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## **1. Policy Statement & Background**

This policy is the responsibility of all:

- Councillors
- Staff
- Contractors and partners working on behalf of the council.

References to staff in this policy include all workers (e.g. permanent and temporary staff, agency staff, casual staff, apprentices and those undertaking internships or work experience). The staff [Code of Conduct policy](#) requires compliance with this policy.

We must all have the right to live a life free of abuse, or the threat of abuse. The council has wide ranging contacts with potentially vulnerable children and adults. It is therefore essential that a clear and consistent approach to safeguarding is followed across council services. This enables the council to 'discharge the duty' with regard to reporting safeguarding concerns and helps our staff to feel confident and supported.

A safeguarding concern arises if abuse is suspected or disclosed by either a child (18 and under, healthy or otherwise) or vulnerable adult with care & support needs. Abuse can happen anywhere – at home, in a residential or nursing home, a hospital, in the workplace, at a day centre, educational establishment or in the street.

The Children Act 2004 and the Care Act 2014 placed specific duties on District and Borough councils to promote the welfare of children and vulnerable adults and co-operate with other agencies where appropriate to support this. The Council is a member of the [East Sussex Safeguarding Children Partnership](#) (ESSCP) and the East Sussex [Safeguarding Adults Board](#) (SAB). We are required - where applicable - to contribute to Serious Case Reviews (SCRs) and Safeguarding Adults Reviews (SARs) and ensure that subsequent learning and recommendations are implemented.

## **2. Safeguarding vulnerable adults and children**

Children and young people are defined as those aged under 18.

Safeguarding children from abuse and promoting their welfare means:

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring children live in an environment consistent with safe and effective care;
- taking action to enable all children to have the best outcomes.

A vulnerable adult is someone aged 18 or over who:

- Has care and support needs (whether or not Adult Social Care is meeting any of these needs) **AND**
- is experiencing, or at risk of, abuse or neglect; **AND**
- as a result of these care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

**This is known as the '3 point test' necessary in order for the safeguarding threshold to be met.**

'Care & Support needs' may consist of a person who has:

- drug or alcohol dependencies
- a learning disability
- an Acquired Brain Injury (ABI)
- a disability or long-term health condition which impacts their mental capacity and/ or limits their independence eg dementia, Parkinsons, MS
- been trafficked for purposes such as forced labour or sexual exploitation
- been abused early in life and grown up in care (also known as Care Leavers or Looked-After Children), particularly when they reach age 18 and transition into adult services.

Vulnerability is related to how able an adult with mental capacity (see more in section 4) is free to exercise their own informed choice, without duress or undue influence, and to protect themselves from abuse, neglect and exploitation.

Abuse and neglect can take several and myriad forms, including:

**Physical:** violent acts, force-feeding, administering medicine incorrectly (e.g too much or too little), unnecessary restraint, failing to provide physical care and denying aids (e.g wheelchair, glasses).

**Sexual:** assault, rape, inappropriate touching/molesting, manipulation of power for sexual gratification; grooming.

**Emotional or psychological:** persistent emotional ill treatment/ rejection/ threats of violence/ blackmail (domestic or otherwise), verbal abuse, shouting, threats of abandonment or harm, isolating, reducing privacy or other rights, controlling, humiliating.

**Exploitation:** either opportunistically or premeditated - manipulating a vulnerable person for profit or personal gain.

**Financial or material:** misusing or stealing an adult's money or belongings, fraud, postal or internet scams, pressuring a vulnerable adult into decisions on finances such as inheritance.

**Neglect and acts of omission:** persistent or severe failure to meet or understand an individual's needs. including withholding shelter, food, drink, medication, heating and clothing, and/or failing to give access to health, social and educational services. May be deliberate or not.

**Self-neglect:** being unable or unwilling to care for own essential needs such as health, hygiene and environment. This may manifest as hoarding or failure to address pests or infestations.

**Hate Crimes:** including sustained threats, harassment and assault due to a/ perceived protected characteristic (Equality Act 2010).

**Institutional & organisational:** Malpractice within an institutional setting accommodating or supporting children or vulnerable adults e.g care homes, schools, rehabilitation facilities.

**Child Sexual Exploitation (CSE):** forcing (including blackmail) or grooming a child to participate in sexual activities.

**County Lines:** the use of children to transfer drugs through manipulation/ coercion/ force/ blackmail.

**Cuckooing:** a crime whereby drug dealers take over the home of a vulnerable person to use for criminal activity, often boding them with debt and/or exacerbation of dependency. People with substance dependencies, learning difficulties and vulnerable elderly people are particularly at risk.

