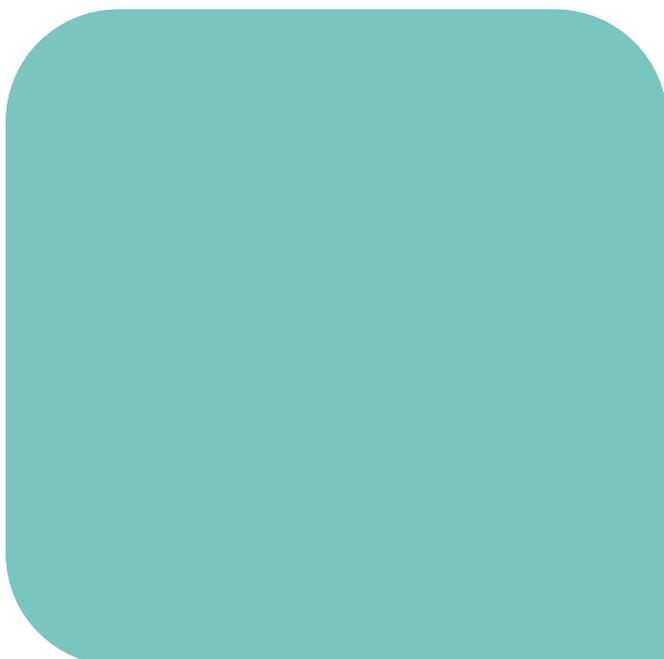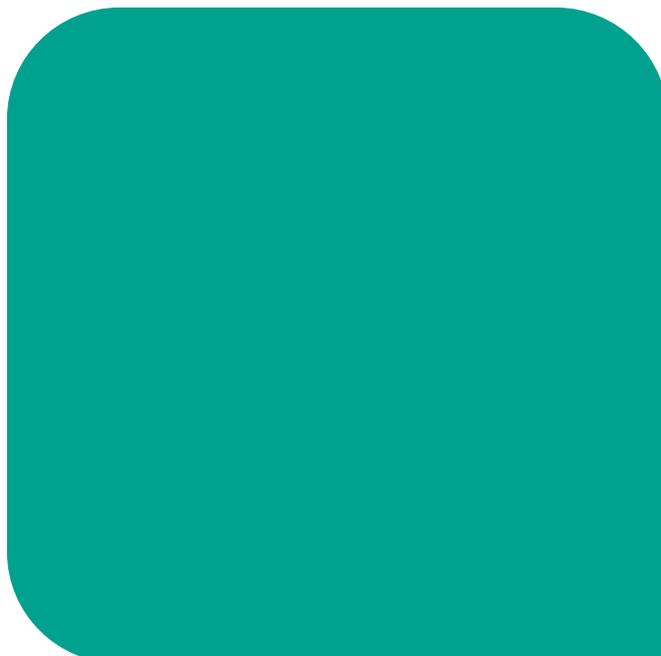scie
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Adult safeguarding for housing staff: Guidance for housing managers

This guide is for housing managers, to help them to improve safeguarding practice in housing.

The Social Care Institute for Excellence (SCIE) was established by Government in 2001 to improve social care services for adults and children in the United Kingdom.

We achieve this by identifying good practice and helping to embed it in everyday social care provision.

SCIE works to:

- disseminate knowledge-based good practice guidance

- involve people who use services, carers, practitioners, providers and policy makers in advancing and promoting good practice in social care

- enhance the skills and professionalism of social care workers through our tailored, targeted and user-friendly resources.

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Acknowledgements

Introduction

Housing staff have a key safeguarding role to play, alongside their colleagues in social care, health and the police, in keeping people safe. They are well placed to identify people with care and support needs, share information and work in partnership to coordinate responses.

This guide aims to raise awareness about safeguarding in the housing sector, at management and frontline levels, for all housing staff, not just those in sheltered or supported housing. We have produced the guide in three versions – each written for a specific audience. You can use the version that most closely links to your role.

This section of the guide is for housing managers, to help them to improve safeguarding practice in housing. It aims to raise awareness about safeguarding in the housing sector, at management and frontline levels, for all housing staff, not just those in sheltered or supported housing. It aims to improve communication and joint working between housing and contracted staff and their safeguarding partners, particularly local authority social services staff with safeguarding responsibilities.

The guide offers case studies and examples of what others are doing in practice. It does not provide information specific to services for homeless people or local authority responsibilities for ensuring the safety of tenants in the private rented sector, but people working in those sectors may find some of the content useful. The content is based on SCIE's knowledge base on safeguarding, including key research and policy.

The forthcoming Care Act

The Care Bill will pass into law in 2015 and will be supported by statutory and practice guidance. It will modernise the law so that people's wellbeing is at the heart of the care and support system.

The modernisation of care legislation will in time change practice, attitudes and terminology. This guide includes terminology currently used by the various sectors involved in safeguarding adults, so that people can find and understand the information they need. Following the implementation of the Care Act, we will update the guide to reflect new and shared language.

Recommendations

Sharing information and joint working between safeguarding partners

Housing and social care should:

- work together to resolve issues where the individual may not be eligible for social care support, refuses support or self-neglects
- ensure links between public protection forums such as safeguarding boards, multi-agency risk assessment conferences (MARACs), multi-agency public protection arrangements (MAPPAs), health and wellbeing boards and community safety partnerships
- help partner agencies to understand the role of housing staff in safeguarding
- develop a common understanding of language and definitions regarding people with care and support needs and safeguarding
- provide clarity for staff on the law relating to sharing information, confidentiality and data protection
- ensure inclusion of housing staff in strategy meetings and investigations
- agree processes for keeping referrers informed of progress on safeguarding referrals.

Training and raising awareness

Housing agencies should:

- raise awareness of abuse for all frontline staff
- arrange joint training with other safeguarding partners
- ensure housing staff have an adequate understanding of the Mental Capacity Act (MCA)
- work with social care to provide training for people with care and support needs to better enable them to protect themselves
- support perpetrators of anti-social behaviour (ASB) to reduce such behaviour
- work with social care to ensure adequate support for carers.

