



Safeguarding Policy

'Safeguarding is Everyone's Responsibility'

Revision 5.0

Review date: October 2026

Signed off by: Phoenix Board of Trustees

Next Review date: October 2027

Adults at Risk Safeguarding Policy

Introduction

Phoenix Enterprises (Swindon) Ltd (hereafter: Phoenix) is committed to ensuring that people with vulnerabilities are not abused and that working practices minimise the risk of abuse.

It is a fundamental right of every person that they may live a life free from abuse and in safety. It is incumbent upon all of us to act as good citizens, to look out for one another and help prevent isolation. Isolation can easily lead to abusive situations and put adults at risk of harm.

Phoenix is committed to working with the main statutory agencies – local councils, the police and the NHS and other local voluntary organisations to promote safer communities, prevent harm and abuse and to deal with suspected or actual cases of abuse.

Our procedures aim to make sure that the safety, needs and interests of adults at risk are always respected and upheld, having regard for their views, wishes, feelings and beliefs in deciding upon any action.

All Trustees, Staff and Volunteers have a duty of care, in all roles and settings within Phoenix and are the frontline in preventing abuse or harm from occurring. It is also important to encourage and empower the person at risk to take action where concerns arise where it is safe to do so.

Safeguarding duties apply regardless of whether a person's care and support needs are being met, whether by the local authority or anyone else. They also apply to people who pay for their own care and support services.

An adult with care and support needs may be:

- an older person
- a person with a physical disability, a learning difficulty or a sensory impairment
- someone with mental health needs, including dementia or a personality disorder
- a person with a long-term health condition
- someone who misuses substances or alcohol to the extent that it affects their ability to manage day-to-day living.

At Phoenix we recognise that some of our Service Users may experience trauma because of what they have been through in their lives. They may be socially isolated. They are also statistically more likely to be at risk of financial abuse, therefore making them a likely target for exploitation. They may also lack skills to

communicate their needs clearly. Consequently, they may find it difficult to protect themselves from abuse and/or exploitation.

The practices and procedures within this policy are based on the Charity Commission and Government Guidelines and the following UK legislation – The Care Act 2014, Mental Capacity Act 2005 and the Safeguarding Vulnerable Groups Act 2006.

Our approach to safeguarding

Phoenix follows the six principles of adult safeguarding set out in the Care Act statutory guidance: Empowerment, Prevention, Proportionality, Protection, Partnership and Accountability.

We adopt a Making Safeguarding Personal approach. Wherever possible, the adult will be involved in decisions about them, asked what outcomes they want and supported to understand their choices. Our response will be proportionate to the risk and will take account of the person's wishes, mental capacity, safety and the safety of others.

Types of Abuse

There are different types of abuse, including:

- **Physical Abuse** – examples include: Assault; hitting, slapping, punching, kicking, hair-pulling, biting, pushing; Rough handling; Scalding and burning; Physical punishments; Inappropriate or unlawful use of restraint; Making someone purposefully uncomfortable (e.g. opening a window and removing blankets); Involuntary isolation or confinement; Misuse of medication (e.g. over-sedation); Forcible feeding or withholding food; Unauthorised restraint, restricting movement (e.g. tying someone to a chair).
- **Domestic Violence or Abuse** – examples include any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between family members aged 16 or over. Domestic violence or abuse can be characterised by any of the indicators of abuse outlined in this briefing relating to: psychological, physical, sexual, financial, and emotional.
- **Sexual Abuse** – examples of sexual abuse include the direct or indirect involvement of the adult at risk in sexual activity or relationships, which they do not want or have not consented to. Examples include: Rape, attempted rape or sexual assault; Inappropriate touch anywhere; Non-consensual masturbation of either or both persons; Non-consensual sexual penetration or attempted penetration of the vagina, anus or mouth; Any sexual activity that the person lacks the capacity to consent to; Inappropriate looking, sexual

teasing or innuendo or sexual harassment; Sexual photography or forced use of pornography or witnessing of sexual acts; Indecent exposure.

