

# Safeguarding Adults Definition

- Safeguarding is defined as protecting an adult's RIGHT TO LIVE IN SAFETY, FREE FROM ABUSE OR NEGLECT. It applies to an adult aged 18 or above who:
  - Has needs for care and support
  - Is experiencing or at risk of neglect; and
  - As a result of those care and support needs is unable to protect themselves from either the risk of or experience of abuse or neglect

# Who Can Abuse?

- A Male or Female
- Family Member
- Formal or Informal Carer
- Gardeners
- Hairdressers
- Healthcare Professional
- Neighbour
- Nurse
- Partner
- Social Care Worker
- Volunteers

# Key Adult Safeguarding Legislative Background

- Legislation and guidance underpin all adult safeguarding work. There are six key acts commonly used in safeguarding.
- **Care Act 2014 Section 42 The Act sets out how adults should be protected from abuse or neglect including:**
  - Making Safeguarding enquiries a duty for councils where it suspects an adult is at risk of abuse or neglect
  - Making Safeguarding Adults Boards (SAB) statutory
  - Making Safeguarding Adult Reviews (SARS) mandatory when an adult dies as a result of abuse or neglect
  - Agencies to co-operate with sharing of relevant information
  - Councils to find advocacy for assessment and safeguarding for people who do not have anyone else to speak up for them and the person is finding the process very difficult to manage or go through

# Key Adult Safeguarding Legislative Background

**Crime and Disorder Act 1998** States we all have a responsibility to report crime including abuse

## **Criminal Justice and Courts Act 2016**

- The Criminal Justice and Courts Act creates two offences concerning **ill treatment and willful neglect**:
- One relates to care workers
- One relates to care providers

**These offences will apply to all formal healthcare provision for adults and children in both the NHS and private sector and to all formal adult social care provision, **WHETHER PUBLIC OR PRIVATE SECTOR.****

# Key Adult Safeguarding Legislative Background

**European Human Rights Act 1998** states that everybody has the **Right to Live Their Lives Free from Abuse**. Some rights are:

- The right of Life
- Freedom from torture and degrading treatment
- Freedom from slavery and forced labour
- The right to marry and start a family
- The right not to be discriminated against in respect of these rights and freedoms
- The right to peaceful enjoyment of your property
- The right of privacy (also protected under the GDPR regulations)

# Key Adult Safeguarding Legislative Background

## **THE DEPRIVATION OF LIBERTY STANDARDS 2007 (DOLS) ARE AN AMENDMENT TO THE MENTAL CAPACITY ACT 2005**

The Mental Capacity Act protects the rights of people who may not be able to make their own decisions due to factors which impair their mental state e.g., stroke, head injury, learning disability, mental illness, intoxication, etc. There are 5 key principles:

- A presumption of mental capacity
- The right for individuals to be supported to make their own decisions
- The individual retains the right to make 'eccentric or unwise decisions'
- All decisions should be made in the person's best interest
- Using the least restrictive intervention

**SAFEGUARDING VULNERABLE GROUPS ACT 2006** was passed to avoid harm or risk of harm by preventing people who are deemed unsuitable from working with children or vulnerable adults (**DBS records checking**)

## 6 KEY PRINCIPLES OF SAFEGUARDING

- Empowerment= People being supported and encouraged to make their own decisions by asking an individual what outcomes they would like
- Prevention= It is better to take action before harm occurs
- Protection= Support and representation for those in greatest need
- Proportionality= The least intrusive response appropriate to the risk presented
- Partnerships= Local solutions through services working with their communities
- Accountability= Accountability and transparency in delivering safeguarding

# ABUSE

The dictionary definition of abuse refers to the use of something (a person, substance, concept, or idea or vocabulary) that is HARMFUL.

Abuse often conjures up serious images of PHYSICAL HARM and physical evidence like bruising, cuts, abrasions, fractures, etc.

Abuse can often start with not respecting someone's DIGNITY.

It is abuse when someone MISUSES THEIR POWER over another person and caused harm or distress. It can be classed by the target of abuse or the type of abuse.



# ABUSE

- The **Care Act** identifies 10 types of abuse:
- Physical Abuse
- Domestic Abuse
- Honour Based Abuse
- Emotional or Psychological abuse
- Sexual Abuse
- Neglect or Acts of Omission including Self-Neglect
- Financial or Material Abuse
- Discriminatory Abuse
- Organisational Abuse
- Modern Slavery

The most common safeguarding concern (over half of concerns) raised last year by Essex County Council was neglect or self-neglect.