Key findings from research

- Housing staff are well placed to identify people at risk of abuse.
- Regular and sustained joint working between housing and adult social care is essential to protect people who may be at risk of abuse.
- Serious case reviews have indicated that housing providers could or should have played a more effective role in adult safeguarding.
- Some housing staff have false perceptions about needing the person's consent to make a safeguarding referral.
- Some housing staff report negative attitudes towards them from social care professionals.
- There is no national agreement on the threshold for housing referrals to local authority safeguarding procedures.
- Difficulties are caused by complex networks; housing providers may have to work with numerous local authorities in their area and vice versa.
- Some housing providers have IT systems that are inadequate to store sensitive data and to facilitate 'customer profiling' for effective safeguarding.

Key definitions

The forthcoming Care Act

The Care Bill will pass into law in 2015 and will be supported by statutory and practice guidance. It will modernise the law so that people's wellbeing is at the heart of the care and support system.

Safeguarding is currently governed by No Secrets [3] which is statutory guidance. A Department of Health (2013) Statement of Government Policy on Adult Safeguarding acts as a bridge between No Secrets and the Care Bill. Changes in the bill that are relevant to safeguarding are set out in a Department of Health Factsheet.

The modernisation of care legislation will in time change practice, attitudes and terminology. This guide includes terminology currently used by the various sectors involved in safeguarding adults, so that people can find and understand the information they need. Following the implementation of the Care Act, we will update the guide to reflect new and shared language.

Vulnerable adult/adult at risk/person with care and support needs

The use of the term 'vulnerable' is not popular as it may suggest that all people with care and support needs are vulnerable and attaches vulnerability to people rather than looking at the risks that face them. To rectify this, SCIE and others have used the term 'adult at risk'. The definition of an adult at risk is not clearly or consistently agreed upon across sectors and terminology in the law is changing, in particular as a result of the Care Bill. Local discussion and agreement is currently essential if front-line staff are to understand the various definitions.

The Care Bill refers to 'people with care and support needs' and we have used this term throughout this resource. All staff that come into contact with people who may be vulnerable to abuse and neglect should understand that safeguarding procedures apply to this group. This is the case even if the person does not reach the eligibility threshold to qualify for care services, or if they are paying for their own care and support. This is clarified in the Care Bill: [22]

Where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there)

- has needs for care and support (whether or not the authority is meeting any of those needs),
- is experiencing, or is at risk of, abuse or neglect, and
- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it, it must make (or cause to be made) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case (whether under this Part or otherwise) and, if so, what and by whom.

Until the Care Bill passes into law in 2015 the definition of a vulnerable adult, as defined by the Department of Health in 'No Secrets' is: 'a person aged 18 or over who is or may

be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'. [3]

Abuse is a violation of an individual's human and civil rights by any other person or persons. Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when a person with care and support needs is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it. [2]

Adult safeguarding is the process of protecting adults with care and support needs from abuse or neglect. [4] This may include empowering and enabling people to protect themselves.

Domestic abuse. The cross-government definition [7] of domestic violence and abuse is any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members, regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- psychological abuse
- physical abuse
- sexual abuse
- financial abuse
- emotional abuse.

Housing providers (also known as registered providers, RPs, or registered social landlords, RSLs) are registered with the Homes and Communities Agency. They include local authority landlords and arm's-length management organisations, housing associations and voluntary sector providers such as alms houses. All providers are required to 'set out their policy on taking into account the needs of those households who are vulnerable by reason of age, disability or illness'. [5] Private landlords may provide accommodation for some people with care and support needs. The local authority has inspection powers under the Housing Act 2004 regarding the standard and safety of privately rented accommodation. Guidance refers to consideration of vulnerable age groups, meaning older people and children. [6]

Mate crime is when people are befriended or groomed for exploitation and abuse.

Multi-agency safeguarding policy and procedures are developed by local authorities to set out local arrangements for safeguarding people with care and support needs. Key agencies including the local authority, health, care providers, housing and the police are expected to follow the procedures.

Serious case reviews (to become known as **safeguarding adults reviews** when the Care Bill passes into law in 2015) are performed when there are major concerns about adult protection and/or system failures that have resulted in people not being cared for or safeguarded adequately. They are held in order to determine what went wrong and

what lessons may be learned about the way in which staff and agencies work together to safeguard people at risk of harm. [2]

Multi-agency safeguarding procedures

Each area has multi-agency safeguarding procedures which must be followed by all partners, including housing providers. All housing staff and contractors should be aware of the procedures and know what to do if they have concerns about abuse.

The local authority is the lead safeguarding organisation. Housing providers may have to work with a number of local authorities with differing procedures. Providers should ensure that internal procedures – that require, for example, staff to report concerns through the housing management hierarchy – are aligned with local authority policies.

The Local Government Association and the Association of Directors of Adult Social Services state that:

> all providers need to ensure that they have appropriate policies and procedures in place to help prevent, detect, and deal with abuse. These policies should apply to all tenants at risk of abuse, not just those living in sheltered, extra care and supported housing, due to the increasing numbers of adults at risk living in general needs housing. [21]

The importance of all agencies agreeing on the definition of abuse is also emphasised. The definition should be outlined in local multi-agency policy and procedures, and should be consistent with that used by housing providers.

Ensuring your staff understand safeguarding

The definition of a 'vulnerable' adult is not clearly or consistently agreed upon across sectors and terminology in the law is changing. For the time being, the Department of Health (DH) definition of a vulnerable person is: 'a person aged 18 or over who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'. [3] The Care Bill refers to 'people with care and support needs'. A new eligibility framework for social care will follow the Care Bill. It will set out statutory regulations and the national minimum threshold for eligibility, which will be consistent across England.

Safeguarding policy and procedures should be set out in a local multi-agency agreement that is easily accessible on the local authority website. Problems may arise where multiple agencies, using different policies, are involved. Housing organisations should try to align their definitions to those in local multi-agency policies, which in time should reflect the forthcoming Care Act.

Hopefully the new term 'people with care and support needs' will separate the social care definition of a vulnerable person from that in relation to people who are vulnerable under housing legislation. Local discussion and agreement is currently essential if front-line staff are to understand the various definitions.

All staff that come into contact with people who may be vulnerable to abuse and neglect should understand that safeguarding procedures apply to people with care and support needs. This applies even if they are not eligible for care services, or if they are paying for their own care and support. This is clarified in the Care Bill: [22]

Where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there)

    a) has needs for care and support (whether or not the authority is meeting any of those needs),

    b) is experiencing, or is at risk of, abuse or neglect, and

    c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it, it must make (or cause to be made) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case (whether under this Part or otherwise) and, if so, what and by whom.

