

# Safeguarding Adults and Children Information



<b>Contents</b>	<b>Page number</b>
1. Introduction	3
2. Definitions	3
3. Information Sharing	4
4. Confidentiality	4
5. Equality	5
6. Good Practice	5
7. Multi-Agency Working	6
8. Forms and signs of abuse	6
9. Training and Development Framework	9
10. Contacts	10
11. Change Log	11

## 1. INTRODUCTION

The purpose of this Information document is to provide definitions of safeguarding terms and examples and signs of abuse, and to complement the Safeguarding Policy and Safeguarding Procedures documents.

## 2. DEFINITIONS

**Safeguarding** is a term used to denote measures to protect the health, well-being and human rights of individuals which allow people, especially children, young people and adults with care and support needs (referred to as adults in this document), to live free from abuse, harm and neglect and to have the right to participate and be safe in accessing services.

**Abuse** is the misuse of power and control that one person has over another and may result in significant harm or exploitation of the person subjected to it. It can take place anywhere, by anyone. It can be a single act or repeated acts. In most cases, the abuser is known to the person and is in a position to gain their trust, exert pressure or have power over them.

Abuse can include:

- Physical abuse
- Financial abuse
- Domestic abuse
- Emotional or psychological abuse
- Cultural abuse
- Discriminatory abuse
- Neglect
- Mobile families
- Criminal exploitation
  - Modern slavery
  - Human trafficking
  - Hate crime
  - County Lines
  - Cuckooing
  - Sexual exploitation
  - Counter terrorism (including Prevent, Channel, extremism, and radicalisation)

More information is included in section 7.

**A child** is defined as a person who has not yet reached their 18<sup>th</sup> birthday (including unborn children).

**Adult with care and support needs** (referred to as an adult in this document) replaces the term 'vulnerable adult'. This could be someone who:

- lives in vulnerable circumstances or is at risk
- is frail due to age, ill health, physical disability or cognitive impairment, or any combination of these
- has a learning disability
- has sensory needs (blind, partially sighted or hearing impairment)
- has mental health needs (including dementia or personality disorder)
- has a long-term illness
- misuses substances or alcohol
- needs practical help or support due to any of the above, including visits to help them with personal care tasks, eating and drinking, managing their affairs or coping with other day to day activity.

**Key test in Respect of Adult Safeguarding** - Safeguarding duties apply to an adult who:

- has needs for care and support, whether or not these needs are being met by Adult Social Care
- is experiencing, or at risk of experiencing, abuse, or neglect
- is unable to protect themselves against abuse or neglect or the risk of it

These duties apply, regardless of whether or not the adult has mental capacity

**Mental capacity** is the ability to understand and make a decision when a decision needs to be made. [The Mental Capacity Act 2005](#) covers people in England and Wales who can't make some or all decisions for themselves.

People working with or caring for adults who lack mental capacity have a legal duty to consider the [Mental Capacity Act Code of Practice](#) which says what you must do when you act or make decisions on behalf of people who can't do so themselves.

Staff can often feel that something needs to be done about the way in which a particular household or individual is living or behaving, particularly if the behaviour is because of:

- severe mental health problem(s)
- severe physical health problem(s)
- intoxication
- severe weather
- severe self-neglect
- possible threat from others (this may also require a police/safeguarding response).

The starting assumption must be that the person has the capacity to make the specific decision.

If there is evidence that the person has an "impairment of, or disturbance in the functioning of the mind or brain" (as indicated by a known or suspected mental health problem, learning disability, brain injury, dementia, or intoxication) then this may indicate a lack of capacity. If this is the case a Mental Capacity Act (MCA) assessment can take place.

[The Mental Capacity Act Code of Practice](#) gives more information about this.

**The Council is** Stratford District Council (SDC) in this Policy.

### **3. INFORMATION SHARING**

[The Warwickshire Safeguarding Information Sharing Agreement](#) provides a framework to facilitate the appropriate sharing of information between the Warwickshire Safeguarding Partner Agencies to safeguard and promote the welfare of children and adults in Warwickshire and to protect them from harm.