## PHYSICAL ABUSE CATEGORIES

- An inflicted physical injury
- An injury where there is knowledge or suspicion that it was inflicted intentionally or through lack of care
- Assaults on the body including hitting, slapping, pushing
- Misuse of medication or medical process e.g., catheterisation
- Restraint or inappropriate actions

## Signs include:

- Bruising or marks in well protected areas (or clustered) that don't seem to be consistent with the explanation
- Finger marks
- Scalds or burn marks of unusual location or type
- Abrasions, dislocations or fractures
- Injuries found at different states of healing
- Injury shape similar to an object
- Cowering and flinching
- Acting frightened or worried in normal situations
- Unusually sleepy or docile
- Hair loss in one particular area
- History of GP or agency hopping

## **DOMESTIC ABUSE CATEGORIES**

Domestic Abuse (or domestic violence) is defined across Government as any incident of **CONTROLLING, COERCIVE OR THREATENING BEHAVIOUR, VIOLENCE OR ABUSE** between those aged 16 or over, who are, or have been intimate partners or family members, regardless of their gender or sexuality.

This includes psychological, physical, sexual, financial, emotional abuse and also Female Genital Mutilation (FGM), Honour Based Abuse or Violence (HBA) and Forced Marriage (FM).

## Signs include:

- Physical injuries
- Excuses for frequent injuries
- Stress, anxiety, or depression
- Absent from work and social occasions
- Self-Blame
- Never alone or their time always accounted for
- Isolation from friends and family
- Child custody or contact problems

## EMOTIONAL OR PSYCHOLOGICAL ABUSE CATEGORIES

- Examples include:
- Humiliation, shaming or ridicule
- Harassment, bullying (including cyberbullying), intimidation
- Threats of harm or abandonment
- Control or coercion
- Deprivation of choice or privacy
- Deliberate social isolation
- Infantilisation – treating an adult like a child

## EMOTIONAL OR PSYCHOLOGICAL ABUSE SIGNS

- Loss of appetite or over eating
- Loss of weight
- Sharp changes in someone's behaviour
- Loss of confidence
- Unusually reserved or sad
- Disturbed sleep or tendency to withdraw to room
- Self-abuse i.e., self-harm, head banging, hand biting, eating disorders

## SEXUAL ABUSE CATEGORIES

- Direct or indirect involvement in sexual activity without consent
- Inability to consent, pressured or induced to consent
- Indecent assault
- Indecent exposure
- Exposure to inappropriate sexual behaviour or images or material



## SEXUAL ABUSE SIGNS

- Openly sexual behavior or language
- Disclosure or partial disclosure (use of phrases such as It's a secret)
- Changes in character such as depression, sudden withdrawal from activities
- Loss of previous skills, sleeplessness or nightmares, self-injury
- Showing fear or aggression to one particular person
- Sexually transmitted infections
- Incontinence or bed wetting
- Repeated urinary tract infections
- Bruising, bleeding or unexplained soreness around genital area
- Pregnancy

## NEGLECT AND ACTS OF OMISSION CATEGORIES

- Failure of a person or organisation, who has responsibility or care of a person to provide access to appropriate health, social care or educational services
- Withholding necessities of life, including nutrition, medication, heating or shelter
- The failure to intervene in behaviour which is dangerous to the adult or others
- Repeated incidences of poor care e.g. poor moving and handling

## Signs include:

- Dehydration or malnutrition which could lead to confusion or drowsiness
- Weight loss due to malnutrition
- Drowsiness due to too much medication
- Eating or drinking excessively when given access to food or drink
- Sharp changes in someone's behaviour
- Loss of confidence
- Unusually reserved or sad or depressed
- Untreated physical abuse
- Inconsistent or reluctant contact with health or social care agencies
- Lack of safety equipment or being used without following recommendation
- Ulcers, bed sores and being left in wet clothing

## **SELF-NEGLECT CATEGORIES**

- Neglecting to care for one's personal hygiene
- Neglecting one's health
- Not looking after one's surroundings
- Hoarding

## Signs include:

- Malnourishment
- Dehydration
- Confusion
- Inappropriate clothing
- Under or over medication
- Skin sores
- Poor hygiene
- Condition of the home

## FINANCIAL OR MATERIAL ABUSE CATEGORIES

- The misuse or misappropriation of property possessions or benefits
- Theft, fraud, exploitation
- Pressure in connection with wills, property, inheritance or financial transactions
- Extortion of money, property or possessions by threat, coercion or fraudulent means
- Refusal to let the person have access to their own money, property or possessions

