help them to protect themselves.

The Care Act (2014), the Equality Act (2010), the Human Rights Act (1998) and the Mental Capacity Act (2005) all provide clear frameworks for ensuring people's rights are central to decision making and practice and emphasises that public bodies must remain vigilant to upholding these rights.²²

The concept of 'Person Centred Safeguarding'/'Making Safeguarding Personal' means engaging the person in a conversation about how best to respond to their situation in a way that enhances their involvement, choice and control, as well as improving their quality of life, well-being and safety. Organisations work to support adults to achieve the outcomes they want for themselves. The adult's views, wishes, feelings and beliefs must be considered when decisions are made about how to support them to be safe. There may be many ways to prevent further harm. Working with the person will mean that actions taken help them to find the solution that is right for them. Treating people with respect, enhancing their dignity, and supporting their ability to make decisions also helps promote people's sense of self-worth, ensures risks are managed in a positive way and supports recovery from abuse.

If someone has difficulty making their views and wishes known, then they can be supported or represented by an advocate. This might be a safe family member or friend of their choice or a professional advocate (usually from a third sector organisation).

Revisiting safeguarding practice

A joint, independent briefing setting out the importance of practice principles integral to safeguarding adults was published in January 2022 ensure statutory responses are informed by a consistent person-centred approach. Whilst this is for statutory guidance this informs organisations working together in a multi-disciplinary way to inform good practice regarding person centred safeguarding. This also underpins supervision and reflective practice to discuss issues surrounding any safeguarding issues²³.

²² Revising Safeguarding Practice: <https://www.gov.uk/government/publications/revisiting-safeguarding-practice>

²³ Revising Safeguarding Practice: <https://www.gov.uk/government/publications/revisiting-safeguarding-practice>

17. Mental Capacity and Decision Making

The Mental Capacity Act (2005)²⁴ came into force in April 2007 to empower and protect people who do not have the ability to make their own decisions, especially about things like finance, social care, medical treatment and living arrangements.

We make so many decisions that it is easy to take this ability for granted. The Law says that to make a decision we need to:

- Understand information
- Remember it for long enough
- Think about the information
- Communicate our decision

A person's ability to do this may be affected by things such as learning disability, dementia, mental health needs, acquired brain injury and physical ill health. Their ability may also fluctuate with consumption of drugs or alcohol.

Most adults have the ability to make their own decisions given the right support however, some adults with care and support needs have the experience of other people making decisions about them and for them.

Being unable to make a decision is called "lacking mental capacity". Mental capacity refers to the ability to make a decision at the time that decision is needed. A person's mental capacity can change. If it is safe/possible wait until they can be involved in decision making or to make the decision themselves.

The law aims to ensure that people who lack capacity to make decisions by themselves get the support they need to be as involved as possible in decisions about their lives.

There are five principles at the heart of MCA which should be used to underpin all actions and decisions taken in relation to those who lack capacity:

Principle 1: A presumption of capacity. Every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless it is proved otherwise. Do not assume that someone cannot make a decision for themselves just because they have a particular medical condition or disability.

Principle 2: Individuals being supported to make their own decisions. Make every effort to encourage and support people to make the decision for themselves. If lack of capacity is established, it is still important to involve the person as far as possible in making decisions.

Principle 3: Unwise decisions. People have the right to make what others might regard as an unwise or eccentric decision.

Principle 4: Best interests. If a person has been assessed as lacking capacity then any action taken, or any decision made for, or on behalf of that person, must be made in his or her best interests.

²⁴ Mental Capacity Act 2005; <https://www.legislation.gov.uk/ukpga/2005/9>

Principle 5: Less restrictive option. Someone making a decision or acting on behalf of a person who lacks capacity must consider whether it is possible to decide or act in a way that would interfere less with the person's rights and freedoms of action, or whether there is a need to decide or act at all.

Mental Capacity is important for adult safeguarding for several reasons. Examples include:

- 1) An adult not being allowed to make decisions they are capable of making is abuse.
- 2) Where an adult is being abused and they fear the consequences of going against the views of the person abusing them. This is recognised in the law as coercion and a person can be seen not to have mental capacity because they cannot make 'free and informed decisions.

Mental Capacity must be considered when it is believed abuse or neglect might be taking place. It is important to make sure an 'adult at risk' has choices in the actions taken to safeguard them, including whether or not they want other people informed about what has happened, however, in some situations the adult may not have the mental capacity to understand the choice or to tell you their views.