The Information Sharing Agreement recognises that:

- information-sharing decisions should be recorded by the disclosing Partner Agency
- the General Data Protection Regulation ("GDPR") and the Data Protection Act 2018 (together, the "Data Protection Legislation") are not barriers to justified information sharing but rather ensure that information sharing is necessary, proportionate, relevant, adequate, accurate, timely and secure

### **4. CONFIDENTIALITY**

Safeguarding concerns override GDPR requirements e.g. if someone's personal safety (safeguarding) was imminently at risk, staff may need to act even if this breaches GDPR.

Officers will need to keep a record of their decision and the reasons for it. If they decide to share, they need to record what has been shared, with whom and for what purpose.

A referral by an officer is regarded as a professional referral and officers should be aware that for cases relating to an adult at risk, the assumption of Warwickshire Safeguarding is that the family will be told where the referral has come from.

Officers should be aware that if there is a need by Warwickshire Safeguarding to open a Safeguarding Adults Review or Child Safeguarding Practice Review (previously known as Serious Case Reviews) they may be called to give evidence.

## **5. EQUALITY**

The Safeguarding Policy and Safeguarding Procedures apply to children, young people and adults, irrespective of age, disability, sex, gender reassignment, race, religion or belief, or sexual orientation.

## **6. GOOD PRACTICE**

The Councils must take all reasonable steps to ensure that unsuitable people are prevented from working with children, young people or adults by limiting the situations where abuse may occur and by promoting positive and safe working practices.

### **Recruitment and selection of staff**

Staff will be appointed in line with the Council's Recruitment and Selection policies which require all recruiting managers to confirm that HR have checked the website <https://www.gov.uk/find-out-dbs-check> to determine whether a role requires a Disclosure and Barring Service (DBS) check or not and, if so, the level of check.

Periodically, an assessment of posts attracting a DBS (Standard or Enhanced) check will be undertaken to establish whether it is appropriate to retain this safeguard. Initially all posts will be evaluated for the requirement of a DBS check. New posts will be assessed when created and posts where responsibilities are adjusted, at the time of that change.

### **Supervision and appraisal**

All staff working with or having regular contact with children, young people and adults should discuss safeguarding at one-to-ones and appraisals. Managers should be sensitive to any safeguarding concerns raised by their staff and act on them at an early stage and offer support to their staff.

### **Use of contractors**

Officers should ensure that any contractor or sub-contractor whose work is likely to bring them into contact with children, young people or adults is monitored appropriately. Contractors should either have their own safeguarding policy or comply with the terms of the Councils' Policy. It is the responsibility of the manager who is using the services of the contractor to check that a policy is in place and that DBS checks have been made, as necessary.

### **Professional curiosity is:**

- the capacity and communication skill to explore, understand and challenge what is happening rather than making assumptions or accepting initial explanations
- the need for respectful uncertainty

- being open to exploring different understandings

### **Thinking the unthinkable**

It is natural to want to believe the best, to be overly optimistic, or just accept another's view.

Thinking the unthinkable isn't about assuming the worst, it is:

- considering all possibilities
- keeping an open mind
- being able to think objectively about the evidence presented, and if it changes over time
- being prepared to accept information that does not fit with previous assumptions and assessments

### **Disguised compliance is:**

- where someone gives the appearance of co-operating with agencies to avoid raising suspicions to allay professional concerns and, ultimately to diffuse professional intervention.

Examples can include not reporting domestic abuse to the police, so it appears that it has stopped happening, attending a run of appointments, and engaging with professionals for a short period of time.

## **7. MULTI-AGENCY WORKING**

### **MARAC** - Multi-Agency Risk Assessment Conference

A MARAC is a meeting held to share information on the highest risk domestic abuse cases between representatives of local police, health, child protection, housing practitioners, Independent Domestic Violence Advisors (IDVAs), probation and other specialists from the statutory and voluntary sectors.

### **MARAM** - Multi-Agency Risk Assessment Meetings

A MARAM is a proactive approach which focusses on prevention and early intervention, with professionals often responding to chronic or entrenched behaviours as part of their day-to-day work. MARAM differentiates itself from the statutory Section 42 of the Care Act 2014 which requires that each local authority must make enquiries (or cause others to do so) if it believes an adult is experiencing, or is at risk of, abuse or neglect. MARAM is intended to respond to a specific incident sometimes at a point of crisis when specific statutory criteria are engaged.

