

Safeguarding Adults Policy

December 2023

To be reviewed: December 2024



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PURPOSE

To set out the approach of Rising Sun Domestic Violence and Abuse Service (Rising Sun) to safeguarding adults.

INTRODUCTION

This document contains a Policy Statement (Part 1) and Procedural Guidance (Part 2). The functions of both are set out briefly below.

PART 1

Policy Statement. The policy statement sets out the broad framework of principles in which this particular area of work will be carried out. It sets out the organisation's broad style and approach to this issue, including any aims and guiding principles.

PART 2

Procedural Guidance. The procedural guidance sets out the details that staff will require to carry out their duties in this particular area of work. It also sets out the specific tasks involved in undertaking this area of work and identifies who is responsible for carrying them out.

Safeguarding adults is defined as 'protecting an adult's right to live in safety, free from abuse and neglect whilst strongly promoting an adult's wellbeing'.

An adult is any person aged eighteen years or older.

The terms 'safeguarding adults' and 'adults at risk' are now used where in the past the phrase 'vulnerable adult' abuse was often used.

The term staff/worker includes volunteers, anyone on placement and members of the Board of Trustees.

For the purpose of this document local authority means Kent County Council or Medway Council as they are the authority responsible for adult safeguarding in the county of Kent.

Related Policies and Procedures:

- Safeguarding Children
- Whistleblowing
- Recruitment and Selection
- Professional Conduct
- Staff Development
- Partnership Working



- Volunteers
- Disciplinary
- Privacy Policy
- Domestic Abuse Policy
- Data Protection Policy

Monitoring and Review

All Rising Sun personnel and visiting staff will have access to a copy of this policy and will have the opportunity to consider and discuss the contents with the CEO or a Designated Adult Safeguarding Officer. The policy will also be available to parent and carers where appropriate. All staff have access to this policy and sign to confirm that they have read and understood its contents. The policy is covered as part of any new staff members' induction. The policy will be reviewed formally annually, but will be affirmed and altered (reflecting and policy or legislative changes) as necessary.



PART 1

POLICY STATEMENT

AIMS AND PRINCIPLES

- The Rising Sun is committed to safeguarding its service users. It is everyone's responsibility to promote the wellbeing of service users to protect them from harm, as well as recognising the right to live free from abuse in accordance with the principles of respect, dignity, autonomy, privacy and equity. It is about **people** and **organisations working together to prevent** and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's **wellbeing** is promoted (*The Care Act 2014*) Rising Sun will therefore undertake Enhanced Disclosure & Barring Service checks on all staff, Trustees and volunteers where they come into contact with service users. We will ensure that all staff, Trustees and volunteers, as well as service users, maintain appropriate boundaries at all times.
- Rising Sun believe that priority should be given to the prevention of abuse by raising awareness of adult safeguarding issues and fostering a culture of good practice through support and care provision
- Rising Sun is committed to working in partnership with other organisations and individuals to achieve these aims
- Rising Sun staff will raise a concern to other agencies when they have safeguarding issues with prompt, timely and appropriate actions
- Rising Sun will act as the voice of the service user and act as their advocate to ensure wherever possible that the focus of any work undertaken by us or other agencies is focused on the safety and needs of the service user
- All adults regardless of age, culture, disability, diversity, gender, racial heritage, religious belief, sexual orientation, or identity, have the right to equal protection from all types of abuse or neglect

All workers should promote well-being in relation to how adults are treated and the following should form part of that:

- a) Personal dignity and respect
- b) Physical and mental health, and emotional wellbeing
- c) Protection from abuse and neglect
- d) Autonomy in their day-to-day life (including care and support and how it is provided)
- e) Participation in work, education, training or recreation
- f) Social and economic wellbeing
- g) Domestic, family and personal relationships
- h) Suitability of living accommodation
- i) The individual's contribution to society



When dealing with an adult, the worker should have regard to:

- a) The importance of beginning with the assumption that the adult is best-placed to judge their own wellbeing
- b) The adult's views, wishes, feeling and beliefs
- c) The importance of promoting independence, personal development and the minimisation of current and future needs
- d) The need to ensure that decisions about an adult are made having regard to all of their circumstances and are not based on age, appearance, condition or behaviour which might lead others to make unjustified assumptions about the adult's wellbeing
- e) The importance of the adult participating as fully as possible in decisions and being provided with the information and support to enable this to happen
- f) Achieving a balance between the adult's wellbeing and that of their representative, involved in care
- g) The need to protect people from abuse and neglect
- h) The need to ensure that any restriction on the adult's rights or freedom are proportionate.