If a person who has a lot of difficulty making their own decisions is thought to be being abused or neglected CHES will report this to the Local Authority, and this should result in health or social care professionals assessing mental capacity and/or getting the person the support, they need to make decisions.

There may be times when CHES Homeless needs to make decisions on behalf of an individual in an emergency. Decisions taken to safeguard an adult who cannot make the decision for themselves could include:

- Sharing information about safeguarding concerns with people that can help protect them.
- Stopping them being in contact with the person causing harm.

Deprivation of Liberty Safeguards (DoLS)

When someone lacks mental capacity to consent to care or treatment, it is sometimes necessary to deprive them of their liberty in their best interests, to protect them from harm. The Deprivation of Liberty Safeguards are intended to:

- Protect people who lack mental capacity from being detained when this is not in their best interests;
- To prevent arbitrary detention;
- To give people the right to challenge a decision.

The Mental Capacity Act (2005), Deprivation of liberty safeguards code of practice ²⁵ sets out a procedure for care homes and hospitals to obtain authorisation from the local authority to deprive someone of their liberty. Without that authorisation the deprivation of liberty will be unlawful. These safeguards are intended to protect people from being deprived of their liberty unless it is in their best interests to protect them from harm and there is no other less restrictive alternative.

²⁵ The Mental Capacity (2005) Deprivation of liberty safeguards, Code of practice:
<https://www.cqc.org.uk/sites/default/files/Deprivation%20of%20liberty%20safeguards%20code%20of%20practice.pdf>

If you think someone is being deprived of their liberty without authorisation, this must be reported to the Local Authority.

18. Informed Consent

It is essential in safeguarding to consider whether the client is capable of giving informed consent. If they are, their consent should be sought. This may be in relation to whether they give consent to:

An activity that may be abusive – if consent to abuse or neglect was given under duress, for example, as a result of exploitation, pressure, fear or intimidation, this apparent consent should be disregarded. There are limits (defined in common law) to what a person can give consent to, so even if there appears to be consent, you should still seek guidance internally and/or from the Local Authority Adults Safeguarding Team.

Enquiry into the safeguarding issue raised and subsequent actions

To decide whether consent was given with capacity, consider it is important to understand:

- If the decision was made without duress.
- The client's capacity to make the decision.

19. Recording and Information Sharing

CHESS must comply with the Data Protection Act (2018)²⁶ and the General Data Protection Regulations (2018).

Information about concerns of abuse includes personal data. It is therefore important to be clear as to the grounds for processing and sharing information about concerns of abuse.

Processing information includes record keeping. Records relating to safeguarding concerns must be accurate and relevant. They must be stored confidentially with access only to those with a need to know.

Sharing information, with the right people, is central to good practice in safeguarding adults. However, information sharing must only ever be with those with a 'need to know'.

This does **NOT** automatically include relatives or other support staff.

The purpose of Data Protection legislation is not to prevent information sharing but to ensure personal information is only shared appropriately. Data protection legislation allows information sharing within an organisation. For example:

- Anyone who has a concern about harm can make a report to an appropriate person within the same organisation
- Case management meetings can take place to agree to co-ordinate actions by the organisation

There are also many situations in which it is perfectly legal to share information about adult safeguarding concerns outside the organisation. Importantly personal information can be

²⁶ Data Protection Act (2018) <https://www.gov.uk/data-protection>

shared with the consent of the adult concerned. However, the adult may not always want information to be shared. This may be because they fear repercussions from the person causing harm or are scared that they will lose control of their situation to statutory bodies or because they feel stupid or embarrassed. Their wishes should be respected unless there are over-riding reasons for sharing information.

The circumstances when we need to share information without the adult's consent include those where:

- it is not safe to contact the adult to gain their consent – i.e., it might put them or the person making contact at further risk.
- you believe they or someone else is at risk, including children.
- you believe the adult is being coerced or is under duress.
- it is necessary to contact the police to prevent a crime, or to report that a serious crime has been committed.
- the adult does not have mental capacity to consent to information being shared about them.
- the person causing harm has care and support needs.

When information is shared without the consent of the adult this must be explained to them, when it is safe to do so, and any further actions should still fully include them.

If you are in doubt as to whether to share information seek advice e.g. seek legal advice and/or contact the Local Authority and explain the situation without giving personal details about the person at risk or the person causing harm.

Any decision to share or not to share information with an external person or organisation must be recorded together with the reasons to share or not share information.

