

SAFEBREAKS DEVON CIC

Safeguarding Adults Policy and Escalation Procedure

Policy title	Safeguarding Adults Policy and Escalation Procedure
Applies to	All staff, volunteers, and contractors across all Safebreaks services
DSL	Luke Williams, Managing Director luke.williams@safebreaks.co.uk
Deputy DSL	Samuel Pritchard, Operations Lead s.pritchard@safebreaks.co.uk
Policy owner	Designated Safeguarding Lead (Managing Director)
Version	1.0
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Next review date	March 2027
Approved by	Managing Director

Legal and Regulatory Framework

- **Care Act 2014, section 42:** The primary legislative duty for adult safeguarding. Places a duty on local authorities to make enquiries when an adult with care and support needs is experiencing or at risk of abuse or neglect. Safebreaks has an obligation to cooperate with section 42 enquiries and to report concerns that meet the threshold.
- **Care Act 2014, section 43 and the Safeguarding Adults Board:** Devon Safeguarding Adults Partnership (DSAP) is established under section 43 to coordinate and improve adult safeguarding across Devon. Safebreaks works within DSAP procedures.
- **Making Safeguarding Personal (NHS England / ADASS):** Statutory guidance requiring that safeguarding is person-led and outcome-focused. The adult at risk is involved in identifying the outcomes they want from the safeguarding process and decisions are made with, not for, the person wherever possible.
- **Mental Capacity Act 2005:** Capacity does not remove safeguarding obligations. A person with capacity who makes a decision that places them at risk may still be the subject of a safeguarding concern, particularly where there is evidence of coercion, undue influence, or exploitation. The MCA does not prevent Safebreaks from taking reasonable steps to ensure a person's safety.
- **Human Rights Act 1998, Articles 3 and 8:** Article 3 prohibits inhuman or degrading treatment. Article 8 protects the right to private and family life. Safeguarding actions

must be proportionate and must respect the person's rights even while protecting them from harm.

- **Safeguarding Vulnerable Groups Act 2006:** Establishes the DBS barred lists and the legal duty to refer to the DBS in defined circumstances. Safebreaks has a legal duty to refer where a staff member has harmed or placed at risk of harm an adult in a regulated activity setting.
- **Modern Slavery Act 2015:** Creates offences relating to human trafficking, forced labour, and slavery. Safebreaks staff may encounter victims of modern slavery including cuckooing. The National Referral Mechanism (NRM) is the route for referring potential victims.
- **Public Interest Disclosure Act 1998 (PIDA):** Protects workers who make disclosures in the public interest, including safeguarding concerns about their employer. Staff who raise safeguarding concerns in good faith are protected from detriment regardless of the outcome.
- **Devon Safeguarding Adults Partnership (DSAP) procedures 2025:** Safebreaks operates within DSAP operational guidance and multi-agency safeguarding procedures.

1. Purpose

This policy sets out how Safebreaks Devon CIC fulfils its safeguarding responsibilities towards the adults we support. It applies across all services and to all people who work for or on behalf of Safebreaks. It establishes clear expectations, procedures, and escalation routes so that every member of staff knows what to do when a safeguarding concern arises.

Safeguarding is not a specialist function. It is everyone's responsibility. No member of staff should hesitate to raise a concern because they are unsure whether it meets a threshold. When in doubt, report.

2. Scope

This policy applies to all Safebreaks staff, volunteers, and contractors across all services: Supported Living, Community Enabling, and Day Services. It applies whenever a safeguarding concern arises in the course of delivering support, during transport, during off-site activities, or in any other context where Safebreaks staff are working with clients.

3. The Six Principles of Adult Safeguarding

Safebreaks works to the six statutory principles of adult safeguarding established by the Care Act 2014 and the DSAP.

- **Empowerment:** People are supported and encouraged to make their own decisions. Safebreaks assumes the least restrictive approach and seeks to build the person's own confidence and ability to manage risk.
- **Prevention:** Safebreaks acts before harm occurs. This includes proactive risk assessment, training staff to recognise early warning signs, and working with partners to address risks before they escalate.
- **Proportionality:** Responses are proportionate to the level of risk. The least intrusive response appropriate to the risk is always preferred.

