



# Safeguarding Adults, Children and Young People Policy

## England and Wales

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## Summary Table

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## Document History

Date	Document Version	Document Revision Description	Document Author	Approved By
Dec 19	1.0	Completion of Adults and Young Children Safeguarding Policies into one document. Organisation and DSO contact details updated	P Melvin	Stuart Milne
April 2020	2.0	Updated to reflect business organisation name change	P Melvin	Stuart Milne
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## 1. Introduction

Safeguarding describes the measures put in place to protect a person's right to live in safety, free from abuse and neglect, particularly adults and children who are at risk of abuse or neglect due to the actions (or lack of action) of another person.

Maximus has a duty to ensure that appropriate policies and supporting procedures and guidelines are in place to comply with legislations, enabling children, young people and adults at risk are kept safe.

This policy describes the management systems and processes in place to create and maintain a safe, welcoming, and supportive environment for all individuals where they can succeed and feel secure.

This policy will provide the assurances that Maximus meets its legal requirements to safeguarding by providing a transparent organisational approach to safeguarding and the protection of children, young people, and adults at risk.

This policy should be read in conjunction with the e-Safety Policy and refer to additional relevant organisation policies and procedures such the Equality, Diversity and Inclusion Policy, Health and Safety Wellbeing Policy, Dignity at Work Policy, Whistleblowing Policy and Data protection policies and procedures.

## 2. Purpose

The purpose of this policy is to:

- Ensure that safety and wellbeing of children, young people and adults at risk when accessing Maximus services.
- Provide the overarching principles that guides our approach to safeguarding individuals.
- Ensure that a clear and effective robust safeguarding incident reporting procedure is in place which is communicated across the business and to individuals who access our services.
- Ensure that, as an organisation, we operate in line with our values and within current legislation.

## 3. Scope

- This policy applies to all persons who have authorised access to all Maximus services in England and Wales.
- This includes those providing services on behalf of the organisation such as service delivery partners, casual workers and agency staff, consultants, contractors, and volunteers. This also includes parents/carers or visitors.

## 4. Definitions

Term	Definition
<b>Adult</b>	An individual who is over the 18 years of age.
<b>Child / Young Person</b>	An individual who has not reached 18 years of age.
<b>Adult at risk</b>	An individual aged 18 years or over who may need community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of their self or unable to protect their self against significant harm or exploitation.
<b>Disclosure and Barring Service (DBS)</b>	The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions each year by processing and issuing DBS checks for England, Wales, the Channel Islands, and the Isle of Man. DBS also maintains the Adults' and Children's Barred Lists and makes considered decisions as to whether an individual should be included on one or both of these lists and barred from engaging in regulated activity.
<b>Disclosure and Barring Service (DBS) check</b>	<p>Disclosure and Barring Service check is a way for employers check your criminal record, to help decide whether you are a suitable person to work for them. This includes deciding whether it is suitable for you to work with children or at risk adults.</p> <p>The four levels of DBS check are:</p> <ul style="list-style-type: none"> <li>• Basic DBS check</li> <li>• Standard DBS check</li> <li>• Enhanced DBS check</li> <li>• Enhanced with Barred List(s) DBS check.</li> </ul> <p>The information contained on each type of check is different.</p>
<b>Regulated Activity (RA)</b>	The term used to describe certain functions that are carried out by an individual as part of their role that would require them to have an Enhanced DBS Check with a check against the relevant barred

	<p>lists. There are six categories that define Regulated Activity with Adults:</p> <ul style="list-style-type: none"> <li>• Providing Health Care to an adult including palliative care, psychotherapy, and counselling</li> <li>• Providing Personal Care to an adult in the form of feeding, washing or toileting etc.</li> <li>• Providing Social Work to an adult in connection with health services or social services</li> <li>• Conveying an adult to or from Health Care, Personal Care, or Social Work appointments</li> <li>• Assisting an adult in the conduct of their own affairs under a formal appointment</li> <li>• Assisting an adult with general household matters such as managing cash, paying bills or shopping on their behalf.</li> </ul> <p>For both RA with Adults and RA with Children, any activity that is carried out in the course of family relationships and personal, non-commercial relationships is not classed as Regulated Activity.</p> <p>For more information about regulated activity with children, please see the <a href="#">DBS Guide</a>.</p>
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## 5. Roles and Responsibilities

