



# BEYOND LIMITS

Beyond the limits of conventional support

## Safeguarding Policy

This policy sets out the roles and responsibilities of Beyond Limits in working together with other professionals and agencies to promote the welfare of the people we support and safeguard them from abuse and neglect.

February 2023

Review: February 2024

## INTRODUCTION

Beyond Limits provide supported living services to people living in their own homes. We specialise in providing 'bespoke' packages of care for adults with learning disabilities, autistic spectrum disorders, mental illness, or physical disabilities.

This policy is intended to support staff working within Beyond Limits and should be read in conjunction with our whistleblowing policy and allegations policy, as well as other related safeguarding policies that focus upon individual concerns or issues.

Crucially, Beyond Limits aim to consistently promote a culture of openness and transparency that enables colleagues to 'SPEAK UP' when they witness or suspect an individual is experiencing harm or is at risk of experiencing harm. All colleagues need to be aware that they can – *and must* – 'SPEAK UP' if they have genuine concerns about the people we support.

It is emphasised that Beyond Limits actively promote an open and fair culture within risk management that encourages the honest and timely reporting of all notifiable incidents or events in order that learning can occur, and risk is minimised. It is therefore required that all colleagues comply with this policy.

## REGULATED SERVICES

### REGULATION 13: SAFEGUARDING PEOPLE WE SUPPORT FROM ABUSE AND IMPROPER TREATMENT

The intention of this regulation is to safeguard people who use the services of Beyond Limits from suffering any form of abuse or improper treatment.

Improper treatment includes discrimination or unlawful restraint, which includes the deprivation of liberty under the Mental Capacity Act 2005.

Beyond Limits has a zero-tolerance approach to abuse, unlawful discrimination, and restraint. This includes:

- Neglect
- Subjecting people to degrading treatment
- Unnecessary or disproportionate restraint
- Deprivation of liberty

Please note that although not all Beyond Limits services are regulated, the conditions of this policy apply to all Beyond Limits colleagues (i.e. staff/employees).

## BEYOND LIMITS POLICY STATEMENT

Beyond Limits are committed to safeguarding individuals in our care. This means we consistently aim to provide high quality care and support that will protect the people we support from harm and promote their welfare. Safeguarding is paramount and we strongly encourage all colleagues to raise any concerns about the quality and effectiveness of the care provided to speak up. We promote a psychologically safe environment where colleagues can speak up if they suspect wrongdoing or have any concerns about the quality of care provided.

Beyond Limits will not tolerate any form of inappropriate behaviour or conduct towards any of the people we support. This is a shared commitment and one that applies to all colleagues, regardless of position or status.

## THE AIM OF THIS POLICY

This policy is intended to:

- Ensure that individuals for whom care and support is provided are protected from abuse or harm.
- Underscore the need to promote a psychologically safe environment where colleagues can raise any concerns at any time.
- Clarify what should be done if a concern is raised, such as an allegation or disclosure made against a person or persons working for Beyond Limits, indicating suspicions of suspected or actual harm against a person we support.
- Clarify what should be done if a concern is raised, such as an allegation or disclosure made against a person or persons working for an agency, provider, or contractor, indicating suspicions of suspected or actual harm against a person we support.
- Ensure that every colleague understands that the safeguarding of people for whom care and support is provided is paramount.
- Ensure that every colleague understands that Beyond Limits will not tolerate any form of inappropriate behaviour or conduct towards an individual in our care.

## WHAT WE MUST DO

The Care Quality Commission (CQC) requires that Beyond Limits must have robust procedures and processes in place to prevent people who use our services from being abused or harmed by colleagues or other people that they may have contact with when using our services, including visitors.

Abuse and harm can take many forms. It can be any action or behaviour that is degrading for people or that significantly disregards their individual care and support needs. This policy provides clear guidance and insight into various forms of abuse and harm. Colleagues are required to take full account of the information provided in this policy, which will be bolstered through training and direct support (such as support and supervision for example).

Where any form of abuse or harm is suspected, occurs, is discovered, or reported by a third party, Beyond Limits will take robust and appropriate action without delay.

