



Safeguarding Policy

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CONTENTS

SECTION 1	The Organisation	P3
SECTION 2	Practice Guidelines	P5
SECTION 3	Safeguarding Leadership	P6
SECTION 4	Safe Practices	P7
SECTION 5	Safeguarding Procedures	P8
SECTION 6	Allegations Against Staff / Volunteers	P9
SECTION 7	Low Level Concerns	P11
SECTION 8	Policy Review	P11
Appendix 1	Needs Assessment	P12
Appendix 2	Detailed Procedures	P14
Appendix 3	Prevention	P16
Appendix 4	Listening Skills	P23

SECTION 1 THE ORGANISATION

NAME OF ORGANISATION:	Three13 Training & Enterprise
ADDRESS:	The Oakwood Centre, Cleasby Way Eaglescliffe Stockton On Tees TS16 ORD
TEL NO:	01642 781313
EMAIL ADDRESS:	Info@three13.co.uk
CHARITY NUMBER:	1113499
COMPANY NUMBER:	5642155
INSURANCE COMPANY FOR PUBLIC LIABILITY:	AGEAS Insurance Ltd

The following is a brief description of our organisation and the type of work / activities we undertake:

- Three13 Training & Enterprise is an independent charity set up for the purpose of working to reduce high unemployment in the North East. We do this by engaging with people who are furthest from the job market; providing them with practical work experience, careers guidance and accredited qualifications to assist with moving towards employment.
- The majority of our work is with adults aged 18 and older. However, at times we work with young persons aged 16 and 17. Therefore, our safeguarding policy and procedures take account of legislation and best practice for the safeguarding of both children and adults. We have specific policies and procedures for working with young persons and under 16s who may engage in a work experience placement with us.
- Our principal delivery site is based in Teesside site (at the above address). We also have a number of satellite Hubs within the North East. The scope of this policy extends to the entire provision of Three13 and to all employed, freelance and volunteer members of the workforce and all Learners who engage in our provision.

OUR COMMITMENT

- Three13 Training & Enterprise recognises the need to provide a safe and caring environment for adults, young people and children.
- We acknowledge that adults, young people and children can be the victims of physical, sexual and emotional abuse, and neglect.
- Understand that while self-neglect may be a choice, if the individual is a risk to themselves or others due to this self-neglect under TSAB guidelines, a safeguarding alert will be submitted.
- Understand that safeguarding is the responsibility of everyone.
- We accept the UN Universal Declaration of Human Rights and the International Covenant of Human Rights, which states that everyone is entitled to “all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”.
- We also concur with the Convention on the Rights of the Child which states that children should be able to develop their full potential, free from hunger and want, neglect and abuse. They have a right to be protected from “all forms of physical or mental violence, injury or abuse, neglect or negligent treatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s), or any other person who has care of the child.”

As an organisation we have therefore adopted the procedures set out in this safeguarding policy in accordance with statutory guidance. We are committed to build constructive links with statutory and voluntary agencies involved in safeguarding.

Three13 Training & Enterprise undertakes to:

- Endorse and follow all national and local safeguarding legislation and procedures, in addition to the international conventions outlined above
- Provide on-going safeguarding training for all its staff and volunteers and will regularly review the operational practices adopted
- Ensure that the premises meet the requirements of the Equality Act 2010 and all other relevant legislation, and that it is welcoming and inclusive.
- Support the Safeguarding Coordinator(s) in their work and in any action they may need to take in order to protect adults, young people and children with care and support needs.

SECTION 2 PRACTICE GUIDELINES

“14.7 Safeguarding means protecting an adult’s right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult’s wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action. This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances.”

Care and Support Statutory Guidance 2018.

We believe good communication is essential in promoting safeguarding. This extends to those we wish to protect, to everyone involved in working with adults, young people and children and to all those with whom we work in partnership. This safeguarding policy is just one means of promoting safeguarding.

