



Safeguarding ... and the impact on your insurance policy

By David Waters, Managing Director CHIS

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For many care home owners and managers the impact of the new safeguarding agenda is yet to be clearly understood.

CHIS believes there is a need to ensure that any care home insurance policy meets the potential for any legal liability claims which may be brought following the involvement of the Safeguarding Committee or a safeguarding investigation.

Under the safeguarding agenda there are a number of issues which all care homes have to be aware of relating to the potential abuse of any resident. Following any allegation or actual abuse of any vulnerable person, it is the responsibility of the care home to report the matter to the Safeguarding Committee.

Your staff are also advised they too have a duty to report any allegations of or suspicions of abuse or potential abuse to their manager, or if they feel their manager is involved in the abuse, then directly to Social Services.

If you have not yet read your own local authorities guide to safeguarding, CHIS would recommend you access a copy to make sure you know and understand the issues around safeguarding of vulnerable people. Each Council have developed their own policy and procedures.

Should an incident (or series of incidents) arise which requires you, the care home owner or manager, to report the matter to the Safeguarding Committee, there is a risk of the Safeguarding Committee finding against the care home, the owner and the manager. If this was to happen there is a fair risk of a potential claim being brought against them – the home, the manager and the owner.

Any claim of this nature would, if you are a CHIS client, be covered by the home's insurance policy. The only exception to this would be any criminal acts.

In view of this, we have discussed and agreed with insurers that it is in their best interests to ensure you have legal representation throughout the process.

So, if you believe an incident has arisen within your care home which has to be reported to the safeguarding committee – and if you are a CHIS client – please call us first (01273 645920), so we can organise for you to have the appropriate legal advice, support and protection.

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