In upholding the commitment to an abuse-free environment, Rising Sun will provide training, support and supervision to staff along with clear policies and procedures to which they must work. In turn, staff will provide the necessary support to service users to assist them to uphold an abuse-free environment.

The following key principles underpin all adult safeguarding work

- Empowerment – Personalisation and the presumption of person led decisions and informed consent
- Prevention – It is better to take action before harm occurs
- Proportionality – Proportionate and least intrusive response appropriate to the risk presented
- Protection – Support and advocacy for those in 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 delivering safeguarding.

Adults with mental capacity have a right to make their own Rising Sun decisions, take risks, be free from coercion, and to be consulted and involved in their own safeguarding plans. Adults without mental capacity have legal safeguards under the Mental Capacity Act 2005.

What is Mental Capacity?

- Mental capacity is the ability to make a decision.
- Capacity can vary over time.
- Capacity can vary depending on the decision to be made.



- We must not assume a lack of capacity because of a person's age, physical appearance, condition or an aspect of their behaviour
- 'Mental Capacity' simply means our ability to be able to make decisions which are defensible in law.
- 'Capacity' is not general!
- It is time and decision specific.

THE SCOPE OF SAFEGUARDING

Rising Sun staff come into contact with service users in a variety of settings. The focus of this document is the service user as well as other adults that the service user has contact with. Abuse may be caused by anyone including partner, parent, carer, sibling, child, family member, friend, stranger or professional.

Information regarding safeguarding concerns about other individuals e.g. perpetrator's access to adults, may also come to the attention of staff, and this policy will also be used in these circumstances.

This document is based on the following legislation and guidance

- No Secrets 2000 (Department of Health)
- Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005
- Care Act 2014
- Department of Health –Statement on Adult Safeguarding 2013
- Multi-agency Safeguarding Adults Policy, Protocols and Guidance for Kent and Medway 2019

The safeguarding duties apply to an adult at risk, defined as an adult who:

- Has needs for care and support (whether or not the local authority is meeting any of these needs);
- Is experiencing, or at risk of, abuse or neglect; and
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect

Kent County Council and Medway Council are the responsible local authorities for safeguarding adults. They have agreed a joint policy however they do have different forms for reporting concerns.

Care & Support Needs

- An older person,
- A person with a physical or learning disability or a sensory impairment,
- Someone with mental health needs, including dementia or a brain injury,
- A person with a long-term health condition,



- Someone who misuses substances or alcohol to the extent that it affects their ability to manage day-to-day living,
- A carer, providing unpaid care to a family member or friend.

THE ROLE OF THE CHARITY COMMISSION

The Charity Commission regulates charities to ensure that they comply with their legal obligations and deliver effective services for the causes and beneficiaries they serve.

The commission is concerned to ensure that vulnerable groups are looked after by charities in a safe environment. It actively promotes the need for charities working with vulnerable groups to undertake rigorous checks including Disclosure and Barring Service checks where appropriate, on prospective trustees, employees and volunteers.

The Charity Commission States:

- Given the challenging nature of the work undertaken and the difficult context faced by many charities, the Commission understands that serious incidents will happen.
- When something serious happens, it is the Commission's role to ensure that trustees comply with their legal duties and that the charity manages the incident responsibly.
- This means the Commission will be looking for assurance that the charity has taken steps to limit the immediate impact of the incident and, where possible, prevent it from happening again.



PART 2

PROCEDURAL GUIDANCE

Safeguarding and Promoting Adults' Wellbeing

The Care Act 2014 which came into force in April 2015 has for the first time created legal requirements regarding safeguarding adults including a duty for the local authority to make enquiries or cause others to do so, if it believes an adult is experiencing, or is at risk of abuse or neglect. In addition, it puts on a legal footing safeguarding adult boards and the local authority must arrange where appropriate for an independent advocate for an adult who is subject of a safeguarding enquiry or review.

