

Commissioning Safeguarding Vulnerable People Policy (Children, Young People and Adults)

Last Review Date	Not Applicable
Approving Body	Quality & Safety Committee
Date of Approval	July 2015
Date of Implementation	August 2015
New Review Date	September 2018
Reviewing Responsibility	Designated Nurse for Safeguarding (Adults and Children)
Version	1.0

Date of Review	Amendment Details
September 2012	New policy
May 2015	Reviewed policy

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DEFINITIONS

Term	Definition
Clinical Commissioning Group (CCG)	The local clinically-led organisation that commissions community and secondary care.
Doncaster Safeguarding Children Board	A multi agency board responsible for safeguarding children activity and assurance.
Doncaster Safeguarding Adults Partnership Board	A multi agency board responsible for safeguarding adults activity and assurance.
Policy	A plan of action adopted or pursued by an individual organisation.
Procedure	A way of acting or progressing a course of action, an established method for performing a task.

Section A

1. Policy Statement

- 1.1 NHS Doncaster CCG is committed to safeguarding and will take all necessary steps to achieve this.

NHS Doncaster CCG will:

- Comply with all national and local safeguarding policies and procedures.
- Ensure that regional and local guidance are implemented in the local health economy.
- Work closely with all statutory and voluntary partners represented on the Doncaster Safeguarding Adults Board and Doncaster Local Safeguarding Children Board.
- Ensure that the NHS in Doncaster has the capability and capacity to protect and promote the welfare of children, young people and adults in Doncaster.
- Ensure all commissioned health services comply with all national and local safeguarding policies and procedures and seek assurance with regard to this.
- Ensure that learning from serious incidents and safeguarding reviews is disseminated throughout the health community and gain assurance that the required improvements are embedded into local services / practice.
- Ensure that recommendations and lessons learnt from safeguarding assurances including Section 11, Children Act and self assessment audits are implemented.
- Ensure all our employees know what their role is regarding safeguarding and are trained appropriately.
- Ensure that allegations made against our employees are responded to appropriately.
- Ensure that recommendations and lessons learnt from the Child Death Overview Panel (CDOP) are implemented.

- 1.2 As a commissioning organisation, NHS Doncaster CCG will work with partner agencies in order to develop quality systems, promote safeguarding practice across the district and effectively monitor performance of providers in relation to safeguarding adults, children and young people.

Specifically:

- All organisations providing services commissioned by NHS Doncaster CCG are required to demonstrate commitment to safeguarding adults, children and young people and to working within agreed local multi-agency procedures, national guidance and legislation.
- NHS Doncaster CCG will actively contribute to multi-agency responses regarding concerns of abuse within commissioned services.
- All providers are expected to establish procedures and systems of working that ensure safeguarding children concerns are referred to Doncaster

Children's social care services as indicated in the Doncaster Local Safeguarding Children Board procedures and all safeguarding adult concerns are referred to the adult access team as indicated in the Doncaster Adults Safeguarding Board procedures.

- NHS Trusts providing services commissioned by NHS Doncaster CCG are expected to actively contribute to the work of the DSCB, Adult Contact Team, DSAB and their sub groups.
- All providers who deliver services commissioned by NHS Doncaster CCG are required to meet the minimum safeguarding standards as set out within the Safeguarding Annual Declaration.

2. Legislation & Guidance

2.1 The policy is in line with best practice as set out in the following:

- The Care Act (2014)
- Association of Directors of Social Services "Safeguarding Adults" national framework (2005)
- South Yorkshire Safeguarding Adults Strategy 2009-2012 (any update/revisions)
- South Yorkshire "Safeguarding Adults Procedures" (2007) (any updates/revisions)
- Mental Capacity Act Code of Practice (2005)
- DSCB Safeguarding Children Procedures (2012)
- Working Together to Safeguard Children (2015)
- The Children's Act (2004)
- Safeguarding Vulnerable People in the NHS, Accountability and Assurance Framework (2015)

3. Scope

3.1 This policy applies to those members of staff that are directly employed by NHS Doncaster CCG and for whom NHS Doncaster CCG has legal responsibility. For those staff covered by a letter of authority / honorary contract or work experience this policy is also applicable whilst undertaking duties on behalf of NHS Doncaster CCG or working on NHS Doncaster CCG premises and forms part of their arrangements with NHS Doncaster CCG. As part of good employment practice, agency workers are also required to abide by NHS Doncaster CCG policies and procedures, as appropriate, to ensure their health, safety and welfare whilst undertaking work for NHS Doncaster CCG.

