

Ensuring our safeguarding arrangements act
to help and protect adults

INTER-AGENCY SAFEGUARDING ADULTS POLICY

Version 4



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Revision Number	Date Approved by the Board	Change Record	Links to Other Policies	Review Date:
One	10 November 2015		All other Teeswide Safeguarding Adults Policies	April 2016
Two	18 October 2016	Annual Review	All other Teeswide Safeguarding Adults Policies	October 2017
Three	28 June 2017	Minor formatting revisions	All other Teeswide Safeguarding Adults Policies	March 2018
Four	24 April 2018	Reviewed for reference to 'Think Family'. Willful neglect added.	All other Teeswide Safeguarding Adults Policies	April 2020

1. Introduction

Safeguarding is ‘everyone’s business’

The [Care Act 2014](#) requires that Safeguarding Adults Boards assure themselves that local safeguarding arrangements are in place across their locality and that their partners act appropriately to help and protect adults from abuse and neglect. Whilst protecting adults at risk of abuse or harm will always be the main priority of the Teeswide Safeguarding Adults Board, the Board recognises the importance of raising awareness in order to prevent abuse and neglect and that partners share collective responsibility for ensuring that all efforts to keep people safe are effective and well-coordinated. In this, the role of every Board member is crucial in ensuring that the Teeswide Safeguarding Adults Board is able to meet its statutory duties by promoting the Teeswide Inter-Agency Safeguarding Policy, and when necessary holding their own organisations to account.

Making Safeguarding Personal (MSP) means that the safeguarding process should be person-led and outcome-focussed, enhancing the individual’s involvement and choice and control together with seeking to improve quality of life, wellbeing and safety.

Everyone has a responsibility to take a ‘Think Family’ approach. ‘Think Family’ is an approach that requires all agencies to consider the needs of the whole family from working with individual members of it, making sure that support provided by children’s, adults and family services is coordinated and takes account of how individual problems effect the whole family.

2. Purpose

The purpose of this policy is to outline the principles and definitions that underpin safeguarding work and to describe the statutory duties set out under the Care Act 2014. The policy is supported by the Teeswide Inter-Agency Procedures and the individual policy and procedural guidance of each partner agency.

3. Scope

This policy sets out the Teeswide Safeguarding Adults Board’s responsibilities under the Care Act 2014 to protect adults from abuse or neglect. The safeguarding duties apply to any adult who:

- has needs for care and support (whether or not the Local Authority is meeting any of those needs) and;
- is experiencing, or at risk of, abuse or neglect; and
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

The adult experiencing, or at risk of abuse or neglect will hereafter be referred to as the **adult** throughout this policy document.

For the purposes of this policy an adult is a person, aged 18 years and over who is at a greater risk of suffering abuse or neglect because of physical, mental, sensory, learning or cognitive illnesses or disabilities; and substance misuse or brain injury, and includes:

- those who purchase their care through personal budgets
- those whose care is funded by Local Authorities and/or health services
- those who fund their own care
- informal carers, family and friends who provide care on an unpaid basis
- adults who are in prison or living in approved premises on licence
- those aged between 18 and 25 years and in receipt of children’s services.

Assessments of informal carers and the adult they care for must include consideration of both their wellbeing and includes protection from abuse and neglect.¹

¹ Care Act 2014, Section 1, wellbeing

4. Policy Statement

The Teeswide Safeguarding Adults Board works in partnership to safeguard and promote the wellbeing and independence of adults living in the Boroughs of Hartlepool, Middlesbrough, Redcar & Cleveland and Stockton-on-Tees, who are experiencing, or at risk of abuse or neglect. This policy will become effective from 24 April 2018.

5. Legal Framework

This policy has been developed within the context of the law and guidance that seeks to protect adults including:

- [The Care Act 2014](#)
- [Care Act 2015 Statutory Guidance - revised March 2016](#)
- The [Mental Capacity Act 2005](#) (including Deprivation of Liberty Safeguards)
- The [Human Rights Act 1998](#)
- The [Equality Act 2010](#)
- [Mental Health Act 1983](#) and the [New Code of Practice 2015](#)
- [Serious Crime Act 2015](#)
- [Modern Slavery Act](#)
- [Criminal Justice and Courts Act 2015](#)
- [Statutory Guidance on Female Genital Mutilation.](#)

Further links to useful websites can be seen at page 11.