Role	Responsibilities
<b>Designated Safeguarding Lead (DSL)</b>	<ul style="list-style-type: none"> <li>• Have clear and robust safeguarding policy and procedures in place for responding to any safeguarding concerns.</li> <li>• Ensure processes are aligned to current legislation, statutory and other guidance with regards to safeguarding children, young people and adults at risk.</li> <li>• To ensure there is a mechanism to report safeguarding concerns with partner</li> </ul>

	<p>organisations and those who provide services on our behalf.</p> <ul style="list-style-type: none"> <li>• Making sure that responses take the needs of the person experiencing abuse, any bystanders, and the whole organisation into account.</li> <li>• Design and implementation of high-quality safeguarding training to designated safeguarding advocates.</li> <li>• To consult with business leaders to ensure that colleagues have completed the annual safeguarding training and are fully informed of safeguarding responsibilities.</li> <li>• Collaborating with safeguarding advocates across the business to raise awareness of safeguarding concerns and to take the appropriate action.</li> <li>• To take the lead role in safeguarding concerns and reporting to the relevant members of Senior Leadership on a quarterly basis.</li> <li>• Management of the Designated Safeguarding Officers including (but not limited to) ensuring appropriate training and delegation of tasks.</li> </ul>
<p><b>Designated Safeguarding Officer (DSO)</b></p>	<p>Support the Designated Safeguarding Lead in their role including:</p> <ul style="list-style-type: none"> <li>• Maintaining and reviewing the safeguarding policies and procedures.</li> <li>• Ensuring safeguarding policies and procedures are followed.</li> <li>• Providing support and be available to staff to discuss any safeguarding issues or concerns.</li> <li>• Recording and reporting safeguarding concerns including monitoring trends.</li> <li>• Ensuring staff are appropriately trained and know how to identify and raise concerns.</li> </ul>

<p><b>Safeguarding Advocates</b></p>	<p>The Safeguarding Advocate will proactively promote Safeguarding for the site through the following tasks:</p> <ul style="list-style-type: none"> <li>• Have knowledge and understanding of the Safeguarding Policy and Processes.</li> <li>• Share best practices during team meetings and conference calls.</li> <li>• Communicate the safeguarding approach to colleagues at a local level.</li> <li>• Encourage new colleagues to complete the mandatory safeguarding training - although it is the responsibility of the manager to check that all required training has been completed.</li> <li>• Support colleagues with the updates to the local and national support services lists, available to individuals at risk.</li> <li>• Update your team with monthly information distributed via <a href="mailto:safeguarding@maximusuk.co.uk">safeguarding@maximusuk.co.uk</a> at team meetings or monthly conference calls.</li> <li>• Discuss safeguarding disclosure cases (ensuring that they are anonymised) with the team to support in team development and confidence in dealing with safeguarding disclosures.</li> <li>• Support individual colleagues in the completion of the safeguarding report forms, where applicable, and email all reports to <a href="mailto:safeguarding@maximusuk.co.uk">safeguarding@maximusuk.co.uk</a>. The safeguarding report will be ongoing until both Advocate and Designated Safeguarding Officer agree case closure.</li> </ul>
<p><b>Maximus Colleagues</b></p>	<ul style="list-style-type: none"> <li>• Ensure that you understand this policy and have successfully completed the safeguarding e-learning module annually.</li> <li>• Always promote and follow the organisation’s mission and values, including professionalism in the use of their own technology.</li> </ul>

- Support and encourage children, young people and adults accessing our services to behave in a way that keeps them safe and shows respect for others.
- Maintain a transparent and professional relationship with participants who access our services which stand up to scrutiny. Take care never to place yourself in a situation which may result in your integrity being questioned e.g., by entering a personal relationship with a customer.
- It is best practice not to engage socially with individuals who access the services; colleagues must not place themselves in a position in which there could be allegations of misconduct or abuse.
- Do not undertake regulated activities in relation to a child, young person or adult at risk unless this is a necessary part of your role and you have passed an enhanced DBS check, including the information held on the DBS barred lists.
- Ensure individuals who access our services are aware that there will be a zero tolerance in relation to any forms of abuse.
- Inform your line manager of any criminal charges or convictions committed outside of working hours.
- Report any safeguarding concerns in accordance with safeguarding reporting procedures.