- **Protection:** Support and representation are provided for those in the greatest need, including those who are unable to protect themselves.
- **Partnership:** Safebreaks works with DSAP, Devon County Council, the police, health services, and other agencies to prevent, detect, and respond to abuse.
- **Accountability:** All actions, decisions, and referrals are recorded and transparent. Safebreaks accepts scrutiny of its safeguarding practice.

4. Making Safeguarding Personal

Making Safeguarding Personal (MSP) is the statutory approach to adult safeguarding in England. It requires that the person at risk is at the centre of the safeguarding process, not a passive subject of it.

- The person's views, wishes, feelings, and desired outcomes are identified and recorded at the earliest possible stage of any safeguarding concern or enquiry
- Safeguarding decisions are made with the person wherever possible, not on their behalf without their involvement
- Where a person lacks capacity to make decisions about their own safeguarding, the MCA best interests process applies and independent advocacy is arranged through an IMCA where appropriate
- The safeguarding response must be proportionate to what the person wants to achieve. Someone who wants support to continue a relationship safely requires a different response from someone who wants the relationship to end
- Outcomes are reviewed. At the conclusion of any safeguarding process, the DSL checks with the person whether their desired outcomes have been achieved

5. Recognising Abuse and Neglect

Abuse can be perpetrated by anyone: family members, partners, friends, other service users, professionals, or strangers. It can be deliberate or unintentional. It may be a single incident or a pattern of behaviour. Staff must remain vigilant for signs of abuse and understand that safeguarding applies regardless of the person's capacity or ability to disclose.

Type of abuse	What it includes
Physical abuse	Hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate physical sanctions.
Psychological or emotional abuse	Threats, humiliation, intimidation, coercion, controlling behaviour, isolation, or verbal abuse.
Sexual abuse	Rape, sexual assault, sexual acts to which the person has not or could not consent, or sexual exploitation.
Financial or material abuse	Theft, fraud, exploitation, pressure in connection with wills or financial transactions, misuse of property or benefits.
Neglect and acts of omission	Ignoring medical, emotional, or physical care needs; failure to provide access to services; withholding necessities of life.

Self-neglect	Failure to self-care to a degree that threatens personal health or safety, including hoarding.
Domestic abuse	Any incident of controlling, coercive, or threatening behaviour, violence, or abuse between those who are or have been intimate partners or family members.
Discriminatory abuse	Abuse motivated by, or linked to, a person's age, disability, gender, race, religion, or sexual orientation.
Organisational or institutional abuse	Neglect and poor practice within an institution or care setting, including poor care standards, lack of positive responses to complex needs, or rigid routines.
Modern slavery	Human trafficking, forced labour, domestic servitude, and sexual exploitation for the purpose of profit.
Cuckooing	When a person's home is taken over by drug dealers or others who use it for criminal activity, often targeting vulnerable adults.

Signs of abuse may include: unexplained injuries or changes in behaviour; a person appearing fearful, withdrawn, or anxious around a specific person; unexplained changes in financial circumstances; poor physical care or hygiene without a clear medical reason; a person making a disclosure, however partial or hesitant; and a person retracting a previous disclosure. A single indicator may not be conclusive, but any concern must be reported.

6. Safeguarding and Personal Autonomy

Adults with capacity have the right to make their own decisions, including decisions that carry risk. Safebreaks respects this right. However, the right to make risky choices does not remove Safebreaks's safeguarding obligations.

- **Coercion and undue influence:** A decision that appears to have been made freely may in fact be the result of coercion, grooming, or undue influence. This does not always remove the person's apparent capacity. Where there is any reason to suspect that a person's decision is not truly free, this must be reported to the DSL
- **Informed risk:** Where a capacitated person makes an informed decision to remain in a situation that carries risk, Safebreaks respects that decision while ensuring the person has the information they need, while recording the decision and its rationale, and while keeping the situation under review
- **Escalation:** Where a staff member is concerned that a person's autonomous choice is placing them at serious risk of harm, they must discuss this with the DSL. The DSL may consult with DSAP, Devon County Council, or other agencies before deciding whether to take further action
- **Right to refuse:** A person has the right to refuse safeguarding intervention. This does not end Safebreaks's concern or its recording obligations. The refusal is documented and the situation monitored

7. Roles and Responsibilities

- **All staff:** Attend safeguarding training at induction and annually. Report any concern immediately to the DSL. Record concerns factually. Do not investigate independently

or promise confidentiality to a person making a disclosure. Cooperate fully with any enquiry.