Incidents of domestic abuse may also constitute adult safeguarding concerns. It is important that these are recognised and recorded by organisations under both headings. This should ensure that the individual who is subject to the abuse is protected by utilising the policies and procedures for both domestic abuse and adult safeguarding. It is vital that there is good record keeping and communication between professionals and organisations to ensure there is minimal duplication and to prevent a service user slipping through the net or being confused by the professionals.

In the event that a worker believes a case they are dealing with constitutes an adult safeguarding concern, then they must report it to the relevant safeguarding authority. Although Kent County Council and Medway Council have an agreed policy, they have separate reporting processes. If the worker believes that a criminal offence has been committed then they should also report it to the police. This decision will take into account the six principles and be in conjunction with a discussion with your manager. If a worker wishes to seek advice about an adult safeguarding matter then they can contact the relevant social services for a consultation and discuss with a Rising Sun Designated Adult Safeguarding Officer (DASO).

Safeguarding Enquiries and Investigations

A Statutory Safeguarding Enquiry is where an adult is believed:

- to be experiencing, or at risk of, abuse or neglect: AND
- to have needs for care AND support (whether the local authority is meeting any of those needs) AND
- as a result of those care AND support needs is unable to protect themselves from either the risk of, or experience of, abuse or neglect

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

- needs for care and support (whether or not the local 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

then the local authority 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 and if so, what should happen and by whom. This constitutes a formal Section 42 enquiry.

A Non-statutory Safeguarding Enquiry is one where the criteria for a Section 42 Enquiry are not met; however the local authority at its discretion may carry out an enquiry. These enquiries may relate to an adult who;

- is believed to be experiencing, or is at risk of, abuse or neglect
- does not have care AND support needs (but might just have support needs)

The local authority is the lead agency for Section 42 Enquiries. Not all abuse of adults constitutes a criminal offence, if it is believed a criminal offence has been committed then the police will lead the criminal investigation, the investigation will be in partnership with and compliment, the Section 42 Enquiry. The local authority is also responsible for deciding when a case can be closed and if the duty under Section 42 is satisfied.

Who may be considered for an adult safeguarding enquiry?

This may include adults with learning disabilities, mental health issues, older people and adults with a physical disability or impairment. It may also include adult victims of abusive care practices, neglect and self-neglect, domestic abuse, child sexual exploitation, hate crime, female genital mutilation, forced marriage, modern slavery, trafficking and anti-social abusive behaviour. An adult's need for additional support to protect themselves may be increased when complicated by additional factors such as physical frailty or chronic illness, sensory impairment, challenging behaviour, drug or alcohol problems, social or emotional problems, poverty or homelessness, and it is important to note that vulnerability can fluctuate.

Many adults may not realise that they are being abused and/or exploited, particularly where there is an abuse of power, a dependency, a relationship or reluctance to assert themselves for fear of making the situation worse.

Types of abuse

Abuse and neglect can take many forms and every case should be considered on its own merit with due consideration to an individual's circumstances. The following categories of abuse are not mutually exclusive and an adult may be subject to more than one type of abuse at the same time, whatever the setting.

Categories of abuse:

- Physical abuse
- Sexual abuse
- Emotional, mental and psychological abuse
- Exploitation



- Financial or material abuse
- Harassment (sexual, racial or any other)
- Bullying
- Neglect and acts of omission
- Self-neglect or self-injurious behaviour
- Discrimination
- Organisational abuse
- Multiple forms of abuse
- Domestic abuse
- Inappropriate restraint
- Threatening, intimidating or aggressive behaviour or language
- Verbal insults, smacking and other forms of corporal punishment
- Damage or theft of property or any behaviour which could reasonably be expected to cause fear or distress
- Hate crime
- Modern slavery or human trafficking
- Forced marriage
- Female genital mutilation

There are four additional types of harm that are not included in The Care Act, but they are also relevant to safeguarding adults:

- Cyber bullying
- Forced marriage
- Mate crime, which can lead to cuckooing
- Radicalisation

Some adults may reveal the abuse themselves by talking about or drawing attention to physical signs or displaying certain actions/gestures. This may be their only means of communication, so it is important to be alert to these signs and to consider what they mean.