There are often local disagreements about who should be protected by adult safeguarding procedures. Senior managers from housing and social care should work jointly to resolve such issues. Front-line housing staff should be supported if they have concerns that are not addressed by local authority social care staff.

Housing and vulnerability

The 'No secrets' consultation report [23] found that there was confusion concerning definitions of 'vulnerability' in housing: 'The term vulnerability had a specific meaning in

relation to housing law and had another meaning in relation to "duty of care". Whether or not individuals were "statutorily vulnerable" affected their housing rights and housing options'.

Under Section 167 of the Housing Act 1996, local authorities must prioritise vulnerable people, including those with medical and welfare needs, for housing allocation. The Regulatory Framework for Social Housing in England requires registered housing providers to publish their policy on how they will take the needs of households who are vulnerable by reason of age, disability or illness, into account in tenancy management. [5]

Mandelstam [13] clarifies that in relation to level of risk, the test is whether the person 'when homeless, [is] less able to fend for himself than an ordinary homeless person, so that injury or detriment to him will result when a less vulnerable man would be able to cope without harmful effects'.

Thresholds for reporting safeguarding concerns

There is no national consensus on the point at which housing providers should report their safeguarding concerns to the local authority. Some local authorities prefer to know about all concerns, while others want housing providers to deal with minor concerns and make decisions about whether to refer more serious cases. This can create problems where a housing provider works in a number of local authority areas. You will need to be aware of multi-agency policies in each area and to work jointly to resolve any disagreements.

Housing staff report that in some cases social care do not accept referrals due to disagreements over eligibility. This may be due to resource issues that have resulted in rising eligibility criteria, and is sometimes due to inappropriate or unclear referrals. They also report that referrals sometimes 'fall into a black hole' with no feedback or response. In the review of 'No secrets', housing staff reported difficulties with 'long arguments about whether someone had a genuine mental illness, which led to delays in assessment, support and treatment, and put people at risk'. [23] The report also found that some housing providers were taking a more proactive approach to safeguarding, with systems in place for monitoring problems and progress on safeguarding and vulnerability alerts. In supported housing, people may be more closely monitored by housing support workers.

Local authorities should work with partners to protect people with care and support needs who may be at risk of abuse, whether or not they meet the criteria for receiving social care support or are paying for their own care. Again, you should seek to develop good partnerships to resolve such issues.

People who self-neglect may not be considered eligible for social care support and the local authority may not consider self-neglect as a safeguarding issue. [20] Housing managers and social care staff should work jointly to agree appropriate support for people who self-neglect.

Social care professionals may argue that they cannot impose support on someone who is choosing to remain in an abusive situation or to neglect themselves. But it is important to assess the situation fully and try to make progress with persistent offers of support. For example, a person may be aware that the neighbour who collects their benefit and does their shopping is keeping some of the money, but they may choose not to address this for fear of losing much-needed support or alienating one of their few social contacts. Housing and social care staff should examine the situation carefully and consider whether the person has capacity to make the decision, whether they are being put under any pressure and whether others are at risk. Professionals should try to build trust over time and persuade the individual to accept support and to make safer choices. Decisions should be recorded and the situation regularly reviewed with renewed offers of support – it is not sufficient to simply say 'it is their choice' or that they are making a lifestyle choice. Mediation or family group conferencing may be helpful interventions where an individual has capacity and chooses to remain in an abusive situation. Professional services should be accessed to ensure careful consideration of risk.

Referrals that are not accepted

The following tips are useful for dealing with referrals that are not accepted: [24]

- Check the multi-agency policy – is the interpretation of eligibility thresholds open for discussion?
- Reconsider the facts of your referral – have you left something out, have you accurately represented the risks?
- Ask if they have a mechanism for gathering information on apparently low-level cases.
- Ask for advice on how to handle the situation yourself or via other agencies.
- If the case is not accepted, and the local authority does not make enquiries, refer again if circumstances and risks change.
- Ensure that decisions are being taken at the right level within your own organisation and within adult social care.

If adult social care staff argue that it is the choice of the individual to refuse intervention and that they have the capacity to make 'unwise decisions', consider the following questions.

- Might the person have been coerced?
- Could anyone else be at risk?
- Has the person had a mental capacity assessment regarding the particular safeguarding issue?
- Has the person been recently diagnosed, for example with mental health problems?
- Have the person's circumstances deteriorated or their needs increased?
- Does the person have fluctuating or complex needs?
- Is there a sudden change in the person's behaviour indicating 'an escalating problem'?
- Has there been a risk assessment regarding the particular safeguarding issue?
- Might the alleged abuser be at risk, or might they have care and support needs?

Ultimately, if there are concerns about implementation of the multi-agency safeguarding procedures, these can be discussed at the safeguarding adults board.

Raising safeguarding awareness of staff and tenants

You should:

- understand the importance of your safeguarding role and your organisation's responsibilities
- show leadership and commitment to safeguarding
- expect commitment to safeguarding at senior and board level
- see safeguarding as core business and ensure it is integrated across the work of the organisation
- develop roles for key people in championing safeguarding so that staff know who they can go to for advice and support
- have in place a strategy to raise awareness among staff, contractors and tenants about the risk of abuse – this could include credit-card sized awareness cards, posters, leaflets, website safeguarding pages and training
- ensure housing staff are aware of their safeguarding responsibilities and well trained to identify potential vulnerability, abuse and risk
- ensure there are mechanisms for recording safeguarding information
- develop good communication links with police and social care to ensure good safeguarding practice
- support your staff to raise safeguarding concerns with the local authority.

All staff that come into contact with people who may be at risk of abuse and neglect should:

- be able to identify people with care and support needs who may be at risk
- be able to identify the possible dangers, including potential and actual abusers
- be able to identify the possible indicators of abuse
- know when, and with whom, to raise concerns
- know how to respond to a disclosure of abuse
- use the same language as other safeguarding partners
- consistently use definitions agreed in policy and procedures.

Examples from practice

- In Redcar, **Coast and Country Housing** has launched an awareness campaign called 'Something's not right'.

- **Sutton Housing Partnership** has developed and embedded an organisational culture around safeguarding. The board of directors has included safety, for residents and staff, and safeguarding, on the strategic risk register. All staff are trained in adult safeguarding. All staff in neighbourhood and sheltered housing teams are trained in safeguarding and the Mental Capacity Act. Heads of service and directors are trained to a higher level.

