



PEAKS & PLAINS
Housing Trust

The Trust

Safeguarding Policy

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1. INTRODUCTION

- 1.1 The purpose of this policy is to set out the principles and guidelines that Peaks & Plains Housing Trust (the Trust) commits to in respect of safeguarding adults and children at risk.
- 1.2 The Trust will work with and in partnership with other statutory and non-statutory organisations to safeguard and promote the welfare of adults, children, young people and their families
- 1.3 The Trust expects all employees, volunteers and contractors working on our behalf to be able to identify, report and act on safeguarding concerns.

2. SCOPE

- 2.1 The policy applies to all Board members, staff, volunteers and contractors. The policy provides guidance on the Trust's obligations and expectations for safeguarding children and adults at risk. Temporary and agency staff are included in the obligations arising from this policy.
- 2.2 The Trust has separate policies for supporting customers who may also require safeguarding as a result of anti-social behaviour and/or domestic abuse. This policy should be read in conjunction with those policies.

3. LEGAL & REGULATORY REQUIREMENTS

- 3.1 There is a range of relevant legislation that addresses different aspects of safeguarding and work with vulnerable adults and children. While statutory powers are primarily held by local authorities and health services, as a key partner, the Trust works alongside them to raise concerns, support safeguarding processes and ensure individuals and families are made and supported when needed.
- 3.2 The Trust contributes to safeguarding under the Children Act 2004, the Care Act 2014 and the Mental Capacity Act 2005 by cooperating with statutory partners, reporting concerns and supporting individuals with care and support needs.
- 3.3 The Care Act (2014) introduced six principles for working with adults with care and support needs:
 - Empowerment
 - Prevention
 - Proportionality
 - Protection
 - Partnership
 - Accountability
- 3.4 The Mental Capacity Act (MCA) 2005 provides the legal framework for determining whether individuals can make specific decisions for themselves. There are 5 principles of the MCA which are explained in detail at 5.11 (below).

- 3.5 The Trust's recruitment processes will include Disclosure and Barring Service (DBS) checks at either Standard or Enhanced levels for new staff where it has been identified that the post being recruited to is a position that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act regulations.

4. DEFINITIONS

- 4.1 Safeguarding means protecting people's health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect. Safeguarding adults includes:
- Protecting their rights to live in safety, free from abuse and neglect.
 - People and organisations working together to prevent the risk of abuse or neglect, and to stop them from happening.
 - Making sure people's wellbeing is promoted, taking their views, wishes, feelings and beliefs into account.
- 4.2 Safeguarding children and promoting their welfare includes:
- Protecting them from maltreatment or things that are bad for their health or development.
 - Making sure they grow up in circumstances that allow safe and effective care.
- 4.3 Children and adults can become 'vulnerable' at any time depending on their circumstances. Trust employees may, through their duties, have direct contact with children and adults who may be at greater risk. There is no set age or disability that makes someone vulnerable.
- 4.4 Being vulnerable is defined as in need of special care, support, or protection because of age, disability, risk of abuse or neglect.
- 4.5 For the purposes of this document, the following descriptions apply.
- 'Children' are all young people below age 18 including unborn babies
 - 'Adult' is a person over the age of 18.
- 4.6 Safeguarding adults means protecting an adult's right to live in safety, free from harm and abuse (Care Act 2014). Adults with care and support needs are most at risk of harm, abuse and neglect. For example;
- Those with a physical or learning disability or a sensory impairment;
 - People with unmanaged mental health needs, including dementia or a personality disorder;
 - Elderly people;
 - People with a long-term health condition, who misuses substances or alcohol;
 - Those affected by their ability to manage day-to-day living;
 - Carers, providing care to a family member or friend;
 - People with substance and alcohol misuse needs;
 - People who are homeless or risk of being homeless;
 - People who lack or have fluctuating capacity due to various factors;
 - People with hidden disabilities.