3.2 The scope also extends to the memorandum of understanding with Public Health and other commissioners.

4. Accountabilities & Responsibilities

4.1 NHS Doncaster Clinical Commissioning Group (CCG) is responsible for ensuring that robust systems are in place to identify and manage risks associated with safeguarding and promoting the welfare of vulnerable clients, and to support the effective multi agency partnership working and responses

which are required. The Quality and Safety Committee receives regular reports and updates with reference to safeguarding including an annual report.

- 4.2 Local Safeguarding Boards are multi agency bodies with a remit to protect those at risk of harm, as well as contributing to safeguarding their welfare:
- Doncaster Local Safeguarding Children Board (DSCB) has the lead responsibility for keeping children safe, as set out in the guidance under the Children Act 2004. This includes the prevention of significant harm or the risk of significant harm, as well as the wider remit of ensuring every child's welfare is safeguarded
 - Doncaster Safeguarding Adults Partnership Board (DSAPB) has the lead responsibility for keeping adults safe. This includes the prevention of significant harm or the risk of significant harm, as well as the wider remit of ensuring every adult's welfare is safeguarded.
- 4.3 The NHS Doncaster CCG Quality and Safety Committee will ensure that safeguarding and promoting the welfare is integral to clinical governance and audit arrangements.
- 4.4 The NHS Doncaster CCG Safeguarding Assurance Forum is an established forum which has the responsibility for Safeguarding. Its duties are to identify the NHS Doncaster's commissioning responsibilities and account of the safeguarding support needs of the individual contractor. The forum also escalates any appropriate information through the contractual meetings. The forum is an integral part of the multi agency structure for safeguarding vulnerable people.

5. Dissemination, Training & Review

5.1 Dissemination

- 5.1.1 The effective implementation of this Policy and Procedure will support openness and transparency in decision making. NHS Doncaster CCG will:
- Ensure all staff and stakeholders have access to a copy of this Policy and Procedure via the organisation's website.
 - Communicate to staff any relevant action to be taken in respect of safeguarding and promoting the welfare of all vulnerable clients.
 - Ensure that relevant training programmes raise and sustain awareness of safeguarding and promoting the welfare of all vulnerable clients.
- 5.1.2 This Policy and Procedure is located in the General Policy Manual. A set of hard copy Procedural Document Manuals are held by the Governance Team for business continuity purposes and all procedural documents are available via the organisation's website. Staff are notified by email of new or updated procedural documents.

5.2 Training

5.2.1 All staff will be offered relevant training commensurate with their duties and responsibilities. Safeguarding Adults and Children Level One training is mandatory training for all NHS Doncaster CCG staff every three years.

5.2.2 Staff requiring support with training should speak to their line manager in the first instance. Support may also be obtained through their union representative or HR Department.

5.3 Review

5.3.1 As part of its development, this policy and its impact on staff, patients and the public has been reviewed in line with NHS Doncaster CCG's Equality Duties. The purpose of the assessment is to identify and if possible remove any disproportionate adverse impact on employees, patients and the public on the grounds of the protected characteristics under the Equality Act.

5.3.2 The Policy & Procedure will be reviewed every three years, and in accordance with the following on an as and when required basis:

- Legislatives changes
- Good practice guidelines
- Case Law
- Significant incidents reported
- New vulnerabilities identified
- Changes to organisational infrastructure
- Changes in practice

Section B - Procedure

1. Introduction

- 1.1 This policy outlines how NHS Doncaster CCG will fulfil its duty to safeguard and promote the welfare of all vulnerable clients. It is designed to ensure robust structures, systems and standards, which are in accordance with the Doncaster Safeguarding Adults Board and Doncaster Safeguarding Children Board policies and procedures.
- 1.2 NHS Doncaster CCG fully endorses that safeguarding is everyone's responsibility. NHS Doncaster CCG will ensure that the NHS contribution to safeguarding and promoting welfare is discharged effectively across the whole local health economy through its commissioning arrangements.
- 1.3 This policy describes how NHS Doncaster CCG is discharging its responsibility for commissioning health services particularly during the transition period up until the Doncaster CCG becomes fully operational (April 2013).
- 1.4 An adult at risk is a person aged 18 years 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 home or herself, or unable to protect him or herself against significant harm or exploitation. Adults at risk could include older people, people with learning disabilities, people with mental health issues, people with neurological conditions, people with disabilities and people in end of life situations.
- 1.5 This policy outlines how NHS Doncaster CCG will fulfill its statutory duties under Section 11 of the Children Act 2004 to safeguard and promote the welfare of children and young people. It is designed to ensure that health services in Doncaster are in accordance with the legal and statutory guidance, In addition take account of best practice guidance (Intercollegiate 2015 Safeguarding Children and Young People: Roles and Competence for Health Care Staff. The policy compliments and is ratified by Doncaster Local Safeguarding Children Board.
- 1.6 Children and young people are defined in law as up to the age of 18 years. Therefore this policy covers vulnerable clients in Doncaster.
- 1.7 NHS Doncaster CCG will hold providers of all NHS services that they commission to account for safeguarding all vulnerable clients.