## SIX PRINCIPLES OF SAFEGUARDING

The Six Principles of Effective Safeguarding were first introduced by the Department of Health (DoH) in 2011. They have subsequently been embedded in the Care Act. The principles apply to all Health and Care settings. Beyond Limits expects that colleagues will familiarise themselves with each principle, summarised as follows:

- **EMPOWERMENT**  
People being supported and encouraged to make their own decisions and informed consent
- **PREVENTION**  
It is better to act before harm occurs
- **PROPORTIONALITY**  
The least intrusive response appropriate to the risk presented
- **PROTECTON**  
Support and representation for those who have the greatest need
- **PARTNERSHIP**  
Local solutions through services working with their communities. Communities have a part to play in preventing, detecting, and reporting neglect and abuse
- **ACCOUNTABILITY**  
Accountability and transparency in safeguarding practice

## WHO IS A VULNERABLE ADULT?

The Department of Health provides a working definition of a vulnerable adult as:

‘a person aged 18 or over who may need community care services because of a disability (mental or other), age or illness. A person is also considered vulnerable if they are unable to look after themselves, protect themselves from harm or exploitation or are unable to report abuse’

## SAFEGUARDING LEADS

Ultimate legal responsibility for safeguarding rests with Doreen Kelly as Managing Director. Therefore, Doreen is the Nominated Safeguarding Lead (NSL) for Beyond Limits. You can call her on 07714 456403 or contact her via email at [Doreen@beyondlimits-uk.org](mailto:Doreen@beyondlimits-uk.org).

Although Doreen is the NSL, day- to-day lead responsibility for safeguarding rests with Kathleen Griffiths as the Designated Safeguarding Lead (DSL). Kathleen is responsible for ensuring that the practice of Beyond Limits is safe and effective. You can call her on 07779 241386 or contact her via email at [kathleen.griffiths@beyondlimits-uk.org](mailto:kathleen.griffiths@beyondlimits-uk.org)

Kathleen is also the Registered Manager, she must be informed of all concerns, issues, or incidents regarding any of the individuals we support. Upon receipt of any such concerns Kathleen must consult with Doreen Kelly (Managing Director) and Rebecca Chadwick (Senior Service Leader). The purpose is to ensure that all reasonable measures are set in place to keep individuals safe from harm and/or abuse.

## DUTIES & RESPONSIBILITIES OF THE SAFEGUARDING LEADS

As Registered Manager and Designated Safeguarding Lead, Kathleen is responsible for:

- Taking a lead role in developing and reviewing safeguarding policies and procedures.
- Taking a lead role in implementing our safeguarding policies and procedures. This means all safeguarding issues concerning individuals are responded to in a robust, timely and person-centred way.
- Making sure that colleagues supporting individuals understand the safeguarding policy and procedures and know what to do if they have concerns about an individual's welfare. This particular responsibility will also be delegated to Senior Service Leaders and Service Leaders.
- Making sure every reasonable and practicable effort is made to ensure that people who access our care and/or support know who they can talk to (or what they can do) if they have a welfare concern and understand what action Beyond Limits will take in response. Beyond Limits employ a range of approaches to meeting the communication needs of the people we support in a way that meets their personal needs and requirements.
- Receiving and recording information from anyone who has concerns about individual who receives care and/or support. This includes updating the Safeguarding Register.
- Storing and retaining records (according to legal and regulatory requirements).

- Working closely with other individuals and agencies, as appropriate, to ensure they are kept up to date with safeguarding issues and are fully informed of any concerns about organisational safeguarding practices.
- Taking the lead on responding to information that may constitute a safeguarding concern, including a concern that an adult involved with Beyond Limits may present a risk to individuals.

This includes:

- (i) Assessing and clarifying information
- (ii) Making referrals and passing on concerns to statutory organisations as appropriate (Police, local safeguarding boards/partnerships)
- (iii) Consulting with and informing the relevant members of the organisation's management team
- (iv) Following Beyond Limits safeguarding policy and procedures
- (v) Attending regular training in issues relevant to protecting vulnerable people from harm and sharing knowledge from that training with colleagues and throughout the organisation

## WHAT IS MEANT BY HARM & ABUSE?

There are different forms of harm and abuse that can happen in isolation or as part of a wider pattern of abuse.

Beyond Limits are based in Plymouth but work with several local authorities. Within the context of this policy, it is the overarching duty of all commissioning authorities is to ensure that effective measures are in place to ensure vulnerable people are protected from harm or abuse.

Plymouth City Council, for example, expect that:

- Everyone has the right to live their life free from violence, fear and abuse.
- All adults have the right to be protected from harm and exploitation.
- Not everyone can protect themselves.
- All adults have the right to independence, which may involve risk.

We share this commitment, and the following (Page 7) provides colleagues with an insight into the range of issues and concerns that define abuse, harm, and neglect.

Each form of abuse and neglect is followed by a brief account of signs and indicators (extracted from the [Social Care Institute for Excellence \(SCIE\)](#)).

## DIFFERENT FORMS OF ABUSE & NEGLECT

There are many forms of abuse and neglect. Abuse is mistreatment of another person, causing them harm. It can be intentional or unintentional.

### SEXUAL ABUSE

May include rape and sexual assault, or sexual acts to which the adult has not consented, or could not consent, or where pressure was applied to secure their consent.