- 4.7 'Abuse' is any behaviour that deliberately or unknowingly causes a person harm or endangers their life and is a violation of a persons' human and civil rights by another person or persons. It may consist of a single act or repeated acts.
- 4.8 'Significant Harm' means ill treatment, the impairment of health and the impairment of development.
- 4.9 Safeguarding Children is defined in Working Together to Safeguard Children (2018) as:
- Protecting children from maltreatment
 - Preventing impairment of children's health and development
 - Ensuring that children grow up in circumstances consistent with the provision of safe and effective care
 - Taking action to enable all children to have the best outcomes.
- 4.10 The Care Act (2014) recognises 10 types of abuse:
- **Self-neglect** – This covers a wide range of behaviour, but it can be broadly defined as neglecting to care for one's personal hygiene, health, or surroundings. An example of self-neglect is behaviour such as hoarding.
 - **Modern Slavery** – This encompasses slavery, human trafficking, forced labour, and domestic servitude.
 - **Domestic Abuse** – This includes psychological, physical, sexual, financial, and emotional abuse perpetrated by anyone within a person's family. It also includes so-called "honour" based violence.
 - **Discriminatory** – Discrimination is abuse that centres on a difference or perceived difference, particularly with respect to race, gender, disability, or any of the protected characteristics of the Equality Act.
 - **Organisational** – This includes neglect and poor care practice within an institution or specific care setting, such as a hospital or care home, or in relation to care provided in one's own home. Organisational abuse can range from one off incidents to ongoing ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.
 - **Physical** – This includes hitting, slapping, pushing, kicking, restraint, and misuse of medication. It can also include inappropriate sanctions.
 - **Sexual** – This includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault, or sexual acts to which the adult has not consented, or was pressured into consenting.
 - **Financial or Material** – This includes theft, fraud, internet scamming, and coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions. It can also include the misuse or misappropriation of property, possessions, or benefits.
 - **Neglect and Acts of Omission** – This includes ignoring medical or physical care needs and failing to provide access to appropriate health social care or educational services. It also includes the withdrawing of the necessities of life, including medication, adequate nutrition, and heating.
 - **Emotional or Psychological** – This includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion,

harassment, verbal abuse, isolation, or withdrawal from services or supportive networks.

- 4.11 There may be other types of abuse that are not included in the Care Act (2014) but are relevant to safeguarding.

5. OUR POLICY

- 5.1 The Trust believes that living life free from harm and abuse is a fundamental right of every person. The Trust recognises that safeguarding those at risk is everyone's responsibility and all staff play a part in preventing, being alert to and responding appropriately to abuse and/or neglect related concerns that occur within our homes and communities.
- 5.2 The Trust will ensure that all staff and contractors that visit people in their own homes or work with children and adults in our communities are:
- Aware of their responsibilities to identify and report safeguarding concerns.
 - Compliant with legal and regulatory requirements.
 - Willing to work in partnership with other agencies to reduce the risk of harm and abuse for our customers.
 - Able to identify the types of abuse relating to children and adults.
 - Aware of where abuse can occur and the perpetrators of abuse.
 - Always acting in the customer's best interests by making safeguarding personal for the customer.
 - Able to report concerns internally and to statutory bodies.
 - Aware of the Trust's Whistleblowing Policy and Procedure.
 - Aware that safeguarding is the responsibility of all the Trust's employees and contractors.
- 5.3 Through the induction process and regular training, staff and contractors who encounter children and adults in their everyday work, will understand the responsibilities within their role around safeguarding children and adults.
- 5.4 Our staff and contractors are responsible for:
- Taking all allegations of abuse of a child, young person, or adult at risk seriously, listening carefully and reporting appropriately any adult safeguarding concerns reported.
 - Exercising professional curiosity, avoiding assumptions and stereotypes, and testing out information rather than taking this at face value.
 - Ensuring immediate action is taken, as per the policy if someone in serious danger or a crime is likely to be/or has been committed.
 - Ensuring there are accurate records of the allegation, initial enquiries and action and appropriate paperwork/forms as instructed by this policy and supporting procedures.
 - Ensuring all action taken is carried out sensitively, taking account of the vulnerable person's individual needs, including race, culture and ethnicity, age, gender, religion, disability or sexuality
 - Ensuring an individual's communication needs are considered at all times.