- Some organisations have raised awareness and provided training to staff who offer other services to people in social housing, as they are well placed to spot signs of risk and abuse. For example, safeguarding training has been provided in: **Manchester** for Adactus maintenance staff; **North Tyneside Council** for front-line housing teams, refuse collectors, benefit advisors, librarians, sport and leisure staff; **Wakefield and District Housing** for repairs staff; **Redcar** for Coast and Country gas servicing, maintenance and other front-line staff. [24]

- In **Croydon**, to raise awareness, a community bus provides information about safeguarding.

- **Circle Housing Group** has an executive director as the senior safeguarding champion for the whole organisation to provide leadership and oversight on safeguarding issues across all registered providers. Part of this role includes ensuring safeguarding remains a priority for the executive director board and, where appropriate, reporting to them any significant or strategic issues that arise. The Group also has safeguarding champions in key areas of the organisation, mandatory e-learning for all staff irrespective of their role, and quarterly safeguarding meetings. 'Concerns cards' are carried by all visiting staff, including contractors. Staff can write down their concern and pass them to their line manager, who may discuss the issue further with them and, where appropriate, make a safeguarding referral.

- The **Bournville Village Trust** board of trustees and executive team have had safeguarding training, including watching the Trust's 'You can make a difference' DVD. The training is being updated in 2014 to refresh everyone's knowledge and awareness, and will include the Mental Capacity Act and case studies. The board also receives an annual report from the organisation's safeguarding leads, including figures, trends, case studies and issues, to keep it appraised of the latest developments.

- **Together Housing Group**, **Genesis Housing Association** and other housing providers regularly hold open days in sheltered housing schemes.
- **Hull City Council** has arranged for councillors to visit support providers and their staff to raise awareness of safeguarding.
- **Dudley Metropolitan Borough Council** has set up a small housing safeguarding network of three officers who are committed to championing safeguarding awareness and communicating information within their service areas of housing management, housing repairs and housing strategy/private sector housing. This ensures that relevant safeguarding information is discussed at divisional team meetings. The officers emphasise that they are not experts in safeguarding but help to support any colleague who has safeguarding concerns. They assist colleagues to report concerns and advise on the process. Handbooks for repairs operatives have information on safeguarding responsibilities and wallet-sized prompt cards reinforce the message that safeguarding and protecting people who may be vulnerable to abuse is everyone's business.
- **Thurrock Council** has identified safeguarding champions in housing. It also runs an awareness-raising programme called 'Stay Safe' for older people and people with learning disabilities. This links with Trading Standards to ensure residents are aware of the risks of cold calling, rogue traders and postal scams.

Recording tenants at risk of abuse

You should:

- ensure mechanisms are in place to facilitate recording of vulnerability and risk, known as 'tenant profiling'
- work jointly with partners in social care and the police to ensure appropriate recording of vulnerability, possible abusers and risk
- ensure that housing staff are aware of the need to record, report and share information
- ensure that staff recognise that people can become vulnerable at any point.

The police can keep records on any person known to be an abuser or target for abuse and share such information with social care and housing for the purposes of protection 'under Section 115 of the Crime and Disorder Act 1998, and the Data Protection Act 1998, provided that criteria outlined in the legislation are met'. [25]

All police forces now have IT systems in place to help identify repeat and vulnerable victims of anti-social behaviour. Research has shown that it is important to ask the right questions when people contact the police, and improvement is needed. [26] You should have systems in place to ensure that safeguarding information is recorded and shared appropriately.

Many housing providers do not have IT systems that enable them to facilitate tenant profiling. The review of 'No Secrets' found that some housing providers were nevertheless gathering information, saying that 'much of the information for this has always been collected as part of housing needs assessments, and this is simply making use of the information'. [23]

Research on lessons from housing-related serious case reviews [27] suggests that a checklist applied to all tenants' could identify those with a high number of risk factors such as, for example, care and support needs and danger of domestic violence. This would indicate those who should be the focus of preventative support and regular review.

Examples from practice

- The **Bournville Village Trust** has IT in place to facilitate 'resident profiling' and alert staff at first point of contact about any specific concerns or issues. The Trust also carried out a resident census to gather intelligence and records are updated when new information is received. This work is not just tenant-specific; it includes all tenures across Trust estates.
- **Kirklees Council** is trialling a risk assessment procedure for the use of temporary or bed and breakfast accommodation for people who are vulnerable to abuse.
- **Calderdale Council** has worked with partners to develop and trial a new alert form to help enhance local safeguarding practice by providing clarity on the

information needed to raise an alert. The form will be used by all partners across Calderdale. The intention is to upload this form onto the council website alongside more detailed guidance about issues to consider at the safeguarding alert stage.

- In the review of 'No Secrets', housing organisations reported carrying out **tenancy verification checks** annually. These updated the landlord on any changes of circumstances and on any changes in risk. They were based on visits to all tenants and were thought to be a cost-effective means of identifying wider problems. Where concerns were identified, further visits were made or tenants were signposted to community organisations, advocacy, health, social care or safeguarding. [23]

- **Circle Housing Group** has tenancy profiles in place. Every new tenant is required to complete information, which is then put into the IT system. Any level of risk then appears when a record is checked so that staff are aware for example that the tenant has a hearing impairment or mobility issues.

- **Thurrock Housing** is redesigning the way it collects, maintains and makes use of data. The new process aims to better understand tenants' needs in order to provide better-tailored services, and improve safeguarding and welfare. Triggers are identified and lead to partnership work with other services. A 'know before you go' approach looks at the needs of people who use services, including health, financial and support needs. The data system has been changed to enable this information to be utilised. Risks and opportunities can be shared with other services and linked to other collaborative initiatives, such as identifying households with specific needs.

Safeguarding training and support for housing staff

You should:

- ensure all staff are trained in safeguarding and domestic abuse to a level that corresponds with their role
- work with safeguarding partners to provide joint training or to ensure that training content is aligned.

The training should include:

- general awareness on how to identify people with care and support needs, risk and indicators of abuse, including domestic abuse
- when and how to raise concerns through a safeguarding alert
- arranging support for victims and protection planning
- working together and understanding local information sharing protocols
- understanding the key roles of partner staff and agencies
- local knowledge and learning from mistakes.