## **8. FORMS AND SIGNS OF ABUSE**

Officers must be aware that there may be other reasons that someone may be exhibiting signs and indicators of abuse. Some people, for example those with disabilities, migrant adults and children, unaccompanied asylum-seeking children, victims of trafficking, domestic abuse and bullying may have additional care needs which should be taken into account when considering their behaviour.

**Physical abuse:** flinching when approached, unexplained injury, bruising, fractures, or repeated admissions to hospital

**Sexual abuse:** inappropriate sexual behaviour or knowledge for the person's age, running away from home, unexplained sources of money or gifts, inappropriate sexually explicit drawings or stories, sexual assault or rape by a partner, indecent exposure

**Financial abuse:** lack of money, unexplained withdrawals of money from accounts, disappearance of bank statements, documents, or valuables

### **Domestic abuse**

The Domestic Abuse Act came into force on 30 April 2021, please see [Domestic Abuse Act 2021 factsheet](#) .

**Domestic abuse** is defined in Domestic Abuse Act 2021 as follows: the behaviour of a person A towards another person B is domestic abuse if A and B are each aged 16 or over and are personally connected (see below) to each other, and the behaviour is abusive (see below).

Personally connected - two people are personally connected to each other if any of the following applies:

- they are, or have been, married to each other
- they are, or have been, civil partners of each other
- they have agreed to marry one another, or they have entered into a civil partnership agreement (whether or not the agreement has been terminated)
- they are, or have been, in an intimate personal relationship with each other
- they each have, or there has been a time when they each have had, a parental relationship in relation to the same child i.e. the person is a parent of the child, or the person has parental responsibility for the child
- they are relatives

Behaviour is abusive if it consists of any of the following:

- physical or sexual abuse
- violent or threatening behaviour (see below)
- controlling or coercive behaviour (see below)
- economic abuse (see below)
- psychological, emotional, or other abuse

The behaviour may consist of a single incident or a course of conduct.

A's behaviour may be behaviour towards B even though it consists of conduct directed at another person (for example, B's child under the age of 18 years).

Threatening behaviour includes threats of violence, threats of suicide or threats to take the children from the abused person

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape, and regulating their everyday behaviour.

Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.

Economic abuse is any behaviour that has a substantial adverse effect on B's ability to acquire, use or maintain money or other property, or obtain goods or services.

Children as victims of domestic abuse applies

- where the behaviour of person A towards another person B is domestic abuse
- any reference to a victim of domestic abuse includes a reference to a child who sees or hears, or experiences the effects of, the abuse, and is related to A or B
- a child is related to a person if the person is a parent of, or has parental responsibility for, the child, or the child and the person are relatives

**Emotional or psychological abuse:** person appears anxious, withdrawn, exhibits low self-esteem, especially in the presence of the alleged abuser

**Cultural abuse** includes:

- honour-based violence - when families feel that dishonour has been brought to them. Violence is often committed with a degree of collusion from family members and the community.
- forced marriage - when one or both of the parties is married without their consent or against their will
- female genital mutilation involves procedures that intentionally alter or injure female genital organs for non-medical reasons

**Discriminatory abuse:** unequal treatment, verbal abuse, inappropriate use of language, harassment, deliberate exclusion, assumptions made based on stereotypical ideas held about one aspect of a person

**Neglect** (self-neglect or by neglect by others): poor physical appearance, sudden or continuous weight change, refuses medication or care, has inadequate heating or lighting in their home, callers or visitors are refused access to the person

**Mobile families:** experience frequent changes of address and can find it difficult to access the services they need. They are likely to lose contact with previous support networks and become disengaged from services.

**Criminal Exploitation:** where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child, young person under the age of 18 or adult into any criminal activity

- in exchange for something the victim needs or wants
- for the financial or other advantage of the perpetrator or facilitator
- through violence or the threat of violence

The victim may have been criminally exploited even if the activity appears consensual. Exploitation does not always involve physical contact, it can also occur through the use of technology.