## Signs include:

- Not using the heating or lighting when cold or dark
- Not paying bills when previously there was not an issue
- Buying things that do not seem to fit into a person's interests or life style
- Work on property not completed or costing excessive amounts of money
- Unexplained loss of money
- Someone has taken responsibility for paying bills but not doing so
- Personal possessions go missing

## DISCRIMINATORY ABUSE CATEGORIES

- Discriminatory abuse exists when values, beliefs or culture result in a misuse of power that denies mainstream opportunities to some groups or individuals. It includes discrimination on the basis of race, gender, age, sexuality, disability or religion, examples of which are:
  - Unequal treatment
  - Verbal abuse
  - Inappropriate use of language
  - Harassment
  - Exclusion



## Signs include:

- Name calling
- Anti-social behaviour driven by someone's impairment or disability
- Picking on someone or bullying
- Excluding someone because of their race, impairment, or medical condition
- Stereotyping
- Omitting services or activities based on preconceived ideas about someone's age or condition
- Ignoring dietary requirements

# ORGANISATIONAL ABUSE CATEGORIES

- Organisational abuse includes:
- Neglect and poor care practice within an organisation such as a hospitals or care home or in relation to care provided in one's own home or
- This may range from one-off incidents to on-going ill-treatment.

## Signs include:

- Lack of choice
- Strict and unreasonable rules or inflexible routines
- Dignity and respect routinely ignored
- Practices that deprive people of their liberty.
- Poor individualised care planning or risk management plans
- Poor staff morale, high turnover and sickness rate
- Insufficient staff training, staff development and the lack of staff support to keep up with best practices
- Ignoring or not responding to complaints
- Poor working practices that encourage routine care regimes

## **MODERN SLAVERY CATEGORIES**

Modern slavery encompasses **SLAVERY, HUMAN TRAFFICKING, FORCED LABOUR AND DOMESTIC SERVITUDE**

Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

## Sign's include:

- Very little or no pay
- Works excessively long or unusual hours
- Owes a large debt and is unable to pay it off
- Poor physical health
- Is not allowed or able to speak for themselves
- Not in control of own money, no financial records or ID documents

## PROFESSIONAL CURIOSITY

- Professional curiosity is the capacity and communication skill to explore and understand what is happening within an adult's life rather than making assumptions or accepting things at face value. Professional curiosity can require practitioners to think outside the box, beyond their normal professional role and consider circumstances holistically. Curious professionals will spend time engaging with adults. They will ask questions (in an open way) and seek clarity if uncertain and will be open to the unexpected

# DEVELOPING SKILLS IN PROFESSIONAL CURIOSITY

- Be flexible and open-minded, not taking everything at face value
- Think the unthinkable: believe the unbelievable: Consider how you can articulate 'intuition' into an evidenced, professional view
- Use your communication skills: review records, record accurately, check facts and feedback to the people you are working with and for
- Use case history and explore the information from the person themselves the family, friends and neighbours, as well as other professionals
- Pay as much attention to how people look and behave as to what they say
- Actively seek full engagement, if you need more support to engage the person or their family, think about who in the network can help you
- Consider calling a multiagency meeting to bring in support from colleagues in other agencies.
- Take responsibility for the safeguarding role you play, however large or small in the life of the people you deal with

## PREVENTION OF ABUSE

- People who use health and care services should be treated with **DIGNITY AND RESPECT**, receive high quality compassionate care and be safe.
- Preventing abuse and neglect should occur in the context of person-centred support and personalisation, empowering individuals to make choices and supporting them to manage choices and supporting them to manage risks.
- This should lead to the services that people want to use with the potential to prevent crises from developing.



# PREVENTION OF ABUSE

- The Social Care Institute for Excellence (SCIE) identified the following building blocks for prevention and early intervention.
- People being informed of their rights and supported to exercise them, including access to advocacy
- Training for staff
- A culture of zero tolerance of abuse
- Good understanding of confidentiality and information sharing across agencies
- Good universal services such as community safety services
- Risk assessments linked with people's choices

# PREVENT STRATEGY

- **PREVENT** is part of the Government's counter-terrorism strategy **CONTEST** which is led by the Home Office. **CONTEST** is composed of the 'four Ps':
- **PREVENT, PURSUE, PROTECT, AND PREPARE** - which aim to reduce terrorism at all levels through:
  - Preventing more people from being radicalised
  - Pursuing suspects operationally and legally
  - Protecting the public through security measures and
  - Preparing to manage the response to mitigate the impact of an inevitable attack.