Given the number of people with care and support needs living in all types of social housing, not just specialist, safeguarding training is essential for all housing staff and contractors. The level of training should correspond with the role. Staff working specifically with people in sheltered, supported or extra-care housing may need more in-depth safeguarding training. They may have a more involved role in supporting people by recording disclosures, supporting victims or abusers, and protection planning.

Training and improved tenant profiling should help to develop a 'safeguarding culture' within the organisation, improving the focus on those most vulnerable to abuse and increasing the number of safeguarding alerts.

The best way for housing staff to receive training on safeguarding is jointly with safeguarding partner agencies. Multi-agency training can build mutual professional respect and lead to better communication and joint working, less duplication of effort, and common understandings in terms of processes, language and thresholds for reporting safeguarding concerns. Training should be jointly provided with people who have care and support needs and their carers, who have experience of safeguarding issues. Local training can be tailored to address issues that have arisen in the past, utilising learning from serious case reviews.

Examples from practice

- SCIE's Learning Together initiative presents a 'systems' model of organisational learning that can be used across agencies involved in safeguarding children. Initially developed in children's services, the model is proving helpful in adult care. The approach supports an analysis that goes beyond identifying **what** happened towards explaining **why** it happened. This helps the safeguarding network generate new ideas about how to improve safeguarding practice.

- Many local authorities, including **North Yorkshire**, **Lancashire**, **Bradford** and **Gateshead**, provide or arrange joint safeguarding training for local partners.

- **Kirklees Council** has trained its parks staff to spot the signs of grooming.

- **Stockport Council** has made case studies publicly available for training purposes based on a serious case review. The case involved a young man who had been associated with anti-social behaviour and was murdered.

- **Together Housing Group** incorporates safeguarding into recruitment processes by checking attitudes and behaviour. Safeguarding is also part of the induction and competency frameworks.

- **Bournville Village Trust** is refreshing its training on safeguarding for all staff. It will cover types and indicators of abuse, the Mental Capacity Act, the Human Rights Act, mental illness and hoarding.

- **Peabody Housing Association** provides safeguarding (adult and children) and domestic abuse training to all front-line staff. They and Gentoo (a group of housing-related companies) provide training for frontline staff on domestic abuse and how to identify it in people's homes. Staff routinely fill out identification checklists on domestic abuse, honour and stalking risks, and refer to multi-agency risk assessment conferences where the threshold is met.

- **Lewisham Homes** has set up systems and processes for staff with concerns to alert a central team, who are responsible for assessing concerns and, where appropriate, making safeguarding referrals to children's and adults' services in the council. Lewisham Homes commissioned mandatory joint training on safeguarding children and adults at risk for managers, staff, operatives and contractors to ensure that they are aware of safeguarding issues and how to report them. The training programme was tailored to suit the needs and job relevance of particular groups of staff. There were very high levels of satisfaction from the training, with over 90 per cent saying they would be able to use the knowledge obtained and would recommend the training to a colleague.

- **Dudley Metropolitan Borough Council** has trained frontline repairs operatives through a series of one-hour safeguarding awareness sessions covering adults and children. The training uses housing-based case studies to raise awareness about the types of abuse and how to report concerns. The relevant safeguarding champion also tries, where possible, to provide feedback to any operatives that report concerns. This feedback does not involve any personal detail but does provide an assurance that the report was acted upon and that it was a relevant referral.

- **Thurrock** Council runs a multi-agency basic awareness programme on safeguarding. A 'train-the-trainer' model is used to maximise effectiveness. Sheltered housing officers are encouraged to engage their residents in a conversation about safety and direct training is provided for some residents. Residents were unfamiliar with the terms 'safeguarding' and 'abuse' and this was a learning point – safeguarding is now a standing agenda item at all residents' meetings. Support packs, including DVDs, case studies, leaflets and posters were supplied to support housing officers.

Sharing information, joint working and communication

You should ensure:

- you work in partnership with local authority safeguarding leads to agree appropriate responses to referrals
- you work jointly to resolve any disagreements about referrals and eligibility
- you promote mutual professional respect
- your organisation has a lead officer for safeguarding, ideally a dedicated post
- your organisation has a lead officer for domestic abuse
- staff understand that sharing information, joint working and communication are essential for keeping people safe
- staff share common language and understandings with safeguarding partners
- staff understand the parameters of confidentiality
- staff are supported if a safeguarding referral is not accepted
- there is an effective communication loop to and from the local safeguarding adults board
- there is allocated time in team meetings to discuss current safeguarding concerns
- protocols are in place for sharing safeguarding information within and between organisations
- there are local mechanisms for sharing information on cases involving domestic abuse, anti-social behaviour and hate crime, where people with care and support needs may be at risk
- where appropriate, housing staff are supported to be involved in protection planning.

Failure to share information and poor communication have been key features in serious case reviews. As most local authority regions now have a number of housing providers operating in their area, the complexity of sharing and coordinating information on people who may be at risk of abuse and those who pose a risk cannot be underestimated.

It is important that housing and adult social care staff work together with partners in health and the police to safeguard people with care and support needs. This will require them to share information between themselves and possibly with others, including carers, care and support services, the police and probation services, child protection, health and mental health services.

You must ensure that all your staff understand their responsibilities with regard to sharing information and have a basic understanding of confidentiality, the Data Protection Act 1998 and the right to respect for private and family life under Article 8 of the Human Rights Act 1998. They should also be aware that, without overriding these responsibilities, any person may disclose information to a relevant authority under

Section 115 of the Crime and Disorder Act 1998 'where disclosure is necessary or expedient for the purposes of the Act (reduction and prevention of crime and disorder)'. [13]

Joint working and sharing information with voluntary care and support agencies is also important as they may be better placed to provide specialist support to individuals and to spot signs of abuse. For example, domestic abuse charities can provide counselling and support. Mental health charities can support treatment and provide activities, such as at-risk workshops and calming exercise classes, to support people with depression and anxiety that may be related to abuse. Fall care and support services can provide an extra form of monitoring by trained professionals. Relevant safeguarding information should be shared with such agencies in the interests of keeping people safe.

Sharing information within an organisation

Information shared within your organisation does not come under the Data Protection Act. The Information Commissioner has published guidance that sharing information between two separate local authorities is clearly subject to disclosure rules under the Act. However, sharing information between two departments in the same local authority does not come under the Act, unless the second department is going to use the information for a secondary purpose, different to the purpose for which the information was initially processed. [28]

Find out more about how data protection, Caldicott principles, human rights and the Mental Capacity Act affect the work of frontline housing staff.

