
You're the Boss Safeguarding Policy

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1. Objectives of the Policy

- 1.1 This policy encapsulates the commitment of You're the Boss (YtB) to help keep safe the vulnerable adults who may make use of the services it provides.

In particular it is intended to enable YtB to:

- Promote good practice and work in a way that can contribute to the prevention of harm, abuse, neglect and coercion occurring in relation to vulnerable adults
- Ensure that any allegations of abuse or suspicions that YtB become aware of are dealt with appropriately and quickly

- 1.2 The policy applies to all Directors, paid staff, sessional workers, volunteers or anyone else working with or on behalf of You're the Boss in the delivery of its services.

2. Definitions

2.1 **Safeguarding** means protecting a vulnerable adult's right to live in safety, free from abuse and neglect.

2.2 A **vulnerable adult** is someone who is or may be in need of community care services by reason of mental or other disability, age or illness: and is or may be unable to take care of him or herself, and/or unable to protect him or herself against harm or exploitation (as defined by No Secrets and endorsed through the Care Act 2014 Guidance).

2.3 Abuse and neglect is taken to include

- Physical abuse, including misuse of medication
- Domestic abuse, including psychological or emotional abuse
- Sexual abuse

- Psychological abuse, including any attempt to humiliate, control, coerce or intimidate the person
- Financial or material abuse
- Discriminatory abuse including harassment or insulting behaviour on the grounds of a protected characteristic
- Organisational abuse, including poor care practices
- Neglect and acts of omission, including ignoring medical or physical care needs
- Self-neglect

2.4 It is understood that the aims of adult safeguarding (in line with care and support statutory guidance) are to:

- Prevent harm and reduce the risk of abuse or neglect to adults with care and support needs
- Stop abuse or neglect continuing wherever possible
- Safeguard adults in a way that supports them in making choices and having control about how they want to live
- Raise public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect
- Provide information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult

2.5 Six key principles underpin all work in relation to safeguarding:

- Empowerment
- Prevention
- Proportionality
- Protection
- Partnership
- Accountability

This policy is governed by these aims and seeks to enact these principles

3. Provision of Paid Carer Register

3.1 YtB provides a register of paid carers who are available to provide care and support that would fall within the definition of “regulated activities” (as defined by the Safeguarding Vulnerable Groups Act 2006 and as updated by any further legislation or regulations). Inclusion on the Register will reflect YtB’s assessment that the individual has met criteria which YtB considers the minimum standards required to provide a regulated activity service.

3.2 Entry on to the Register is dependent on an Enhanced DBS including barred list check coming back as clear and thus shows that they have no criminal record, that the police have not released any local intelligence, and they do not appear on any barred list. This requirement will be made clear in the information provided to people wishing to join the Paid Carer Register and in response to any enquiries about joining it.

3.3 YtB will make use of the services of a designated Registered Body to process the DBS applications and provide the appropriate clearance. YtB will at all times be mindful of the DBS

Code of Practice and ensure that its policy and procedures enable the Registered Body to meet the requirements of their registration.

3.4 YtB will only place potential paid carers on the register if they meet in full the additional criteria established by YtB. These criteria are that

- they have suitable public liability insurance (if they intend to act as a self-employed carer)
- they must prove that they are eligible to work in the UK
- that they must use a suitable contract (if they intend to act as a self-employed carer)
- they must have the following policies and procedures in place and make them available to clients
 - Safeguarding Policy
 - Risk Assessment Policy and Procedure
 - Complaints Policy and Procedure

3.5 YtB reserves the right to check at any time that all commitments undertaken by paid carers in applying to the register can be verified.

3.6 If at any time it comes to YtB's attention that these criteria may not be met in full then the carer's place on the register will be suspended until evidence is supplied that the situation is rectified.

3.7 If at any time it comes to YtB's attention that the Paid Carer would no longer have a clear certificate if a new DBS application was submitted then they will immediately be withdrawn from the Register.

3.8 If YtB becomes aware that a safeguarding investigation implicates a paid carer on the register in some allegation of poor practice then their place on the register will be suspended unless and until the relevant authority confirms that there is no reason to withdraw them from the Register.

3.9 The person on the Register will need to be removed after 2 years, unless the paid carer subscribes to the Update Service and gives permission for YtB to check the update (there will be an additional charge from YtB for this), or they are willing to undertake a new YtB DBS check at that point.

3.10 Every attempt will be made to make clear to anyone making use of the Register that the responsibility for making decisions about whether to employ or contract with a specific paid carer remains with them, and that they should not make an employment decision based on the fact that a potential carer has a clear DBS certificate and they are on the register.

4. Provision of Information

4.1 YtB provides generic information in 3 main ways:

- Through the information pages on its web-site
- Through the products that it sells to people acting as paid carers and to those looking for care
- Through dealing with enquiries from individuals

4.2 In all these ways YtB is committed to ensure that the information provided makes clear the following:

- The meaning and importance of abuse and neglect
- The responsibility of everyone to respond appropriately if abuse or neglect is suspected to have been taking place
- How to report any suspicions of abuse or neglect

4.3 It is the responsibility of YtB's Safeguarding Designated Named Person to ensure that the information provided is kept up to date and accurate in relation to any official guidance in respect of Adult Safeguarding.

