



Tenancy Management

Safeguarding Policy

Regulation and Legislation	This policy links to The Care Act 2014; The Children's Act 2004 and the Housing Act 1996; the Regulator of Social Housing (RSH) Neighbourhood and Community Standard
Supporting documents	Anti-Social Behaviour Policy; Domestic Abuse Policy; Domestic Abuse and the Workplace Policy; Domestic Abuse and the Workplace Procedure; Hate Incidents Policy; Tenancy Fraud Policy; Whistleblowing Policy; Multi-Agency Public Protection Arrangements (MAPPA) Policy; Multi-Agency Public Protection Arrangements (MAPPA) Procedure. Safeguarding Procedure
Scope	This policy outlines how Orbit approaches and manages safeguarding in relation to adults and children at risk. It applies to any person our employees, agents or contractors encounter whilst at work.
Reference to "Orbit" means Orbit Group which consists of Orbit Group Limited, Orbit Housing Association Limited, Orbit Homes (2020) Limited, Orbit Treasury Limited and Orbit Capital Plc.	

1. Introduction

- 1.1 This policy demonstrates our strong commitment to the welfare of our customers and outlines our response to dealing with safeguarding in our role as a Registered Provider. We believe the safety, protection and welfare of adults at risk and children is paramount. We take the detection and reporting of safeguarding concerns seriously and we recognise the protection of adults and children is everyone's responsibility.
- 1.2 This policy is part of a suite under the umbrella of Community Safety and Anti- Fraud (CSAF), which includes Anti-Social Behaviour, Domestic Abuse, Hate Incidents and Tenancy Fraud.
- 1.3 The following six principles, as outlined by the Housing and Safeguarding Adults Alliance checklist against the Care Act 2014 statutory guidance for housing and housing support providers, underpin our approach to adult safeguarding:
 1. **Empowerment** - People being supported and encouraged to make their own decisions and informed consent
 2. **Prevention** - It is better to take action before harm occurs.
 3. **Proportionality** - The least intrusive response appropriate to the risk presented.
 4. **Protection** - Support and representation for those in greatest need.
 5. **Partnership** - Local solutions through services working with their communities. Communities have a part to play in preventing, detecting, and reporting neglect and abuse.
 6. **Accountability** - Accountability and transparency in safeguarding practice.

2. Policy Statement

2.1 We adopt the following definitions of safeguarding:

Safeguarding Adults at Risk as the process of protecting adults with care and support needs from abuse or neglect. This may include empowering and enabling them to protect themselves.

Adults are considered to be 'at risk' if they:

- have a physical disability and/or sensory impairment.
- have a learning disability.
- have a mental health condition/illness.
- have a long-term condition/illness.
- lack mental capacity.
- misuse substances or alcohol.

Safeguarding Children as the process of protecting children from maltreatment, abuse, or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully.

For the purposes of this policy, we consider a child to be anyone under the age of 18 or an unborn child.

2.2 We consider that any of the following would present a safeguarding concern, but that this is not an exhaustive list:

- Bullying
- Child trafficking and modern slavery
- Cuckooing
- Dementia
- Domestic abuse
- Emotional abuse
- Female genital mutilation
- Financial abuse
- Gang related.
- Hoarding
- Institutional/organisations abuse
- Mental health
- Neglect and self-neglect
- Online abuse
- Physical abuse
- Physical health
- Psychological abuse
- Radicalisation and extremism
- Self-Harm and threats of suicide
- Sexual abuse including grooming.
- Slavery

2.3 If an employee, agent, or contractor either witnesses, receives a disclosure, has reason to suspect, or can simply answer 'yes' to the question; "Am I worried about this person's safety or wellbeing?", then a 'safeguarding concern' should be raised.

- 2.4 When a safeguarding concern is raised, it will be assessed, and a decision made whether to then raise a formal 'safeguarding alert' with the relevant local authority (LA). If a formal alert is not raised, other appropriate action may be taken such as a referral to the Mental Health Team, a request for a Care Needs Assessment, or a referral or signpost for other support.
- 2.5 When raising concerns and any subsequent alerts, we will not refer to the adult or child as a 'victim' and instead refer to them as the 'subject' if they have been directly affected, or if they have seen or heard something but are not directly affected, we will refer to them as 'witnesses'.
- 2.6 We refer to those people suspected of committing acts for which a safeguarding concern or alert has been raised as 'alleged perpetrators'.

Raising concerns

- 2.7 All employees, agents and contractors have a responsibility to raise safeguarding concerns and we aim to make this easy.
- 2.8 We will take all disclosures seriously and raise a concern on any suspicion promptly, ensuring that the welfare of adults and children is always treated as a high priority.
- 2.9 When in contact with any person about a safeguarding concern we should when appropriate establish the subject's needs and any risks of harm that alleged perpetrators or potential perpetrators may pose.
- 2.10 We will consider the impact that diversity (such as beliefs or language) may have on a customer's vulnerability and their ability to understand and access support services. We will ensure this is not a barrier to supporting customers or raising safeguarding concerns.