- **Psychological or Emotional Abuse** – examples include: Enforced social isolation – preventing someone accessing services, educational and social opportunities and seeing friends; Removing mobility or communication aids or intentionally leaving someone unattended when they need assistance; Preventing someone from meeting their religious and cultural needs; Preventing the expression of choice and opinion; Failure to respect privacy; Preventing stimulation, meaningful occupation or activities; Intimidation, coercion, harassment, use of threats, humiliation, bullying, swearing or verbal abuse; Addressing a person in a patronising or infantilising way; Threats of harm or abandonment; Cyber bullying.
- **Financial and Material Abuse** – examples include: Theft of money or possessions; Fraud, scamming; Preventing a person from accessing their own money, benefits or assets; Employees taking a loan from a person using the service; Undue pressure, duress, threat or undue influence put on the person in connection with loans, wills, property, inheritance or financial transactions; Arranging less care than is needed to save money to maximise inheritance; Denying assistance to manage/monitor financial affairs; Denying assistance to access benefits; Misuse of personal allowance in a care home; Misuse of benefits or direct payments in a family home; Someone moving into a person's home and living rent free without agreement or under duress; False representation, using another person's bank account, cards or documents; Exploitation of a person's money or assets, e.g. unauthorised use of a car; Misuse of a power of attorney, appointeeship or other legal authority; Rogue trading – e.g. unnecessary or overpriced property repairs and failure to carry out agreed repairs or poor workmanship
- **Online/Digital Abuse and Exploitation** – examples include online grooming; romance or friendship scams; coercion, threats or exploitation through social media, messaging or other online platforms; identity theft; pressure to send money, images or personal information; and 'mate crime', where someone befriends or appears to befriend a person in order to exploit or abuse them, whether online or in person.
- **Modern Slavery** - examples include human trafficking; forced labour; domestic servitude; sexual exploitation, such as escort work, prostitution and pornography; debt bondage – being forced to work to pay off debts that realistically they never will be able to.
- **Discriminatory Abuse** - examples include: Unequal treatment based on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation (known as 'protected characteristics' under the Equality Act 2010); Verbal abuse,

derogatory remarks or inappropriate use of language related to a protected characteristic; Denying access to communication aids; Not allowing access to an interpreter, signer or lip-reader; Harassment or deliberate exclusion on the grounds of a protected characteristic; Denying basic rights to healthcare, education, employment and criminal justice relating to a protected characteristic; Substandard service provision relating to a protected characteristic.

- **Organisational or Institutional Abuse** – examples include: Discouraging visits or the involvement of relatives or friends; Run-down or overcrowded establishment; Authoritarian management or rigid regimes; Lack of leadership and supervision; Insufficient Staff or high turnover resulting in poor quality care; Abusive and disrespectful attitudes towards people using the service; Inappropriate use of restraints; Lack of respect for dignity and privacy; Failure to manage residents with abusive behaviour; Not providing adequate food and drink, or assistance with eating; Not offering choice or promoting independence; Misuse of medication; Failure to provide care with dentures, spectacles or hearing aids; Not taking account of individuals' cultural, religious or ethnic needs; Failure to respond to abuse appropriately; Interference with personal correspondence or communication; Failure to respond to complaints.
- **Neglect and Acts of Omission** – examples include: Failure to provide or allow access to food, shelter, clothing, heating, stimulation and activity, personal or medical care; Providing care in a way that the person dislikes; Failure to administer medication as prescribed; Refusal of access to visitors; Not taking account of individuals' cultural, religious or ethnic needs; Not taking account of educational, social and recreational needs; Ignoring or isolating the person; Preventing the person from making their own decisions; Preventing access to glasses, hearing aids, dentures, etc.; Failure to ensure privacy and dignity.
- **Self-Neglect** – this is the lack of self-care to an extent that it threatens personal health and safety; Examples include: Neglecting to care for one's personal hygiene, health or surroundings; Inability to avoid self-harm; Failure to seek help or access services to meet health and social care needs; Inability or unwillingness to manage one's personal affairs.