**Modern slavery:** recruiting people by deception and/or coercion to force them into labour depriving them of their liberty and other rights.

**Human Trafficking:** the recruitment, transportation, transfer, harbouring or receipt of people by means of threat, force, abduction, coercion, fraud, deception for the purposes of forced labour, sexual servitude, smuggling of goods and promised illegal passage to other countries.

**Domestic abuse:** an incident or pattern of incidents of controlling, coercive, threatening, violent acts and behaviour by someone who is or has been an intimate partner or family member. Children who have witnessed domestic abuse may also need safeguarding. There is a natural crossover between safeguarding practices and domestic abuse.

The Councils have dedicated policies around domestic abuse. Staff should be familiar with:

- 1) [Domestic Abuse Staff Policy](#)
- 2) [Homes First Domestic Abuse Policy](#)

Dedicated, comprehensive and information can be found on [The Hub](#).

**Extremism:** Prevent is part of the UK counter-terrorism strategy. It works to spot people at risk and guide them away from danger. It provides practical support to

meet their needs, like a mentor or counselling. The councils hold a statutory function to deliver [Community Safety Partnerships](#).

**Private Fostering:** a child under 16 years of age (18 if they have a disability) living for more than 28 days in a household whereby the inhabitants are not:

- a parent;
- a close relative i.e. grandparent, brother, sister, uncle, aunt or step-parent; or
- a person with parental responsibility for the child.

If you learn that a child is living as such, contact the Family Plus team. See the [ESSCP webpage](#) for further information.

### 3. Safeguarding roles and responsibilities

East Sussex County Council holds the statutory duty to investigate and progress safeguarding referrals. Eastbourne Borough & Lewes District Councils have a duty to report incidents and circumstances believed to constitute safeguarding concerns, as defined in this policy.

A selection of trained officers across departments will act as Safeguarding Contacts, supporting staff and ensuring that concerns are reported appropriately and in accordance with current guidance. A list of Safeguarding Contacts can be found on [the Hub](#).

- ❖ The Named Senior Officer / NSO (the Deputy Chief Executive) is the accountable executive lead for safeguarding.
- ❖ The Community Services Lead is the strategic and partnership manager for corporate policy and practice. These responsibilities include:
  - keeping this policy up to date and aligning its conformity with the ESSCP and SAB guidance
  - ensuring this policy is understood and implemented by councillors and staff;
  - ensuring that appropriate steps are taken in the event of any allegations against a councillor or member of staff, and that the council liaises appropriately and effectively with authorities responsible for investigating these safeguarding concerns;
  - supporting the Safeguarding Contacts and other staff, providing direction, advice and guidance where appropriate;
  - coordination of Summary of Involvement (SOI) requests from the SAB or ESSCP
  - participation in Serious Case Reviews (SCRs) and Safeguarding Adults Reviews (SARs) where it is established the council had substantial involvement with the victim.
  - completion of self-assessment audits.

- ❖ The Communications Lead ensures that public communications including social media and newsletters comply with the Safeguarding Policy.
- ❖ The Head of ICT is responsible for E-safety. This involves ensuring that appropriate policies are aligned and staff understand how to report an e-safety breach where a user is at risk or has come to actual harm through the use of ICT including avoidance of:
  - pornographic, adult, tasteless or offensive material;
  - violence (including weapons and bombs, radicalisation);
  - racist, extremist and hate material;
  - illegal drug taking and promotion;
  - criminal skills and software piracy.
- ❖ The Strategy & Partnership Lead – Housing & Communities has overall responsibility for the council's Prevent and Community Safety duties including:
  - attending the East Sussex Prevent Board and Community Safety Partnership, maintaining up to date knowledge of protocols and obligations of the councils;
  - support for Safeguarding Contacts and other staff with advice in relation to extremism and Community Safety more broadly when applicable.
- ❖ The Monitoring or Deputy Monitoring Officers (Head of Democratic Services and Legal Services and respectively) in the case of allegations against a councillor.
- ❖ The Head of HR has responsibility for safe recruitment practices, which include:
  - a commitment to safeguarding included in employment contracts
  - post-specific requirements relating to safeguarding included in relevant job description and person specification;
  - undertaking DBS checks where appropriate.
- ❖ The Senior Specialist Advisor - Domestic Abuse has overall responsibility for the council's domestic abuse policies.

All staff are responsible for ensuring that contractors and organisations in receipt of financial support from the councils understand their responsibilities.