2. Addressing Equality & Promoting Diversity

- 2.1 In line with equality legislation, this policy aims to safeguard children, young people and adults who may be at risk of abuse irrespective of their protected characteristics as outlined in the Equality Act 2010.

The 9 protected characteristics are:

1. Age
2. Gender
3. Sex
4. Disability
5. Marriage/civil partnership
6. Maternity /pregnancy
7. Religion/belief
8. Sexual orientation
9. Gender reassignment

3. Equality and Diversity Statement

- 3.1 NHS Doncaster CCG is committed to ensuring that it treats its employees fairly, equitably and reasonably and that it does not discriminate against individuals or groups on the basis of their ethnic origin, physical or mental abilities, gender, age, religious beliefs or sexual orientation.
- 3.2 If you have any concerns or issues with the contents of this policy or have difficulty understanding how this policy relates to you and/or your role, please contact the Document Owner/Author.

4. Leadership and Management

- 4.1 The NHS Doncaster CCG Chief Nurse has responsibility for ensuring that the NHS contribution to safeguarding is discharged effectively across the whole local health economy through the commissioning arrangements.
- 4.2 The NHS Doncaster CCG will ensure that it fulfills its responsibility as per The Care Act 2014 and Working Together to Safeguard Children (2015).
- 4.3 Safeguarding Children and Adult Leads (DSCB, DSAB and CCG member) will ensure that robust safeguarding assurance arrangements and improved safeguarding practice are in place, on behalf of the Chief Operating Officer by:
- Working closely with the Lead GPs for safeguarding to ensure there are robust safeguarding arrangements across Doncaster.
 - Directing the internal and external assurance of safeguarding arrangements across the health economy including developing relationships with NHS England both locally, regionally and nationally.
 - Leading and developing the Doncaster health economy safeguarding assurance arrangements with providers, regulators, NHS England and Public Health England.
 - Ensuring service providers are aware of their responsibilities in reporting safeguarding incidents.
 - Ensuring the Doncaster CCG and health economy engage with all appropriate safeguarding reviews including Serious Case Reviews, Safeguarding Adult Reviews, Lessons Learnt Review and Domestic Homicide Reviews.
 - Directing Doncaster's health economy performance in relation to serious

- safeguarding incidents and serious case reviews.
- Providing strategic leadership to the safeguarding agenda across the Doncaster health economy to enable the Doncaster CCG to meet its duties.
- Leading the NHS commissioning health contribution on the DSCB and DSAB.
- Implement and audit policy and strategy in relation to safeguarding.
- Developing partnerships with other CCG's, regulators, NHS England and Public Health England and other organisations to share best practice in relation to safeguarding.
- Ensuring that NHS Doncaster CCG has effective professional appointments, systems, processes and structures in place to support the safeguarding lead.
- Ensure that NHS Doncaster CCG staff has access to appropriate training and monitor this.
- Ensuring that safeguarding is positioned as core business in NHS Doncaster CCG's strategic and operating plans and structures.
- Representing and fully briefing England when necessary on the Doncaster Local Safeguarding Children Board and Doncaster Safeguarding Adult Board.

4.4 NHS Doncaster CCG will ensure that:

- All services commissioned have robust policies and procedures embedded to safeguard and promote the welfare of children, young people and adults which are in accordance with the DSCB, and DSAB South Yorkshire Procedures.
- All contracts and service specifications will have clear service standards for safeguarding vulnerable clients.
- That monitoring arrangements are clear.

4.5 In addition the CCG in Doncaster will ensure that a Designated Nurse for Safeguarding Children and Safeguarding Adults and a Designated Doctor for safeguarding children is in place to take a strategic and professional lead on all aspects of the NHS contribution to safeguarding children and young people. The function of these professionals is to:

- Provide advice and expertise for other professionals across the NHS and other partners agencies.
- Provide advice, support and professional supervision to the Named Professionals in each provider organisation to:
 - Promote good practice and quality assure the services they provide
 - Ensure that staff use effective systems to record their work
 - Follow local multi-agency policy and procedures
 - Enable them to manage stresses within their work.