**Criminal exploitation includes:**

**Modern Slavery** - the illegal exploitation of people for personal or commercial gain. It covers a wide range of abuse and exploitation including sexual exploitation, domestic servitude, forced labour, criminal exploitation and organ harvesting. Victims of modern slavery can be any age, gender, nationality and ethnicity but may not recognise themselves as victims. They can be tricked or threatened into work and may feel unable to leave or report their situation because of fear or intimidation.

**Human Trafficking** - the movement of a person from one place to another into conditions of exploitation using deception, coercion, abuse of power or the person's vulnerability. It could involve people, situations, or premises. Even if a victim consents and is willing to be moved, trafficking could still be taking place. Victims may not be aware that they are being trafficked or exploited, they may have consented or accepted their situation. Not all victims want to be rescued and there may be instances where reporting may put the potential victim at risk.

**Hate crime** - a range of criminal behaviour where the perpetrator is motivated by hostility or demonstrates hostility towards the victim's disability, race, religion, sexual orientation or transgender identity. These aspects of a person's identity are known as protected characteristics. Hate crime can include verbal abuse, intimidation, threats, harassment, assault and bullying, as well as damage to property. The perpetrator can be a friend, carer or acquaintance who exploits their relationship with the victim for financial gain or other criminal purpose.



**County Lines** - where urban gangs and organised criminal networks use children and vulnerable people to move drugs and money to suburban areas by using dedicated mobile phone or deal lines. They will often use coercion, intimidation, violence (including sexual violence) and weapons to exploit children and adults to move, before they store the drugs and money. Once involved in county lines, exploited individuals are at risk of extreme physical and/or sexual violence, gang recriminations and trafficking.

**Cuckooing** - named after the cuckoo's nest-stealing practices. It often forms part of wider county lines activity. It describes the situation where a county lines dealer takes over accommodation located in the provincial drugs market, using it as a local dealing base. An individual or group can do this by taking over the homes of adults and families through abuse of power or vulnerability by coercion, control and/or force so that they can provide a base for the supply of drugs into the local community. This places the adult and/or families at an increased risk of eviction and isolation from their communities due to the anti-social activity it can create.

**Sexual Exploitation** is a form of sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive someone into sexual activity

- in exchange for something the victim needs or wants and/or
- for the financial advantage or increased status of the perpetrator or facilitator

The victim may have been sexually exploited even if the sexual activity appears consensual. Sexual exploitation does not always involve physical contact, it can also occur through the use of technology.

**Counter-terrorism** (including Prevent, Channel, extremism and radicalisation)

**Prevent** is one of the key strands of the Government's counter-terrorism strategy which aims to reduce the threat to the UK by preventing people becoming radicalised, extremists or terrorists or supporting terrorism. The Prevent strategy in Warwickshire aims to help local authorities, police, community safety partnerships and other partners to develop and implement effective actions to make their communities safer and reduce the risk from terrorism and violent extremism.

Prevent operates in the pre-criminal space, working with vulnerable individuals at risk of being groomed into terrorist activities and provides support and re-direction before any crimes are committed. It does this through a process called Channel.

**Channel** forms a key part of the Prevent strategy and is a multi-agency approach to identify and provide support to individuals at risk of being drawn into terrorist-related activity. It is about early intervention to protect and divert people away from the risk they face before illegality occurs.

Channel uses existing collaboration between local authorities, statutory partners, police and the local community to:

- identify individuals at risk
- assess the nature and extent of that risk
- develop the most appropriate support plan for the individuals concerned

**Extremism** is defined as 'vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs'.

**Radicalisation** is the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups. As it is a process, not an event

and comparable to other forms of exploitation, harm and abuse, it is considered a safeguarding issue.

## 9. TRAINING AND DEVELOPMENT

### Commitment to training, awareness raising and promotion

The Council is committed to involvement in and contribution to the enhancement of learning and improved partnership working, through training. Officers and Members need to be able to recognise and respond to potential safeguarding issues.

The recruitment and selection process is followed up with safeguarding awareness training as part of the mandatory induction for all new starters, regardless of their job role. Refresher training is required every three years. After that the training is then proportionate to their specific role.