### SIGNS & INDICATORS OF SEXUAL ABUSE

- Bruising, particularly to the thighs, buttocks and upper arms and marks on the neck
- Torn, stained or bloody underclothing
- Bleeding, pain or itching in the genital area
- Unusual difficulty in walking or sitting
- Infections, unexplained genital discharge, or sexually transmitted diseases
- Uncharacteristic use of explicit sexual language
- Pregnancy in a woman who is unable to consent to sexual intercourse
- Self-harming
- Poor concentration, withdrawal, sleep disturbance
- Excessive fear/apprehension of, or withdrawal from, relationships
- Fear of receiving help with personal care
- Reluctance to be alone with a particular person

### PHYSICAL ABUSE

May include hitting, slapping, pushing, kicking, misuse of medication or restraint, or inappropriate sanctions. Colleagues must note that inappropriate physical restraint is a form of physical abuse. It may be defined as a disproportionate, unreasonable, or unnecessary response to behaviours of concern often described as 'challenging.' In all cases, this involves some degree of direct physical force to limit or restrict movement or mobility.

### SIGNS & INDICATORS OF PHYSICAL ABUSE

- No explanation for injuries or inconsistency with the account of what happened
- Injuries are inconsistent with the person's lifestyle
- Bruising, cuts, welts, burns and/or marks on the body or loss of hair in clumps
- Frequent injuries
- Unexplained falls
- Subdued or changed behaviour in the presence of a particular person
- Signs of malnutrition
- Failure to seek medical treatment or frequent changes of GP

## PSYCHOLOGICAL OR EMOTIONAL ABUSE

May include verbal abuse, emotional abuse, threats, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, isolation or withdrawal from services or supportive networks.

### SIGNS & INDICATORS OF PSYCHOLOGICAL OR EMOTIONAL ABUSE

- An air of silence when a particular person is present
- Withdrawal or change in the psychological state of the person
- Insomnia
- Low self-esteem
- Uncooperative and aggressive behaviour
- A change of appetite, weight loss/gain
- Signs of distress: tearfulness, anger
- Apparent false claims, by someone involved with the person, to attract unnecessary treatment

## DOMESTIC ABUSE

May include psychological, physical, sexual, financial, emotional abuse; so-called “honour” based abuse and forced marriage.

### SIGNS & INDICATORS OF DOMESTIC ABUSE

- Low self-esteem
- Feeling that abuse is their fault when it is not
- Physical evidence of violence such as bruising, cuts, broken bones
- Verbal abuse/humiliation in front of others
- Fear of outside intervention
- Damage to home or property
- Isolation – not seeing friends and family
- Limited access to money

For more information on recognising and responding to domestic violence and abuse, the SCIE have published a [quick guide for social workers](#) that includes valuable information for all professionals.

## DISCRIMINATORY ABUSE

Discriminatory abuse exists when values, beliefs, or culture result in a misuse of power that denies opportunity to some groups or individuals. It can be a feature of any form of abuse of an adult.



**Discriminatory abuse is when someone picks on a person or treats them unfairly because something about them is different. This can include unfair or less favourable treatment due to a person's race, gender, gender identity, age, disability, religion, sexuality, appearance, or cultural background.**

**Discriminatory abuse can result from situations that exploit a person's vulnerability by treating the person in a way that excludes them from opportunities they should have as equal citizens, for example, education, health, justice and access to services and protection. Colleagues must be in no doubt that everyone has the right to be treated equally and express and practice their beliefs and values.**

### **SIGNS & INDICATORS OF DISCRIMINATORY ABUSE**

- 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

**The Equality Act 2010 places a responsibility on those working with people who may be at risk from any type of harm to take action to prevent it from continuing should they observe or be aware of it happening.**

### **MODERN SLAVERY**

**May include human trafficking, forced labour and domestic servitude.**

### **SIGNS & INDICATORS OF MODERN SLAVERY**

- Forced labour
- Domestic servitude
- Sexual exploitation, such as escort work, prostitution, and pornography
- Human trafficking
- Criminal exploitation
- Debt bondage – being forced to work to pay off debts that realistically they never will be able to
- Other forms of exploitation (Organ removal, forced begging, forced benefit fraud and illegal adoption)

For more information on identifying and reporting modern slavery, central government have published [documents and materials](#) related to their work in ending modern slavery.

## FINANCIAL OR MATERIAL ABUSE

May include theft, fraud, exploitation, pressure in connection with wills, property of inheritance or financial transactions, or the misuse or misappropriation of property, possessions, or benefits.

## SIGNS & INDICATORS OF FINANCIAL OR MATERIAL ABUSE

- Theft of money or possessions
- Fraud and/or scams
- 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, deputy, appointeeship or other legal authority
- Rogue trading – e.g., unnecessary or overpriced property repairs and failure to carry out agreed repairs or poor workmanship

## ORGANISATIONAL OR INSTITUTIONAL ABUSE

Organisational or institutional abuse is defined as the collective failure of an organisation to provide an appropriate and professional service to adults with care and support needs.