Abuse or neglect may be deliberate, or the result of negligence or ignorance. Unintentional abuse or neglect may occur owing to life pressures or as a result of challenging behaviour which is not being properly addressed. It is the intent of the abuse or neglect which is therefore likely to inform the type of response.

Abuse can happen anywhere and if someone lives alone or with others. It is important to understand the circumstances of the abuse, including the wider context such as whether others may be at risk of abuse, whether others have witnessed the abuse, the role of family members as well as professionals.

Designated Adult Safeguarding Officer

Rising Sun has several Designated Adult Safeguarding Officers (DASO). The DASOs are responsible for advising staff on adult safeguarding matters and should always be consulted regarding any cases



that are complex. The DASOs are Elaine Coia (Lead), Fran Ellis, Anne Lyttle and Ingrid Sanfey. Donna Convery is the trustee lead.

Contact Details:

- Elaine Coia elaine@risingsunkent.com Mobile: 07709230120
- Fran Ellis fran@risingsunkent.com Mobile: 07512324947
- Ingrid Sanfey Ingrid@risingsunkent.com Phone: 01227452852
- Anne Lyttle anne@risingsunkent.com Mobile: 07706357522
- Donna Convery (email via one of the DSPs above, or call the office on 01227 452 852 for contact details)

Training

All Rising Sun team members must complete Safeguarding Adults - Level 1 as part of their induction and refresher training every two years thereafter. Designated Adult Safeguarding Officers must complete Designated Adult Safeguarding Lead (Level 3) training and refresher training every two years thereafter.

Safeguarding Concerns

A safeguarding concern is defined as the first contact between a person concerned about the abuse or neglect and the local authority. Depending upon the circumstances of the concern the local authority will either carry out a Statutory Safeguarding Enquiry in accordance with Section 42 of the Care Act 2014 or a Non-statutory Enquiry.

If any Rising Sun worker believes that a service user maybe suffering abuse or neglect then they must raise an internal safeguarding concern using the cause for concern form and discuss it with a DASO and, if appropriate, raise a safeguarding concern with the local authority. If the adult has capacity, consent must be gained before any information is shared externally.

Under what circumstances would you take action even if the person had capacity and had told you not to report? :

- the alleged abuser is a member of staff
- other adults 'at risk' are in danger
- there are children in the accommodation
- a crime could be prevented
- the alleged abuser has care and support needs and could be at risk
- you suspect the person may be under duress or being coerced
- a court order or other legal authority has requested the information

Sharing Information

Early sharing of information is the key to providing effective help where there are emerging concerns. A worker should never assume that someone else will pass on information which they think may be critical to the safety and well-being of an adult at risk of abuse or neglect.



When sharing information you should:

- Identify how much information to share through discussion with a DASO
- Distinguish fact from opinion
- Ensure that you are giving the right information to the right individual
- Ensure where possible that you are sharing the information securely
- Remember that the Data Protection Act is not a barrier to sharing information
- Safety and well-being are paramount. Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions or the actions of the perpetrator
- Sharing should be necessary, proportionate, relevant, accurate, timely and secure
- Record decisions around information sharing

Recording of adult safeguarding concerns

All safeguarding concerns regarding adults will be recorded on On Track in the case notes. The safeguarding tag should be added to the relevant case note. In addition the concern should be discussed with a Rising Sun Designated Adult Safeguarding Officer (DASO) and a Rising Sun cause for concern completed. A copy of any referral form/notification email or other documents will be embedded on the service user's On Track record. Any follow up actions will also be recorded in the case notes, tagged as safeguarding.