5. Employment of Staff

5.1 As and when YtB employs staff or makes use of volunteers – either on an ongoing contract basis or for specific projects – it will undertake to ensure that they obtain standard level DBS clearance, if there is any possibility that they will have any responsibilities that involve contact with vulnerable adults (in line with the eligibility definition based on the Rehabilitation of Offenders Act 1974). Failure to meet this requirement will lead to the “job offer” being withdrawn.

5.2 For any other staff or volunteer positions YtB's standard equal opportunities policy will apply.

5.3 Any staff or long-term volunteers working with YtB will be offered the opportunity to undertake training in relation to Adult Safeguarding.

6. Rehabilitation of Offenders

6.1 As an organisation assessing applicants' suitability for the register of Paid Carers and/or assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order, using criminal record checks processed through the Disclosure and Barring Service (DBS), YtB abides with the code of practice and undertakes to treat all applicants fairly

6.2 YtB undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed

6.3 Whether it is for the staff member or for the Register of Paid Carers, YtB will only ask an individual to provide details of convictions and cautions that we are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended)

6.4 YtB will only ask an individual about convictions and cautions that are not protected

6.5 YtB is committed to the fair treatment of its staff, potential staff and users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependents, age, physical/mental disability or offending background.

6.6 YtB makes every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available on request.

6.7 YtB ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the rehabilitation of Offenders Act 1974

7. Responding to Suspicions or Allegations

7.1 From time to time Directors, other staff or volunteers may become aware of situations that may involve suspicions or allegations of abuse. This could be as a result of communication with someone in receipt of care, an informal carer or friend of relative of someone receiving care or someone acting as a paid carer. YtB acknowledges its duty to respond appropriately to any allegations, reports or suspicions of abuse or neglect.

7.2 Care will always be taken to try and ensure that the person receiving the information truly understands what is being said, before any action is taken. If there is any doubt as to what the appropriate response is then in the first instance the person acting on behalf of YtB will seek advice from YtB's Safeguarding Designated Named Person, who themselves may seek advice from Hampshire County Council Safeguarding Officer.

7.3 YtB is not equipped to undertake any investigations of the issues raised. It is however committed to passing on any concerns to the appropriate bodies in a timely and transparent way, to ensure that investigations can be undertaken.

7.4 Under normal circumstances this will be the Safeguarding Officer at the relevant local authority. Every attempt will be made to discover which Authority this is, but if this is not possible then the Police may be informed.

7.5 Where the suspected abuse may be being perpetrated by someone who has the authority to manage an adult's money the relevant body may be the Office of the Public Guardian or the Department of Work and Pensions.

7.6 If the suspicion or allegation of abuse concerns a Paid Carer on YtB's register in any of the following ways:

- they have harmed or pose a risk of harm to a child or vulnerable adult
- they have satisfied the harm test; or
- they have received a caution or conviction for a relevant offence

then the relevant local authority safeguarding officer, police and DBS either directly or through the designated Registered Body.

7.7 Comprehensive records of any exchanges that lead to reporting of concerns will be kept and kept securely.

8. Sharing of Information

- 8.1. YtB will undertake any sharing of information in line with its legal responsibilities under the Data Protection Act.
- 8.2. Under all normal circumstances YtB will only share information about a Paid Carer or any other individual who contacts YtB for any reason with their explicit permission.
- 8.3. Information will however be shared on a “need to know” basis if there is an overriding public interest because there is a risk of harm if the information is not shared.
- 8.4. YtB aims to approach local authorities where Paid Carers on the Register are known to be working in order to request to enter into an Information Sharing Agreement. It is hoped that this will encourage local authorities to share any information that would enable YtB to take appropriate action to suspend or remove Paid Carers from the Register.
- 8.5. The commitment to pass on any relevant safeguarding concerns will not however be dependent on entering into such an Agreement.

9. Responsibilities under this policy

- 9.1. YtB will appoint a Designated Named Person for Safeguarding Adults who is responsible for dealing with any safeguarding concerns.
- 9.2. In their absence there will be a Named Deputy who will take on these responsibilities.
- 9.3. Any other staff or volunteers employed or working with YtB will if they are available communicate any concerns to the Designated Named Person or the Named Deputy. In the absence of either person the staff member or volunteer will be expected to report any concern direct to the appropriate authority if their assessment is that a risk of harm is involved, in line with the agreed detailed procedures.
- 9.4. It is the responsibility of the Designated Named Person and Named Deputy to review this Policy and associated Procedures on an annual basis or when there is a change in relevant regulations or after any safeguarding alert has been raised.
- 9.5. It is the responsibility of the Designated Named Person to ensure that this Policy and the associated Procedures are effectively communicated to any members of staff or volunteers working with YtB, and to any Paid Carers entering YtB Paid Carer Register.
- 9.6. It is the responsibility of those people to read the Policy and ensure that they understand its contents fully

10. Safeguarding Procedures

- 10.1. YtB will produce and keep under review detailed procedures that set out how this Policy is to be implemented.