It can be seen or detected in processes, attitudes and behaviour that amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and stereotyping.

Organisational or institutional abuse includes a failure to ensure the necessary safeguards are in place to protect adults and maintain good standards of care in accordance with individual needs, including training of staff, supervision and management, record keeping and liaising with other providers of care.

## SIGNS & INDICATORS OF ORGANISATIONAL OR INSTITUTIONAL ABUSE

- Lack of flexibility and choice for people using the service
- Inadequate staffing levels
- People being hungry or dehydrated
- Poor standards of care
- Lack of personal clothing and possessions and communal use of personal items
- Lack of adequate procedures
- Poor record-keeping and missing documents
- Absence of visitors
- Few social, recreational, educational activities
- Public discussion of personal matters
- Unnecessary exposure personal care, such as during bathing or using the toilet
- Absence of individual care plans
- Lack of management overview and support

## NEGLECT (AND ACTS OF OMISSION)

May include acts of omission, ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, food and drink and heating.

## SIGNS & INDICATORS OF NEGLECT (AND ACTS OF OMISSION)

- Poor environment – dirty or unhygienic
- Poor physical condition and/or personal hygiene
- Pressure sores or ulcers
- Malnutrition or unexplained weight loss
- Untreated injuries and medical problems
- Inconsistent or reluctant contact with medical and social care organisations
- Accumulation of untaken medication
- Uncharacteristic failure to engage in social interaction
- Inappropriate or inadequate clothing

## SELF-NEGLECT

May include behaviours neglecting to care for one's personal hygiene, health or surrounding, includes hoarding.

Self-neglect can happen as a result of an individual's choice or lifestyle or because the person might be depressed, have poor health, or lacks capacity.

## SIGNS & INDICATORS OF SELF-NEGLECT

- Very poor personal hygiene
- Unkempt appearance
- Lack of essential food, clothing or shelter
- Malnutrition and/or dehydration
- Living in squalid or unsanitary conditions
- Neglecting household maintenance
- Hoarding
- Collecting a large number of animals in inappropriate conditions
- Non-engagement with health or care services
- Inability or unwillingness to take medication or treat illness or injury

Any - or all - of these types of abuse may be perpetrated as the result of deliberate intent, negligence, or ignorance.

## RAISING CONCERNS & SPEAKING UP

There may arise situation(s) where colleagues have concerns about:

- Any person's welfare and/or wellbeing who is accessing care and/or support provided by Beyond Limits.
- Any colleague or the practice of any colleague.
- Any other persons' visiting the home.
- Any other person who has contact with a person in the home.
- Any other concerns.

If so, you must **SPEAK UP**. Failure to speak up regarding concerns identified or witnessed will necessitate disciplinary action as appropriate to the circumstances.

## ALLEGATIONS & DISCLOSURES

There is some debate around what exactly a disclosure is, and the difference between a disclosure and an allegation. In the simplest of terms, a 'disclosure' is usually used within the context of responding from a position of belief. Therefore, a disclosure has "sufficient factual content and specificity."

In contrast, an allegation is a claim that someone has committed a crime or perpetrated wrongdoing, though the person making the claim has not submitted any proof of the assertion. For the avoidance of doubt, in both cases colleagues must take allegations and disclosures seriously and inform the Designated Safeguarding Lead (Kathleen Griffiths).

## RESPONDING TO ALLEGATIONS & DISCLOSURES

Information which a colleague reasonably believes tends to show one or more of the above concerns (Raising Concerns and Speaking Up, above) should promptly be disclosed to a manager. Kathleen Griffiths, (Designated Safeguarding Lead and Registered Manager) must also be informed so that any appropriate action can be taken (unless the disclosure is about the Registered Manager, please refer to the table on Page 13)

Beyond Limits will ensure that no person will suffer detriment of any sort for making such a disclosure in accordance with this procedure. Beyond Limits complies with the Public Interest Disclosure Act 1998 and will support anyone who alerts the organisation either openly or confidentially to any form of abuse to the people we support. However, failure to follow this procedure may result in the disclosure of information losing its 'protected status.' Crucially, a failure to speak up could be regarded as a form of complicity in any substantiated wrongdoing.

Each local Council has its own safeguarding process which must be followed. Beyond Limits is funded by the Primary Care Trust and as such we must inform them of any allegations and/or disclosures. We are also registered with the Care Quality Commission (CQC), and we must also make them aware.