- Acting in accordance with this policy, and its associated procedure and protocols and attendance at appropriate training and supervision.
 - Understanding the Whistleblowing policy and obligations to report suspected or actual abuse or neglect. The Trust's Whistleblowing Policy encourages and supports staff to report concerns about the conduct of staff members. The Trust will report any safeguarding concerns raised about the conduct of staff members to the Local Authority Designated Officer (LADO) and act in accordance with the LADO's advice and guidance.
- 5.5 The Trust has clear lines of responsibility established for the raising of safeguarding concerns. There is full accountability throughout the organisation for the detection, recording and reporting of child and adult safeguarding concerns. The sharing of information is essential for the effective safeguarding and promoting of the welfare of vulnerable adults, children and young people. It has been identified in serious case reviews where poor information sharing resulted in missed opportunities to take action to keep people safe.
- 5.6 Where possible the Trust will seek the persons consent to share information, however the Trust cannot guarantee full confidentiality when there is a responsibility to safeguard vulnerable adults or children at risk, or in the public interest.
- 5.7 When working with other agencies (where appropriate), we will ensure that the views of the adult at risk or voice of the child is represented and are taken on board when dealing with matters affecting the tenancy.
- 5.8 Where a safeguarding concern is identified, The Trust will follow local safeguarding procedures and make timely referrals to the relevant Local Authority Safeguarding Team (either Adult Social Care or Children's Services), as appropriate.
- 5.9 We will ensure timely and appropriate information sharing, respecting confidentiality, but ensuring that safeguarding concerns are shared with the appropriate agencies in accordance with local protocols, legislation, and best practice. Sharing personal data for safeguarding purposes can be done without explicit consent if there's a lawful basis such as preventing harm.
- 5.10 We will participate in multiagency meetings, safeguarding boards / partnerships, reviews, and training. Primarily these are Cheshire East Safeguarding Children's Partnership (CESCP), Cheshire East Safeguarding Adults Board (CESAB), and in Derbyshire: Derbyshire Safeguarding Children Board / Derbyshire Safeguarding Adults Board, for High Peak.
- 5.11 Once a referral is made, the Trust will record what actions were taken, who was contacted, when, and any outcomes or feedback in the housing management system.
- 5.12 We will cooperate with any safeguarding enquiries made by local authority or police.
- 5.13 Where staff believe that a safeguarding concern has not been adequately addressed by a partner agency, the Trust will follow escalation procedures to challenge decisions professionally and appropriately, in the best interests of the individual at risk.

- 5.14 The Trust has a designated Safeguarding Lead who is the Head of Neighbourhoods. The Safeguarding Lead will ensure the Trust is represented at relevant multi-agency forums and be responsible for ensuring that the Trust is kept up to date with legislative changes and learns from best practice.
- 5.15 The Trust will provide training and guidance to new and existing staff on:
- The types of abuse
 - Where abuse occurs and by whom
 - Recognising the signs of abuse
 - Reporting safeguarding concerns internally and to statutory bodies
 - How to deal with a disclosure of abuse
- 5.16 **Safeguarding Adults**
- 5.16.1 The Trust is committed to improving the lives of those experiencing abuse. The six key safeguarding principles, defined by the Care Act (2014) underpin all safeguarding practice 'making safeguarding personal', The Trust will ensure that a person led and outcome focused approach is taken.
- 5.16.2 The Trust subscribes to the six principles of the Care Act (2014);
- **Empowerment** – People being supported and encouraged to make their own decisions and informed consent.
 - **Prevention** – It's better to take action before harm occurs.
 - **Proportionality** – The least intrusive response appropriate to the risk presented
 - **Protection** – Support and representation 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
- 5.16.3 This commitment is underpinned by the "Making Safeguarding Personal" framework which emphasises the importance of individual wishes and well-being, ensuring that safeguarding responses are person-centred and tailored.
- 5.16.4 The Trust uses customer data to identify customers at increased risk of harm. We will use patterns of customer behaviour to proactively identify customers at risk, e.g. high/low volume of repairs, gas capped, high/low volume of contacts.
- 5.16.5 The Trust's Customer Support and Enforcement Team / Safeguarding Inbox provides support and advice to staff relating to safeguarding concerns. The Trust operates a separate policy and procedure which must be read in conjunction with this policy, setting out the Trust's response to reports of domestic abuse.