5. Commissioning Health Care

5.1 NHS Doncaster CCG has a responsibility to assure itself that all commissioned health services adhere to national and local safeguarding procedures, ensuring that their functions are delivered with a view to safeguarding and promoting the

welfare of all vulnerable clients.

- 5.2 NHS Doncaster CCG will ensure that services are commissioned which improve the quality of safeguarding arrangements and practice for the population of Doncaster.
- 5.3 NHS Doncaster CCG ensures that all safeguarding commissioned activity has the safeguarding standards embedded within the contract to include:
- Policy
 - Governance
 - Multi-agency Working
 - Responding to Concerns
 - Recruitment and Employment Practice
 - Training
 - Supervision
 - Equality and Diversity
 - Sub Contracting Arrangements

6. Our Staff

6.1 Recruitment

In accordance with NHS Doncaster CCG's Recruitment and Selection Policy at least one member of each recruitment panel must have attended recruitment and selection training. The training incorporates safe recruitment principles which are applied when selecting and appointing an individual.

NHS Doncaster CCG will ensure checks are made with the Disclosure and Barring Service (DBS) prior to making a formal offer of employment for relevant posts. All employees are required to complete a self declaration form on appointment.

6.2 **Managers** are responsible for ensuring that:

- Recruitment is undertaken safely and effectively.
- The appropriate training is provided / available for the all staff.
- A nominated appropriate person is available to provide advice and support (Designated Professionals).
- Staff comply with South Yorkshire Policies and Procedures and National Guidance.

6.3 Allegations of Abuse

NHS Doncaster CCG takes very seriously allegations of abuse which may arise from a child, an adult, a parent, a member of the public or staff. NHS Doncaster CCG has identified a Senior Officer, who ensures that all statutory and local policies and duties are undertaken. Where this involves a directly employed member of staff an investigation under the NHS Doncaster CCG's Disciplinary Procedure would be undertaken by the relevant manager liaising as necessary

with any other agencies involved in the case.

7. Information Sharing

- 7.1 NHS Doncaster CCG has high level information sharing policies in place and are proactive in working in partnership with local statutory and voluntary agencies in order to protect and promote the welfare of vulnerable Doncaster residents. Senior managers will promote good practice in information sharing according to published national guidance.
- 7.2 NHS Doncaster CCG will comply with all local and national guidance on safe effective legal sharing of information in line with the seven Caldicott principles.

8. Incidents, Near Misses and Complaints / Serious Case Reviews (SCR's)

- 8.1 NHS Doncaster CCG will assure itself that all providers have appropriate mechanisms in place to identify themes / trends and incidents that emerge through the risk management processes that may fall within the scope of Safeguarding Children or Safeguarding Adults.
- 8.2 NHS Doncaster CCG will provide leadership across the health community in relation to multi-agency investigations such as Serious Case Reviews, Lessons Learnt Reviews, Safeguarding Adults Reviews and Domestic Homicide Reviews.
- 8.3 When appropriate NHS Doncaster CCG will review and evaluate the practice of all involved health professionals, including GPs and all independent health providers involved in a serious case review. The designated professionals, in conjunction with the DASB and DSCB will quality assure the process ensuring that IMR's and action plans meet the expected standard.
- 8.4 NHS Doncaster CCG will require assurance against recommendations emerging from investigations into serious and safeguarding incidents. This will be managed through the NHS Doncaster CCG Safeguarding Assurance Forum.

9. Conclusion

- 9.1 The safety and welfare of vulnerable clients is everyone's responsibility. The health service will work in partnership with the Local Authority, other public organisations, the private and the third sector to ensure that clients receive appropriate health care. The health needs of children and young people is regarded as paramount (Children Act 2004).

10. Minimum Safeguarding Adults and Children Standards for Providers

- 10.1 All providers of services commissioned by NHS Doncaster CCG are required to meet specified minimum standards in relation to safeguarding adults and children. These standards are not exhaustive and may be in addition to those standards required by legislation, national guidance or other stakeholders, including regulators and professional bodies.

11. Performance and Monitoring of Providers

- 11.1 Provider's performance in relation to safeguarding adults and children will be managed primarily through existing contract monitoring arrangements.
- 11.2 Information will be provided to NHS Doncaster CCG on a quarterly and / or annual basis. This assurance required will be based on the proportionate of the contract and the risks. Providers will be advised in advance of when this information is required if it is out of their existing internal reporting schedule.