#### **4. Reporting and responding to safeguarding concerns**

Dial 999 if a child, young person or vulnerable adult may be in imminent danger or a criminal offence may have or may about to be committed. Otherwise, the steps below should be followed.

Staff should raise safeguarding concerns with a Safeguarding Contact (SC) at the earliest possible opportunity and within one working day of identifying a concern. If

an SC is not available, staff should talk to their manager or the Safeguarding Lead. Staff can also refer to the [flowchart on the Hub](#).

**Consideration must be given to:**

- the '3 point test' (see Section 2) in the case of adults
- the Continuum of Need (see [SPOA](#)) for children.

If it is established that the concern should be reported, a referral must be made to either:

- Adult Social Care via the [webpage](#) or by emailing [HSCC@eastsussex.gov.uk](mailto:HSCC@eastsussex.gov.uk).
- Children's Services Single Point of Access via the [webpage](#) or by emailing [0-19spoa@eastsussex.gov.uk](mailto:0-19spoa@eastsussex.gov.uk)

Ensure that [safeguarding@lewes-eastbourne.gov.uk](mailto:safeguarding@lewes-eastbourne.gov.uk) is copied in.

Staff must not attempt to investigate abuse themselves, neither should they confront anyone who is allegedly responsible for abuse nor tell them that allegations have been made against them.

If staff believe that a safeguarding concern has not been handled in accordance with the Safeguarding Policy or are not satisfied with the response of statutory authorities, this should be raised with the Safeguarding Lead. If this is not possible, staff can refer to the [SAB Resolution Protocol](#).

**Making Safeguarding Personal (Person-Centred Approach) & Mental Capacity**

Staff - where possible within the scope of their involvement - should take steps to promote a person-centred approach, adopting the '*no decision about me without me*' principle. This is known as Making Safeguarding Personal. The SAB defines this as: "A national approach to promote responses to safeguarding situations in a way that enhances involvement, choice and control as well as improving quality of life, wellbeing and safety."

Staff should adopt the framework below with regards to an individual's mental capacity and make appropriate referrals where they may lack it. A continued commitment to the principle of 'best interest decisions' should be incorporated into casework.

**Mental Capacity Framework:** The 5 principles are:

- A person must be assumed to have capacity unless it is established that they lack capacity.
- A person is not to be treated as unable to make a decision unless all practicable steps to help them to do so have been taken without success.
- A person is not to be treated as unable to make a decision merely because they make an unwise decision.
- An act done, or decision made, under this Act for or on behalf of a person who lacks capacity must be done, or made, in their best interests.



- Before the act is done, or the decision is made, regard must be had to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive of the person's rights and freedom of action.

## 5. Safeguarding and Mental Health

Staff across the councils have seen a rise in poor mental health including threats to self and suicidal ideation in tenants, residents and customers. However, unless the '3 point test' threshold is met, poor mental health/ threats to self would generally **not** be treated as a safeguarding concern. Staff should direct individuals to their GP and/ or reference crisis services such as [Southdown](#) or [Suicide Prevention](#) .

Staff can also consult the Safeguarding Flowchart on or contact [Safeguarding@lewes-eastbourne.gov.uk](mailto:Safeguarding@lewes-eastbourne.gov.uk) for guidance.

## 6. Concerns for staff

If a colleague discloses an experience or circumstances whereby abuse is suspected and there is concern for their safety and wellbeing, you can speak in confidence to your HR Business Partner or the Safeguarding Lead for support on next steps (if any).

Where colleagues may be struggling with their mental health, they can be directed to the [Mental Health](#) page on the Hub. As with anyone, staff can reach a crisis point in their mental health and ability to cope. All colleagues should be vigilant with regards to their limitations, safety and wellbeing. Contact a member of HR or the Safeguarding Lead immediately if you are worried that a colleague may be [at](#) ~~of~~ risk of harm to themselves or others.

The council recognises that staff will on occasion will be impacted by experiences at work. The [Employee Assistance Programme](#) offers trauma-informed counselling to staff who wish to speak confidentially with a professional about their experiences.

If a colleague discloses experiences of Domestic Abuse (this includes familial e.g parent/ child/ carer) the [Domestic Abuse Staff Policy](#) should be adopted.

## Multi-Agency Risk Management (MARM)

The MARM group support adults with complex needs. It coordinates responses to safeguarding cases for adults who are at high risk due to domestic abuse, mental health, homelessness or substance abuse for example.

The MARM process brings agencies together to:

- share information, decision making and responsibility for risk assessment

- identify a lead agency or practitioner
- improve engagement with adults, leading to better outcomes.