6. Teeswide Arrangements

The Teeswide Safeguarding Adults Board is the statutory body that sets the strategic direction for safeguarding and is responsible for protecting adults who are experiencing, or who are at risk of abuse or neglect and live in the Boroughs of Hartlepool, Middlesbrough, Redcar & Cleveland and Stockton-on-Tees. The Board does this by assuring itself of local safeguarding arrangements including how partners act to help and protect adults. It comprises inter-agency representation and oversees the implementation of work undertaken by each of its Sub-Groups. The Board is led by an Independent Chair who has responsibility for ensuring that it meets its statutory responsibilities and reports on the discharge of its functions.

Members of the TSAB include:

- Hartlepool, Middlesbrough, Redcar & Cleveland and Stockton-on-Tees Borough Councils
- Hartlepool and Stockton-on-Tees Clinical Commissioning Group and South Tees Clinical Commissioning Group
- Cleveland Police
- North Tees and Hartlepool NHS Foundation Trust and South Tees Hospitals NHS Foundation Trust
- Tees, Esk and Wear Valley NHS Foundation Trust
- North East Ambulance Service
- Cleveland Fire Brigade
- Community Rehabilitation Company, HMP Service (Holme House Prison) and National Probation Service (Cleveland)
- Care Quality Commission
- Healthwatch.

The Board also has strong links with a number of local partnerships including Health and Wellbeing Boards, Children's Safeguarding Boards, Overview and Scrutiny Committees, the Regional Quality Surveillance Group and the Community Safety Partnerships across Tees.

The structure of the Board can be seen below.

7. Teeswide Safeguarding Adults Board Structure



Key:

CE	Communication & Engagement
LTD	Learning, Training & Development
PAQ	Performance, Audit & Quality
PPP	Policies, Procedures & Practice
SAR	Safeguarding Adults Review
OL	Operational Leads

8. Who this Policy Applies To

This policy applies to all organisations and people working or volunteering with adults living in the boroughs of Hartlepool, Middlesbrough, Redcar & Cleveland and Stockton-on-Tees. Single-Agency Safeguarding Adults Policies and Procedures, including those of the Voluntary, Community and Independent Sectors must reflect the Teeswide Inter-Agency Safeguarding Adults Policy and Procedures.

Local Authorities must co-operate with each of their relevant partners as follows, and these partners must also co-operate with the Local Authority in the implementation of this policy and associated procedures:²

- Other Local Authorities
- Clinical Commissioning Groups
- Police
- NHS Trusts and NHS Foundation Trusts
- NHS England
- Department for Work and Pensions
- Prisons
- Probation Services
- Trading Standards.

In addition Hartlepool, Middlesbrough, Redcar & Cleveland and Stockton-on-Tees Councils must co-operate with other agencies or bodies as appropriate in order to exercise their safeguarding adults functions,³ including but not limited to:

- General Practitioners
- Dentists
- Pharmacists
- NHS Hospitals and Community Healthcare Services
- Housing, Health and Care Providers.

9. What We Mean by Adult Safeguarding

The Care Act 2014 Guidance describes safeguarding as the means of protecting an adult's right to live in safety, free from abuse and neglect. It further states that it is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action. Within this context, the guidance recognises that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances.

Abuse and neglect can take many forms and it is important that staff working in all organisations should not be constrained in their view of what constitutes abuse or neglect, and the circumstances of an individual case should always be considered.

It should be emphasised however that safeguarding procedures are not a substitute for:

- Providers' responsibilities to provide safe and high quality care and support;
- Commissioners regularly assuring themselves of the safety and effectiveness of commissioned services;
- The [Care Quality Commission](#) (CQC) ensuring that regulated providers comply with the fundamental standards of care or by taking enforcement action
- The core duties of the police to prevent and detect crime and protect life and property.

Abuse or Neglect may be:

- a single act or repeated acts

² Care Act 2014, Section 6 (7)

³ Care Act 2014, Section 6 (3)

- multiple in form
- a deliberate act of neglect or a failure to act
- an opportunistic act or a form of serial abusing where the perpetrator seeks out and grooms the individual(s).

The Department of Health Care and Support Statutory Guidance issued under the Care Act 2014 sets out the different types and patterns of abuse and neglect, though stresses that the list is not exhaustive, and describes the different circumstances in which they may take place.

10. Types of Abuse and Neglect

Physical Abuse	Financial or Material Abuse
Including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.	Including theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
Sexual Abuse	Psychological Abuse
Including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.	Including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.
Modern Slavery	Discriminatory Abuse
Encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.	Including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.
Organisational Abuse	Neglect and Acts of Omission
Including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.	Including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating
Self-Neglect	Domestic Abuse
This covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.	Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can be, but not limited to: psychological, sexual, financial and emotional.