What to do if an adult experiencing abuse tells you about it

If an adult experiencing abuse or neglect speaks to you about this, assure them that you are taking them seriously. Listen carefully to what they are saying, stay calm and get a clear and factual picture of the concern. Be honest and avoid making assurances that you may not be able to keep, for example, complete

confidentiality. Be clear and say that you need to report the abuse. Do not be judgemental and try to keep an open mind.

Do not keep concerns relating to potential abuse of adults at risk to yourself. All Trustees, Staff, and Volunteers at Phoenix should inform the Safeguarding Officer if they are concerned that an adult has been abused or may be at risk of harm.

Where possible, the adult's wishes and consent should be sought before information is shared. If an adult with capacity does not want information shared, their wishes should normally be respected. However, information may be shared without consent where there is an overriding safeguarding or public interest reason, for example where another person may be at risk, a serious crime may have been committed, the adult lacks capacity to make the relevant decision, or there is an immediate risk of serious harm. The reasons for any decision to share, or not share, information must be recorded.

If you hear about an incident of abuse from a third party (this is when someone else tells you about what they have heard or seen happen to an adult at risk), encourage the adult at risk to report it themselves or help them to report the facts of what happened. If they decline to report it themselves, Phoenix Trustees, Staff or Volunteers should discuss this incident with the Safeguarding Officer who will contact the Swindon Borough Council Adult Safeguarding for advice.

Staff and volunteers should not investigate the allegation themselves or ask leading questions. They should make a written record as soon as possible, using the person's own words wherever possible, recording the date, time, circumstances and any action taken. Records should distinguish clearly between fact, observation and opinion.

Conduct

It is expected that all those working for or acting on behalf of Phoenix behave in an appropriate way. This includes:

- Always behaving appropriately around adults and adults at risk
- Refrain from using inappropriate language or comments
- Treating individuals with dignity and respect
- Acknowledging that individuals have the right to refuse any assistance or service offered and that some refusals may in itself present a safeguarding concern
- Avoid spending time alone with adults at risk and ensuring another appropriate adult is present
- To never develop a relationship with an adult at risk that could be viewed or deemed as abusive or exploitative.
- To never engage in any physical or sexual relationship with adults at risk

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- To never act in a manner which humiliates, shames or belittles an adult at risk

Allegations against a Staff Member

Any allegation against a member of Staff, Trustee or a Volunteer must be reported to the designated Safeguarding Officer immediately.

Phoenix will take immediate steps to safeguard the adult and will seek advice from the relevant safeguarding authority before commencing any internal investigation where this could prejudice a safeguarding or criminal investigation. Employment or volunteer-management matters will be dealt with under Phoenix's disciplinary procedures and, where applicable, the ACAS Code of Practice.

If an initial investigation indicates there is any cause for concern, the Safeguarding Officer will inform the Adult Safeguarding Team within the Swindon Borough Council. If a crime has or may have been committed, the Safeguarding Officer will report it to the Police.