### PLYMOUTH CONTACTS:

- Safeguarding Team: 01752 668000
- How to report abuse: [PLYMOUTH.GOV.UK](http://PLYMOUTH.GOV.UK)

### TORBAY AND DEVON CONTACTS:

- Report your concern: [Devon Safeguarding Adults Partnership](#)

### SOMERSET CONTACTS:

- Safeguarding Adults: 0300 123 2224
- Safeguarding alert: [Somerset County Council](#)

### CORNWALL CONTACTS:

- Safeguarding Adults: 01872 326433
- Safeguarding adults: [Cornwall Council](#)

### DORSET CONTACTS:

- Safeguarding Adults: 01305 221016
- Online Safeguarding Notification: [dorsetcouncil.gov.uk](http://dorsetcouncil.gov.uk)

## MANAGING ALLEGATIONS & DISCLOSURES

This part refers to managing cases of allegations that might indicate a person would pose a risk of harm if they continue to work in regular or close contact with individuals in our care in their present position, or in any capacity. It should be used in respect of all cases in which it is alleged that a colleague or volunteer has:

- Behaved in a way that has harmed or may have harmed a person
- Possibly committed a criminal offence against or related to a person; or
- Behaved towards a person in a way that indicates s/he would pose a risk of harm

**IF ILLEGAL ACTIVITY IS SUSPECTED OR IT IS AN EMERGENCY, THE POLICE MUST BE CONTACTED.**

Allegations against a former colleague (i.e. previously employed person) should be referred to the Police. Historical allegations of abuse should also be referred to the Police.

Upon receipt of an allegation, colleagues must report all details to Kathleen Griffiths, the Designated Safeguarding Lead (DSL) and Registered Manager. If “out-of-hours,” colleagues must inform the manager on call, who will in turn notify Kathleen Griffiths (DSL) at the first available opportunity.

In all cases where it is alleged that a colleague has potentially harmed, actually harmed, or presented in a way that indicates a risk of harm, the Managing Director (Doreen Kelly) must be informed. For clarification:

If the allegation involves:	You must immediately notify:
A colleague or an agency professional	The DSL or On-Call Manager. The On-Call Manager will notify the DSL at the first available opportunity, handing over “case responsibility” to them.
The DSL	The On-Call Manager, who will inform the NSL (Managing Director). N.B. If the DSL is on Rota as the On-Call Manager, you should go directly to the NSL.
The On-call Manager	The DSL
The NSL	The DSL, who must notify either Rob Finney (Tristone’s Chief Operating Officer) or Daryl Holkham (Tristone’s Director of Corporate Governance).
The DSL & the NSL	Either Rob Finney (Tristone’s Chief Operating Officer) or Daryl Holkham (Tristone’s Director of Corporate Governance).

Beyond Limits colleagues have the option of notifying either Rob Finney (Tristone’s Chief Operating Officer) or Daryl Holkham (Tristone’s Director of Operational Corporate Governance) if they feel unable to raise a whistleblowing concern with the DSL and NSL (as illustrated in the above table).

Rob and Daryl can be contacted when colleagues feel unable to raise the concern internally (i.e., within Beyond Limits) and/or where an allegation involves the DSL and/or NSL. In all circumstances it is crucial that any allegation made against any colleague is escalated as a priority.

Rob can be contacted by phone on 07340 356371 or by email using [rob.finney@tristone.healthcare](mailto:rob.finney@tristone.healthcare). and Daryl can be contacted on 07969 973920 or by using [daryl.holkham@tristone.healthcare](mailto:daryl.holkham@tristone.healthcare). Rob and Daryl have extensive experience of safeguarding vulnerable groups.

## WHISTLEBLOWING

If colleagues are in any way concerned about raising a using any of the above options, they can raise a concern in confidence with the CQC:

Email: [enquiries@cqc.org.uk](mailto:enquiries@cqc.org.uk) or call 03000 616161

You can also write directly to:

CQC National Correspondence  
Citygate, Gallowgate, Newcastle-Upon-Tyne, NE1 4PA

Whistleblowing guidance for people working for CQC registered providers:

[www.cqc.org.uk/whistleblowing](http://www.cqc.org.uk/whistleblowing)

Please note that all colleagues have a duty to raise concerns internally (i.e. within Beyond Limits) first. If they feel unsatisfied or they do not feel they are being listened to, only then should they use the options provided above.

For clarity, CQC guidance states:

Ideally, such concerns should be dealt with by the employer. However, if the management have not dealt with those concerns by responding appropriately to them, perhaps by using the employer's own whistleblowing policy, or the worker does not feel confident that the management will deal with those concerns properly, they can instead make a disclosure to a 'prescribed body', such as a regulator like CQC.

The Public Interest Disclosure Act 1998 (PIDA) protects workers by providing a remedy if they suffer a workplace reprisal for raising a concern which they believe to be genuine.

Disclosures could be about the safety of patients or people who use services, the failure of a provider to comply with the law or the national standards of quality and safety, financial malpractice or risks to staff or other people.