20. Multi-Agency Working

Safeguarding adults' legislation gives the lead role for adult safeguarding to the Local Authority. However, it is recognised that safeguarding can involve a wide range of organisations.

CHESS Homeless may need to cooperate with the Local Authority and the Police to:

- Provide more information about the concern you have raised.
- Provide a safe venue for the adult to meet with other professionals e.g. Police/Social Workers/Advocates.
- Attend safeguarding meetings.
- Coordinate internal investigations (e.g. complaints, disciplinary) with investigations by the police or other agencies.
- Share information about the outcomes of internal investigations.
- Provide a safe environment for the adult to continue engaging in the organisation.

21. Safeguarding adults during an international crisis or enforced isolation period

The COVID-19 pandemic and enforced lock down caused severe disruption to the everyday lives of individuals in the UK. While COVID-19 restrictions have now lifted, it is important to recognise that it may not be the last international crisis and that adults who need care and

support may be targeted at such a time because of a number of factors. They may need assistance with some tasks, be less up to speed with technology, more welcoming of new contacts, more trusting and have less meaningful activities available. There is evidence that social isolation increases the likelihood of abuse. At a time of international crisis, those who seek to exploit these vulnerabilities are quick to act. There are always new scams offering help and advice on the topic at hand or with financial assistance.²⁷

Impact

The COVID-19 pandemic and accompanying lockdowns had an unprecedented and extraordinary impact on all aspects of day-to-day life and behaviours. There are ongoing concerns about how people with care and support needs may experience different or more abuse or neglect due to these changes. Insight into the impact of the pandemic on safeguarding activity can firstly, describe what is happening, secondly, inform future activity to mitigate increased or different risks of abuse and thirdly, offer a national picture for the varied and shared local experiences. Data and intelligence provide evidence, both to emphasise the importance of safeguarding adults and influence policy and decision makers.

CHESS Homeless continues to safeguard Vulnerable Adults by ensuring that there is an up-to-date policy in place for all staff and service users to minimise the impact of future pandemics or enforced lockdowns and to safeguard, staff, service users; trustees and other organisational professionals from the ongoing pandemic.²⁸

²⁷ Coronavirus (COVID 19) advice for social care <https://www.scie.org.uk/Coroncare-providers/coronavirus-covid-19/safeguarding-adults>

²⁸ COVID-19 adult safeguarding insight project - third report (December 2021) <https://www.local.gov.uk/publications/covid-19-adult-safeguarding-insight-project-third-report-december-2021>

Appendices

Appendix 1- Safeguarding Responsibilities

1.1. Safeguarding Lead Responsibilities

The Client Support Manager within CHESS Homeless has primary responsibility for putting into place procedures to safeguard adults at risk, and for managing concerns about adults at risk.

The Business Support Manager will deputise for the client support manager when absent. The Operations Manager will deputise if both of the above managers are absent.

Safeguarding Lead - Nikki Ainger: 07766 721570

Safeguarding Deputy - Barbara Buxton: 07766 702110

Safeguarding Deputy – Karen James 07828 271896

Duties and responsibilities include:

- Keeping the senior management and board updated on Adult Safeguarding issues through regular recorded meetings.
- Keeping up to date with developments in safeguarding adults at risk and attending training as required.
- Ensuring that the adult at risk's views, beliefs and wishes are central to the safeguarding process.
- Overseeing the referral and monitoring of cases of suspected or alleged abuse to the Adults' Social Care Department or the Police (using the agreed Multi-Agency Referral Form).
- Ensuring that a proper and confidential record is maintained of any Adult at risk referral, safeguarding complaints or concerns (even when this does not lead to a referral)
- Liaising with Adult's Social Care, the Police and other agencies on safeguarding issues on behalf of CHESS Homeless.
- Acting as a source of support, advice and expertise within CHESS Homeless, including advising on whether to make a referral.
- Being the first point of contact for staff, volunteers, members and external agencies in all matters of adult protection and safeguarding
- Liaising with the senior management and informing them when there are enquiries or police investigations.
- Monitoring the progress of open concerns, ensuring that records are maintained and updated as notification is received, and that relevant staff attend any case conferences or multi-agency planning meetings and contribute to assessments etc. as required, ensuring that the adult at risk is kept informed as appropriate.
- Supporting CHESS Homeless staff to work with external agencies.
- Ensuring that any visiting agencies partnership agreements are aware of where safeguarding responsibilities are held by the partner organisation and where they should be shared with CHESS Homeless Designated lead.