Raising formal alerts and managing cases

- 2.11 The LA has the lead role and statutory duty in safeguarding adults and children; however, we recognise our role in supporting them and our statutory duties under The Care Act 2014, The Children's Act 2004, and the Housing Act 1996.
- 2.12 We will not investigate safeguarding concerns as we do not have a legal duty to do so, and we do not have employees trained to undertake such investigations. We should when appropriate however support the LA with their enquiries, and we will share appropriate information with them.
- 2.13 If a safeguarding concern is raised, a case will be immediately opened and the details assessed and where appropriate, a formal alert raised with the LA. If no formal alert is raised with the LA, other support interventions will be considered.
- 2.14 In an emergency where it is believed that a person(s) is at immediate risk of harm for example a threat of suicide; employees, agents and contractors are expected without delay to dial 999 and report their concerns to the Police and/or Ambulance and/or Fire Service as appropriate.

- 2.15 We will endeavor to obtain consent from the subject or the subject's parent/s before raising a safeguarding alert; in the event consent cannot be obtained this will be communicated to the LA when the alert is raised.
- 2.16 We will work with subjects and aim to empower them to take control by offering support or signposting them to other agencies.
- 2.17 We will work in partnership with other professional organisations to ensure in our capacity as a landlord we take appropriate steps to safeguard and protect our customers.
- 2.18 If we take enforcement action in our role as a landlord which could result in a child being at risk of homelessness, we will notify the relevant Local Authority Homelessness Team. We will obtain consent from the customer where possible before making such a notification. If we take enforcement action in our role as a landlord which could result in an adult at risk being at risk of homelessness, we will raise a safeguarding alert. We will obtain consent from the customer where possible before making such a notification.
- 2.19 We will respect the right of people to decide how they live and the risks they take unless:
- a child is involved.
 - a serious crime has been committed.
 - there is a breach of tenancy.
 - employees are implicated.
 - coercion is involved.
 - the subject is an adult at risk.
 - alleged perpetrator is an adult at risk.

Challenging decisions

- 2.20 If a safeguarding alert is not accepted by the LA, or there is a delay in the assessment or where the support provided is ineffective and the concern persists, we may challenge the decision via the approved escalation process or consider tenancy enforcement action (see our Anti-Social Behaviour policy) to safeguard the subject, other customers, employees, agents, or contractors.

Concerns about an employee, agent, or contractor

- 2.21 We will fully support anyone who in good faith, raises a safeguarding concern relating to an employee, agent, or contractor.
- 2.22 We will ensure employees are aware of statutory protection regarding Whistleblowing. Employees who whistle-blow can remain anonymous; however, anonymity cannot be guaranteed if a Criminal Investigation is undertaken (please also refer to the Whistleblowing Policy).
- 2.23 When an agent or contractor is a subject or perpetrator, we will manage this sensitively and work with the Orbit contract manager on a case-by-case basis. Cases where an agent or contractor is a perpetrator will be reported to the OSL.
- 2.24 We recognise that our employees may also be subjects or perpetrators of domestic abuse and we will deal sensitively with such cases and in-line with the Domestic Abuse and the Workplace Policy and Procedure. We will ensure that the employee is aware of the process, including timescales of any investigation and what support and advice is available.

Dealing with Perpetrators

- 2.25 In our capacity as a landlord we will work with other professional agencies to support risk assessments and manage situations where a customer may be accused, or indeed be the alleged perpetrator of abuse.
- 2.26 A history/allegation of abuse may not be a prohibition to housing and/or support services, but where the assessed risk is too high, we may need to consider not offering a service or taking tenancy enforcement action to ensure the safety of other customers and the local community.

Partnership

- 2.27 As a landlord, we do not have a statutory duty to safeguard adults at risk and children; however, we do have a duty under s6 and s7 of the Care Act 2014 to cooperate with LA's and to report any safeguarding issues and we will work proactively with the LA/SB and the Police in raising safeguarding alerts promptly. We may refer safeguarding subjects to other organisations as appropriate whilst always being clear about our responsibilities and capabilities. We will share information in line with our Privacy Policy.
- 2.28 We will keep a register of LA/SB contact details for each area we operate in. This will be produced and updated annually by the OSF.
- 2.29 Where appropriate we will discuss safeguarding concerns and seek advice from the relevant Multi Agency Safeguarding Hub (MASH). Where relevant or where our contribution would be useful or necessary, we will attend Multi-Agency Risk Assessment Conferences (MARACs) or Safeguarding Adults Partnerships or Safeguarding Children Partnerships.
- 2.30 If we are made aware that a child is subject to a Child Protection Plan, registered as a Child in Need or a family is subject to an Early Help Plan and we are invited to attend a meeting or provide a report we will do so where relevant and in line with our Privacy Policy. Any Safeguarding Concerns about this child will be dealt with in line with this policy and our Safeguarding Procedure.
- 2.31 We support social care professionals, where appropriate, to review the outcomes for the subject against specific plans.
- 2.32 We will co-operate with Responsible Authorities (Police, National Probation Service and HM Prisons) regarding Multi Agency Public Protection Arrangements (MAPPA) whilst being consistent with the exercise of our other statutory functions. We will attend MAPPA meetings where relevant.
- 2.33 We will support any Safeguarding Practice Reviews (SPRs) and adopt any lessons learnt.