## WHAT HAPPENS IF AN ALLEGATION OR DISCLOSURE IS MADE AGAINST A COLLEAGUE?

Colleagues must inform Kathleen Griffiths, (DSL and Registered Manager) or a suitable senior colleague (See page 13) as soon as they are informed of an allegation or disclosure of suspected harm or abuse by another colleague.

Upon being made aware of an allegation of or a disclosure against a colleague, Kathleen (or a suitable senior colleague) will:

- Seek to ensure that the immediate needs of the alleged victim are fully met and that they are safe from further potential harm or abuse. This includes ensuring that medical attention is provided if required. In both cases, it is the responsibility of the colleague sharing the information to ensure that the individual is suitably safeguarded.
- Make a referral to the relevant local authority safeguarding board who will take the concern seriously and ensure it is fully investigated.
- Notify the Police if criminality is suspected or disclosed
- Liaise with the HR Manager and arrange to suspend the colleague pending an investigation.
- Act in strict accordance with advice from the relevant safeguarding board and other external agencies

### DUTY OF CARE

Beyond Limits have a duty of care to all colleagues. We are expected to manage and minimise the stress inherent in the allegations process. Support for the individual is vital to fulfilling this duty. Colleagues should be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action unless there is an objection by the social care services or the Police.

The colleague who is the subject of the allegation should be advised to contact their trade union representative if they have one, or a colleague for support. They should also be given access to the Employee Assistance Programme [HealthAssuredEap.co.uk](http://HealthAssuredEap.co.uk) or advised to seek medical advice as required.

Kathleen Griffiths (DSL and Registered Manager) in collaboration with HR/Senior Management should appoint a representative to keep the colleague who is the subject of the allegation informed of the progress of the case. There must be consideration for what other support is appropriate for the individual.

### RESIGNATIONS & “SETTLEMENT AGREEMENTS”

If the accused person resigns, or ceases to provide their services, this will not prevent an allegation being followed up and investigated.



If the accused person resigns or their services cease to be used, and the threshold criteria for making a DBS referral is met, it will not be appropriate to reach a settlement or compromise agreement. This is because not complying with a legal duty to make a referral is a criminal offence.

Where safeguarding concerns relating to harm or abuse are substantiated, a DBS referral will be made regardless of whether the individual concerned is an existing or former colleague.

## LEARNING LESSONS

Kathleen Griffiths (DSL and Registered Manager) should review the circumstances of the issue or incident with the case manager (as appropriate) and SMT to determine whether there are any improvements to be made to existing procedures or practice. To capture lessons learned, Beyond Limits must keep a record of the following:

- A concise summary of what happened, and any action required
- The proposed/actual impact of completing the actions, and how this will improve practice.

The overriding emphasis is about how we actively engage with opportunities to improve practice to keep individuals safe from actual harm, and the potential for harm.

## SUMMARY OF THE RESPONSIBILITIES OF ALL COLLEAGUES

The following provides a summary of every colleague's responsibilities. Colleagues must:

- Follow the safeguarding policies and procedures at all times, particularly if concerns arise about the safety or welfare of an individual in our care.
- Participate in safeguarding adults training and maintain high standards of safeguarding practice.
- Discuss any concerns about the welfare of an individual with the DSL or a senior colleague.
- Contribute to actions required including information sharing and attending meetings.
- Work collaboratively with other agencies to safeguard and protect the welfare of individuals.
- Remain alert at all times to the possibility of abuse.
- Recognise and accommodate diversity, beliefs, and values of all individuals.
- Ensure they understand whistleblowing requirements and act accordingly.
- Take reasonable steps to ensure that no individual is subjected to any form of abuse or neglect.
- Raise any concerns with management about their ability to provide planned care and expect that management will respond appropriately and without delay.

## CONFIDENTIALITY & INFORMATION SHARING

'No Secrets' (DoH 2000) states the government expects organisations to share information about individuals who may be at risk from abuse.

It is important to identify an abusive situation as early as possible so that the individual can be protected. Withholding information may lead to abuse not being dealt with in a timely manner. Confidentiality must never be confused with secrecy. Colleagues have a duty to share information relating to suspected abuse with the relevant local authority and the Police. Consent is not required to breach confidentiality (capacity issues must be considered) and make a safeguarding referral where:

- A serious crime has been committed.
- Where the alleged perpetrator may go on to abuse other adults.
- Other vulnerable adults are at risk in some way.
- The vulnerable adult is deemed to be at serious risk.
- There is a statutory requirement.
- The public interest overrides the interest of the individual.
- When a member of staff of a statutory service, a private or voluntary service or a volunteer is the person accused of abuse, malpractice, or poor professional standards.

If a worker has any doubt about the legality of sharing information, they must in the first instance consult their line manager or the Data Protection Officer. In all cases, colleagues will be mindful of the need to comply with the General Data Protection Regulations (GDPR) 2018.