- Ensuring that where an adult at risk moves on to other services that information is transferred to them considering confidentiality.
- Ensuring risk assessment of individuals, exclusions and warnings are appropriate.
- Ensuring that information about reporting safeguarding concerns is available in all CHESS accommodation and in accessible formats (posters, translated leaflets etc).
- Ensuring that there is ongoing review and communication with Adult Social Care if the adult's welfare is still a concern.

1.2. All Personnel

Safeguarding is everyone's responsibility. All employees, trustees, volunteers, agency staff, contractors and students are responsible for safeguarding must:

- Always follow the safeguarding policies and procedures, particularly if concerns arise about the safety or welfare of an adult.
- Participate in safeguarding training and maintain current working knowledge
- Ensure the adult (or their advocate) is involved in any decisions about them.
- Become familiar with the SET Safeguarding Adults Guidelines.
- Discuss any concerns about the welfare of an adult with a line manager.
- Contribute to actions required including information sharing and attending meetings.
- Work collaboratively with other agencies to safeguard and protect the welfare of people who use CHESS services.
- Remain alert to the possibility of abuse, neglect and self-neglect.
- Recognise the impact that diversity, beliefs and values of people who use the services can have.

1.3. The Trustee Board

The trustees are responsible for:

- Ensuring that CHESS has a policies and procedures in place for protecting adults at risk and children including safer recruitment policies and that there are named people designated to lead this work
- Ensuring that they are aware of CHESS policies and procedures and receive at least annual briefings on safeguarding
- Receiving an annual safeguarding report and reviewing the safeguarding policies annually
- Ensuring CHESS Homeless has a designated Safeguarding Lead in place, and that they have had the required training.
- Appointing a Designated Safeguarding Trustee to liaise with the Senior Management and Designated Leads over the implementation of the policy.
 - The current allocated trustee is: Julie Ingham 07921130123.
- Ensuring that the Director, Designated Leads, staff and volunteers have had adequate training to carry out their safeguarding responsibilities.
- Being aware of Serious Case reviews or other major incidents and ensuring that reviews are taken place to address any issues raised.

1.4. Other managers and coordinators

All managers and coordinators are responsible for:

- ensuring this procedure is implemented and reporting structures are used and followed within the service they manage.
- Ensuring all staff have an appropriate level of legal literacy, by completing training in current best practise and legislation.
- Ensuring any leaflets and posters for relevant external agencies are put on display and regularly restocked.
- Highlighting and discussing the organisational and local safeguarding procedures with all new members of staff as part of the induction
- Ensuring safeguarding and client protection issues are standing items on team meeting agenda and discussed during supervision sessions.
- Understanding the Local Safeguarding Adults Board's procedures for reporting safeguarding concerns, fulfilling information and other requests from the Board and the process for challenging lack of action or disagreement with the local authority (often called the escalation or dissent procedure).
- Ensuring all reporting and recording of safeguarding issues produced is accurate, timely and client-centred.
- Ensuring they are aware of the service's local contact for Prevent – who may work for the Local Authority or the Police, and know how to refer concerns about radicalisation to the appropriate Prevent Channel

1.5. HR and Volunteer Coordinators

The HR and volunteer managers are responsible for:

- Safer recruitment of personnel
- Ensuring that all staff and volunteers receive regular training on this policy.

1.6. I.T Coordinators

IT Coordinators are responsible for:

Production and implementation of staff and client I.T. policies so that staff and clients can use IT safely, securely and legally, with regard to safeguarding and Prevent duties.

Appendix 2- Internal Case Management Groups

Case Management Groups comprise of a select number of individuals with identified and relevant skills, knowledge experience and/or status within the organisation and include at least one member with safeguarding adult expertise. The group's role and decision-making powers are embedded within the organisation's governance structure and linked to related organisational functions such as codes of conduct, and the disciplinary policy and procedures.

The Board of Trustees, Operations Manager and CEO receives annual reports from the Case Management Group summarising the cases that have been addressed and their outcomes, as well as any issues that require action by CHESS Homeless e.g. changes to policy or procedures. Where changes in policy or procedure are needed before the next review, they must be submitted to the board immediately.

Case Management Groups meet on a quarterly basis or as the need arises to review a case.

Case Management Group roles:

- to ratify any actions already taken by the Safeguarding Lead.
- to review progress of case(s).
- to identify/ communicate learning from cases to the Board of Trustees and personnel.