## PREVENT STRATEGY

- **PREVENT** strategy in safeguarding focuses on stopping people becoming radicalised by people or organisations with extremist beliefs, or supporting acts of terrorism.
- Vulnerable individuals may be specifically targeted and their vulnerability exploited to incite their involvement in terrorist-related activities.
- AfFC staff and volunteers will have adequate training and knowledge to safeguard vulnerable individuals who they feel may be at risk of being radicalised by extremists.
- AfFC will ensure that appropriate systems and procedures are in place to support staff to make effective referrals to the Police and Safeguarding Adults Board with any such concerns.

# SAFEGUARDING MUST BE MADE PERSONAL

- Safeguarding must be made personal by ensuring it is not provided for but with the individual, balancing safeguarding with empowerment and choice
- Record the person's own words using TED questions (tell me, explain to me, describe to me) and make a note of their body language
- An evidence review should decide if it is accurate or true based on a “balance of probability” rather than the police requirement of “beyond reasonable doubt”
- Police investigations take precedence over all other investigations
- After diagnosing a safeguarding alert, you should then carry out a risk assessment to determine if the adult is at immediate risk and whether you need to contact the police immediately by calling 999

# DO'S AND DONT'S

- DO:

DON'T:

- Make sure the adult is safe
  - Speak with the adult & ask what they want to happen
  - Talk to your manager as soon as possible
  - Record what you saw, heard and actually happened
  - Think about any evidence and whether it can be preserved
- Tell the adult you promise you will keep it a secret
  - Ask leading or closed questions
  - Contact the person alleged to have caused harm to get a full statement
  - Record what you think happened

# DO'S AND DONT'S

## • STATEMENT OF FACT

- Does not change between individuals

- Does not use emotive language

- Can include details such as dates and times

- Can be checked to see if they are accurate

- Does not suggest what is likely to happen

## STATEMENTS OF OPINION

Influenced by the writer's feelings & makes judgements

Uses emotive language

Does not include data

Cannot be checked for accuracy

Often predicts the future

# RECORDING AND SHARING INFORMATION

- It is important to both document information and share appropriately. Both individual and organisations need to share safeguarding information with the right people at the right time in order to:
  - Prevent death or serious crime
  - Prevent abuse and harm that may increase the need for care and support
  - Reveal patterns of abuse that were previously undetected
  - Identify low level concerns that may reveal people at risk of abuse
  - Help people to access the right kind of support to reduce risk and promote wellbeing

# WHAT CAN YOU DO IN THE WORKPLACE TO PREVENT ABUSE HAPPENING?

- Training for staff
- A culture of zero tolerance of abuse
- Good understanding of confidentiality and information sharing across agencies
- Good universal service, such as community safety services
- Risk assessments linked with people's choices
- A plan of options for support to keep safe which are based upon individual needs
- Services that prioritise both safeguarding independence and
- Public awareness of the issues



# WHISTLEBLOWING

- If you believe there is wrongdoing in your workplace (such as your employer is committing a criminal offence) you can report this. You should first report this internally although there may be occasions when this not appropriate or safe to do so. If you whistleblow an organisation you are protected and your employer cannot victimize you (for example by not offering you a promotion). Protection for workers can be found in the Public Interest Disclosure Act 1998.

# THE CARE ACT ADVOCACY GUIDANCE REQUIRES CONSIDERATION OF:

- Is the action appropriate?
- A professional has no right to report a concern without informing the adult effected and getting their approval
- The victim must voluntarily have agreed to the action and be capable of making that decision
- The adult has to be consulted about how best to respond to the situation and what the person wants from the safeguarding process
- The life of the person experiencing abuse should be disrupted as little as possible
- Where a person chooses to live with a risk of abuse, the safeguarding plan must, with the adult's consent, include access to services that help minimize the risk

## **EXCEPTIONS TO THIS NEW POLICY ARE PERMITTED WHERE:**

- Where other adults are also at risk
- Where children may also be at risk
- If you suspect a serious crime has been committed
- Staff of the establishment are involved
- Coercion is involved

# SAFEGUARDING ADULTS AND SAFEGUARDING CHILDREN POLICIES

- Action for Family Carers (AfFC) has safeguarding policies which contain a lot of the information from this presentation. They provide guidelines and information specific to AfFC such as identifying contact details e.g.
  - Designated Safeguarding Lead Heather Beach
  - Chief Executive Officer James Clarke
  - Nominated Trustee for Child and Adult Protection Paul Osman