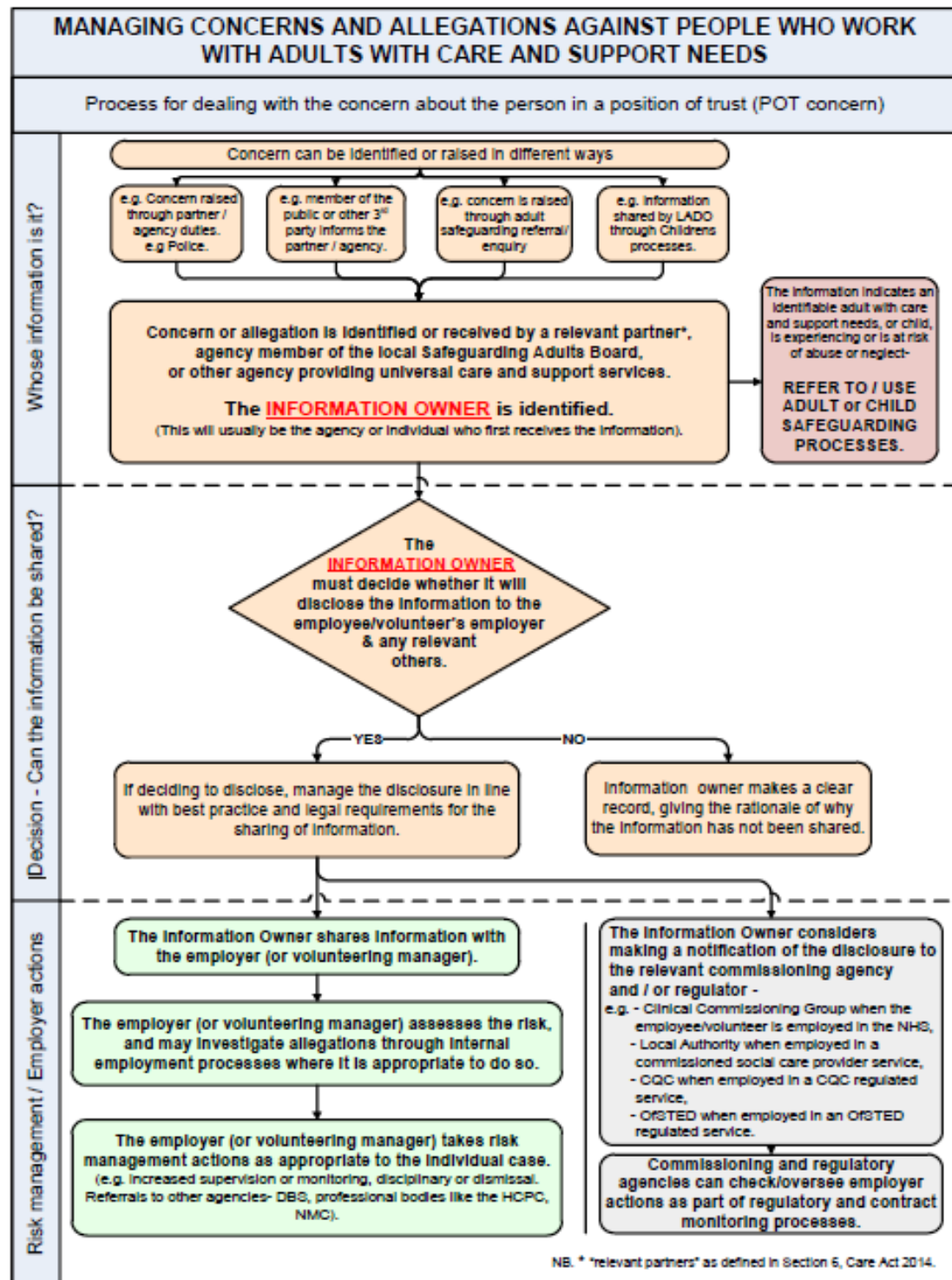
Abuse of Service Users is an act of gross misconduct and may also be a criminal offence. All Trustees, Staff and Volunteers have a responsibility to report Staff actions which are abusive/exploitative of Service Users, or which are unethical.

Phoenix encourages the reporting of concerns. The Service User, Staff and Volunteer Handbooks set out how to report concerns.

The link below (**Adult Position of Trust (PoT) process**) outlines the process to be adopted for responding to allegations and concerns against people working with adults with care and support needs:

https://safeguardingpartnership.swindon.gov.uk/downloads/file/844/south_west_position_of_trust_framework_-_10.10.25

Fig.1. Adult PoT process – flowchart -



What to do if you suspect abuse

Everyone with a duty of care to an adult at risk should:

- Act to protect the adult at risk.
- Deal with immediate needs and ensure the person is, as far as possible, central to the decision-making process.
- Report the abuse to an appropriate person or service (Safeguarding Officer)
- If a crime has or may have been committed, contact the police to discuss or report it.
- Record the events. A concern may be a direct disclosure by the adult at risk, or a concern raised by Staff or Volunteers, others using the service, a carer or member of the public, or an observation of the behaviour of the adult at risk, or the behaviour of another.