## 6. Core Safeguarding Obligations

Maximus has both statutory and contractual obligations to safeguarding to meet the requirements of:

- The Safeguarding Vulnerable Groups Act 2006
- Protection of Freedoms Act 2012
- The Care Act 2014 (updated in 2016)
- Mental Capacity Act 2005
- Equality Act 2010
- Prevent Duty Guidance
- Children's Act 1989 and 2004 to be read in conjunction with Working together to Safeguard Children (July 2022)

## 7. Safeguarding Adults

Safeguarding means protecting a person's right to live in safety, free from abuse and neglect. Safeguarding is about protecting certain people who may be at risk of abuse or neglect due to the actions (or lack of action) of another person.

Abuse and neglect might be carried out by anyone in contact with adults, even by those employed to provide care or support including (but not limited to):

- Spouses, friends, family, and neighbours.
- People employed to provide care or support.
- Paid staff or professionals.
- Volunteers.
- Strangers.

### a) Adult Safeguarding Principles

The six principles of adult safeguarding, as set out by The Care Act are as follows:

- **Empowerment:** People are 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:** Services offer local solutions through working closely with their communities. Communities have a part to play in preventing, detecting, and reporting neglect and abuse.
- **Accountability:** Accountability and transparency in delivering safeguarding.

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## b) Types of Abuse

The Care Act recognises 10 categories of abuse that may be experienced by adults which are as follows:

- **Physical Abuse:** Any deliberate act of force against a person that results in physical harm, injury, or trauma. Also misuse of medication, withholding of food and incorrect use of restraint against a person.
- **Psychological/Emotional Abuse:** Types of behaviour that involves emotional mistreatment of a person, such as threats of harm or abandonment, enforced social isolation, not respecting privacy, intimidations, cyber-bullying, harassing someone about imagined or false claims.
- **Sexual Abuse:** Forcing, pressuring or tricking someone into taking part in or witnessing sexual activity. Can include rape, indecent exposure, inappropriate looking, touching, harassment, teasing and innuendo. Can appear in relationships and includes regulating access to birth control.
- **Discrimination:** Treating someone unequally because of their protected characteristic as per the Equality Act 2010. Can include derogatory comments, denying access to services, healthcare, education or employment and hate crime.
- **Financial Abuse:** Misusing money to control a person's actions and their freedom, using their funds or belongings without their permission. Can include scams, theft, fraud, coercion or the misuse or misappropriation of property, possessions or benefits.
- **Neglect:** Acts of omission that occur when somebody who has responsibility for the care of a person fails to provide adequate type of care that person requires. Can include not providing food, shelter, clothing, care, but also mistreatment or ignoring specific individual preferences or needs.
- **Self–Neglect:** When an individual fails or refuses to take care of own basic needs. It includes lack of self-care, hoarding, refusal of medical treatment or failing to seek help from professional services, as well as inability or unwillingness to manage own personal affairs. Might stem from mental health, addiction or lack of mental capacity.
- **Modern Slavery:** Acts of recruitment, movement or harbouring people through use of force, coercion, abuse of power, deception for the purpose of exploitation. Includes slavery, human trafficking, forced labour and domestic servitude and can encompass different types of abuse.
- **Domestic Abuse:** Takes place between intimate partners or family members and encompasses controlling, coercive or threatening behaviour and violence. It can include other types of abuse, such as physical, psychological, sexual and

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financial, as well as “honour-based”, including forced marriage.

- **Organisational or Institutional Abuse:** Prioritising organisational needs over those in their care, service users or people the organisation supports.

There are five additional types of harm that are not included in The Care Act but are also relevant to safeguarding adults.