## CONDITIONS OF PRACTICE APPLIED TO SAFEGUARDING INDIVIDUALS

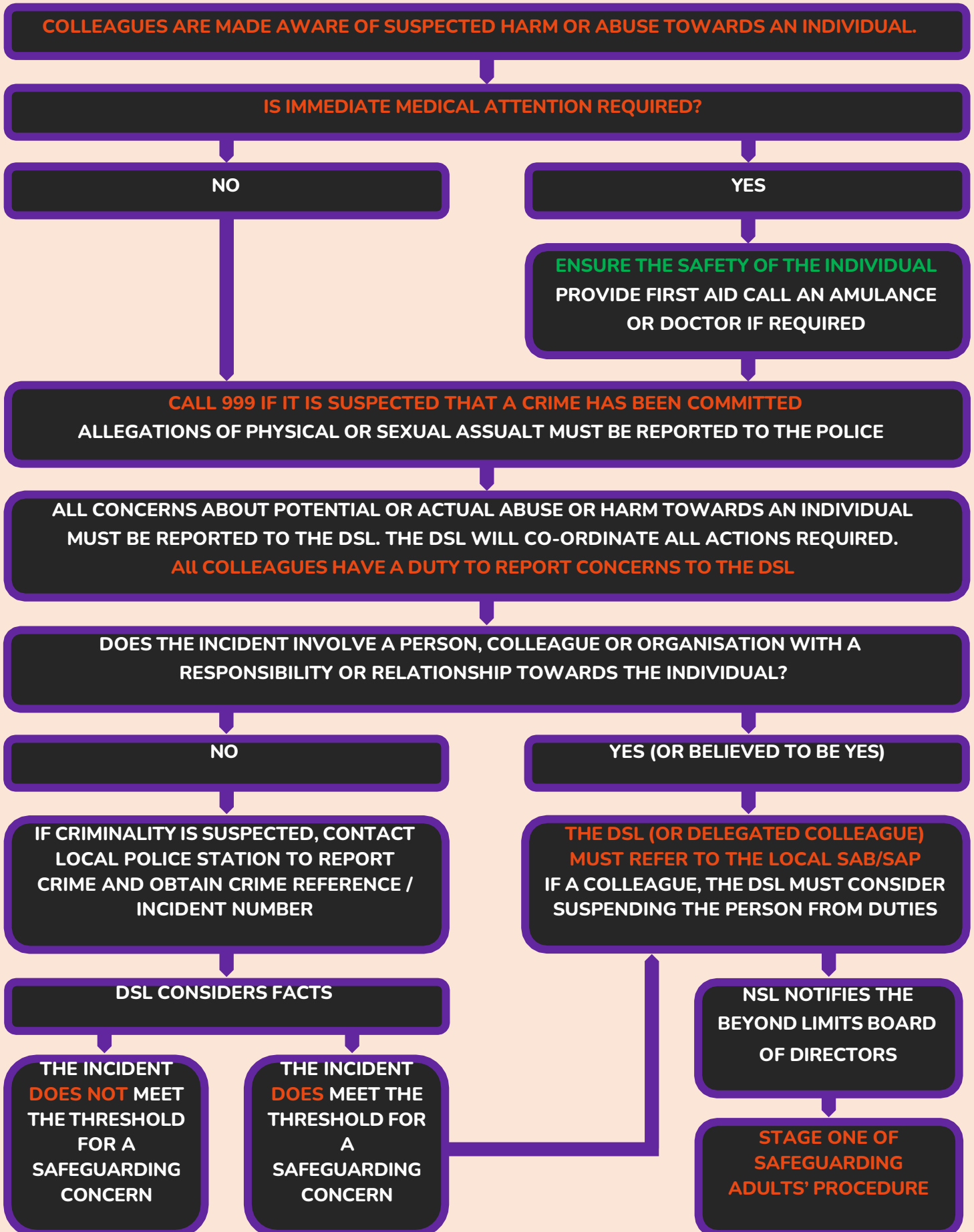
The following guidance is provided by the CQC in relation to meeting the requirements of Regulation 13.

It is essential that all colleagues, in whatever capacity, read and familiarise themselves with each applied condition in the What Needs to Be Done? column. If colleagues have any doubts or require further clarification, they have a responsibility to seek clarification from a senior colleague without delay.