How to make a report of suspected abuse

All concerns of abuse or neglect of an adult at risk can be discussed in confidence with the Adult Safeguarding Team within the Swindon Borough Council at: Tel: 01793 463555 (work hours), 01793 436699 (emergency out of hours) E-mail: adultsafeguarding@swindon.gov.uk. However, if a serious crime has taken place or there is a need for an immediate police response to protect the adult at risk, consider dialling 999.

Phoenix is committed to working with the Swindon Safeguarding Partnership Board.

Trustee, Staff and Volunteer Recruitment

We take up 2 references (Trustees, Staff and Volunteers) and carry out robust interviews prior to appointment. Where relevant we use Disclosure & Barring Service (DBS) checks to help us assess suitability for working with adults at risk.

We support all new Trustees, Staff and Volunteers to enable everyone to undertake their roles safely and confidently, as well as ongoing training as appropriate to the role and professional development of the individual and our organisation.

Confidentiality

There is nothing in legislation that prevents the sensible sharing of relevant information to prevent harm to an individual or to assist in the prevention or detection of crime. Confidentiality is crucial to all our relationships. However, confidentiality may not be maintained if the withholding of information will prejudice the welfare of an adult at risk. Personal Information for all people (Trustees, Staff, Volunteers and Service Users) is kept securely and is not shared unless there is reason to do so.

All Trustees, Staff and Volunteers understand that any personal information that they learn about Phoenix in the course of their work should not be discussed outside the organisation, until and unless it is necessary to share with designated agencies. Information will be shared on a 'need-to-know' basis only.

It is important that only those who need to know particular safeguarding concerns, allegations or disclosures actually know, to avoid rumour and gossip that could have a detrimental impact upon the people involved.

Personal Information

We will never seek or share personal data, contact information etc. of adults at risk online.

We will never take photographs or videos of adults at risk without prior consent.

We will ensure we protect the identity of our Service Users from third party enquiries by neither confirming nor denying a Service User works with us. We will ask that such enquiries are emailed to us so we may establish the identity of the third party and the organisation they represent.

Please also refer to our Privacy Policy.

Training

New staff joiners and any new regular volunteers that work with Service Users will be required to do online or in person Safeguarding training.

Staff and any regular volunteers that work with Service Users must update their training at least every 2 years.

Communication

We will communicate this Policy to all Trustees, Staff, Volunteers and Service Users. We will support and encourage our Service Users to speak up. All Trustees, Staff, Volunteers and Service Users are encouraged to contact the Safeguarding Officer in the following instances:

- Where there is concern (a worry, issue or doubt about practice or treatment of a Service User or colleague, or their circumstances)
- A disclosure (information about a person at risk of or suffering from harm)
- An allegation (the possibility) that a Trustee, Volunteer, or Staff Member could cause harm to a Service User.

Staff or Volunteers can report things that aren't right, are illegal or neglectful, put someone's health and safety in danger or the covering up of wrongdoing.

We would prefer people to use internal processes whenever possible to make a report as above, but this does not prevent them from making a report or referral to Statutory Agencies such as the Police or Social Services, in their own right as a private individual.

We also support our Trustees, Staff or Volunteers to raise concerns or to disclose information, which they believe shows malpractice (please also refer to our Whistleblowing Policy).

Breaches of Policy

Failure to comply with this policy will result in disciplinary action and depending upon the nature of the breach may result in further action being taken by the Adult Safeguarding Investigations Team or the Police.

Accountability

The Board of Trustees retains overall responsibility for safeguarding at Phoenix. Our appointed Safeguarding Officer is the Service User Support Manager, Mark Burton, supported by the CEO, Clare McDougall. They are available to all Trustees, Staff, Volunteers, Service Users and members of the public who have concerns, issues or complaints regarding the safety, wellbeing or conduct of anyone at Phoenix.

Contact Mark Burton and Clare McDougall on the office telephone 01793 200815 or email mark.burton@phoenixenterprises.co.uk / clare.mcdougall@phoenixenterprises.co.uk.

The Safeguarding Officer and CEO will have access to appropriate training to support them in these roles. They will liaise with appropriate local and national agencies, maintain safeguarding policies and records, maintain confidentiality, promote and adhere to this policy, and support individuals where safeguarding concerns arise.