Resources

The Information Sharing Centre of Excellence

SCIE eLearning: Adult safeguarding resource

The Information Commissioner's Office

Confidentiality

The review of 'No secrets' [23] found that housing staff placed a great deal of importance on confidentiality and consent 'in all interactions with tenants and very rarely would they want to breach that'. But it is important that all housing and social care staff understand when information should be shared to prevent or reduce the risk of abuse.

In each case it is important to find the right balance to keep people safe without overriding their rights to privacy and autonomy. In some cases – for example, where others are at risk – it may be necessary to share information without a person's consent. This does not mean sharing information without the individual's knowledge; this may only be acceptable in exceptional circumstances where letting the person know might increase the risk to them or others.

If others are not at risk and the person has the capacity to make choices about the particular issue, then it may be hard to justify a breach of confidentiality. Where a person has mental capacity to make a decision about their safety, it is important to consider whether they may be subject to duress or intimidation. If a person lacks the mental capacity to make a decision about their safety, housing officers should seek support from social care. Professionals have a duty to act in the person's best interests

under the Mental Capacity Act 2005. In all cases it is important to record the decision-making process:

> *'From a legal point of view, if public interest in terms of risk is to justify the overriding of confidentiality, the justification must be shown in the decision-making process (and its documentation or recording). The process needs to be consistent with legal rules, have taken account of the relevant evidence and factors for and against disclosure, and employed a reasoning process to explain the decision reached.'* [13]

Examples from practice

- **Sutton Housing Partnership**'s director of neighbourhoods was invited to present and run a development workshop for the London Borough of Sutton social work practitioners' forum, to enable social and housing workers to understand each other's challenges and the barriers to inter-agency working. The aim was to identify how they could work more effectively together in the future. Sutton Housing Partnership is involved in a number of task and finish groups set up by the safeguarding adults board. The aims are to improve the sharing information protocol, develop mental capacity and self-neglect protocols and develop the high-risk multi-agency panel.

- The **Birmingham Social Housing Partnership** comprises over 30 housing associations working in collaboration with around 40,000 properties, and has a safeguarding subgroup. The Partnership is managed by an elected board of chief executives and senior directors. The group aims to ensure that housing associations in Birmingham work as effectively as possible with Birmingham's adults, communities and children's departments, in respect of safeguarding adults and children at risk in the city. It meets regularly to share learning and good practice, highlight themes and look at concerns. The group has been able to highlight common concerns and begin to make links with the adults' and children's safeguarding boards.

- The **Bournville Village Trust** has a 'Safer Estates Agreement' with local police that facilitates the gathering or sharing of safeguarding information.

- **Catalyst Housing Ltd** has a safeguarding lead responsible for advising staff and improving joint working with local authorities. [10]

- **St Leger Homes** in Doncaster has a dedicated manager leading on child and adult protection, hate crime, domestic abuse and mental capacity.

- In **Croydon** the problems caused by departmental barriers have been addressed by putting health, housing and social care in one department.

- In **central Bedfordshire**, social workers invite housing staff to accompany them, when appropriate, on joint visits to investigate safeguarding referrals or assess mental capacity. Housing tenancy liaison officers have attended Mental Capacity Act training; joint assessments are carried out when there are concerns affecting housing. This enables housing staff to learn more about assessments of mental capacity and enables safeguarding staff to better understand the role of housing staff.
- **The Home Office** has identified a range of multi-agency models to support sharing information around safeguarding responses for people with care and support needs, primarily through multi-agency safeguarding hubs (see Multi-agency working and information sharing project: early findings. [29]
- **Waltham Forest Housing Association** has regular meetings with social care and is directly involved in safeguarding investigations. [10]
- In Birmingham, a partnership approach to tackling anti-social behaviour has been developed by the **Safer Birmingham Partnership**. The Safer Estates Agreement is used by all social landlords in Birmingham to enable sharing information.

Dealing with anti-social behaviour

You should ensure that:

- your organisation has clear procedures for reporting and dealing with anti-social behaviour and domestic abuse

- procedures are linked with local multi-agency safeguarding procedures

- your organisation has separate policies for anti-social behaviour, domestic abuse and hate crime

- policies and strategies are linked and feed into other public protection forums such as safeguarding boards, multi-agency risk assessment conferences, public protection arrangements, health and wellbeing boards and community safety partnerships

- staff are trained on how to deal with anti-social behaviour, domestic abuse and hate crime.

Protecting repeat vulnerable victims

The Home Office document 'Putting victims first' [30] aims to help agencies identify and support high-risk victims of anti-social behaviour. The report shares knowledge from trials with eight police forces. The details of the trials are available in the report 'Focus on the victim'. [31]

Five key principles to protect repeat vulnerable victims were identified:

- an effective call-handling system for anti-social behaviour incidents, logging information from the first point of contact, to identify repeat callers and high-risk cases

- assessing the potential risks to victims early on in the call-handling process

- using simple, 'off-the-shelf' IT to share information between local agencies

- a shared set of case management principles

- a robust community engagement process to identify and address issues which are causing the most harm to individuals and neighbourhoods.

The Department for Communities and Local Government [32] has identified measures that landlords can take to support people who may be at risk from anti-social behaviour:

- assessment of the vulnerability of victims

- identification of vulnerable residents at the point of access to housing

- ensuring support packages are available and adequately resourced

- provision of intensive family intervention services for families with the most complex needs

- adopting a zero tolerance approach to ensure that all incidents are treated seriously
- effective and sensitive handling of reports of harassment, using a victim-centred approach
- ensuring victim support is available
- application for special measures for vulnerable residents at court hearings
- publicity campaigns to encourage reporting of anti-social behaviour and awareness of what can be done to tackle it
- effective multi-agency and partnership working with police and other agencies
- promotion of tolerance and good relations between people of different community groups.

Regulatory requirements

The Housing Act 1996 (Section 218A) requires local authorities and registered providers to publish a policy on anti-social behaviour, explaining how the landlord will deal with it. [13] The current Regulatory Framework for Social Housing in England requires providers to 'work in partnership with other agencies to prevent and tackle anti-social behaviour in the neighbourhoods where they own homes'. [5] It requires that registered providers demonstrate:

- that tenants are made aware of their responsibilities and rights in relation to anti-social behaviour
- strong leadership, commitment and accountability for preventing and tackling anti-social behaviour that reflects a shared understanding of responsibilities with other local agencies
- a strong focus on preventative measures tailored towards the needs of tenants and their families
- prompt, appropriate and decisive action taken to deal with anti-social behaviour before it escalates, which focuses on resolving the problem, having regard to the full range of tools and legal powers available
- that all tenants and residents can easily report anti-social behaviour, are kept informed about the status of their case where responsibility rests with the organisation, and are appropriately signposted where it does not
- provision of support to victims and witnesses.