11. Principles

Six key principles underpin all safeguarding adult work:

The Department of Health 'Care and Support Statutory Guidance' issued under the Care Act 2014, describes six principles that underpin all safeguarding adult work which applies to all sectors and settings including care and support services, further education colleges, commissioning, regulation and provision of health and care services, social work, healthcare, welfare benefits, housing, wider Local Authority functions and the criminal justice system. These principles should always inform the ways in which professionals and other staff work with adults.

Empowerment	People being supported and encouraged to make their own decisions and informed consent. <i>"I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens."</i>
Prevention	It is better to take action before harm occurs. <i>"I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help."</i>
Proportionality	The least intrusive response appropriate to the risk presented. <i>"I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as needed."</i>
Protection	Support and representation for those in greatest need. <i>"I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want."</i>
Partnership	Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse. <i>"I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me."</i>
Accountability	Accountability and transparency in delivering safeguarding. <i>"I understand the role of everyone involved in my life and so do they."</i>

12. Key Roles and Responsibilities

Teeswide Safeguarding Adults Board

The TSAB has 3 statutory core duties:

- to publish a strategic plan for each financial year that sets how it will meet its main objective and what the members will do to achieve this
- to publish an annual report
- to conduct any [Safeguarding Adults Review](#) in accordance with Section 44 of the Care Act.

The overarching purpose of the TSAB is to help and safeguard adults with care and support needs. It does this by:

- assuring itself that local safeguarding arrangements are in place as defined by the Care Act 2014 and its associated statutory guidance
- assuring itself that safeguarding practice is person-centred and outcome-focused
- working collaboratively to prevent abuse and neglect where possible
- ensuring agencies and individuals give timely and proportionate responses when abuse or neglect have occurred
- assuring itself that safeguarding practice is continuously improving and enhancing the quality of life of adults in its area.

Statutory partners:

The Tees Local Authorities are responsible for:

- making enquiries, or causing others to do so, if it believes an adult is experiencing, or is at risk of, abuse or neglect and is unable to protect themselves
- arranging, where appropriate, for an independent advocate to represent and support an adult who is the subject of a safeguarding enquiry or Safeguarding Adult Review (SAR) where the adult has 'substantial difficulty' in being involved in the process and where there is no other suitable person to represent and support them
- co-operating with each of its relevant partners in order to protect the adult
- invoking the [Responding to and Addressing Serious Concerns](#) and Procedure
- Coordinating local risk management processes

Hartlepool and Stockton-on-Tees Clinical Commissioning Group (CCG) and South Tees CCG are the major commissioners of local health services and are legally responsible for assuring themselves that the organisations from which they commission services have effective safeguarding arrangements in place⁶. CCGs have to demonstrate that there are appropriate systems in place for discharging their responsibilities in respect of safeguarding adults, including:

- plans to train their staff in recognising and reporting safeguarding issues.
- a clear line of accountability for safeguarding, properly reflected in the CCG governance arrangements.
- appropriate arrangements to co-operate with local authorities in the operation of the Safeguarding Adults Board.
- ensuring effective arrangements for information sharing.

Cleveland Police are responsible for:

- investigating possible crimes
- conducting joint investigations with partners
- gathering best evidence to maximise the prospects for prosecuting offenders
- achieving, with partners, the best protection and support for the person suffering abuse or neglect – including victim support.⁹

All partners

All partners of the Board including those listed on page three will:

- Assure themselves that commissioned services comply with the duty to correct where responsibility lies when abuse or neglect is carried out by employees, or in a regulated care setting, such as a care home, hospital or college; and protect such adults from harm as soon as possible.
- comply with the inter-agency arrangements
- cooperate with the local authority, in the exercise of their functions relevant to care and support including those to protect adults.⁷
- comply with the TSAB [Information Sharing Agreement](#)
- implement Making Safeguarding Personal (MSP) within their organisation
- have a designated safeguarding lead
- ensure they have robust processes in place to address issues relating to professional malpractice
- comply with the [Professional Challenge procedure](#).

Adult who has been or is at risk of abuse or neglect

The adult must be involved from the beginning of safeguarding procedures unless there are exceptional circumstances, and where possible their consent should be sought prior to concerns being shared on an inter-agency basis. The adult's (or their representative's) views and wishes including their desired outcomes must be considered as part of the ongoing procedures (Enquiry).

Family involvement

Where the adult has mental capacity to make decisions about Safeguarding Concerns, involvement of family, friends or informal carers should be agreed with the adult. In any case where the adult does not have mental capacity, family, friends or informal carers must be consulted in accordance with the Mental Capacity Act 2005 and [MCA/DoLS policy and procedure](#).