Individuals/ cases may be eligible to refer to MARM if they have multiple and compound needs, defined as experiencing a combination of **three or more** issues:

- Domestic Abuse
- Mental health problems
- Homelessness
- Substance misuse
- Current or historical offending

If staff believe a referral to MARM is necessary, they can liaise with the Safeguarding Lead or consult the SAB [MARM Protocol](#) .

## **7. Deaths in Accommodation Process (including temporary)**

The councils have a duty to adhere to the SAB [Adult Death Protocol](#). In the event of an unexpected death in council accommodation including temporary, emergency and sheltered, the [Death in Accommodation process](#) should be followed.

## **8. Information sharing in a safeguarding context**

Sharing information appropriately when discharging a legal duty to safeguard children or vulnerable adults is enshrined in legislation, statutory guidance, and inter-agency safeguarding procedures. Responses **must** be: proportionate, necessary, relevant, accurate, timely and secure, in line with the [SAB Information Sharing Protocol](#).

If a child or vulnerable adult discloses (or you suspect) abuse and asks that you refrain from flagging the concern, this does not preclude staff or councillors from doing so. Ideally, referrals should be made with the consent and knowledge of the vulnerable adult, however this should not prevent the council from meeting its duty to report safeguarding concerns and keep vulnerable people safe.

## **9. Training and Resources**

All new staff will undertake the mandatory OLLE safeguarding course and be directed to this policy as part of their induction.

Additional/ refresher training may be requested and discussed with the Safeguarding Lead. External training offered by the SAB or ESSCP will be cascaded to Safeguarding Contacts via the Safeguarding Lead.

Requirements for more advanced training for staff who have significant contact with children, young people or vulnerable adults should be identified as part of the induction and/or appraisal process, dependant on the nature of the post.

Council support for projects or organisations (including grants, premises, subsidiaries) which involve contact with children, young people or vulnerable adults will be subject to the submission of an acceptable safeguarding policy.

Heads of Service and managers are responsible for ensuring that their teams are made aware of and comply with the provisions set out in the points above.

## Appendix – Contact details

### **East Sussex Adult Social Care – Health & Social Care Connect (HSCC)**

Phone: 0345 60 80 191

Opening Hours: 8am to 8pm 7 days a week, including bank holidays

Report a concern [online](#)

Email: [hsc@eastsussex.gov.uk](mailto:hsc@eastsussex.gov.uk)

Emergency duty service (out of office hours)

Phone: 0345 60 80 191 select option 2 to connect to the Emergency Duty Service

### **East Sussex Children's Services – Single Point of Access (SPOA)**

Phone: 01323 464222

Email: [webspoa@eastsussex.gov.uk](mailto:webspoa@eastsussex.gov.uk)

[www.esscp.org.uk/concerns-about-a-child](http://www.esscp.org.uk/concerns-about-a-child)

[For Professionals](#)

Opening Hours: Mon-Thurs 8.30am-5pm and Fri 8.30am-4.30pm

Emergency duty service (out of office hours) Phone: 01273 335906 or 01273 335905

5pm to 8.30am (after 4.30pm on Fridays, during the weekends and bank holidays)

### Other useful contacts

#### **Hourglass**

24/7 Helpline Phone: 0808 808 8141 Freetext: 078 6005 2906

Website: [www.wearehourglass.org](http://www.wearehourglass.org) email: [enquiries@wearehourglass.org](mailto:enquiries@wearehourglass.org) or [helpline@wearehourglass.org](mailto:helpline@wearehourglass.org)

#### **Healthwatch**

Phone: 03000 683 000

email: [enquiries@healthwatch.co.uk](mailto:enquiries@healthwatch.co.uk) website: [www.healthwatch.co.uk](http://www.healthwatch.co.uk)

#### **Samaritans** (centre office)

Phone: 020 8394 8300 – Helpline 116 123

#### **Carers Direct National Helpline**

Phone: 0300 123 1053

#### **Carers UK**

Phone: 0808 808 777 Monday to Friday 9am-6pm (including Bank Holidays)

#### **Care Quality Commission Phone**

Phone: 03000 616161 or email [enquiries@cqc.org.uk](mailto:enquiries@cqc.org.uk)

#### **National Domestic Violence Helpline**

Phone: 0808 2000 247 (24-hour helpline)

Domestic Abuse Support Agencies – [The Hub](#)

#### **Protect** (for staff concerned about bad practice in the workplace)

Phone: 020 3117 2520 Website: [Whistleblowing Homepage](#)

**NHS Direct** - Phone: 111