Disability-related harassment, hate and mate crime

People are often targeted because they are disabled. This is hate crime and should be reported as such. So-called 'mate crime' is when people are befriended or groomed for exploitation and abuse. Parry's research [27] found nine housing-related serious case

reviews in which the person who died was harassed and subjected to anti-social behaviour. Seven of these individuals had learning disabilities.

The Equality and Human Rights Commission [33] has made recommendations specifically for housing providers to address disability-related harassment and abuse:

- involve disabled people in housing design and planning to help 'design out crime' from future developments
- intervene to prevent harassment occurring in the first place and respond to prevent escalation
- have a harassment coordinator to improve responses and support third-party reporting systems
- invest in awareness campaigns aimed at encouraging victims to come forward
- include provisions against disability harassment within tenancy agreements and take action against breaches
- protect security of tenure for any disabled person forced to move in order to avoid disability-related harassment.

Case study

Fiona Pilkington

In 2007 Fiona Pilkington and her disabled daughter, Francesca Hardwick, were found in a burnt-out car after years of experiencing anti-social behaviour and disability hate crime. This case highlighted the failings of the police to identify them as repeat victims and share information. The Independent Police Complaints Commission report [34] found that police responses to hate crimes were isolated and unstructured. This has led to a number of key changes in the way the police are expected to respond to repeat vulnerable victims.

Case study

Gemma Hayter

Gemma Hayter, age 27, was murdered by a group of 'friends' in August 2010. Although there were changing and conflicting diagnoses over time regarding the nature of her disabilities and behaviour, she had a profoundly chaotic lifestyle and was known to be vulnerable to exploitation and 'mate crime'. She lived alone in council accommodation and received floating support to help her maintain her tenancy. Gemma's lack of diagnosis was a focus for decision-making and a barrier to accessing effective support. The serious case review commented that people who are at risk should not be allocated tenancies in areas, or properties, where it could reasonably be predicted that they may be subject to anti-social behaviour or abuse. [35]

Case study

Dr Suzanne Dow

Dr Suzanne Dow, a 33-year-old university lecturer, killed herself after months of harassment from a neighbour. Dr Dow had a previous history of mental health problems, including suicide attempts. She had written to Broxtowe Council, her neighbours' landlord, 11 times during a 12-month period, asking for the family to be evicted. No proper assessment of Dr Dow was made by the council, despite her frequent emails indicating the impact of the anti-social behaviour on her physical and mental health. Following the inquest, where the coroner 'ordered the authority to take action to avoid similar tragedies', a wide range of Broxtowe Council staff attended training on how to identify vulnerable people. [36]

Resources

Reform of anti-social behaviour powers, draft guidance for frontline professionals(Home Office, 2013)

How to tackle disability related harassment (Chartered Institute of Housing, 2012)

Hidden in plain sight (Equality and Human Rights Commission, 2011)

Anti-social behaviour: emerging practice from call handling and case management trials (Local Government Association, 2012)

Focus on the victim:Summary report on the ASB call handling trials (Home Office, 2012)

Tackling antisocial behaviour in Scotland: an action framework for social housing practitioners and governing bodies (Joseph Rowntree Foundation and the Chartered Institute of Housing, 2008)

Examples from practice

- At the **Sutton Housing Partnership** staff receive training that promotes joint agency working and early intervention. This enables them to spot support needs and potential risk when they sign up a new tenant, visit a property or investigate a complaint of anti-social behaviour.

- The government is working with three authorities (**Manchester**, **West Lindsey** and**Brighton & Hove**) to trial the 'Community Trigger', which will give victims and communities the right to require action to be taken where a persistent problem has not been addressed.

- In Birmingham a partnership approach to tackling anti-social behaviour has been developed by the **Safer Birmingham Partnership**. The Safer Estates Agreement is used by all social landlords in Birmingham.

- **Bournville Village Trust** has a number of offices and community halls that are hate crime reporting centres. Front-line staff have had training from West Midlands Police in how to deal with such reports.

- **Ocean Housing** made changes to its policies following the serious case review into Steven Hoskin's death. It committed to:
- inform care managers in writing of extensions to probationary tenancies
- inform the police and care managers of damage to the tenancies of vulnerable tenants
- review vulnerable tenants' rent arrears and complaints policy and procedures
- ensure that tenants who cannot read are not sent letters and notices
- review staff training
- introduce a new safeguarding vulnerable tenants policy. [33]
- The **Richmond Housing Partnership** used a risk matrix as part of wider Home Office commissioned trials to improve responses to anti-social behaviour. The matrix comprises a set of simple questions to help identify repeat and vulnerable victims. It aids the collection of evidence on anti-social behaviour by creating quantifiable accounts of the behaviour's impact. Using this system, the Partnership has secured emergency injunctions in 24 hours to temporarily ban anti-social tenants from their homes. The Partnership has saved itself thousands on lawyers' bills by training its housing officers to secure the injunctions themselves. [36] The outcome was not only that victims were better protected but also that the needs of abusers with care and support needs were addressed.

Preventing abuse and neglect

You should:

- ensure your staff receive training on prevention of abuse and neglect
- have systems in place to facilitate the identification of people with care and support needs and possible risks
- have mechanisms in place to identify and share information about people who may pose a risk
- ensure that there are links with the local multi-agency public protection arrangements
- ensure that your staff understand and follow multi-agency policies and procedures
- provide materials to raise awareness about abuse and how people can protect themselves
- develop strategies for educating tenants on how to recognise abuse and protect themselves from it
- seek to address social exclusion and isolation through local joint strategies
- promote inter-agency collaboration
- promote empowerment and choice
- ensure that allocations policies consider risk to tenants who may be vulnerable to abuse.