Case Management Groups' membership should include:

- Trustee responsible for safeguarding.
- The designated Safeguarding Lead (who will act as secretary) and any deputy.
- The HR manager.
- Co-opted independent safeguarding expertise (e.g. from another homeless service or relevant profession such as the Police or Social services).

Appendix 3- Conduct expected of CHESS Personnel

All personnel must inform CHESS if they are disqualified from working with children under the Criminal Justice and Court Services Act.

CHESS has zero tolerance of abuse of any form. All reports of abuse involving personnel will be investigated, reported to the appropriate agencies (Police, Safeguarding Board, LADO) and be subject to the disciplinary procedure.

It is impossible to describe all behaviours that should either be promoted or avoided and the full code of conduct has more examples of what is and is not acceptable.

The following are given as some obvious examples to safeguard those at risk and themselves in their duties:

- Avoid being alone with an adult at risk of abuse. If this is not possible, suitable risk assessments must be in place and other staff members should be aware of the work taking place.
- Hold meetings with adults at risk of abuse in an open environment. If privacy is needed then the meeting can be held in an office or conference room if that is an agreed practice, but the door should be left open where possible and other staff or volunteers should be aware that such meetings are taking place.
- Avoid any physical contact apart from when the aim is to prevent injury or to treat an injury. This includes well intentioned gestures such as putting a hand on the shoulder. Physical contact, especially if regularly repeated, could be misinterpreted by the recipient or onlookers.
- Demonstrate respect regarding the individual's dignity.
- Do not allow the use of inappropriate language to go unchallenged.
- Do not do things of a personal nature that the adult at risk of abuse can do themselves.
- Do not take adults at risk of abuse alone on car journeys even for short durations. If this is not possible, suitable risk assessments must be in place and other staff members should be aware of the work taking place.
- Do not meet with adults at risk of abuse outside of organised activities.
- Ensure that if any form of unusual manual or physical support is required (if a service user is under the influence for instance), it is provided openly. Adults at risk of abuse should always be consulted and their agreement gained to such support.
- Ensure that if mixed gender groups are taken anywhere, they are ideally accompanied by a male and female member of staff and/or volunteer.
- Keep a written record of any incident or injury that occurs, along with any details of treatment given.
- Keep records in a safe place and conform to the CHESS Homeless Data Protection Policy.

Appendix 4- Abuse or allegation of abuse by personnel

CHESS personnel must abide by the organisation's code of conduct. Abuse of a client is gross misconduct, as well as illegal under the Criminal Justice and Courts Act 2015.

CHESS have a The Whistle-Blowing procedure which underlines the responsibility of staff to report staff actions which are abusive of clients, or which are unethical.

4.1 Incident management following an allegation of abuse against a staff member

The Safeguarding Lead or Safeguarding Deputy Lead will:

1. Inform the Operations Manager
2. Contact the Police and Social Services as soon as possible and within 24 hours if the allegation is criminal.
3. Appoint a manager to investigate the allegation to ensure an objective investigation.

If the client concerned has spoken to other clients, before or as well as speaking to staff regarding the allegations, staff will need to inform the clients concerned that the allegation has been taken seriously and an investigation is taking place. However, this must be done with sensitivity and with due regard to confidentiality. This will help to minimise rumours and maintain the stability and positive environment of the service.

The line manager of the service involved should also keep relevant staff members informed but, again with due regard to the sensitivity and confidentiality of the situation. This must be done in collaboration with HR.

The manager of the department (or their line manager, if they are suspected) should decide if there is an on-going possibility of further abuse or of pressure being brought to bear on the person making the allegation. If it is felt that this is possible, the staff member should be either suspended or reassigned to other duties while an enquiry takes place. This must be done in collaboration with HR.

Operational decisions affecting a client who has made an allegation, e.g. exclusions, warnings, evictions, should be discussed with the Safeguarding Lead and Deputy Lead before issuing.

All recommendations following an investigation will be reviewed by the Safeguarding Lead.

Support should be offered to both the client and the staff member (via the Employee Assistance Programme) during the investigation.

Seek advice promptly from HR and the Safeguarding Lead and Deputy Lead, if you have any questions on any of the above actions.

If there is a case to answer as a result of the investigation into an allegation, employees will be subject to the disciplinary procedure.

4.2 Incident management following an allegation of abuse against a volunteer

All allegations about volunteers will be dealt with through the volunteer disciplinary procedures. Contact the volunteer coordinator should be contacted, in addition to the Safeguarding Lead and Deputy Safeguarding Lead for advice on relevant actions.