As a charity working with young people and adults, some of whom are vulnerable, we wish to operate and promote good working practice. This will enable staff and volunteers to run activities safely, develop good relationships and minimise the risk of false accusation.

The safeguarding duties apply to an adult who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs) **and**;
- Is experiencing, or at risk of, abuse or neglect; **and**;
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

Under the Children Act, all individuals classed as children under 18, regardless of independence and living arrangements, are inherently assumed to be vulnerable and therefore a SAFER referral would be made to Childrens Hub if a concern were raised for learners under 18.

The diversity of organisations and settings means there can be great variation in practice when it comes to safeguarding adults, young people and children. This can be because of cultural tradition, belief and religious practice or understanding, for example, of what constitutes abuse. However, we understand that under the Children Act 1989 and Care Act 2014, the statutory guidance on what constitutes as abuse or neglect is stated as well as TSAB guidance for adults within the Teesside Area.

We therefore have clear guidelines in regards to our expectations of those with whom we work in partnership, whether in the UK or not and therefore will discuss with all partners our safeguarding expectations and share this policy. It is also our expectation that any organisation using our premises, will have their own safeguarding policy.

SECTION 3 SAFEGUARDING LEADERSHIP

Overall leadership of safeguarding for Three 13 lies with the TVCC **Safeguarding Lead**

- **Name:** David Marley (hereafter the SL)
- **Tel:** 07960 148690
- **Email:** david.marley@tvccchurch.org.uk

The above person is nominated by Three 13 management to act on their behalf in advising and/or dealing with any allegation or suspicion of neglect or abuse, including referring the matter on to the statutory authorities.

The SL is supported by a Three13 **Deputy Safeguarding Lead:**

- **Name:** Helen Malbon (hereafter the DSL) – Three 13 Contract Manager
- **Tel:** 07957 444602
- **Email:** helen.malbon@three13.co.uk

The DSL supports the SL in advising on, responding to and managing any reported concerns and ensuring agreed practices and procedures are implemented including appropriate checks and training.

The SL and DSL are supported by a Safeguarding Administrator (SA) in each Hub and a Senior SA (SSA) based at the main Teesside site who is a qualified and experienced Mental Health Nurse. The SSA provides ongoing CPD, supervision and support to the SAs to ensure a standardised approach to safeguarding and risk management across the organisation. The SA at each site has daily supervisory responsibility for Learners and the training delivery team and is also responsible for the appropriate implementation of any agreed risk assessments or management plans that have been drawn up with the SSA and DSL.

The **Senior Safeguarding Administrator** based at our main Teesside delivery site is:

- **Name:** Matt Williamson (hereafter the SA) – Three 13 Learner Manager
- **Tel:** 07919892838
- **Email:** matt.williamson@three13.co.uk

The **Hub Safeguarding Administrator** for our Sunderland delivery site is:

- **Name:** Colin Fozzard (hereafter the SA) – Hub Learner Manager
- **Tel:** 07886965412
- **Email:** colin.fozzard@three13.co.uk

The DSL employed at Three13 reports regularly to the Three13 management team regarding safeguarding and risk management.

SECTION 4 SAFE PRACTICES

Prior to Starting

Enrolments and inductions of new learners are carefully managed to ensure that safe capacities on each practical pathway are maintained. Capacities relate to physical space, equipment and learner: supervisor ratio.

Three13 receives learners from a number of referral sources including the National Probation Service. This means that it is common to have learners on site who are completing Community Service hours or other conditions for a range of offences. Learners who are referred from other sources can also present with offending history or other complex mental health needs and therefore a culture of high vigilance is promoted and encouraged across the organisation.

The Learner Manager at each location is responsible day to day for ensuring good conduct around the site for all learners and for promoting a zero-tolerance attitude towards any incidents of bullying, harassment - including sexual - intimidation or child on child abuse. Anyone found to be in breach of our standards in these areas will be asked to leave the programme. If necessary, further action will be taken, such as reporting to statutory bodies. While good practice to communicate concerns with learners, consent is not required for a safeguarding referral to be submitted.