The Local Authority has a duty to involve an appropriate person to facilitate an adult's involvement in the safeguarding adult's process if it is deemed that they would have substantial difficulty in participating themselves.

Advocacy

As part of the safeguarding adults procedure consideration must be given as to whether the adult may benefit from the support of an independent advocate.

Where the adult has substantial difficulty in participating in the safeguarding adults process, and there is no other appropriate person to assist them,⁴ under the Care Act 2014 independent advocacy must be arranged by the Local Authority. The details of local arrangements for advocacy are held by each Local Authority.

13. Inter-Agency Arrangements

Each partner agency may have its own internal safeguarding adult's policy and procedural guidance, which describes their interconnection with the Teeswide Inter-Agency Safeguarding Adults Policy and Procedures. The roles and responsibilities of each partner organisation and their staff are described and contained within these documents.

Where the adult is placed out of the area for their care and support and a safeguarding concern is raised, the hosting authority will take responsibility for leading on the Section 42 enquiry. [Out of Area Arrangements](#)

14. Related Policies, Procedures and Safeguarding Offences

Safeguarding Children

Local Child Protection Procedures apply to people who are under the age of 18. More information can be found at:

- [Hartlepool Safeguarding Children Board](#)
- [Middlesbrough Safeguarding Children Board](#)
- [Redcar & Cleveland Safeguarding Children Board](#)
- [Stockton-on-Tees Safeguarding Children Board](#)

A Teeswide protocol is in place to outline the working arrangements between adults and children workforce in relation to safeguarding issues. [Safeguarding and promoting the welfare of children and adults at risk of abuse](#)

Domestic Abuse (MARAC)

The role of the Multi-Agency Risk Assessment Conference (MARAC) is to provide a consistent approach to the risk assessment of those individuals that have been identified at the highest risk of serious harm from domestic abuse in order to safeguard them and to enable appropriate actions to be taken to increase public safety.

The MARAC facilitates, monitors and evaluates effective information sharing between representatives of the local police, probation, health, child protection, housing practitioners, Independent Domestic Violence Advisors (IDVAs) and other specialists from the statutory and voluntary sectors and works on the assumption that no single agency or individual is able to see the complete picture of the life of a potential victim, but all may have insights that are crucial to their safety. The MARAC arrangements on Tees follow national guidance.

The offence of coercive and controlling behaviour in intimate and familial relationships was introduced into the Serious Crime Act 2015. The offence imposes a maximum 5 years imprisonment, a fine or both. The offence closes a gap in the law around patterns of coercive and controlling behaviour during a relationship between intimate partners, former partners who still live together, or family members.⁸

⁴ Care Act 2014, Section 68

⁸ Care Act 2014, Section 14.12

Multi Agency Public Protection Arrangements (MAPPA)

Inter-Agency Public Protection Arrangements are a set of arrangements to manage risk posed by the most serious sexual and violent offenders under the provisions of the Criminal Justice Act 2003. They bring together the Police, Probation and Prison Services into MAPPA responsible authorities. A number of other agencies are under a duty to co-operate (DTC) with the responsible authority including Social Services and Health Trusts. Like MARAC, there is no local aspect to MAPPA and the national arrangements can be seen at: [Multi-Agency Public Protection Arrangements](#).

Hate Crime

Hate crime involves any criminal offence which is perceived by the victim or any other person to be motivated by hostility or prejudice based on a personal characteristic. The definition covers five main strands:

- disability
- gender identity
- race
- religion or faith
- sexual orientation

Cleveland Police has launched a new website for victims of hate crime which includes an online reporting form to enable victims to report hate crime online. The website, called True Vision, is supported by all police forces in England, Wales and Northern Ireland and provides information for victims and the public about what hate crime is and why it is important to report it, together with setting out the range of ways hate crimes can be reported, including via a new online reporting form. The site also provides links to organisations that can offer support and advice on hate crime related issues and can be accessed at: [True Vision](#).

Mate Crime

Mate Crime is the exploitation, abuse or theft from an adult by those they consider to be their friends. Those that commit such abuse or theft are often referred to as 'fake friends'." Mate crime is most prevalent when the victim suffers with a mental disability and is especially common when that disability is Autism or Asperger's. The following link provides further information: [Mate Crime](#)

Wilful Neglect

An intentional or deliberate omission or failure to carry out an act of care by someone who has care of a person who lacks (or whom the person reasonable believes lacks) capacity to care for themselves. Section 44 of the Mental Capacity Act introduced a new offence of wilful neglect of a person who lacks capacity.