- **Radicalisation:** An individual is targeted to support extremist ideologies associated with terrorist groups.
- **Cyber Bullying:** Cyber bullying occurs when someone repeatedly makes fun of another person online, or repeatedly picks on another person through emails or text messages.
- **Forced Marriage:** This is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will.
- **Mate Crime:** A “mate crime” is when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them.
- **Self-harm:** Self-harm is when a person harms themselves intentionally. A person may harm themselves for a variety of different reasons such as dealing with difficult feelings, painful memories or overwhelming situations and experiences.

## 8. Safeguarding Children and Young People

Safeguarding and promoting the welfare and wellbeing of children is defined as:

- Protecting children from maltreatment.
- Preventing impairment of children’s health or development.
- Ensuring children experience safe and effective care.
- Taking action to enable children to have the best outcomes.

The main types of abuse that children and young people can experience are:

- **Physical Abuse:** Intentionally causing physical harm to a child or young person. It also includes fabricating the symptoms of an illness or causing a child to become unwell.
- **Emotional Abuse:** Involves the continual emotional mistreatment of a child, also called psychological abuse. Emotional abuse can involve deliberately trying to scare, humiliate, isolate, or ignore a child. ‘Active’ emotional abuse can include things like ‘bullying’ and ‘passive’ emotional abuse could take the forms of ignoring

or displaying distinct lack of emotion. Emotional abuse is impacting on children and young people witnessing domestic abuse.

- **Neglect:** The continuous failure to meet a young person or child's basic needs and the most common form of child abuse. A child might be left hungry or dirty, or without proper clothing, shelter, supervision, or health care. Types of neglect are physical, emotional, educational, and medical.
- **Sexual Abuse:** Children are sexually exploited for money, power, or status e.g., forced sexual activity. Young People and Children may not be aware of the abuse, or what they are experiencing is abuse or that it is wrong. Sexual abuse can be through the following two ways:
  - **Contact:** The abuser makes physical contact with a young person or a child
  - **Non-Contact:** A young person or child is abused without being touched by the abuser either in person or online.
- **Online Abuse:** Being online is an integral part of children and young people's lives. Social media, online games, websites, and apps can be accessed through mobile phones, computers, laptops, and tablets. The use of technology has become a significant component of many safeguarding issues, such as: child sexual /criminal exploitation /serious youth violence/radicalisation, sexual predation, and cyber-bullying.

#### a) Child Protection Plan

- **Child Protection** is a term used to describe the activity that is undertaken to protect specific children who are suffering or likely to suffer significant harm.
- **Child Protection Plan** is completed by the local authority and sets out the action of how the child can be kept safe and what support needs are required to ensure improvements.

A child protection plan may include children and young people who have been assessed as at risk by education of local authorities, including those receiving support from children's social services, or those at risk of becoming NEET (not in employment, education, or training), and young carers. It is the organisation's duty to ensure that any identified actions are supported to ensure continuous improvement for the children or young person's situation.

## 9. Disclosure and Barring Service

Refer to [Disclosure and Barring Service guidelines](#) for additional information.

- The Disclosure and Barring Service (DBS) which covers England and Wales maintain lists of individuals who are barred from working with children, young people and adults at risk.

- It is a criminal offence to knowingly allow a barred individual to work in a regulated activity with children, young people, or adults at risk.
- Where a role involves conducting regulated activities with children, young people and adults at risk, we will apply for an enhanced DBS check, which includes information held on the DBS barred lists.
- When an employee in a regulated activity has resigned or been dismissed, or would have or could have been dismissed because of potential harm to a child, young person or adults at risk Maximus has a duty to refer this information to the DBS.

## 10. Safer Recruitment

### a) Recruitment and Selection

- All job offers must be made subject to the necessary checks and wherever reasonably practicable all relevant checks will be completed prior to appointment to the role (internal or external).
- Where a role is identified as involving regulated activity with at risk groups, the successful applicant will be asked to undergo an enhanced check to include a check of the appropriate barred list.
- The DBS will send the certificate to the applicant, and we will request to view the document.
- Under no circumstances will we ask for a barred list check unless the role involves regulated activity with at risk individuals; to do so for any other roles would be a criminal offence.
- If the successful applicant refuses to undergo an enhanced DBS and barred list checks, they will not be appointed to the role.
- As part of the induction process, new starters will be made aware of the organisation's safeguarding arrangements and will provide the necessary safeguarding training.
- Prior to the engagement of partners, casual workers, agency staff, consultants, contractors and volunteers, confirmation of an enhanced DBS and barred list checks must be provided if they are to be involved in regulated activity.