Three13 robustly risk assesses referrals of learners who are known to have a criminal conviction for sexual offences against children or known to be under current investigation for such an offence. When a referral of this nature is received, a dynamic assessment will be carried out to inform

whether a place can be offered safely. This may include gathering further information from statutory bodies (e.g. police or the probation service). The SSA will propose a management plan to the DSL and SL for their consideration. In the event a place can be offered, Three13 will not usually accommodate more than one learner with such a management plan at any one time. This is to ensure that sufficient supervision and support can be sustained throughout the duration of the programme.

No under 18s will be on programme at the same time as any learner with a recorded offence or under current investigation into an offence against children.

SECTION 5 SAFEGUARDING PROCEDURES

Start of Programme

A Needs Assessment is carried out for all new learners at all locations as part of enrolment (appendix 1). These assessments are reviewed by the DSL and the SSA and, where necessary, an additional risk assessment and/or management plan is written and implemented. Three13 uses an online reporting and recording tool called My Concern for secure information sharing and storage.

All individual risk assessments or management plans are shared with the SL and notified to the Three 13 Management Team. Appropriate information is shared with relevant staff in order to ensure the safety of all learners, staff and building users.

The DSL and the SSA monitor the risk assessment and the management plan for the duration of the Learner's attendance at Three 13 and will make any amendments or adjustments as required. The DSL will update the Three 13 management team and SL regularly.

All Learners are provided with information regarding who to report any safeguarding concerns to during Day 1 Induction.

During Programme

Any concerns about a Learner's wellbeing or safety, or suspicion of any abuse or neglect – either as perpetrator or victim – must be reported to either the SSA or the DSL based at Three13 immediately. Under no circumstances should a volunteer or member of staff carry out their own investigation into an allegation or suspicion of abuse.

The DSL will liaise with the SL. The role of the SL and DSL is to collate and clarify the precise details of the allegation or suspicion and, where necessary, pass this information on to statutory agencies who have a legal duty to investigate.

The SL and DSL will respond thoroughly to the concern with the following possible outcomes or combination of actions:

- Review and revise any current measures in place or initiate measures
- Seek further advice and guidance by contacting the **thirtyone:eight helpline on 0303 003 1111**
- Escalation to external agencies e.g. Children's Services and/or Police.
<https://www.teescpp.org.uk/forms/safer-referral-form/>
- If the learner is over 18, an adult safeguarding form is to be completed and sent to the relevant local authority, whose email address is at the top of the safeguarding form.
<https://www.tsab.org.uk/report-abuse/>

The SL may need to inform others depending on the circumstances and/or nature of the concern. For example:

- Directors responsible for safeguarding
- Insurance company or the charity commission to report a serious incident.
- Designated officer or LADO (Local Authority Designated Officer) if the allegation concerns a worker or volunteer working with someone under 18.

Whilst allegations or suspicions of abuse will normally be reported to the SL, the absence of the SL or DSL should not delay referral to Social Services, the Police or taking advice from **thirtyone:eight**. The management will support the SL/DSL in their role and accept that any information they may have in their possession will be shared in a strictly limited way on a need-to-know basis.

It is, of course, the right of any individual as a citizen to make a direct referral to the safeguarding agencies or seek advice from **thirtyone:eight**, although the management hope that members of the organisation will use the above procedure.

If, however, the individual with the concern feels that the SL/DSL has not responded appropriately, or where they have a disagreement with the SL(s) as to the appropriateness of a referral they are free to contact an outside agency direct. We hope by making this statement that the management demonstrate its commitment to effective safeguarding and the protection of all those who are vulnerable.

SECTION 6 ALLEGATIONS AGAINST STAFF / VOLUNTEERS

There may be occasions when allegations of abuse are made against staff or volunteers. Such allegations may be raised by a Learner or another member of staff or volunteer. These should be

notified confidentially to the DSL in the first instance who will make a written record and report the concern immediately to the SL.