Where a concern relates to the Safeguarding Officer or CEO, it should be reported directly to the Chair of Trustees. Where a concern relates to the Chair, it should be reported to another Trustee and/or directly to the appropriate statutory safeguarding authority.

The CEO and Chair of Trustees will consider whether a safeguarding incident meets the Charity Commission's criteria for reporting a serious incident. Where required, a serious incident report will be made promptly.

Process for the Resolution of Professional Disagreement Relating to Safeguarding Protection of Adults Policy (Escalation Process)

4. Stages

Stage	What	When
Stage 1: Internal Discussion	Any professional who disagrees with a decision should initially consult with their line manager so that they can discuss the issue to clarify their thinking in order to identify the problem and be specific about what the disagreement is about. This discussion may help clarify the issues at this stage so that the professional in question no longer disagrees with the decision made by the other professional.	The discussion should take place within two working days of the disagreement or concern arising.
Stage 2: Inter-agency Discussion	Most disagreements can be resolved between professionals by discussing the reasons for the difference of opinion and without having to escalate further. The professional who has a concern should speak to the other professional to better understand their position and discuss their concern. These	The discussion should take place within five working days of the completion of Stage 1 above.

	discussions should be conducted in an open and professional manner without the need for either party to be accusatory or defensive. At all times the needs, safety and rights of the adult should be paramount. From Stage 2 onwards any communication between agencies should be documented	
Stage 3: Team / Inspectors /Service Manager	If the professionals are not able to resolve their disagreement at Stage 2, their disagreement must be reported to their line managers or second-tier managers or equivalent. In most cases, the relevant line managers /second-tier managers will be able to resolve the disagreement between them. The purpose of this contact is to review the available information and to resolve the concern. Any action agreed should be fed back immediately to the relevant professionals and the detail of the dispute and agreements reached should be recorded on the adult's file.	The line manager should contact their opposite number in the partner agency within five working days of the completion of the Stage 2 above.
Stage 4: Heads / Leads/ Directors / of Service.	Where it is not possible to resolve the disagreement at second-tier management level (Stage 3), the matter should be referred without delay to Heads/Directors of Service. The purpose of this contact is to review the available information and to resolve the concern. Any action agreed should be fed back immediately to the relevant professionals and the detail	The Heads/Directors of Service should contact their opposite number in the partner agency within five working days of the completion of Stage 3 above

	of the conflict and agreements reached should be recorded on the adult's file. The purpose of escalating the dispute to this level is to reach a position where differing professional opinions have been considered and efforts made to explore whether the dispute has arisen through lack of clarity or understanding in the professional dialogue. Ultimately, a decision will need to be reached where agencies agree a way forward where the interests, safety and rights of the adult take precedence over a professional stalemate. Any communication between agencies should be documented (ideally in an email)	
Stage 5: Swindon Safeguarding Partnership	In the unlikely event that the professional disagreement remains, the disagreement should be escalated to the Strategic Safeguarding Partnership Manager at the Swindon Safeguarding Partnership to seek a multi-agency resolution. This can be done by completing the form at Appendix 1 and sending it to Safeguardingpartnership@swindon.gov.uk The Strategic Safeguarding Partnership Manager will then contact the person (s) who represents the organisation on the Partnership or its Executive Group to seek a final resolution. The learning from this resolution meeting or	A referral should be made to the Safeguarding Partnership by or on behalf of the Heads/Directors of Service within five working days of the completion of Stage 4 above using the form at Appendix 1.

	review will be disseminated to all parties within one month of the meeting or review. Any action agreed should be fed back immediately to the Heads of Service and Second tier management staff involved with details of the agreements reached.	
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Resolution Panel

If there is still no resolution then a Resolution Panel should take place involving the key directors and chaired by the Swindon Safeguarding Partnership chair, and should contain representation from senior leaders across the partnership – at least two other agencies. It is important to also understand that on occasions, the decision of a senior leader/director will stand, and they are accountable for the decision made.

The policy will be reviewed annually and following any serious safeguarding incident, significant near miss, change in legislation/guidance or significant change in Phoenix's activities.