5.17 Considering Mental Capacity

5.17.1 The Mental Capacity Act (2005) applies to everybody who has dealings with people who may lack capacity, and particularly if they have a professional relationship with the person. The Trust will comply with the requirements set out in the Mental Capacity Act (2005) and will consider the Act's five key principles during interactions with customers:

- A presumption of capacity – every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless it is proved otherwise
- Supporting individuals to make their own decisions – a person must be given all practicable help before anyone treats them as not being able to make their own decisions
- Unwise decisions – just because an individual makes what might be seen as an unwise decision, they should not be assumed to lack capacity to make that decision
- Best Interests – an act done, or decision made under the Act for or on behalf of a person who lacks capacity must be done in their best interests.
- Least restrictive option – anything done for or on behalf of a person who lacks capacity must consider whether it is possible to decide or act in a way that would interfere less with the person's rights and freedoms of action, or whether there is a need to decide or act at all.

5.17.2 We will take the opportunity to confirm capacity when appropriate (eg.at tenancy sign up, review and termination; during arrears discussions, anti-social behaviour incidents and complaints). If in doubt the Trust will make appropriate referrals and request that a capacity assessment takes place.

5.18 Safeguarding Children

5.18.1 The Trust is committed to safeguard children and young people who use or are connected to the Trust to protect them from abuse. The Children's Act (2004) sets out two key principles of "making safeguarding everyone's responsibility" and adopting a "child-centred approach".

5.18.2 The Trust will always act in the best interests of the child when there is a safeguarding concern, which may mean contradicting their wishes. The Trust's Customer Support and Enforcement Team / Safeguarding Inbox provides support and advice to staff relating to safeguarding concerns. The Trust operates a separate policy and procedure which must be read in conjunction with this policy, setting out the Trust's response to reports of domestic abuse.

5.19 Multi Agency Working

5.19.1 The statutory guidance within the Care Act (2014) emphasises the need to share information about the safeguarding concerns at the earliest opportunity. The Trust will share information and fully contribute to multi agency working, this may include staff representing the Trust at meetings with its partner agencies. The Trust will respond to requests from the Local Authority, Safeguarding Adult Boards, Safeguarding Children Boards, Child Protection Conferences and Serious Case Reviews, Domestic Homicide Reviews wherever appropriate. "Complex safeguarding" is used to describe criminal activity (often organised) or behaviour

associated with criminality, involving vulnerable children where there is exploitation and/or a clear or implied safeguarding concern.

6. EQUALITY, DIVERSITY & INCLUSION

- 6.1 The Trust will treat all customers with fairness and respect. We recognise that we have an ethical and a legal duty to advance equality of opportunity and prevent discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.2 The Trust will ensure that its Safeguarding policy is accessible and will take into account the different needs of people wishing to raise a safeguarding concern. We will offer practical support for customers who may otherwise find it difficult to raise a safeguarding concern.
- 6.3 An Equality Impact Assessment has been completed to ensure that all appropriate actions are put in place to support those tenants who have protected characteristics.