The SL and DSL will conduct an investigation which will include an immediate assessment of the alleged perpetrator's duties and activities on the programme to prevent further contact with the person making the allegation whilst this is taking place. This is to protect all involved in the allegation which may be found to be true or false.

The SC will follow advice from **thirtyone:eight** and clear records will be kept. As with other concerns, the SC will inform others as necessary. These may include:

- Directors responsible for safeguarding
- Police
- Social Services
- Designated officer or LADO (Local Authority Designated Officer) if the allegation concerns a worker or volunteer working with someone under 18.

Three13 has a Disciplinary Procedure in place set out in the staff handbook which will be followed in any instances of allegations against staff.

Three13 has a duty of care to its employees and will act to manage and minimise the stress inherent in an allegation. Support for the individual is vital to fulfilling this duty. Individuals will be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by statutory bodies such as the police. A member of the management team will be appointed as a representative to keep the member of staff informed of the progress of the investigation and consider what other support is appropriate for the individual.

Staff responsible for conducting an investigation will be mindful of the impact such a procedure has on those involved – particularly if the procedure is lengthy. It is necessary to balance this against the need to provide sufficient time for a thorough and fair investigation to be conducted. Therefore, Three13 will aim to conclude investigations into allegations against staff / volunteers within the following timescales:

- Investigation with no recourse to statutory bodies/further stages of the Disciplinary Procedure - 5 working days
- Investigation that requires escalation to statutory bodies and further stages of the Disciplinary Procedure – 5 working days for this decision to be reached; thereafter timescales lie with the statutory body informed and within the Disciplinary procedure.

If the allegation is against the DSL, the SL should be notified immediately and the above procedure followed

If the allegation is against the SL, the DSL should be notified immediately and the above procedure followed.

If the allegation implicates both the SL and the DSL, then the report should be made in the first instance to:

- **thirtyone:eight** PO Box 133, Swanley, Kent, BR8 7UQ. Tel: 0303 003 1111.

SECTION 7 LOW LEVEL CONCERNS

A low-level concern is any concern that a member of staff or volunteer has acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work;
- doesn't meet the threshold of harm;
- is not considered serious enough to refer to the local authority

Examples of low level concerns include:

- being over friendly
- having favourites
- engaging with a Learner one-to one in a secluded area
- using inappropriate sexualised, intimidating, or offensive language

Three13 recognises that low level concerns, as defined above, should not be ignored and that by responding to such concerns a culture of openness and trust is established.

Low level concerns will not be dismissed and will be addressed promptly by line managers or a member of the Management Team as appropriate with the aim of ensuring Learner safety and providing ongoing advice and training to all staff.

Three13 recognises that these small concerns can act as puzzle pieces that lead to a bigger picture of events occurring within the organisation. Therefore, it is critical that all concerns are addressed to prevent the future harm and exploitation of any Learner within our care. Dealing with these concerns effectively also protects staff and volunteers from potential false allegations or misunderstandings.

SECTION 8 POLICY REVIEW

This policy was agreed by the Management and will be reviewed on an annual basis.

Appendix 1 Needs Assessment

Staff Name: _____ Date of Assessment: _____

Learner Name: _____ Learner Date of Birth: _____

Emergency Contact:

	Yes	No	Detail (if yes)
Have you ever been looked after in the care system ?			
Do you have a history of poor mental health (depression, anxiety, psychosis)?			
Do you have a history of self-harm or suicidal thoughts/attempts ?			
Do you have a history of alcohol or substance misuse ?			
Do you have any current physical health conditions or allergies (i.e. asthma, epilepsy)?			
Do you have any additional learning or communication needs (i.e. dyslexia, ADHD, ASD)?			
Do you have a criminal record or history of criminal behaviour ?			