- **Designated Safeguarding Lead (DSL):** Luke Williams, Managing Director. Receives all safeguarding referrals. Decides whether to escalate to MASH or DSAP. Maintains the safeguarding case log. Ensures DBS referral duties are met. Reports to the Board on safeguarding outcomes.
 - **Deputy DSL:** Samuel Pritchard, Operations Lead. Acts as DSL in the absence of the Managing Director. Has the same responsibilities as the DSL during that period.
 - **Managing Director:** Ensures this policy is implemented, reviewed, and resourced. Handles allegations against the DSL. Reports to the Board.
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8. Reporting Concerns

8.1 Internal reporting

- **All concerns must be reported to the DSL or Deputy DSL immediately**, not at the end of the shift and not the following day. If the DSL is not available, contact the Deputy DSL. If neither is available, contact the Managing Director directly.
- **DSL:** Luke Williams | luke.williams@safebreaks.co.uk
- **Deputy DSL:** Samuel Pritchard | s.pritchard@safebreaks.co.uk
- **If the concern is about the DSL:** report directly to the Managing Director. If the concern is about the Managing Director: report to the Deputy DSL or directly to Devon MASH (0345 155 1007) or the police.

8.2 External reporting

- **Devon MASH (Multi-Agency Safeguarding Hub):** 0345 155 1007. The DSL contacts MASH where a concern may meet the section 42 threshold. Where there is any doubt about whether the threshold is met, Safebreaks refers and lets MASH decide.
 - **Emergency services:** 999. Call immediately where a person is in immediate danger. Do not wait for DSL instruction before calling 999.
 - **Police:** Where a crime may have been committed, the DSL considers whether to report to the police alongside making a MASH referral.
 - **National Referral Mechanism (NRM):** Where a potential victim of modern slavery is identified, the DSL submits an NRM referral to the Single Competent Authority.
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9. The Section 42 Threshold

Devon County Council has a duty under section 42 of the Care Act 2014 to make enquiries where there is reasonable cause to suspect that an adult with care and support needs is experiencing, or is at risk of, abuse or neglect and is unable to protect themselves because of those needs.

The threshold is not high. Safebreaks does not need to be certain that abuse has occurred before referring to MASH. Reasonable cause to suspect is sufficient. If in doubt, refer and let MASH decide.

The three conditions are:

- The person has care and support needs (whether or not the local authority is meeting them)
 - The person is experiencing or at risk of abuse or neglect
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- As a result of their care and support needs, the person is unable to protect themselves against the abuse or neglect or the risk of it

Where all three conditions appear to be met, the DSL makes a section 42 referral to MASH without delay. The referral is made the same day the concern is identified, or immediately where there is an urgent risk.

10. Information Sharing and Confidentiality

Safeguarding information is shared on a need-to-know basis, in line with UK GDPR and the Data Protection Act 2018, and where necessary to prevent harm or protect life. Consent will be sought where possible, but safeguarding concerns may be shared without consent where the risk is serious enough to override the duty of confidentiality.

- **Never promise confidentiality** to a person making a safeguarding disclosure. The correct response is: "I am glad you have told me. I have to pass this on to make sure you are safe, but I will only share it with the people who need to know."
 - Information shared for safeguarding purposes is shared proportionately — only what is necessary for the specific purpose
 - All information sharing decisions are recorded, including the rationale where consent was not obtained
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11. Allegations Against Staff or Volunteers

Where a safeguarding concern involves an allegation against a Safebreaks staff member, volunteer, or subcontractor, the response requires specific care to manage the safeguarding and employment processes correctly.