# **ACTION FOR FAMILY CARERS (AfFC) SAFEGUARDING ADULTS PROCESS**

- The principal tool for safeguarding vulnerable adults is the Adult Safeguarding Policy. Additional policies which are particularly relevant to safeguarding at AfFC and are therefore reviewed annually are:
  - Safeguarding Children Policy and Procedure
  - Safer Recruitment and Selection Policy and Procedure
  - Bullying and Harassment Policy and Procedure
  - IT Security and Safety Policy and Procedure
  - Disclosure and Barring Service Policy and Procedure
- Additional relevant policies which are reviewed on a 3-year cycle are:
  - Training and Development Policy
  - Complaints Policy

# SAFEGUARDING CLEARANCE PROCESS

- The Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA) merged in December 2012 to become the Disclosure and Barring service (DBS). AfFC uses the DBS Handling Policy and Procedure.
- A basic check shows unspent convictions and conditional cautions
- A standard check shows unspent convictions, cautions, reprimands and final warnings
- An enhanced check shows the same as the standard check plus any information held by the local police
- An enhanced check with barred lists shows the same as enhanced check plus whether the applicant is on the list of people barred from working with children or vulnerable adults or at a regulated provider
- Note however, if a person commits an offense after getting a satisfactory DBS clearance there is no feedback from the courts to the DBS system nor update communication to the DBS clearance requestor.

# RECRUITMENT OF STAFF AND VOLUNTEERS

- AfFC management follows the Safer Recruitment and Selection Policy and Procedure including:
  - Assessment of role to assess need for DBS Disclosures
  - Ensure prospective staff and volunteers complete an AfFC application form and disclosures documentation
  - Check references thoroughly and appropriately
  - Recruit appropriately under the governing body policies and procedures

# TRAINING

- Inductions will include familiarisation with all AfFC policies and procedures with emphasis on reporting protocols and recording keeping.
- All staff will undertake Adult Safeguarding training at a competency level according to their role and responsibilities in accordance with the Southend, Essex and Thurrock (SET) Safeguarding Adults training strategy.
- Basic Awareness of Safeguarding Adults training, such as that provided by Essex Safeguarding Adults Board, e-learning and classroom-based, will be completed upon commencement of employment with AfFC. This will be refreshed every 2 years.
- Level 2 Safeguarding Adults training (responders) will be completed every 2 years.
- Management, Lead Trustee and those involved in recruitment will complete the Provider Management training (old level 3) with the local authority in addition to the basic safeguarding awareness training.
- All staff and volunteers will be made familiar with and have access to Essex Adult Safeguarding Board webpage.



## MANAGEMENT, SUPERVISION AND SUPPORT

- Regular staff and volunteer supervisions and team meetings will have safeguarding on the agenda to promote awareness and review practice.
- One to one supervision with individual staff members and volunteers, will be undertaken as appropriate, enabling a formal de-brief after active involvement in raising a safeguarding concern.
- Line managers will clarify with staff and volunteers their roles and responsibilities regarding their relationships with adults who have care and support needs with whom they may be in contact.
- Either the Designated Lead or Provider Manager training is undertaken by managers and other staff as appropriate.

# SAFEGUARDING PROCESS OUTCOMES FOR AfFC MANAGEMENT

- Safeguarding actions are only reported to the board on an exception basis. An example was the situation where a vulnerable adult was able to leave the Maldon AfFC centre and return home without our staff being aware of the situation. The full situation report and also the immediate containment action and the final problem resolution was reported verbally to the board at the next board meeting. All safeguarding incidents are recorded in the SAFEGUARDING LOG on the AfFC computer system and also on the CHARITYLOG system.
- The Nominated Trustee for Child and Adult Protection (myself) works with the Designated Safeguarding Lead (Heather Beach) in November each year to review and update the six AfFC policies directly related to safeguarding and previously identified.

# SAFEGUARDING PROCESS OUTCOMES FOR AfFC MANAGEMENT

- In addition, although not a legal requirement, a full audit against the 154 safeguarding adult questions posed in the Essex Local Safeguarding Adults Board questionnaire is carried out. 100% compliance has been achieved over the last few years.
- In addition, although not a legal requirement, a full audit against the 51 questions in the National Society for the Prevention of Cruelty to Children (NSPCC) is carried out. With one exception, which we do not believe is relevant/feasible in our organisation, 100% compliance has been achieved in 2020.
- A written summary report of all safeguarding actions by AfFC is provided annually to the trustees at the December board meeting.