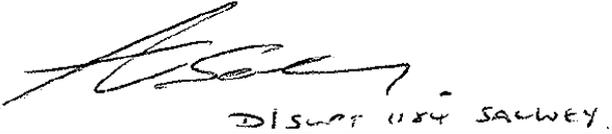
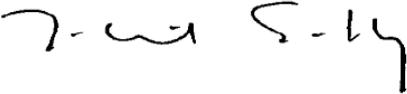
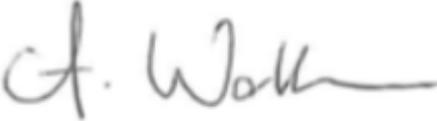
PREVENT

The Counter-Terrorism and Security Act 2015, incorporates a duty for those authorities listed in Schedule 6 of the Act to have due regard to the need to prevent people from being drawn into terrorism. Authorities listed in Schedule 6 of the Act include; Local Authorities, Health Trusts, Foundation Trusts, Prisons, Schools and educational establishments. The Act makes provision in relation to terrorism and specifies that agencies must monitor their PREVENT activity and evidence that mechanisms are in place to identify risk, to record potential risks, to raise awareness and incorporate appropriate training. PREVENT aims to stop people becoming terrorists or supporting terrorism.

A Counter Terrorism Local Profile is produced annually by the Police and across Tees a PREVENT action plan has been developed. Part of this action plan relates to the Channel Programme. This highlights the need for Local Authorities to liaise with the appropriate agencies if they have concerns regarding vulnerable people whom they believe have the potential to be influenced or radicalised. In the event of any concerns being highlighted a 'Channel Panel' is convened, which brings together the necessary partner agencies, including Local Authorities, Police and CCGs.

The PREVENT/ Channel referral process can be found here: [Referral Process](#)

15. Signatories

Statutory Partners	Signature
Cleveland Police	 DISPUT URY SAWEY.
Hartlepool Borough Council	
Middlesbrough Borough Council	
Redcar & Cleveland Borough Council	
Stockton-on-Tees Borough Council	
Clinical Commissioning Groups (Hartlepool, Stockton-on-Tees and South Tees)	

16. Links to Useful Websites

Making sure the Care Act works

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/365345/Making_Sure_the_Care_Act_Works_EASY_READ.pdf

'What the Care Act 2014 will mean for safeguarding a legal view'

<http://www.communitycare.co.uk/2014/03/03/care-act-2014-will-mean-safeguarding-legal-view/>

Age UK fact sheet: Safeguarding Older People from Abuse

http://www.ageuk.org.uk/Documents/EN-GB/Factsheets/FS78_Safeguarding_older_people_from_abuse_fcs.pdf?dtrk=true

North East Safeguarding Adults Network

<http://www.safeguardingadultsne.com/>

Links to Safeguarding Adult Boards around Britain

<http://www.childprotectioncompany.com/CPC/local-safeguarding-adults-boards>

The Office of the Public Guardian's policy on protecting adults at risk of abuse or neglect

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/349100/OPG_safeguarding_policy.pdf

Safeguarding vulnerable adults – a tool kit for general practitioners

<http://bma.org.uk/-/media/Files/PDFs/Practical%20advice%20at%20work/Ethics/safeguardingvulnerableadults.pdf>

Think child, think parent, think family: a guide to parental mental health and child welfare

<https://www.scie.org.uk/publications/guides/guide30/>

A web resource for mate crime

<http://www.whorya.co.uk/>

17. Appendix

Glossary

CCG	Clinical Commissioning Group
CPS	Crown Prosecution Service
CQC	Care Quality Commission
CSP	Community Safety Partnership
DH	Department of Health
DTC	Duty to Co-operate
DWP	Department of Work and Pensions
HBC	Hartlepool Borough Council
HWB	Health and Wellbeing Board
IDVA	Independent Domestic Violence Advisor
IMCAs	Independent Mental Capacity Advocates
LSCB	Local Safeguarding Children's Board
MAPPA	Multi-Agency Public Protection Arrangements
MARAC	Multi-Agency Risk Assessment Conference
MBC	Middlesbrough Borough Council
MCA	Mental Capacity Act
MHA	Mental Health Act
MHA COP	Mental Health Act Code of Practice
MSP	Making Safeguarding Personal
NEAS	North East Ambulance Service
NHS	National Health Service
QSG	Quality Surveillance Group
RCBC	Redcar & Cleveland Borough Council
SAB	Safeguarding Adults Board
SAR	Safeguarding Adults Review
SBC	Stockton-on-Tees Borough Council
TSAB	Teeswide Safeguarding Adults Board
Tees	Refers to the boroughs of Hartlepool, Middlesbrough, Redcar & Cleveland and Stockton-on-Tees