1. **Immediate safeguarding action first.** The safety of the client takes priority. The DSL ensures the client is safe and that the alleged perpetrator is not in contact with vulnerable clients pending investigation.
 2. **Suspend from client contact.** Where an allegation is made against a staff member, they are normally suspended from all client contact on a precautionary basis pending investigation. Suspension is a neutral act, not a finding of guilt.
 3. **Contact MASH.** The DSL contacts MASH regardless of whether the alleged perpetrator has been suspended. MASH may advise on the investigation process and may conduct their own enquiries.
 4. **Separate processes.** The safeguarding investigation and any internal disciplinary process run in parallel but must not compromise each other. The DSL coordinates with the Managing Director to ensure the processes are appropriately separated.
 5. **DBS referral.** If the investigation concludes that a staff member has harmed or placed at risk of harm a client in a regulated activity context, the DSL assesses whether a DBS referral is required. See Section 12.
 6. **Allegations against the DSL.** Where the allegation is against the DSL, the Managing Director takes direct responsibility for the process. Where the allegation is against the Managing Director, the Deputy DSL contacts MASH directly and the Board is notified.
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12. DBS Referral Duty

Safebreaks has a legal duty under the Safeguarding Vulnerable Groups Act 2006 to refer to the DBS where it has dismissed or removed a person from working with vulnerable adults

because they have harmed or placed at risk of harm a person in their care, or where it would have done so if the person had not resigned first.

- The duty to refer applies regardless of whether a criminal prosecution has occurred or resulted in a conviction
 - The DSL assesses at the conclusion of any safeguarding investigation involving a staff member whether the DBS referral threshold is met
 - Where the threshold is met, the referral is submitted within 5 working days using the DBS online referral service
 - Failure to make a required DBS referral is a criminal offence
 - **Where Safebreaks is uncertain whether the duty to refer applies**, it contacts the DBS helpline (03000 200 190) for guidance before the deadline passes
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13. Raising Concerns and Whistleblowing

Staff who raise safeguarding concerns in good faith are protected under the Public Interest Disclosure Act 1998. Safebreaks will not subject any person to detriment for raising a safeguarding concern, regardless of the outcome.

- Any concern about safeguarding practice, conduct, or culture at Safebreaks may be raised with the DSL, the Managing Director, or the Board
 - Where a staff member is concerned that a safeguarding concern has not been acted upon appropriately, they have the right to refer directly to MASH, the police, or the Care Quality Commission
 - Referral to an external body is not a breach of any contractual duty or loyalty obligation where the referral is made in good faith
 - Safebreaks will not discourage, obstruct, or penalise any person who raises a safeguarding concern through any appropriate channel
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14. Record Keeping

- All safeguarding concerns, referrals, decisions, and outcomes are recorded in the Safeguarding Case Log on SharePoint (restricted access)
 - Records are written in factual, objective language, distinguishing between observed fact, what was said, and any opinion or inference
 - Records are completed the same day as the concern or action wherever possible
 - **Retention:** All safeguarding records are retained for 30 years from the date of the incident or the last action taken. This is an insurance requirement and reflects the long-term nature of harm arising from abuse. Records must not be destroyed before this period has elapsed.
 - Access is restricted to the DSL, Deputy DSL, and Managing Director. Wider access is granted only where necessary for investigation or legal purposes
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15. Training

- All staff complete safeguarding adults awareness training at induction, covering: the six principles, types of abuse, how to recognise warning signs, the reporting procedure, and the importance of accurate recording
 - Annual refresher training is mandatory for all staff
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- The DSL and Deputy DSL complete enhanced safeguarding training appropriate to their lead role, including section 42 enquiries, Making Safeguarding Personal, and multi-agency working
 - Safeguarding is incorporated into supervision, team meetings, and any post-incident debrief
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16. Monitoring and Review

- The DSL reviews all safeguarding case records monthly and identifies any themes or learning
 - A summary of safeguarding activity (anonymised) is presented to the Managing Director quarterly
 - This policy is reviewed annually by the DSL and approved by the Managing Director. An interim review is triggered by any serious safeguarding incident, significant change in DSAP procedures, or change in relevant legislation
 - Updates to Devon County Council protocols or national statutory guidance are incorporated promptly
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17. Related Documents

- Mental Capacity and Best Interests Policy
 - Consent and Information Sharing Policy
 - Incident and Near-Miss Reporting Policy
 - Recruitment and Vetting Policy
 - Code of Conduct
 - Disciplinary Policy
 - Business Continuity and Major Incident Plan
 - Positive Behaviour Support and Restrictive Practices Guidance
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Appendix A: Safeguarding Escalation Procedure (DSAP-Aligned)

This procedure converts the DSAP-aligned escalation flowchart into a numbered step-by-step format for use by all staff. Print and keep accessible at each service location.