The minimum amount of information which should be recorded includes:

- Names and details of people involved
- Any additional relevant information known about the people involved
- Details of the concern and who raised it
- Views and wishes of the adult affected
- Any reasons for not discussing with the adult affected
- Any information known about potential risk to others
- Details of anyone else consulted or concern discussed with
- Details of any action already taken

Always remember to do the following:

- Recognise
- Respond
- Report
- Record
- Refer

As well as concerns and actions, the rationale for any decisions should also be recorded bearing the following in mind:

Defensible Decision Making:

1. Evaluate the information you are using: are there any gaps? How reliable are the sources?



2. Consider who you need to communicate with to make the decision: for example, family members, professionals, other teams.
3. Ensure once the decision is made that it is communicated to the people/agencies who need to know.
4. Consider your own biases and preferences: might these be affecting your decision?
5. Use reflective supervision to evaluate your decision making and the impact of your values and experience.
6. Record your decision!
7. Ensure the rationale for your decision is clear in your recording. Evidence what other options have been considered and if not followed, record the reasons why.

The DASOs will meet monthly to discuss concerns raised that month, reflecting on how they were managed, decisions made and if this was best practice, and making sure that any follow up actions have been completed and chasing up where necessary.

Risk Assessment

Rising Sun staff use the Domestic Abuse, Stalking and Harassment Risk Identification Checklist (DASH- RIC) to assess risk to victims of domestic abuse, as well as the S-DASH for victims of stalking. These tools are not designed to assess adult safeguarding and therefore any concerns about safeguarding adults must be addressed by using this policy.

Multi Agency Risk Assessment Conference (MARAC)

In the event of a case that is subject to a safeguarding enquiry is also heard at a MARAC, it is important that the representing worker advocates on behalf of the victim with a particular focus on ensuring the local authority does not replace safeguarding process with the MARAC. Both processes have distinct responsibilities and should complement each other.

Working with Other Agencies

Rising Sun recognises the need to work with other agencies including social services, the police and health, in response to domestic abuse, as well as safeguarding issues. In order to improve the multi-agency response to domestic abuse and safeguarding Rising Sun will:

- attend multi-agency meetings where appropriate
- provide training in domestic abuse to other agencies
- provide feedback on inter-agency working
- participate in a Safeguarding Adult Review if Rising Sun have had contact with the adult



In the event of another agency requesting written reports other than in the MARAC process such as for a case conference or part of court proceedings, advice should be sought from a manager and DASO if not the same person, who will approve the report before it is submitted. Legal advice may be sought when appropriate, and it may be decided to only disclose where a court order is made.

Reporting Concerns, Complaints and Whistleblowing

Any concerns about an adult's wellbeing should be reported and responded to. Partners, children, parents, carers, family members and Rising Sun workers should all be encouraged to report these concerns which can be done by any of the following means:

- to a member of staff who will direct the conversation to a Rising Sun DASO
- reporting to the police, adults social care or health providers (statutory agencies)

If a worker believes that another member of staff has not responded appropriately to a concern then they should report this to a DASO or utilise the Whistleblowing Policy. In line with our Whistleblowing Policy, any individual raising legitimate concerns will not be subject to any detriment, either during or after employment. Rising Sun will also endeavour to ensure that the individual is protected from any intimidation or harassment by any other parties.

If a family member, carer or another person outside of Rising Sun wishes to make a complaint about the manner in which a safeguarding matter was handled then this will be investigated by an appropriate person within Rising Sun appointed by the CEO.

In the event of a worker reporting a concern to another agency and they believe the matter was not dealt with appropriately then they should utilise the Partnership working approach.

Allegations Against a Member of Staff, Trustee or Volunteer

In the event of an allegation being made against a member of staff this policy will be utilised in conjunction with the Disciplinary Procedure. The CEO will be informed without delay to enable her to oversee the investigation.

Allegations against Visitors

Should a visitor to the Rising Sun's premises be subject to an allegation of abuse, they will be excluded from the premises until an investigation has been carried out. Rising Sun may involve social services and the police in such an investigation as it deems appropriate.



Allegations against service users staying in Rising Sun accommodation

If allegations of abuse are made against another service user staying in Rising Sun accommodation (Liberty House), that service user (and their child) may be offered other temporary accommodation until an investigation has been carried out.

