

What is “Safeguarding” and how can it work for adults who are homeless?

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***Thank you to colleagues at Groundswell who
joined me in preparing this presentation***

What is “Safeguarding”

- Adult Safeguarding means protecting a person’s right to live in safety, free from abuse and neglect.
- It is about people and organisations working together to prevent and stop the risks and experience of abuse or neglect.
- In England the law sets out that we are all responsible for protecting people who are vulnerable from harm.
- The rights, duties and responsibilities are set out the Care Act 2014.

What is “Safeguarding”

- The law applies to people who are 18 or older. The term “Safeguarding” is also used when talking about protecting children. We are not going to cover that type of safeguarding in today’s presentation.
- The Care Act gives a definition in law of what it means to be “vulnerable”. The term that is also used is an “adult at risk”. This is a person “who has needs for care and support (whether or not the local authority is meeting any of those needs) and 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.”

What is “Safeguarding”

- We all have a duty of care to others, which means treating every individual with dignity and respect to ensure that they feel safe and are empowered to make choices and decisions.
- If someone lacks the mental capacity to make decisions about their own safety, if we fail to intervene when we know about safeguarding risks, in some circumstances we ourselves may be investigated for our failure to take action.
- If we cause harm to someone who is unable to make decisions for themselves we can be charged with an offence under the Mental Capacity Act.

Modern slavery -

encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhuman treatment.

Neglect and acts of omission

- including medical, emotional and physical care needs, failure to provide access to appropriate health care and support or educational services, the withholding of the necessities of life.

Organisational abuse -

including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home.

Sexual abuse -

including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography etc.

Discriminatory abuse -

including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.

Financial or material abuse

- including theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including benefits etc.

Psychological abuse -

including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion.

Self-neglect -

this covers a wide range of behaviour, neglecting to care for one's personal hygiene, health or surrounding and includes behaviour such as hoarding.

Domestic abuse -

including psychological, physical, sexual, financial, emotional abuse: so called 'honour' based violence.

Physical abuse -

including assault, hitting, slapping, pushing, misuse of medication, restraint, or inappropriate physical sanctions.

FORMS OF ABUSE

Supporting adults who are homeless to be safe

How do we help people who are homeless be safe?

- Safe and secure housing
- Income (through benefits or employment)
- Health care
- Connections with others – friends and family who are supportive

Does adult safeguarding work well for adults who are homeless?

What do people with lived experience of homelessness say?

- When we have asked them (which is not very often, sadly), they say NO, adult safeguarding doesn't work well for them.
- **They tell us**
 - it's very very difficult to get help from social services or housing. Especially difficult if you are person without recourse to public funds
 - homeless people are often victims the cuts in health, social services and housing
 - homelessness services can be chaotic with staff who don't treat you with dignity and respect.
 - some staff are not well trained.
 - some health and social services staff don't know how to support people who are homeless and want peer advocates to do their work for them.

Does adult safeguarding work well for adults who are homeless?

What do people who work and volunteer in homelessness services say?

- They also tell us it's very very difficult to get help from social services or housing. Especially difficult if you are person without recourse to public funds. This is made more complicated if you have to demonstrate that you are "ordinarily resident"
- They tell us that it is quite common from health, housing and social services staff to say that the person who is homeless has made a "life style choice" to be homeless and or live on the street. That is sometimes used as a way of refusing to provide services.
- They say that sometimes the police are not interested in following up allegations relating to people living on the street
- They say that people who do have responsibility often dodge that responsibility and pass it back to homelessness workers, but they don't have the power to make certain things happen

As people committed to the rights of people who are homeless what can we do?

- Keep providing support in all the ways you can to support people to have
 - Safe and secure housing
 - Income (through benefits or employment)
 - Health care
 - Connections with others – friends and family
- Get some basic safeguarding training
- If you don't have access to training, this is a useful open access e-learning tool
<https://www.e-lfh.org.uk/programmes/safeguarding-adults/>

As people committed to the rights of people who are homeless what can we do?

- Look up Adult Safeguarding on the websites for the local authorities you have most contact with and try to understand how they manage things locally
- Remember that all adults, including undocumented people from overseas, have rights to be safe and if they are vulnerable the local authority where they are has a duty in law to respond to a safeguarding referral.
- Advocate and work with advocates
- Remember that people who disclose abuse want it to stop
- **THINK, ACT** and **REPORT**

When serious harm happens

- When something serious happens to an adult at risk, then we need to see it as an issue of Safeguarding and a referral made to the Local Authority's Social Services team that deals with safeguarding.
- When sadly someone dies as a result of a possible failure of care by the NHS, the NHS also has responsibilities for reviewing the circumstances of the death. The NHS requirements are set out at <https://improvement.nhs.uk/resources/learning-deaths-nhs/>
- The Care Act 2014 (including the statutory guidance) sets out what should happen when an adult at risk is very seriously harmed or dies as a result of abuse or neglect.

When serious harm happens

- Each Local Authority area has a Safeguarding Adults Board.
- That Board has to make a decision about whether to commission a review which is called a Safeguarding Adults Review. It's also known as a SAR.
- When a SAR is commissioned, it is carried out by someone who is independent, and the aim is to learn lessons about what went wrong and to take actions that would prevent the same mistakes being made.

When serious harm happens

- If the Safeguarding Adults Board decide not to commission a SAR (because the criteria isn't met) they have other options to commission a simpler type of review.
- The government's recently published Rough Sleeping Strategy says that they will work with partners to make sure that all deaths of people who sleep rough are recorded and investigated appropriately.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733421/Rough-Sleeping-Strategy_WEB.pdf

What can we do when someone who is homeless dies as a result of neglect or abuse?

- Always make a Safeguarding referral saying why you think neglect or abuse contributed to the death.
- Consider make a representation to the Coroner's office. All deaths have to be recorded including the reason for the death and the Coroner's office has powers to investigate. You can find details of the responsible Coroner's office by searching on the internet.
- Ask the NHS to investigate the circumstances of the death if you believe they may have failed in their duty of care.

What can we do when someone who is homeless dies as a result of neglect or abuse?

- The government's Rough Sleeping Taskforce may develop further guidance in this area, so keep up to date with their work.
- The Bureau of Investigative Journalism is researching and publicising the issue of people who die while sleeping rough. See <https://www.thebureauinvestigates.com/projects/homelessness>
- but remember to follow your own agency's press contact protocols

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Any questions?

Susan Harrison, October 2018