4.3 Incident management following an allegation of abuse against an agency worker, contractor or student

Agency workers, contract workers and student placements who do not adhere to this policy will be investigated internally and reported and subject to the disciplinary procedures of the company they are employed by or the educational facility they are engaged with.

4.4 Incident management following an allegation of abuse against another service user

In cases where a client is allegedly being abused by another client the safety of the victim is paramount.

Where the alleged abuser and victim are clients of the same service, the safeguarding procedures must be followed but the Safeguarding Lead and Operations Manager will need to consider whether the service can manage the situation with both parties onsite.

If this is not feasible, it may be necessary to arrange the transfer of one client while the situation is being investigated.

The alleged perpetrator may request for a family member, friend or other representative to be present at meetings to avoid a potential conflict of interest.

Where allegations prove to be true, the abuser will be subject to sanctions consistent with those given to them with breaching the rules of the service on entry.

4.5 Incident management following an allegation of abuse by a child

If a child or children is/are causing harm to an adult covered by the adult safeguarding procedures, action should be taken under the CHES adult safeguarding procedures, and a referral and close liaison with children's services should take place.

Appendix 5- Allegations

5.1- Allegations about personnel which pose a transferable risk

Although there is no statutory Local Authority Designated role (LADO) specified within the Care Act 2014; Essex County Council have adopted this title, role and function as part of its responsibilities under the Adult Safeguarding duties.

Where CHESS is advised or notified of concerns about a member of the personnel which could pose a transferable risk to the adults we work with, the Safeguarding Lead will contact the ECC Adult LADO for advice and support by completing the LADO referral form in the adult LADO Guidance²⁹ and emailed to adult.LADO@essex.gov.uk

Concerns may not be solely in connection with what happens in the working environment. Where actions of an individual in their personal life may indicate that their behaviour could be a transferable, CHESS will follow the advice given by LADO.

HR must also be contacted.

The main purpose of the Adult LADO is:

- Once a referral is made or a common law disclosure is received, the Adult LADO will risk assess the situation to consider the level of risk to adults (receiving support). Where transferable risks are identified, the LADO will determine whether an employer should be contacted in relation to an allegation which could pose a transferable risk to the adults they support. This may include providing advice for the employer to undertake further investigation or minimise any risks. The LADO will ensure that the SET Safeguarding Adults Guidelines are always adhered to.
- The LADO will assist the employer to determine whether the person is suitable to continue working with adults at risk and to see each situation through until that decision has been made.
- The LADO will offer a joined-up approach between Children's and Adult's safeguarding services as necessary when responding to allegations or referrals
- Although the Care Act 2014 promotes the principles of the LADO role to cover adults at risk, the role of the Adult LADO is non-statutory.
- The Adult LADO would give consideration to situations:
 - where the person alleged to have caused harm works with adults at risk in a professional or voluntary caring role,
 - there are concerns about their behaviour which has or may have caused harm towards his/her own family member, or others.

If the person is being investigated by police for possible criminal activity and holds a position of trust in the care field then the employer may be notified through the Common Law Police Disclosure Arrangements by the Police, with the relevant local authority being copied into such letters. It is the role of the adult LADO to ensure (where the crime poses a transferable risk to adults in terms of their role) that the employer is aware of such a letter and reminded

²⁹ Essex LADO Guidance: [https://www.essexsab.org.uk/media/2960/adult-lado-guidance-march-2022-](https://www.essexsab.org.uk/media/2960/adult-lado-guidance-march-2022-1.docx#:~:text=Referrals%20can%20be%20sent%20via,a%20potential%20risk%20to%20t)

1.docx#:~:text=Referrals%20can%20be%20sent%20via,a%20potential%20risk%20to%20t hose

to risk assess the situation. If the person is dismissed or leaves their employment, then a referral must be made to the Disclosures and Barring Service.

The Children's LADO MUST be notified in situations where the individual has:

- behaved in a way that has harmed or may have harmed a child
- possibly committed a criminal offence against children, or related to a child or behaved towards a child or children in a way that indicates they may pose a risk of harm to children

The Adult LADO role applies to staff that are working with adults in the following capacity:

- Paid
- Unpaid
- Volunteers
- Casual workers
- Agency workers
- Self-employed workers

LADO responsibilities, they will:

- Make an initial assessment and will consider if anyone is at immediate risk of potential harm or exploitation. If the risk is high, they will make an informed decision to contact the employer and discuss appropriate risk management plans.
- Work in conjunction with the Police and other agencies where it is thought that a criminal offence has occurred.
- Follow progress of a situation with internal/external agencies through to conclusion
- Offer advice and support to senior managers in relation to direct employee situations
- Advise whether a safeguarding concern should be raised

The Adult LADO will not:

- Investigate the allegations themselves. They will only act in an advisory role to others to ensure appropriate action is taken.
- Act in place of the responsible employer.