REGULATION	WHAT NEEDS TO BE DONE?
13. (1) People who use services must be protected from abuse and improper treatment in accordance with this regulation.	<ul style="list-style-type: none"> <li>• Beyond Limits will consistently aim to ensure that robust procedures and processes that have been implemented are maintained without compromise. All colleagues will know that they have a duty and a responsibility to ensure that individuals are protected from harm or the potential for harm.</li> <li>• Safeguarding responsibilities will be subject to a high level of scrutiny and oversight. For clarification, the registered manager is the Designated Safeguarding Lead.</li> </ul>

REGULATION	WHAT NEEDS TO BE DONE?
<p><b>13. (2) Systems and processes must be established and operated effectively to prevent abuse of service users.</b></p>	<p>Beyond Limits will consistently seek to ensure that as part of their induction all colleagues will receive safeguarding training that is relevant and at a suitable level for their role. All colleagues will be aware of their individual responsibilities to prevent, identify and report abuse when providing care and treatment.</p> <p>Beyond Limits will use incidents and complaints to identify potential abuse and will take preventative actions, including escalation where appropriate.</p> <p>Additionally, we will take full account of any lessons learned to inform and improve future practice. We will work in partnership with other relevant bodies to contribute to individual risk assessments and developing plans for people using our services. All colleagues employed by Beyond Limits understand and work within the requirements of the Mental Capacity Act 2005.</p>
<p><b>13. (3) Systems and processes must be established and operated effectively to investigate, immediately upon becoming aware of, any allegation or evidence of such abuse.</b></p>	<p>Beyond Limits must – and will – take effective action as soon as we are alerted to suspected, alleged, or actual abuse or the risk of abuse.</p> <p>Where appropriate, action will be in line with the procedures agreed by Local Safeguarding Boards. (Please refer to Page 12)</p> <p>Beyond Limits will employ reasonable and practicable measures and strategies to ensure that colleagues know and understand the safeguarding policy and procedures. This includes familiarity with the actions they need to take in response to suspicions and allegations of abuse or harm, no matter who raises the concern or who the alleged abuser may be. These include timescales for action and the local arrangements for investigation.</p> <p>Colleagues will be aware of and have access to this safeguarding policy and have access to support from the DSL and other senior colleagues when considering how to respond to concerns of abuse or those relating to the potential for harm.</p> <p>Beyond Limits will employ reasonable and practicable measures that seek to ensure that colleagues understand their individual responsibilities to respond to concerns about abuse or harm.</p> <p>Beyond Limits will seek to ensure that colleagues are kept up to date about changes to national and local safeguarding arrangements.</p> <p>Beyond Limits will ensure that if an individual makes an allegation or disclosure indicating or suspicions of abuse, or they experience abuse, they must and will receive the support and care they need.</p> <p>Where allegations of abuse are substantiated, Beyond Limits will take action to redress the abuse and take the necessary steps to ensure the abuse is not repeated. This may involve seeking specialist advice or support. In all cases, Beyond Limits will embrace any learning that will inform and improve practice.</p> <p>If/as required, Beyond Limits will participate in serious case reviews, noting that any changes to practice and/or recommendations will be implemented.</p>

REGULATION	WHAT NEEDS TO BE DONE?
<p><b>13. (4)(a)(b)</b> Systems and processes must be established and operated effectively to prevent abuse of service users.</p>	<p>As part of their induction, colleagues will receive training that is relevant to their role and at a suitable level to make sure any control, restraint or restrictive practices are only used when absolutely necessary, in line with current national guidance and good practice.</p> <p>Beyond Limits expect that restraint:</p> <ul style="list-style-type: none"> <li>• Is only used when <u>absolutely necessary</u></li> <li>• Is proportionate in relation to the risk of harm and the seriousness of that harm to the individual or another person</li> <li>• Takes account of the assessment of the individual's needs and their capacity to consent to such treatment</li> <li>• Follows current legislation and guidance <u>Restraint Reduction Network</u></li> </ul> <p>PLEASE NOTE:</p> <p>Where an individual lacks mental capacity to consent to the arrangements for their care or treatment, including depriving them of their liberty, Beyond Limits will follow a best interest process in accordance with the Mental Capacity Act 2005, including the use of the Mental Capacity Act 2005 Deprivation of Liberty Safeguards, where appropriate.</p> <p>Beyond Limits will regularly monitor and review the approach to and use of, restraint and restrictive practices.</p>
<p><b>13. (4c)</b> Degrading a person who uses services</p>	<p>Beyond Limits expect that all colleagues will take all reasonable steps to ensure that the people we support are not subjected to any form of degradation or treated in a manner that may reasonably be viewed as degrading, such as:</p> <ul style="list-style-type: none"> <li>• Not providing help and aids so that people can be supported to attend to their continence needs, and</li> <li>• Making sure people are:             <ol style="list-style-type: none"> <li>i. Not left in soiled sheets for long periods</li> <li>ii. Not left on the toilet for long periods and without the means to call for help</li> <li>iii. Not left naked or partially or inappropriately covered</li> <li>iv. Not made to carry out demeaning tasks or social activities</li> <li>v. Not ridiculed in any way by colleagues or visitors</li> </ol> </li> </ul>



**Beyond Limits (Plymouth) Limited**  
**Registered in England and Wales under**  
**Company Number: 07998863**