The 'No secrets' consultation report [23] highlighted practice examples in housing:

- developing a 'prevention of abuse' strategy based on risk indicators such as isolation, alcohol/substance misuse and mental illness
- empowering tenants and making them more connected with the community
- equipping people with information to safeguard themselves
- having named people for referrals and named people who support tenants while investigations are taking place
- working with tenants 'whose behaviour poses risks to the wider community'
- holding community meetings, developing advocacy and intermediary services, working with police liaison officers and with neighbourhood safety initiatives.

While it is important for housing staff to respond promptly and appropriately to safeguarding concerns, it is always better to try to prevent people from being abused in the first place. People who are informed, in control of their lives and empowered to assert their views are less likely to be victims of abuse and neglect, and will be in a better position to speak out should it happen. The 'No secrets' consultation report showed that housing professionals already have an approach to empowering people

that is markedly different to other safeguarding partners, who may sometimes take a more controlling approach.

SCIE work on prevention of abuse found that common interventions include training and education on abuse in order to help people recognise and respond to it. Local authorities and housing departments should work together to raise general public awareness of abuse and safeguarding. Housing staff can support individuals by ensuring they have access to the right support from social services, voluntary support agencies and health. They can also provide information on known problems in the area, such as distraction burglary.

Empowering people also involves respecting their rights, so it is important that people are not forced to move to avoid abuse. They may fear less security of tenure or moving from adapted or suitable accommodation. In addition, the person would face the disruption of moving and may lose essential support and ties within the community. Disabled women should never be placed in residential institutions as a solution to domestic abuse unless they expressly want this. [8]

Resources

The SCIE Report 41 covers preventing abuse in detail

Social Care TV: Safeguarding adults: preventing abuse through community cohesion, communication and good practice

Social Care TV: Safeguarding adults: lessons from the murder of Steven Hoskin

Examples from practice

- **Sutton Housing Partnership** has instigated multi-agency strategy meetings to raise concerns about people with care and support needs who may be at risk, before the need for safeguarding strategy meetings. The organisation has appointed a tenancy sustainment officer, responsible for supporting tenants with care and support needs to live independently in their homes. The officer seeks to reduce isolation, offer advice on security and safety of accommodation, ensure residents are accessing all the services they are entitled to and give advice in relation to meeting their tenancy conditions. This early intervention should reduce the impact on other agencies such as social care and mental health teams.

- **Camden Council** encourages residents to get involved in policy reviews, interviewing new staff and selecting providers bidding for contracts, including for high-support hostels. Residents and ex-residents are encouraged to ask questions to ascertain how suitable the providers are.

- **Waltham Forest Housing Association** examines local demographics, identifying geographical areas with most risk and allocating resources accordingly.

- **Genesis Housing Association** has 'staying safe' as a regular resident meeting agenda item. It trains residents to train other residents on keeping safe and holds quizzes to raise awareness. The Association has also helped residents to make a DVD about abuse.

- **Circle Housing** consulted with users to develop safeguarding adults policy and procedures. This helped to form policy on how staff should deal with the disclosure and alerting process. Specific user comments are highlighted in the procedure and associated training so that staff know what points are particularly important to people.

- **Liverpool Housing Trust** holds meetings with residents on the subject of abuse and has translated leaflets on abuse into Chinese and other community languages.

- **Westminster City Council** delivered a safeguarding questionnaire to all people using services and made particular efforts to reach isolated older people.

- **Bournville Village Trust** has undertaken awareness-raising briefing sessions with a range of resident groups and volunteers across the community. It works with community groups and has run briefings on safeguarding for residents' associations, tenant involvement panels and organisations such as the local bowls club.

- **Circle Housing**, Mole Valley, regularly arranges for police and fire service staff to visit sheltered schemes to heighten awareness of particular threats such as doorstep crime and fire risks in the home.

- **Kirklees Council** carries out work to predict future needs and problems – for example, the impact of the welfare reforms on people with care and support needs. It has also set up monitoring systems to record and review trends in adult safeguarding referrals. It then tries to minimise risk, briefing staff on what support might be available. In addition, it has carried out an online survey to test residents' awareness and understanding of safeguarding, and has developed a 'cause for concern' proforma. E-learning modules for adult safeguarding are promoted across housing and partner organisations.

- **Gentoo** (a group of housing-related companies) has a 'Cause for Concern' initiative. The aim is to identify domestic abuse through customers' repair reporting. If any of the following repairs are reported on two or more occasions over a 12-month period, an alert is raised by staff and forwarded to the victim support team:
- lock changes (front and back doors)
- lost keys
- broken windows/glazing repairs

- damage to bathroom door/lock
- internal door damage.

Once an alert has been raised the victim support officer will investigate concerns, checking tenancy breach information and speaking to neighbourhood staff before attempting to contact the tenant to discuss concerns. Victim support staff can visit, taking care not to alert potential abusers.

Maintenance staff at Gentoo all carry hand-held devices with a button they can press when they feel something is not quite right. They document what they have seen and press the button which alerts safeguarding staff to investigate further. All trade vans carry stickers reminding them to report relevant information.

Useful information

Key safeguarding principles

The government has identified **six guiding principles** which serve as a firm foundation for safeguarding people with care and support needs.

- **Empowerment:** presumption of person-led decisions and informed consent.
- **Protection:** support and representation for those in greatest need.
- **Prevention:** it is better to take action before harm occurs.
- **Proportionality:** proportionate and least intrusive response appropriate to the risk presented.
- **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 delivering safeguarding. [1]

Useful safeguarding organisations

Action on Elder Abuse: campaigning to safeguard older people. Helpline 08088 808141

Action Fraud: report fraud and internet crime. 03001 2302040

Care Quality Commission: regulation of care providers. 03000 616161

Ann Craft Trust: safeguarding vulnerable adults and disabled children

Independent Age: advice and support for older people. Advice line 0800 3196789

Women's Aid: working to end domestic violence against women and children. Helpline 0808 2000 247

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Adult safeguarding for housing staff: Guidance for housing managers

This guide aims to raise awareness about safeguarding in the housing sector, at management and frontline levels, for all housing staff, not just those in sheltered or supported housing. We have produced the guide in three versions – each written for a specific audience. You can use the version that most closely links to your role.

This section of the guide is for housing managers, to help them to improve safeguarding practice in housing. It aims to raise awareness about safeguarding in the housing sector, at management and frontline levels, for all housing staff, not just those in sheltered or supported housing. It aims to improve communication and joint working between housing and contracted staff and their safeguarding partners, particularly local authority social services staff with safeguarding responsibilities.