Disciplinary process or assessment regarding suitability

It is not the role or function of the Adult LADO to be actively involved in any disciplinary action that is being considered

The Adult LADO will advise if a Disclosures and Barring Service referral should be made, or a referral to Social Work England, NMC and or HCPC.

The fact that a person tenders his or her resignation or ceases to provide their services must not prevent an allegation from being followed up a conclusion reached.

A so called "compromise agreement" by which a person agrees to resign, the employer agrees not to pursue disciplinary action, and both agree a form of words to be used in any future reference must not be used in situations which are relevant to these procedures.

5.2 Concerns about an adult working or volunteering with children

Where CHESS is advised or notified of concerns about an adult working or volunteering with children, the Safeguarding Lead will contact LADO for advice and support.

Concerns may not be solely in connection with what happens in the working environment. The actions of an individual in their personal life may indicate that their behaviour could be a risk of harm to children they work with e.g. perpetrators of domestic violence, neglect of their own children.

It is important that advice is taken from the LADO before commencing an internal investigation. For instance, it may not be appropriate to immediately inform an employee or volunteer that there has been an allegation or that there are safeguarding concerns. Such action could prejudice a criminal investigation.

For advice, please contact Essex duty LADO (Local Authority Designated Officer)

Telephone: 03330 139 797

(Please note this line is for allegations made against those who work with children only and is not a general line of enquiry for children's safeguarding).

Further information on the LADO can be found in the Essex LADO information leaflet on the Essex Safeguarding Children Board Website.³⁰

<https://www.escb.co.uk/media/2098/essex-lado-information-leaflet-master-updated-211019.pdf>

³⁰ ESCB, Essex Lado Information Leaflet: <https://www.escb.co.uk/media/2098/essex-lado-information-leaflet-master-updated-211019.pdf>

Appendix 6 – Roles and Responsibilities of other agencies³¹

Safeguarding Adults Boards • Hold partners to account • Monitor outcomes and effectiveness • Use data and intelligence to identify risk and act on it • Co-ordinate activity			
Social Care and Health Providers • Show leadership and routinely monitor activity • Meet the required service quality standards • Train staff in safeguarding procedures and ensure they are effectively implemented • Investigate and respond effectively to incidents, complaints and whistleblowers • Take disciplinary action against staff who have abused or neglected people in their care		Social Care and Health Commissioners • Build safeguarding into commissioning strategies & service contracts • Review and monitor services regularly • Intervene (in partnership with the regulator) where services fall below fundamental standards or abuse is taking place	
Clinicians • Apply clinical governance standards for conduct, care & treatment & information sharing • Report incidents of abuse, neglect or undignified treatment • Follow up referrals • Consult patients and take responsibility for ongoing patient care • Lead and support enquiries into abuse or neglect where there is need for clinical input.	Social Workers/Care Managers • Identify and respond to concerns • Identify with people (or their representatives or Best Interest Assessors if they lack capacity) the outcomes they want • Build managing safeguarding risks and benefits into care planning with people • Review care plans • Lead and support enquiries into abuse or neglect	Specialist Safeguarding staff • Be champions in their organisations • Provide specialist advice and co-ordination • Respond to concerns • Make enquiries • Work with the person subject to abuse • Co-ordinate who will do what – e.g. criminal or disciplinary investigations.	Police • Investigate possible crimes • Conduct joint investigations with partners • Gather best evidence to maximise the prospects for prosecuting offenders • Achieve, with partners, the best protection and support for the person suffering abuse or neglect – including victim support
Professional Regulators • Set the culture and professional standards • Apply the Fit to Practise test • Take action where professionals have abused or neglected people in their care		Care Quality Commission • Register, monitor, inspect and regulate services to make sure they provide people with safe, effective, compassionate, high-quality care • Intervene and take regulatory action on breaches • Publish findings including performance ratings	

³¹ Safeguarding Adults– Roles and Responsibilities.

<https://www.local.gov.uk/sites/default/files/documents/safeguarding-adults-roles-3e9.pdf>

Appendix 7 – Sources of Information and Support

Action on Elder Abuse

A national organisation based in London. It aims to prevent the abuse of older people by raising awareness, encouraging education, promoting research, and collecting and disseminating information.