7. RESPONSIBILITIES

- 7.1 All Trust staff, agency staff, volunteers and contractors are responsible for understanding their role, recognising the signs of abuse and for reporting and sharing information they have collected within their task/functions regarding the safeguarding of children and/or adults.
- 7.2 All Trust staff, agency staff, volunteers and contractors have a role to play in identifying where there is abuse and neglect and acting to report any concerns promptly. It is possible for concerns to stem from information received directly from the person at risk or other person but also indirectly through, for example, a complaint or a call for police response.
- 7.3 The Board is responsible for approval of this policy and for ensuring safeguarding activity is carried out effectively by the Trust's staff.
- 7.4 The Head of Neighbourhoods is the Trust's designated lead safeguarding officer, who is responsible for the operational implementation of this policy.
- 7.5 Managers at all levels have a responsibility to ensure staff undertake relevant role-related training and are encouraged and supported through their role within safeguarding processes. In addition, managers are responsible for ensuring that safeguarding standards are adhered to in the delivery of those services they have a responsibility for.
- 7.6 All necessary steps must be taken at a team level by managers to ensure that they, their staff, agency staff, volunteers and contractors are compliant with the requirements of this policy.
- 7.7 We will ensure that anyone working on behalf of the Trust have a safeguarding policy, are trained by their own company, and know how to raise their concerns with the Trust.
- 7.8 The Trust has a full-time dedicated Safeguarding & Domestic Abuse Officer within the Customer Support and Enforcement Team. The Customer Support and Enforcement Team will serve as the primary point of contact for staff, residents and outside agencies regarding

safeguarding concerns and will ensure compliance with safeguarding policies and procedures. They undertake investigation of safeguarding reports and ensure referrals are made to appropriate partner agencies.

- 7.9 Any employee disclosing that they are aware of or are the victim of any safeguarding concern perpetrated by an employee, will be fully supported to disclose all information.
- 7.10 Any employee who receives a conviction for any serious criminal offence relating to safeguarding, whilst in our employment or is suspected of committing an allegation relating to any type of safeguarding concern may be suspended pending an investigation, which could lead to disciplinary action up to and including dismissal. (Disciplinary Policy)
- 7.11 It is important that any employee who is spoken to by the police as a potential perpetrator discloses the information to the Trust on a confidential basis as soon as they are notified, so the necessary risk assessment and support can be provided. Failure to notify can lead to disciplinary action.
- 7.12 On the first day of service, all staff must sign to confirm their understanding of their safeguarding responsibilities within the Trust.

8. MONITORING AND REPORTING

- 8.1 Safeguarding is a key operational responsibility. As such, the Board will receive an annual performance report, relating to safeguarding activity within the period.
- 8.2 Board reporting of safeguarding will include;
- Number of concern reports.
 - Evaluation of investigated cases and alerts and lesson learnt.
 - Compliance with policy and procedures.
- 8.3 Any safeguarding failures or near misses will be reported to the Executive Management Team and, where appropriate, to the Board.
- 8.4 Safeguarding activity is reported to Senior Leadership Team on a quarterly basis.
- 8.5 Safeguarding reporting is provided to Challenge Group periodically.

9. CONSULTATION

- 9.1 The Trust's Challenge Group has been consulted on this Safeguarding Policy.
- 9.2 All Managers have been consulted on this Policy.

10. REVIEW

- 10.1 This policy will be reviewed at least once every 3 years.

- 10.2 The policy will be reviewed sooner if there are major legal, regulatory or other changes which make this necessary. This policy will also be reviewed should there be a significant failure or near miss to safeguard our customers.

11. ASSOCIATED DOCUMENTS

- 11.1
- Anti-Social Behaviour and Hate Crime Policy
 - Domestic Abuse Policy - Residents
 - Domestic Abuse Policy - Colleagues
 - Tenancy Policy
 - Data Protection Policy
 - Recruitment Process – online e-learning
 - Staff Code of Conduct
 - Equality, Diversity and Inclusion Policy
 - Health and Safety Policy
 - Whistleblowing Policy
 - Information Security Policy
 - Workplace Violence & Abuse Policy
 - Data Protection Policy
 - Data Sharing Policy
 - Disciplinary Policy
 - Preventing Sexual Harassment Policy
 - Reasonable Adjustments Policy
 - Vulnerable Persons Policy

POLICY INFORMATION

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