### b) Checks of Existing Employees

- All employees in job roles involving regulated activity with at risk groups is subject to an enhanced DBS and barred list check.

- Where a new role is created or a role changed to involve regulated activity, HR is notified, and an enhanced DBS and barred list check must be completed.
- A refusal to undergo an enhanced DBS and barred list check, if required, may result in the employee being unable to continue in the role.
- Under no circumstances will the organisation request a barred list check, unless the role involves regulated activity with at risk groups; to do so for any other role would be a criminal offence.

### **c) Placing Participants with Third Party Organisations**

- We will take reasonable steps to safeguard individuals placed with third party employers, whilst recognising that the overall responsibility for safeguarding rests with the host employer.
- We will ensure the third-party employer is aware of the procedure to follow if a safeguarding issue is identified in the workplace.
- We will proactively seek regular feedback to monitor the success of the placement which will allow the customer to raise any safeguarding concerns with us.

## **11. Resolving Safeguarding Concerns**

- A safeguarding concern is when you believe a child, young person or adult or colleague is at risk, or has been subjected to harm, damage, or abuse.
- All colleagues are expected to report any safeguarding concerns at the earliest opportunity without fear of repercussion.
- To help recognise the signs of potential abuse and respond appropriately to the individual at risk making an allegation of abuse, please refer to the Safeguarding SharePoint and Safeguarding Process.
- We will do our utmost to maintain confidentiality when dealing with safeguarding concerns by informing only those parties who need to know.
- We will escalate certain safeguarding to one or more of the following as appropriate, DBS, Social Services, GP and the emergency services. This will depend on the safeguarding concern and the nature of the disclosure. Contractual arrangements may mean it is appropriate to report safeguarding concerns to the relevant prime or sub-contract provider. This can be conducted by the line manager or the HR Business Partner (in relation to colleagues), a Safeguarding Advocate (in relation to customers).

- The Designated Safeguarding Lead is notified prior to involving relevant authorities, who will advise the relevant member of senior leadership.

## 12. Safeguarding concerns about Participants

If the concern relates directly to a participant, you must refer the matter to your line manager and the designated safeguarding advocate in your area. The Safeguarding Advocates provide advice, guidance and action required. All Safeguarding concerns are escalated to the Safeguarding Team (Including the Designated Safeguarding Lead) who monitor and, when appropriate, authorise closure of the safeguarding incident.

## 13. Complaints from External Parties

- Complaints from external parties including customers should be raised via email to [qualitymatters@remploy.co.uk](mailto:qualitymatters@remploy.co.uk) or [Quality@maximusuk.co.uk](mailto:Quality@maximusuk.co.uk).
- Participants will be advised of this process during their initial interview with the organisation.

## 14. Training and Awareness

- We will ensure colleagues and volunteers receive appropriate training and ongoing awareness. All customer-facing colleagues are required to complete safeguarding mandatory training via an e-learning module as part of the induction process; colleagues are expected to repeat the e-learning annually. Prevent e-learning is also available and mandatory for any educational contracts or any colleagues who work with customers under the age of 18. This is equivalent to level 2 safeguarding training.
- Safeguarding advocates receive safeguarding training delivered by the Designated Safeguarding Officer/s and/or Designated Safeguarding Lead. This is equivalent to level 3 safeguarding training.
- The Designated Safeguarding Officers and the Designated Safeguarding Lead receive formal, accredited, level 3 safeguarding Training.

## 15. Reporting

- On a quarterly basis, safeguarding reporting data is analysed for trends and themes and an appropriate action plan developed by the Designated Safeguarding Officer/s and/or Designated Safeguarding Lead. This is documented within a Quarterly Safeguarding Report.

- The Quarterly Safeguarding report is reviewed and approved by the Designated Safeguarding Lead and the appropriate member/s of Senior Leadership.
- The action plan is reviewed each quarter.