Safeguarding training/information is provided to reflect changes and updates in guidance or legislation.

## 10. CONTACTS

<b>Title</b>	<b>Named Officer</b>	<b>Contact Details</b>
<b>Strategic Lead Safeguarding Officer and Lead Prevent Officer</b>	David Platts, Head of Housing and Customer Services	01789 260434 david.platts@stratford-dc.gov.uk
<b>Portfolio Holder for Homes, Health and Wellbeing</b>	Councillor Jo Barker	<a href="mailto:Jo.barker@stratford-dc.gov.uk">Jo.barker@stratford-dc.gov.uk</a>
<b>Officer Safeguarding Contacts</b>	Nick Cadd  Martin Cowan	01789 260841 <a href="mailto:Nick.cadd@stratford-dc.gov.uk">Nick.cadd@stratford-dc.gov.uk</a> 01789 260849 <a href="mailto:Martin.cowan@stratford-dc.gov.uk">Martin.cowan@stratford-dc.gov.uk</a>
<b>Department</b>	<b>Named Officer</b>	<b>Contact Details</b>
Chief Executive	David Buckland	01789 260425 <a href="mailto:David.buckland@stratford-dc.gov.uk">David.buckland@stratford-dc.gov.uk</a>
Community Protection	Karin Stanley (also Deputy Prevent Officer)	01789 260619 <a href="mailto:Karin.stanley@stratford-dc.gov.uk">Karin.stanley@stratford-dc.gov.uk</a>
	Jenny Logan	01789 260123 <a href="mailto:Jenny.logan@stratford-dc.gov.uk">Jenny.logan@stratford-dc.gov.uk</a>
Customer Services	Serena James	01789 260910 <a href="mailto:Serena.james@stratford-dc.gov.uk">Serena.james@stratford-dc.gov.uk</a>
Environmental and Operational Services	Craig Bourne	01789 260650 <a href="mailto:Craig.bourne@stratford-dc.gov.uk">Craig.bourne@stratford-dc.gov.uk</a>
	Julie Lewis	01789 260107 <a href="mailto:Julie.lewis@stratford-dc.gov.uk">Julie.lewis@stratford-dc.gov.uk</a>
Housing Services	Nick Cadd	01789 260841 <a href="mailto:Nick.cadd@stratford-dc.gov.uk">Nick.cadd@stratford-dc.gov.uk</a>
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	Sunita Patel	01789 260957 <a href="mailto:Sunita.patel@stratford-dc.gov.uk">Sunita.patel@stratford-dc.gov.uk</a>
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		<a href="mailto:Carol.roberts@stratford-dc.gov.uk">Carol.roberts@stratford-dc.gov.uk</a>
Human Resources	Laila Doman	01789 260709 <a href="mailto:Laila.doman@stratford-dc.gov.uk">Laila.doman@stratford-dc.gov.uk</a>
Revenues	Jenni Love	01789 260901 <a href="mailto:Jenni.love@stratford-dc.gov.uk">Jenni.love@stratford-dc.gov.uk</a>
<b>Other contacts</b>		
For child safeguarding	Warwickshire County Council - Warwickshire Safeguarding	01926 414144 or 01926 886922 (out of hours) <a href="mailto:triagehub@warwickshire.gov.uk">triagehub@warwickshire.gov.uk</a> <a href="https://www.warwickshire.gov.uk/childprotection">https://www.warwickshire.gov.uk/childprotection</a>
For adult safeguarding	Warwickshire County Council - Warwickshire Safeguarding	01926 412080 or 01926 886922 (out of hours) <a href="mailto:adultreferrals@warwickshire.gov.uk">adultreferrals@warwickshire.gov.uk</a> <a href="https://www.warwickshire.gov.uk/safeguardingadults">https://www.warwickshire.gov.uk/safeguardingadults</a>
For care and support for adults	Warwickshire County Council	01926 410410
Police		Call 999 in an emergency or 101 for a non-emergency

## 11. CHANGE LOG

Version	Amended by	Date	Change	Approved by	Approval date	Action
1	n/a	1/11/22	New SDC Policy	Leader's Decision Notice		