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## **Primary Eyecare Cheshire Ltd: Safeguarding, Mental Capacity Act and Deprivation of Liberties Policy**

### **Overview**

Primary Eyecare Primary Eyecare Cheshire Ltd has been established to specifically act as the lead for a network of local optical practices ("subcontractors") dedicated to delivering excellent eyecare in the local community.

Primary Eyecare Primary Eyecare Cheshire Ltd's clinical governance and performance lead will be the coordinating commissioner's main point of contact within Primary Eyecare Primary Eyecare Cheshire Ltd.

Safeguarding children and vulnerable adults is an overriding professional duty for registered optical practitioners and practices, in the same way as for all other health and social care practitioners and providers.

Primary Eyecare Primary Eyecare Cheshire Ltd is committed to safeguarding children and vulnerable adults including deprivation of liberties safeguards. Primary Eyecare Primary Eyecare Cheshire Ltd also supports the safeguarding agenda in the context of tackling health inequalities.

Primary Eyecare Primary Eyecare Cheshire Ltd will comply with local safeguarding, mental capacity and deprivation of liberty policies including any updates required in line with multi-agency policies and the Commissioner's requirements.

### **Safeguarding governance**

Primary Eyecare Primary Eyecare Cheshire Ltd will appoint a named safeguarding lead. The Commissioner will be kept informed at all times of the identity of the safeguarding lead.

Primary Eyecare Primary Eyecare Cheshire Ltd is aware of the safeguarding provisions contained within the Care Act 2014 and will support the work of the Local Safeguarding Children Boards (LSCBs) and Safeguarding Adults Boards (SABs). Primary Eyecare Primary Eyecare Cheshire Ltd understands the key role of LSCBs and SABs in highlighting required improvements with regards safeguarding and will act accordingly as necessary.

Primary Eyecare Primary Eyecare Cheshire Ltd will participate in the development of any local multi-agency safeguarding quality indicators and/or plan if requested by the coordinating commissioner.

At the reasonable written request of the commissioner, Primary Eyecare Primary Eyecare Cheshire Ltd will provide evidence to the commissioner no later than ten days from request confirming that it is addressing any concerns raised by relevant multi-agency reporting systems.

Primary Eyecare Primary Eyecare Cheshire Ltd supports Regulation 13: Safeguarding service users from abuse and improper treatment as one of the fundamental standards of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, as amended by the Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2015.

Primary Eyecare Primary Eyecare Cheshire Ltd is also aware of local authority's duty to investigate child welfare safeguarding set out in the Children Act 1989.

### **Mental capacity and deprivation of liberty**

The safeguarding lead will also act as the mental capacity and deprivation of liberty lead.

Primary Eyecare Primary Eyecare Cheshire Ltd will comply with the Mental Capacity Act 2005 and recognises its principles to be:

- Presumed capacity unless proven otherwise.
- Empowering decision making to the maximum extent utilising all practical steps before an individual is treated as lacking capacity.
- Recognising that unwise decisions do not in themselves indicate lack of capacity.
- Acting in the best interests of an individual lacking capacity.
- The objective of less restrictive options relating to acts or decisions when a person lacks capacity.

Primary Eyecare Primary Eyecare Cheshire Ltd supports the Deprivation of Liberty Safeguards and will ensure individual patients' freedom are not inappropriately restricted while protecting their rights and allowing them to make decisions where possible, putting the patient first when decisions are taken for them.

Primary Eyecare Primary Eyecare Cheshire Ltd will comply with local multi-agency policies relating to mental capacity and deprivation of liberty. We will meet training programme requirements and annual audit requirements as appropriate [for a small provider].

Primary Eyecare Primary Eyecare Cheshire Ltd will provide assurances to the commissioner raised through the relevant multi-agency reporting systems if requested as well as taking part in development of any local multi-agency safeguarding quality indicators and/or plan if requested.

### **Prevent**

The safeguarding lead will act as the Prevent lead.

Primary Eyecare Primary Eyecare Cheshire Ltd will meet Prevent requirements as appropriate for the contract and service type.

To the extent applicable, and as agreed by the Co-ordinating Commissioner in consultation with the Regional Prevent Co-ordinator, Primary Eyecare Primary Eyecare Cheshire Ltd will:

- include in its policies and procedures, and comply with, the principles contained in the Government Prevent Strategy and the Prevent Guidance and Toolkit;

- include in relevant policies and procedures a programme to raise awareness of the Government Prevent Strategy among Staff and volunteers in line with the NHS England Prevent Training and Competencies Framework; and
- include in relevant policies and procedures a WRAP delivery plan that is sufficient resourced with WRAP facilitators.

### **Child Sexual Abuse and Exploitation**

Primary Eyecare Primary Eyecare Cheshire Ltd's safeguarding lead will act as the child sexual abuse and exploitation lead. Primary Eyecare Primary Eyecare Cheshire Ltd recognises that while any child can be a victim of sexual exploitation those at risk are likely to exhibit behavioural signs such as sexualised behaviour, self-harm, change in eating habits, mental health problems and disruptive behaviour.

Primary Eyecare Primary Eyecare Cheshire Ltd is committed to ensuring its subcontractors monitor signs of child sexual exploitation and will act within local plans in the event of identifying children at risk.

### **Subcontractor requirements**

Primary Eyecare Primary Eyecare Cheshire Ltd requires subcontractors to:

- Maintain their own Safeguarding Policies in accordance with the Optical Confederation's *Guidance on Safeguarding and the Prevent Strategy: Protecting Children and Vulnerable Adults* and local policies and guidance.
- Ensure that all practice staff are familiar with the guidance <http://www.opticalconfederation.org.uk/downloads/safeguarding-guidance-updated.pdf> and know what to do if they suspect and observe signs or symptoms of suspected abuse or neglect, so that they are compliant with Intercollegiate Guidance for Safeguarding Children (2014) Level 1.
- Ensure each accredited practitioner has completed the DOCET Level 2 accredited<sup>i</sup> 'Safeguarding Children and Safeguarding Vulnerable Adults' training modules (funded by the Department of Health via the College of Optometrist) and submit evidence to the Company. Appoint a safeguarding, mental capacity and deprivation of liberty and prevent lead.
- Comply with local safeguarding, mental capacity and deprivation of liberty policies including any updates required in line with multi-agency policies and the commissioner's safeguarding requirements.
- Ensure all optometrists are aware of and adhere to the relevant College of Optometrist guidelines.

Primary Eyecare Primary Eyecare Cheshire Ltd's Safeguarding, Mental Capacity Act and Deprivation of Liberties Policy will be reviewed annually from **[insert date]** and amended in order to comply with evolving local multi-agency policies and commissioner safeguarding requirements.

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<sup>i</sup> The DOCET Level 2 accredited safeguarding modules also cover the Mental Capacity Act