

# **CRITERIA FOR OUTCOME MEETINGS**

## **Adult at Risk**

An adult aged 18 or over whose care and support needs/circumstances meet the three-stage test below.

The Three-Stage Test for a 'Safeguarding Enquiry':

1. Has need of care and support (whether or not the local authority is meeting any of those needs).
2. Is experiencing, or is at risk of, abuse or neglect.
3. 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.

**Abuse** is a violation of human and civil rights by another person or persons.

## **Key Principles of the Care Act/Safeguarding**

### **Empowerment**

Personalisation and the presumption of person-led decisions and informed consent.  
*'I am asked what I want to be the outcomes from the safeguarding process and these directly inform what happens.'*

### **Prevention**

It is better to take action before harm occurs.  
*'I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help.'*

### **Proportionality**

Proportionate and least-intrusive response appropriate to the risk presented.  
*'I am sure that the professionals will work for my best interests as I see them and they will only get involved as much as needed.'*

### **Protection**

Support and representation for those in greatest need.  
*'I get help and support to report abuse. I get help to take part in the safeguarding process to the extent I want and am able.'*

### **Partnership**

Providing local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.  
*'I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together to get the best result for me.'*

### **Accountability**

Accountability and transparency in delivering safeguarding.  
*'I understand the role of everyone involved in my life.'*

**These six principles will require evidencing throughout the safeguarding process.**

## Categories of Abuse

**Physical Abuse** – Physical abuse is the non-accidental infliction of physical force which results (or could result) in bodily injury, pain or impairment, including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.

**Sexual Abuse** – Sexual abuse is the direct or indirect involvement in sexual activity without **consent**. This could also be the inability to consent, pressure or inducement to consent or take part. Sexual abuse includes rape, indecent assault, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts to which the adult has not consented or was pressured into consenting.

**Psychological Abuse** – Psychological abuse (sometimes called emotional abuse) is behaviour which has a harmful effect on the adult's emotional health, well-being and development. It is the denial of a person's human and civil rights, including choice and opinion, privacy and dignity and being able to follow one's own spiritual and cultural beliefs or sexual orientation. Examples include humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

**Financial or Material Abuse** – This also includes the withholding of money or the unauthorised or improper use of a person's money or property, usually to the disadvantage of the person to whom it belongs. Staff borrowing money or possessions from a service-user is also considered financial abuse. Theft, fraud, exploitation, pressure in connection to wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

**Neglect and Acts of Omission** – Neglect is the failure of any person who has responsibility for the charge, care or custody of an adult to provide the amount and type of care which a reasonable person would be expected to provide. Behaviours which can lead to neglect include ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support, or educational services, and the withholding of the necessities of life such as medication, adequate nutrition and heating (this may also constitute physical abuse if the person's physical health is adversely affected).

Neglect also includes a failure to intervene in situations which are dangerous to the person concerned or to others, when the person lacks the mental capacity to assess risk for themselves.

**Discriminatory Abuse** – This type of abuse is motivated by discriminatory and oppressive attitudes towards people on the grounds of disability, gender and gender-identity and reassignment, age, race, religion or belief, sexual orientation, and political beliefs. It may be a feature of any form of abuse and manifests itself as physical abuse/assault, sexual abuse/assault, financial abuse/theft, neglect and psychological abuse/harassment. It includes verbal abuse and racist, sexist, homophobic or ageist comments, jokes or any other form of harassment. It also includes not responding to dietary needs and not providing appropriate spiritual support.

**Self-Neglect** – This covers a wide range of behaviours including neglecting to care for one's personal hygiene, health or surroundings and behaviour such as hoarding. Safeguarding partnerships can be a positive means of addressing issues of self-neglect. The Safeguarding Adults Board is a multi-agency group which is the appropriate forum for strategic discussions about dealing with what are often complex and challenging situations for practitioners and managers as well as communities more broadly. Recent research has identified ways of working which can have positive outcomes for those who self-neglect.

**Organisational Abuse** – Organisational abuse includes neglect and poor care practice within an institution or specific care setting, such as a hospital or care home, or in relation to care provided in one's own home. This may range from one-off incidents to ongoing ill-treatment. It may be a result of regimes, routines, practices and behaviours which occur in services in which adults live or which they use and which violate their human rights. This may be part of the culture of a service to which staff are accustomed and may pass unremarked. Instances may be subtle, small and apparently insignificant, yet together may amount to a service culture which denies, restricts or curtails the dignity, privacy, choice, independence or fulfilment of individuals.

Organisational Abuse is most likely to occur when staff receive little support from management, are inadequately trained, are poorly supervised and poorly supported in their work, or receive inadequate guidance. The risk of abuse is also greater in services with poor management, with too few staff, those which use rigid routines and inflexible practices, which do not follow a person-centred approach, where there is a closed culture, and where there are inadequate quality-assurance and monitoring systems in place.