Do you have a history of violent, aggressive or abusive behaviour?			
Do you have history of damage to property or arson?			
Have you ever been a victim of sexual or domestic abuse?			
Do you have a history of inappropriate sexual behaviour or sexual abuse?			
Have you ever been a risk to children?			
Additional Needs Assessment Information:			

Consent Declaration: I consent for this information to be shared, where deemed necessary, with staff of Three13 and partner organisations.

Staff Signature: _____ Learner Signature: _____ Date: _____

Optional – do you have any concerns about the following?		
Housing	Debt/money worries	Weekly groceries

Your information will be handled in line with the General Data Protection Regulation (GDPR) and will not be used for purposes that are not related to delivery of the Three13. We also collect data on racial and ethnic origin, to enable us to monitor performance against our equality and diversity objectives.

Appendix 2 Detailed Procedures

Concerns that a child is in need of protection

Suspensions or allegations of physical injury, neglect or emotional abuse

If a child has a physical injury, a symptom of neglect or where there are concerns about emotional abuse, the Safeguarding Co-ordinator/Deputy will:

- Contact Children's Social Services (or **thirtyone:eight**) for advice in cases of deliberate injury, if concerned about a child's safety or if a child is afraid to return home.
- Not tell the parents or carers unless advised to do so, having contacted Children's Social Services.
- Seek medical help if needed urgently, informing the doctor of any suspicions.
- For lesser concerns, (e.g. poor parenting), encourage parent/carer to seek help, but not if this places the child at risk of significant harm.
- Where the parent/carer is unwilling to seek help, offer to accompany them. In cases of real concern, if they still fail to act, contact Children's Social Services direct for advice.
- Seek and follow advice given by **thirtyone:eight** (who will confirm their advice in writing) if unsure whether or not to refer a case to Children's Social Services.

Allegations of sexual abuse

In the event of allegations or suspicions of sexual abuse, the Safeguarding Co-ordinator/Deputy will:

- Contact the Children's Social Services Department Duty Social Worker for children and families or Police Child Protection Team direct.
- Seek and follow the advice given by **thirtyone:eight** if for any reason they are unsure whether or not to contact Children's Social Services/Police. **thirtyone:eight** will confirm its advice in writing for future reference.

Allegations of abuse against a person who works with children/young people

If an accusation is made against a worker (whether a volunteer or paid member of staff) whilst following the procedure outlined above, the Safeguarding Co-ordinator, in accordance with Local Safeguarding Children Board (LSCB) procedures will:

- Liaise with Children's Social Services in regards to the suspension of the worker

- Make a referral to a designated officer formally called a Local Authority Designated Officer (LADO) whose function is to handle all allegations against adults who work with children and young people whether in a paid or voluntary capacity
- Make a referral to Disclosure and Barring Service for consideration of the person being placed on the barred list for working with children or adults with additional care and support needs. This decision should be informed by the LADO if they are involved.

Concern that an adult is in need of protection

Suspensions or allegations of physical, sexual, organisational, financial, discriminatory, neglect, self-neglect, forced marriage, modern slavery, domestic abuse or harm

If there is concern about any of the above, the Safeguarding Co-ordinator/Deputy will:

- Contact the Adult Social Care Team who have responsibility under the Care Act 2014 to investigate allegations of abuse. Alternatively **thirtyone:eight** can be contacted for advice.
- If the adult is in immediate danger or has sustained a serious injury contact the Emergency Services, informing them of any suspicions.

Allegations of abuse against a person who works with vulnerable adults

The safeguarding co-ordinator will:

- Liaise with Adult Social Services in regards the suspension of the worker
- Make a referral to the DBS following the advice of Adult Social Services

The Care Act places the duty upon Adult Services to investigate situations of harm to adults with care and support needs. This may result in a range of options including action against the person or organisation causing the harm, increasing the support for the carers or no further action if the 'victim' chooses for no further action and they have the capacity to communicate their decision. However, this is a decision for Adult Services to decide not the organisation.

