

What are my responsibilities – as an employer?

Employer is used as a generic term and includes all key personnel involved in the management of the service.

- You will ensure that your service has its own safeguarding procedures that are complementary to the multi-agency safeguarding protocols.
- You are responsible for ensuring that all service users are safeguarded from abuse.
- All allegations and incidents of abuse are followed up promptly and actions recorded.
- You should use the measures available to you through your internal staff disciplinary procedures to ensure the safety of all service users pending investigation/assessment of the concerns.
- In considering whether it is necessary to report a concern about a possible safeguarding adults matter to the social services agency, you should consider the contents of the 'Alerter's Guidance'.
- All matters which have a bearing on the safety and wellbeing of a vulnerable adult must be reported to the regulatory authorities and the commissioners of the service for the individual(s) involved.
- If the concerns need to be reported to Adult & Community Services and/or to the Police, it is important that any internal staff disciplinary processes do not contaminate any evidence which may be gathered as part of the multi-agency investigation/assessment.
- The paramount consideration must be to protect vulnerable adults in your care. However, it is important to ensure that any action taken in accordance with internal staff disciplinary procedures is compliant with best practice in employment legislation and the Human Rights Act 1998.
- You will be involved in the safeguarding adults planning processes unless there are concerns/allegations that you may be directly implicated or your involvement at the planning stages may impede the investigation/assessment.
- In accordance with section 82 of the Care Standards Act 2000 you must refer care workers for consideration for inclusion on the Protection of Vulnerable Adult List if they pose a risk to vulnerable adults (POVA).
- If there is a possibility that other service users may be at risk, the regulatory authorities should be asked to assist in obtaining the following information: The names of all the service users together with information regarding their funding status and the identify of placing authorities. This information should be passed to the Responsible Manager as a matter of urgency. The RM should then inform other placing authorities of the issue of concern regarding their clients. This information will enable them to attend the planning meeting or make their views known to the RM. Careful consideration needs to be given to informing all residents and their next of kin, including self-funders.
- If a home or organisation has a Devon or Torbay contract, have the contracts team been consulted? Is any action required, regarding the contract, prior to any investigation being carried out? Contract actions need to be agreed and recorded at the strategy meeting. E.g. temporary suspension of placements – see contract guidance note.

It needs to be agreed at the strategy meeting who will be responsible for:

- Informing the home of any actions taken which affects their contract.
- Alerting care management teams, via the e-mail system of any issues which may affect the use of any service.

Either with or without a strategy meeting, the RM must ensure that there is a full record of the consultation/planning stage. This might include:

- Which agencies were consulted and or represented at the strategy meeting.
- That the minutes of any meeting include sufficient detail to establish clearly what decisions were made and why.
- That any investigation/assessment is agreed together with timescales. Co-ordination of the investigation/assessment should be allocated to an investigating officer from the social services agency and any named representatives from other departments or agencies.
- That there is a record of the terms of reference for the investigation/assessment.
- That it is clear who will be involved in all aspects of the investigation/assessment.
- That consideration has been given to the possibility of likelihood that issues of abuse may concern other vulnerable adults or children.
- If criminal matters are suspected what kind of investigation will be carried out? Ensure that there is a record of concurrent and consecutive actions to be taken by agencies other than the police.
- Any care management, contracting or regulatory action to protect the vulnerable adult(s) or children is recorded.
- Any decision to take no further action is agreed and recorded. Record who will feed back to the referrer.
- Any disagreement with decisions taken should be recorded in the minutes of the meeting and discussed by the RM with senior managers as a matter of urgency.
- For further information – see ACAS Code of Practice on disciplinary and grievance procedures at http://www.acas.org.uk/media/pdf/9/5/CP01_1.pdf