**Domestic Abuse** – Any incident or pattern of incidents 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 gender or sexuality. This can encompass but is not limited to psychological abuse, physical abuse, sexual abuse financial abuse and emotional abuse.

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 which is used to harm, punish, or frighten the victim.

**Forced Marriage** – Forced marriage is defined as 'a marriage conducted without the valid consent of one or both parties, where duress is a factor'. Duress can mean emotional pressure as well as criminal actions such as assault or abduction.

**Honour-Based Violence** – Murders in the name of so-called honour, sometimes called 'honour killings', are murders in which women, predominantly, are killed for actual or perceived immoral behaviour which is deemed to have breached the honour code of a family or community, causing shame.

**Female Genital Mutilation** – Female genital mutilation (FGM) is a collective term for procedures which include the removal of part or all of the external female genitalia for cultural or other non-therapeutic reasons. The practice is medically unnecessary, extremely painful and has serious health consequences, both at the time when the mutilation is carried out and in later life. The procedure is typically performed on girls aged between four and thirteen but, in some cases, it is performed on young women before marriage or pregnancy. FGM has been a criminal offence in the UK since the Prohibition of Female Circumcision Act 1985 was passed. The Female Genital Mutilation Act 2003 replaced the 1985 Act and makes it an offence for UK nationals or permanent UK residents to carry out FGM abroad or to aid, abet, counsel or procure the carrying out of FGM abroad, even in countries where the practice is legal.

**Hate Crime** – Hate crimes are any crimes (actual criminal offences) which target a person (or their property) because of hostility or prejudice towards that person's race or ethnicity, religion or beliefs, sexual orientation, transgender identity or disability.

The Equality Act 2010 (EA) generally defines a disabled person as someone who has a physical or mental impairment which has substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities. The definition of disability hate crime would include anyone who was targeted as a result of his or her disability or impairment, as defined by the EA, including those diagnosed with HIV, cancer and multiple sclerosis.

**Hate Incidents** – Hate incidents include actions which do not constitute a criminal offence, but can feel like crimes to those who suffer them and often escalate to crimes or tension in a community. The police can only prosecute when the law is broken but can work with partners to try and prevent any escalation in seriousness. Hate crime, and incidents may involve physical attacks, verbal abuse, domestic abuse, harassment, damage to property, bullying or graffiti.

**Mate Crime** – This is a form of hate crime and is defined as the exploitation, abuse or theft from any person by those they consider to be their friends. Those who commit such abuse or theft are often referred to as 'fake friends'. People with disabilities, particularly those with learning disabilities, are often the targets of this type of crime.

Mate crime can be theft/financial abuse, when the abuser might demand or ask to be lent money and then not pay it back, or the source of harm might misuse the property of the adult. It can be physical assault/abuse, when the abuser might hurt or injure the adult, harassment or emotional abuse, with the abuser manipulating, misleading and making the person feel worthless, or sexual assault/abuse, when the abuser harms or takes advantage of the person sexually.

**Exploitation by Radicalisers (PREVENT)** – Radicalisation is defined as the process by which people come to support terrorism and violent extremism and, in some cases, to then participate in terrorist groups.

**Modern Slavery/Human-Trafficking** – Modern slavery encompasses slavery, human-trafficking, forced labour and domestic servitude. Traffickers and slave-masters use whatever means they have to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Human-trafficking is the movement of a person from one place to another using methods of deception, coercion, the abuse of power or of someone's vulnerability and for the purposes of exploitation. It is possible to be a victim of trafficking even if consent has been given to being moved. Human-trafficking may occur across international borders or take place within one country.

**Internet Abuse: Adults exposed to abuse through the digital media** – 'Internet Abuse' relates to three main areas of sexual abuse: abusive images (although these are not confined to the internet), an adult being groomed for the purpose of sexual abuse; and exposure to pornographic or other offensive material via the internet.

**People in Positions of Trust** – required to reach a balance of probabilities decision about whether or not abuse has occurred and to take actions to refer to DBS, professional bodies etc. This might be included as part of a disciplinary or criminal enquiries but must be included in the safeguarding record.

## **SAFEGUARDING PLANNING – GOVERNING PRINCIPLES**

- **A presumption of capacity** – every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless it is proved otherwise;
- The right for individuals to be **supported to make their own decisions** – people must be given all appropriate help before anyone concludes that they cannot make their own decisions;
- Individuals must retain the right to make what might be seen as eccentric or **unwise decisions**;
- **Best interests** – anything done for or on behalf of people without capacity must be in their best interests; and
- **Least-restrictive intervention** – anything done for or on behalf of people without capacity should be the least-restrictive of their basic rights and freedoms.