If anyone is in immediate danger: call 999 first. Do not wait for DSL instruction. Complete steps below once the person is safe.

Step 1: Recognise

You observe, suspect, or receive a disclosure of abuse or neglect. This may be something you see, something the person tells you, something a family member or third party reports, or a pattern of signs that gives you cause for concern.

Step 2: Respond

- Stay calm and listen without judgement
- Reassure the person but do not promise confidentiality. Say: "I am glad you told me. I need to pass this on to keep you safe, but I will only share it with people who need to know"
- Do not investigate, question in detail, or confront the alleged perpetrator
- If the person is in immediate physical danger, call 999 immediately

Step 3: Record

- Make factual notes as soon as it is safe to do so. Write what you saw, heard, or were told, using the person's own words where possible
- Note the date, time, location, and names of anyone present
- Do not add opinions, interpretations, or conclusions
- Submit a full Safeguarding Concern Report (Appendix B) to the DSL the same day

Step 4: Report to the DSL

- Contact the DSL or Deputy DSL immediately by telephone. Do not wait until the end of the shift
- DSL: Luke Williams | 07512431803 | luke.williams@safebreaks.co.uk
- Deputy DSL: Samuel Pritchard | s.pritchard@safebreaks.co.uk
- If neither is available, contact the Managing Director directly or call MASH (0345 155 1007)

Step 5: DSL decision on section 42 threshold

- **If the section 42 threshold is met:** the DSL completes a DSAP adult safeguarding referral and submits it to Devon County Council Customer Service Centre (0345 155 1007) the same day. Safebreaks cooperates fully with the ensuing DSAP enquiry
- **If the threshold is not met:** the DSL considers Early Help referral or internal protective actions. Agreed actions are reviewed within 48 hours
- **If in doubt:** refer to MASH and let them decide. The threshold for a referral is reasonable cause to suspect, not certainty

Step 6: Risk to children

- If the incident involves or may involve a risk to children or young people, the DSL makes a parallel referral to MASH in line with Devon Children's Safeguarding procedures

Step 7: Staff member involvement

- **If a staff member may be the perpetrator:** the DSL notifies the Managing Director immediately. The staff member is suspended from client contact on a precautionary basis pending investigation. MASH is informed regardless
- **DBS referral duty:** at the conclusion of any investigation involving a staff member, the DSL assesses whether the DBS referral threshold is met. If yes, referral is submitted within 5 working days

Step 8: Case closure

- The case is closed when the risk is managed, all agreed actions are complete, and the DSL has confirmed with the person (where possible) that their desired outcomes have been addressed
- All actions and outcomes are recorded in the Safeguarding Case Log on SharePoint

KEY CONTACTS	
Devon MASH (adults and children)	0345 155 1007
Emergency services	999
Non-emergency police	101
DBS helpline (referral guidance)	03000 200 190
National Referral Mechanism (modern slavery)	0800 0121 700

Appendix B: Safeguarding Concern Report Template

Complete as soon as it is safe to do so. Submit to the DSL immediately. Use factual, objective language. Do not add opinions or conclusions. Retain a copy and give the original to the DSL.

SAFEBREAKS DEVON CIC SAFEGUARDING CONCERN REPORT	
Date and time of concern	
Name of adult at risk	
Address or location where concern arose	
Name of alleged perpetrator (if known)	
Relationship of alleged perpetrator to person at risk	
Description of concern (what you saw, heard, or were told. Use exact words where possible.)	
Actions taken (who was informed, immediate steps taken)	

Was 999 called?	
Was the DSL notified?	
Your name and role	
Your signature	
Date and time this report was completed	
DSL use only	
Date and time received by DSL	
Decision (refer to MASH / Early Help / internal action)	
Referral submitted to MASH?	
DSL signature	

Change Log

Version	Date	Author	Summary
0.1	2025	DSL	Initial draft

1.0	March 2026	Managing Director	Full revision: legal framework expanded; Making Safeguarding Personal section added; autonomy and risk section added; Section 42 threshold explained; allegations against staff procedure added; DBS referral duty added; whistleblowing provisions added; SOL.Y references; 30-year retention; CQC reference removed from flowchart; Nourish reference removed; abuse types table completed; escalation flowchart converted to numbered procedure; house style applied
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