Appendix 3 Prevention

Understanding Abuse and Neglect

Defining child abuse or abuse against a vulnerable adult is a difficult and complex issue. A person may abuse by inflicting harm or failing to prevent harm. Children and adults in need of protection may be abused within a family, an institution or a community setting. Very often the abuser is known or in a trusted relationship with the child or vulnerable adult.

In order to safeguard those who work in and with our organisation we adhere to the UN Convention on the Rights of the Child and have as our starting point as a definition of abuse, Article 19 which states:

- 1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.*
- 2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.*

Also, for adults the UN Universal Declaration of Human Rights with particular reference to Article 5 which states:

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

CHILDREN

Categories of Abuse

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm.

Children may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults or another child or children.

Child protection legislation throughout the UK is based on the United Nations Convention on the Rights of the Child. Each nation within the UK has incorporated the convention within its legislation and guidance.

The four definitions of abuse below operate in England based on the government guidance 'Working Together to Safeguard Children (2006)'.

Physical Abuse - may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child.

Emotional Abuse - is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual Abuse – involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Neglect - is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child from physical and emotional harm or danger, failure to

ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

SIGNS AND INDICATORS OF POSSIBLE ABUSE - CHILDREN & YOUNG PEOPLE

The following signs could be indicators that abuse has taken place but should be considered in context of the child's whole life.

Physical

- Injuries not consistent with the explanation given for them
- Injuries that occur in places not normally exposed to falls, rough games, etc
- Injuries that have not received medical attention
- Reluctance to change for, or participate in, games or swimming
- Repeated urinary infections or unexplained tummy pains
- Bruises on babies, bites, burns, fractures etc which do not have an accidental explanation*
- Cuts/scratches/substance abuse*

*These may indicate the possibility that a child or young person is self-harming.

Sexual

- Any allegations made concerning sexual abuse
- Excessive preoccupation with sexual matters and detailed knowledge of adult sexual behaviour
- Age-inappropriate sexual activity through words, play or drawing
- Child who is sexually provocative or seductive with adults
- Inappropriate bed-sharing arrangements at home
- Severe sleep disturbances with fears, phobias, vivid dreams or nightmares, sometimes with overt or veiled sexual connotations
- Eating disorders - anorexia, bulimia*

Emotional

- Changes or regression in mood or behaviour, particularly where a child withdraws or becomes clinging.
- Depression, aggression, extreme anxiety.
- Nervousness, frozen watchfulness
- Obsessions or phobias

- Sudden under-achievement or lack of concentration
- Inappropriate relationships with peers and/or adults
- Attention-seeking behaviour
- Persistent tiredness
- Running away/stealing/lying

Neglect

- Under nourishment, failure to grow, constant hunger, stealing or gorging food, untreated illnesses, inadequate care

ADULTS

Categories of Abuse

An adult may confide to a member of staff, volunteer or another participant that they are experiencing abuse inside or outside of the organisation's setting. Similarly, others may suspect that this is the case. The Safeguarding Adults legislation creates specific responsibilities on Local Authorities, Health, and the Police to provide additional protection from abuse and neglect to Adults at Risk.

An adult at risk is an individual aged 18 years and over who:

- (a) has needs for care and support (whether or not the local authority is meeting any of those needs) **AND**;
- (b) is experiencing, or at risk of, abuse or neglect, **AND**;
- (c) as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

(England Care Act 2014)

Each home nation also has legislation about the circumstances in which decisions can be made on behalf of an adult who is unable to make decisions for themselves:

- England and Wales - Mental Capacity Act 2005
- Scotland - Adults with Incapacity Act 2000
- Mental Capacity (Northern Ireland) 2016
- There are specific offences applying to the mistreatment of and sexual offences against adults who do not have Mental Capacity and specific offences where mistreatment is carried out by a person who is employed as a carer: e.g. wilful neglect and wilful mistreatment.