In cases of alleged sexual abuse, temporary accommodation will always be used. In other cases, the decision to offer temporary accommodation will depend on the nature of the alleged abuse and its seriousness. If a service user refuses to accept an offer of temporary accommodation in these circumstances, she may be evicted from the property immediately.

Should the investigation fail to find that there is a case to answer, the service user and her child, if any, may return to Liberty House or be offered alternative accommodation in line with her wishes and the advice of Rising Sun. If they return to Liberty House they will be offered additional support.

Should the investigation find that there is a case to answer, Rising Sun may notify social services and/or the police as appropriate. The service user and her child will not be allowed back in Liberty House but Rising Sun will make reasonable attempts to assist them to find alternative accommodations and support.

Further Guidance

The Local Government Association and the Association of Directors of Adult Social Services document 'Adult safeguarding and domestic abuse – A guide to support practitioners and managers' provides more detailed guidance.

ADULTS SAFEGUARDING PROCEDURE

Kent Safeguarding Procedure

Rising Sun workers can find the Kent Adult Safeguarding Alert Form (KASAF - Stage 1) and guidance for completing the form on <https://www.kent.gov.uk/social-care-and-health/information-for-professionals/adult-safeguarding/adult-protection-forms>.

If you have had a consultation with the Local Authority and they have advised you to raise a safeguarding concern, you must do so within 48 hours of the discussion to avoid any increased risk.

It is expected that professionals who raise a concern will have completed the KASAF Stage 1 as fully as possible using all of the prompts provided within the form, to support the timely evaluation of the risks. Failure to do so may impede the process.

The KASAF should be completed as a word document. There are drop down boxes, with free textboxes which will grow to accommodate information provided. The Local Authority (LA)



practitioner receiving the KASAF will identify any additional information that may need to be gathered.

The KASAF is for professionals and members of the public to use. It is preferred that professionals where possible, complete the form electronically and email to the Local Authority. However, this may not be possible for members of the public; therefore handwritten versions can be accepted to avoid unnecessary delays.

Rising Sun workers can also contact **03000 41 61 61**

Help for people having suicidal thoughts:

- **Crisis Team** – Sometimes called Home Treatment Teams
- **CMHT** – Community Mental Health Team
- **GP** – May be to refer to other services, medication etc.
- **Recovery or Crisis Homes** – May be run by NHS or charitable organisations
- **Charities** – Emotional Support Services ie. Talking Therapies, Counselling
- **The Mental Health Act** – May be sectioned if considered a danger to themselves or others
- **Care Programme Approach** – Care Plan and a Care Co-Ordinator
- **Helplines** – Samaritans, Saneline, CALM, Support Line

Other useful links and information:

- **National Cyber Security Centre:** www.ncsc.gov.uk
- **Thinkuknow (Cyber Crime):** <https://www.thinkuknow.co.uk/>
- **Mental Health First Aid Training:** <https://mhfaengland.org/individuals/>
- **IDAS (Domestic Abuse):** <https://www.idas.org.uk/our-services/domestic-abuse/safety-plan/>
- **DASH Checklist Support:**
<https://safelives.org.uk/sites/default/files/resources/Dash%20risk%20checklist%20quick%20start%20guidance%20FINAL.pdf>
- **Safe Lives:**
<https://safelives.org.uk/sites/default/files/resources/Dash%20without%20guidance.pdf>



- **Trafficking of people:** <https://www.stophetraffik.org/>
- **Neglect:**
https://www.medwayadulthoodeducation.co.uk/pluginfile.php/35927/mod_resource/content/1/Self-neglect-policy-and-procedures.pdf
- **Charity Commission :** New Government Platform Offers Guidance on Handling Safeguarding Allegations in a Charity - Ann Craft Trust
- **The Essential Trustee – What You Need To Do -**
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/866947/CC3_feb20.pdf



APPENDIX 1. Adults Safeguarding Procedure



Contact details for Kent's Safeguarding Team:

social.services@kent.gov.uk

03000 41 61 61

Out of hours and in an emergency

If you need to contact us outside of normal office hours, for example during the night, call 03000 41 91 91.

If you think someone is in immediate danger, the best thing to do is call 999 for the emergency services.