Support

- 2.34 When managing safeguarding concerns, we will consider early on the support needs of the subject, witnesses, employees, agents, and contractors. Where support needs are identified we will make individuals aware of the support available to them, or we may with permission, make a specific support referral ourselves but this will be at the discretion of the officer managing the case. We recognise that providing support may fall outside of our role as a landlord and it is in these circumstances, that we may signpost to external organisations.

3. Data retention

- 3.1 Data retention will be in line with Orbits data retention schedule and legal obligations. Data will be disposed of monthly by Senior Safeguarding Officer and/or Tenancy Management Triage Manager.

4. Roles and Responsibilities

- 4.1 To meet statutory obligations, manage safeguarding appropriately and take a positive accountability approach we will ensure:
- All employees, agents and contractors are aware of their obligations to raise safeguarding concerns.
 - An Organisational Safeguarding Lead (OSL) is always appointed. The OSL will be the Head of Tenancy Services and they will take leadership responsibility for the organisations safeguarding arrangements.
 - Designated Safeguarding Leads (DSLs) will be appointed throughout the business to provide guidance and support to employees, agents, and contractors. DSLs are appointed by the OSL and will represent a variety of teams across the business. The OSL and DSL collectively form the Organisational Safeguarding Forum (OSF) which will meet quarterly.
 - Our policy and procedures are clear, concise and user friendly and employees, agents and contractors are aware of their role in safeguarding and the role of the LA.
 - All employees will receive the appropriate safeguarding training for their role.
 - All employees who have regular contact with adults at risk and/or children will be subject to employment checks and Disclosure and Barring Service (DBS) check
 - All safeguarding concerns raised (except for concerns regarding an employee, agent or contractor) will be assessed by a trained Safeguarding Officer or for concerns within our Independent Living stock, an Independent Living DSL, who will decide whether to raise a safeguarding alert to the LA/SB and if not, whether any other supportive action is required.
 - The safeguarding alert will be made by the Safeguarding Officer or Independent Living DSL
 - If we contract out any services to other organisations/individuals, that these organisations/individuals have in place arrangements that reflect the importance we place on safeguarding.
 - We will create a culture where all everyone feels confident and supported to raise safeguarding concerns.

Responsibility for delivery and monitoring of the policy

Role	Responsibility
Senior Safeguarding Officer	Carry out monthly performance reviews against KPI's Carry out quarterly case audits Identify when policy may need updating on an adhoc basis Support TMTM when 3-yearly policy is reviewed
Tenancy Management Triage Manager	Carry out adhoc checks on case audits Make adhoc amendments to policy Carry out 3-yearly review Create annual performance report
Tenancy Management HoS	Approve amendments to policy

5. Performance Controls and Business Risk

- 5.1 Compliance with this policy will be monitored by monthly reporting and quarterly case audits
- 5.2 Monitoring of live cases will be monthly by the relevant Senior Safeguarding Officer and measured against Key Performance Indicators and the Customer Promise.
- 5.3 Performance will be formally reported by the Head of Tenancy Management every April to the Customer Services Senior Management team.
- 5.4 Orbit will carry out a fundamental review of this policy every three years subject to legal, regulatory changes or in accordance with the agreed Policy Review programme.

6. Essential information

- 6.1 All Orbit policies and procedures are developed in line with our approach to the following, data protection statement, equality diversity and inclusion (EDI) approach, complaints and customer care policy and our regulatory and legal obligations to ensure we deliver services in a lawful manner and treat people equally and fairly. Orbit's privacy policy can be accessed on our website www.orbitcustomerhub.org.uk/publications/policies/

EA	Equality Analysis was completed in June 2018 and is under review
DPIA	A DPIA was completed on the supporting procedure and is available to view.
Consultation	Internal:
	External: Engaged customers were consulted in Feb 2024
Applies to	All employees, agents, and contractors

Document control

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Team	Tenancy Management	Department	Tenancy Sustainment	

Directorate Customer and Communities

Approved by	Customer and Communities Board Director of Customer Operations	Date
		Nov 2018
		Sept 2021
Next review		Mar 2024
		Mar 2026

Extension date	Extension reason	Approved by

Revision History

Version Number	Date	Comments / Reason for revision
v1.0	Nov 2018	Published
v2.0	Sept 2021	Full three-year review. No change to policy.
v2.1	Aug 2022	Amendment to roles & responsibilities
v2.2	May 2023	2.29 Local Safeguarding Boards replaced with Safeguarding Adults Partnerships or Safeguarding Children Partnerships 2.33 Serious Case Reviews replaced with Safeguarding Practice Reviews
v3.0	Mar 2024	Full review – changes made as below. 1.5 – principles added 2.2 - Updated list of Safeguarding concerns by Adding <ul style="list-style-type: none"> • Dementia • Gang related. • Mental health • Physical health • Slavery Removing <ul style="list-style-type: none"> • Eviction of an adult at risk 4.1 Updated the frequency of OSF meetings from monthly to Quarterly