There are many signs and indicators that may suggest someone is being abused or neglected. There may be other explanations, but they should not be ignored. The signs and symptoms include but are not limited to:

Physical abuse – assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.

Domestic abuse (including coercive control) - psychological, physical, sexual, financial, emotional abuse; so called ‘honour’ based violence.

Sexual abuse - 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.

Emotional/Psychological/Mental abuse - emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

Financial or material abuse - theft, fraud, internet scamming, coercion in relation to an adult’s financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Modern slavery - 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.

Discriminatory abuse - harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.

Organisational abuse – neglect and poor care practice within an Institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one’s own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Neglect and acts of omission - ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Self-neglect - neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. Incidents of abuse may be one-off or multiple, and affect one person or more.

SIGNS AND INDICATORS OF POSSIBLE ABUSE - ADULTS

Physical abuse

- History of unexplained falls, fractures, bruises, burns, minor injuries.
- Signs of under or over use of medication and/or medical problems left unattended.

Domestic violence (including coercive control)

- Unexplained injuries or 'excuses' for marks or scars
- Controlling and/or threatening relationship including psychological, physical, sexual, financial, emotional abuse; so called 'honour' based violence and Female Genital Mutilation.

Sexual abuse

- Pregnancy in a woman who is unable to consent to sexual intercourse
- Unexplained change in behaviour or sexually explicit behaviour
- Torn, stained or bloody underwear and/or unusual difficulty in walking or sitting
- Infections or sexually transmitted diseases
- Full or partial disclosures or hints of sexual abuse
- Self harming

Emotional/Psychological/Mental abuse

- Alteration in psychological state eg. withdrawn, agitated, anxious, tearful
- Intimidated or subdued in the presence of a carer
- Fearful, flinching or frightened of making choices or expressing wishes
- Unexplained paranoia Financial or material abuse
- Disparity between assets and living conditions
- Unexplained withdrawals from accounts or disappearance of financial documents
- Sudden inability to pay bills
- Carers or professionals fail to account for expenses incurred on a person's behalf
- Recent changes of deeds or title to property

Modern slavery

- Physical appearance; unkempt, inappropriate clothing, malnourished
- Movement monitored, rarely alone, travel early or late at night to facilitate working hours.
- Few personal possessions or ID documents.

- Fear of seeking help or trusting people.

Discriminatory abuse

- Inappropriate remarks, comments or lack of respect
- Poor quality or avoidance care

Organisational abuse

- No confidence in complaints procedures for staff or service users.
- Neglectful or poor professional practice.

Neglect and acts of omission

- Deteriorating despite apparent care
- Poor home conditions, clothing or care and support.
- Lack of medication or medical intervention

Self-neglect

- Hoarding inside or outside a property
- Neglecting personal hygiene or medical needs Incidents of abuse may be one-off or multiple, and affect one person or more.

Appendix 4 Listening Skills

HOW TO RESPOND TO A CHILD/ADULT WISHING TO DISCLOSE ABUSE

Effective Listening

Ensure the physical environment is welcoming, giving opportunity for the child or vulnerable adult to talk in private but making sure others are aware the conversation is taking place.

- It is especially important to allow time and space for the person to talk
- Above everything else, listen without interrupting
- Be attentive and look at them whilst they are speaking
- Show acceptance of what they say (however unlikely the story may sound) by reflecting back words or short phrases they have used
- Try to remain calm, even if on the inside you are feeling something different
- Be honest and don't make promises you can't keep regarding confidentiality
- If they decide not to tell you after all, accept their decision but let them know that you are always ready to listen.
- Use language that is age appropriate and, for those with disabilities, ensure there is someone available who understands sign language, Braille etc.

Helpful Responses

- You have done the right thing in telling
- I am glad you have told me
- I will try to help you

Don't Say

- Why didn't you tell anyone before?
- I can't believe it!
- Are you sure this is true?
- Why? How? When? Who? Where?
- I am shocked, don't tell anyone else