Tel: 020 8765 7000

Email: enquiries@elderabuse.org.uk

www.elderabuse.org.uk

Adult Social Care within Essex County Council

Tel: 0345 603 76030

socialcaredirect@essex.gov.uk

Opening hours are as follows (please note the inbox is not monitored outside these hours or public holidays):

Monday-Thursday 8.30-17.00

Friday 8.30-16.30

If you are contacting outside of these hours and you require urgent support please contact the Emergency Duty Team on 0345 606 1212 or eds@essex.gov.uk

Gangmasters and Labour Abuse Authority

Tel: 0800 432 0804

www.gla.gov.uk/who-we-are/modern-slavery/

Men's Advice Line

For male domestic abuse survivors

Tel: 0808 801 0327

Modern Slavery Helpline

Tel: 0800121700

National LGBT+ Domestic Abuse Helpline

Tel: 0800 999 5428

National 24Hour Freephone Domestic Abuse Helplines

Tel: 0808 2000 247

www.nationaldahelpline.org.uk/Contact-us

Prevent Advice Line

Tel: 0800 011 3764

<https://www.gov.uk/report-terrorism>

Rape Crisis Federation of England and Wales

Rape Crisis was launched in 1996 and exists to provide a range of facilities and resources to enable the continuance and development of Rape Crisis Groups throughout Wales and England.

Email: info@rapecrisis.co.uk

www.rapecrisis.co.uk

Respond

Respond provides a range of services to victims and perpetrators of sexual abuse who have learning disabilities, and training and support to those working with them.

Tel: 020 7383 0700 or

0808 808 0700 (Helpline)

Email: services@respond.org.uk

www.respond.org.uk

Stop Hate Crime

Works to challenge all forms of Hate Crime and discrimination, based on any aspect of an individual's identity. Stop Hate UK provides independent, confidential, and accessible reporting and support for victims, witnesses and third parties.

24 hours service:

Telephone: 0800 138 1625

Web Chat: www.stophateuk.org/talk-to-us/

E mail: talk@stophateuk.org

Text: 07717 989 025

Text relay: 18001 0800 138 1625

By post: PO Box 851, Leeds LS1 9QS

Susy Lamplugh Trust

The Trust is a leading authority on personal safety. Its role is to minimise the damage caused to individuals and to society by aggression in all its forms – physical, verbal, and psychological.

Tel: 020 83921839

Fax: 020 8392 1830 Email: info@suzylamplugh.org

www.suzylamplugh.org

Victim Support

Provides practical advice and help, emotional support, and reassurance to those who have suffered the effects of a crime.

Tel: 0808 168 9111

www.victimsupport.com

Women's Aid Federation of England and Wales

Women's Aid is a national domestic violence charity. It also runs a domestic violence online help service.

www.womensaid.org.uk/information-support

Appendix 8 - References

R(Cort) v London Borough of Lambeth [2022] EWHC 1085 (Admin)

<https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees#children-adults-at-risk>

Safeguarding vulnerable groups act (2006)

<https://www.legislation.gov.uk>

Homeless reduction act (2017)

<https://www.legislation.gov.uk>

Homelessness act (2002)

<https://www.legislation.gov.uk>

Rough sleeping strategy (2018)

<https://www.gov.uk/government/publications/the-rough-sleeping-strategy>

<https://www.local.gov.uk/sites/default/files/documents/safeguarding-adults-roles-3e9.pdf>

<https://www.gov.uk/government/publications/revisiting-safeguarding-practice>

Care Act (2014)

<https://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

Mental Capacity Act (2005)

<https://www.legislation.gov.uk/ukpga/2005/9/contents>

covid 19

<https://www.scie.org.uk/care-providers/coronavirus-covid-19/safeguarding-adults>

COVID-19 adult safeguarding insight project - third report (December 2021)

<https://www.local.gov.uk/publications/covid-19-adult-safeguarding-insight-project-third-report-december-2021>

Domestic Abuse Act (2021)

<https://www.legislation.gov.uk/ukpga/2021/17/contents/enacted>

England NHS <https://www.england.nhs.uk/wp-content/uploads/2017/02/adult-pocket-guide.pdf>

The Mental Capacity (2005) Deprivation of liberty safeguards, Code of practice: <https://www.cqc.org.uk/sites/default/files/Deprivation%20of%20liberty%20safeguards%20code%20of%20practice.pdf>

DOCUMENT CONTROL

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