

Warrington Safeguarding Adults Procedures – Section 2: Abuse & Neglect

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2 Abuse and Neglect

REMEMBER: The circumstances surrounding any actual or suspected case of abuse or neglect will inform the response.

Views of what constitutes abuse or neglect should not be limited as they can take many forms and the individual circumstances of each situation should be considered carefully when there are grounds for concern.

Harm, mistreatment even bullying can be other ways of describing abuse and abuse itself can present itself in a variety of forms. It can materialise as domestic abuse, hate crime or 'mate' crime and the evidence can be obvious, or subtle and hidden. Vigilance and having an understanding of safeguarding issues are important for all agencies. It is also important for the public to have awareness of adult safeguarding.

It is important to understand the circumstances of abuse, including the wider context such as whether others may be at risk of abuse, whether there is any emerging pattern of abuse, whether others have witnessed abuse and the role of family members and paid staff or professionals.

The circumstances surrounding any actual or suspected case of abuse or neglect will inform the response. For example, it is important to recognise that abuse or neglect may be unintentional and may arise because a carer is struggling to care for another person. This makes the need to take action no less important, but in such circumstances, an appropriate response could be a support package for the carer and monitoring. However, the primary focus must still be how to safeguard the adult.

In other circumstances where the safeguarding concerns arise from abuse or neglect, then it would not only be necessary to immediately consider what steps are needed to protect the adult but also whether to refer the matter to the police to consider whether a criminal investigation would be required or is appropriate.

It should be remembered that abuse may consist of a single or repeated act. It may be physical, verbal or psychological, an act of neglect or an omission to act. Defining abuse can be complex but it can involve an intentional, reckless, deliberate or dishonest act by the perpetrator. In any case where you encounter abuse and you are uncertain about your next steps, you should contact the police for advice.

The nature and timing of the intervention and who is best placed to lead will be, in part, determined by the circumstances. For example, where there is poor, neglectful care or practice, resulting in pressure sores for example, then an employer-led disciplinary response may be more appropriate; but this situation will need additional responses such as clinical intervention to improve the care given immediately and a clinical audit of practice. Commissioning or regulatory enforcement action may also be appropriate.

Early sharing of information is the key to providing an effective response where there are emerging concerns and confidentiality.

A wide range of organisations need to be vigilant about adult safeguarding situations in all walks of life including health and social care, welfare, policing, banking, fire and rescue services and trading standards; leisure services, faith groups, and housing. GPs, in particular, are often well-placed to notice changes in an adult that may indicate they are being abused or neglected.

The multi-agency practice guidance accompanying these procedures gives more detailed advice for professionals on what constitutes abuse and the various categories. The following list is included in the Care Act Statutory Guidance.

2.1 Types of Abuse and Neglect

Types of abuse or neglect include:

- **Physical abuse** – including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions
- **Domestic abuse** – including psychological, physical, sexual, financial, emotional abuse; so called ‘honour’ based violence
- **Sexual abuse** – including 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
- **Psychological abuse** – including 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** - Financial abuse is the main form of abuse investigated by the Office of the Public Guardian both amongst adults and children at risk. Financial recorded abuse can occur in isolation, but as research has shown, where there are other forms of abuse, there is likely to be financial abuse occurring. Although this is not always the case, everyone should also be aware of this possibility. Potential indicators of financial abuse include:
 - Change in living conditions
 - Lack of heating, clothing or food
 - Inability to pay bills/unexplained shortage of money
 - Unexplained withdrawals from an account
 - Unexplained loss/misplacement of financial documents
 - The recent addition of authorised signers on a client or donor’s signature card
 - Sudden or unexpected changes in a will or other financial documents

This is not an exhaustive list, nor do these examples prove that there is actual abuse occurring. However, they do indicate that a closer look and possible investigation may be needed. Read report on The Financial Abuse of Older People

Local authorities should not underestimate the potential impact of financial abuse. It could significantly threaten an adult’s health and wellbeing. Most financial abuse is also capable of amounting to theft or fraud and would be a matter for the police to investigate. It may also require attention and collaboration from a wider group of organisations, including shops and financial institutions such as banks.

Internet scams, postal scams and doorstep crime are, more often than not, targeted at adults at risk and all are forms of financial abuse. These scams are becoming ever more sophisticated and elaborate. For example:

- Internet scammers can build very convincing websites

- People can be referred to a website to check the caller's legitimacy but this may be a copy of a legitimate website
- Postal scams are mass-produced letters which are made to look like personal letters or important documents
- Doorstep criminals call unannounced at the adult's home under the guise of legitimate business and offering to fix an often non-existent problem with their property. Sometimes they pose as police officers or someone in a position of authority

In all cases this is financial abuse and the adult at risk can be persuaded to part with large sums of money and in some cases their life savings. These instances should always be reported to the local police service and local authority Trading Standards Services for investigation.

These scams and crimes can seriously affect the health, including mental health, of an adult at risk. Agencies working together can better protect adults at risk. Failure to do so can result in an increased cost to the state, especially if the adult at risk loses their income and independence.

Where the abuse is perpetrated by someone who has the authority to manage an adult's money, the relevant body should be informed - for example, the Office of the Public Guardian for deputies or attorneys and Department for Work and Pensions (DWP) in relation to appointees.

If anyone has concerns that a DWP appointee is acting incorrectly, they should contact the DWP immediately. Note that the DWP can get things done more quickly if it also has a National Insurance number in addition to a name and address. However, people should not delay acting because they do not know an adult's National Insurance number. The important thing is to alert DWP to their concerns. If DWP knows that the person is also known to the local authority, then it should also inform the relevant authority.

- **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
- **Discriminatory abuse** – including forms of hate crime or hate incidents, harassment, slurs or similar treatment because of race, gender and gender identity, age, disability, sexual orientation or religion
- **Organisational abuse** – including 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** – including 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** – this covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. It should be noted that self-neglect may not prompt a section 42 enquiry. An

assessment should be made on a case by case basis. A decision on whether a response is required under safeguarding will depend on the adult's ability to protect themselves by controlling their own behaviour. There may come a point when they are no longer able to do this, without external support.

Abuse may occur in a public place; it may occur when an adult lives alone or with a relative; it may occur within care settings, in hospitals, custodial situations, support services in people's own homes and other places we could assume are safe. Anyone can perpetrate abuse or neglect, including:

- Spouses/partners
- Other family members
- Neighbours
- Friends
- Acquaintances
- Local residents
- People who deliberately exploit adults they perceive as vulnerable to abuse
- Paid staff or professionals and volunteers
- Strangers

While a lot of attention is paid, for example, to targeted fraud or internet scams perpetrated by complete strangers, it is far more likely that the person responsible for abuse is known to the adult and is in a position of trust and power. You can read the report on [Abuse of Vulnerable Adults in England](#) for more information.

Abuse can happen anywhere: for example, in someone's own home, in a public place, in hospital, in a care home or in college. It can take place when an adult lives alone or with others.

In care settings, repeated instances of poor care may be an indication of more serious problems, or even 'organisational abuse', but in order to see these patterns it is important that information is recorded and appropriately shared.

REMEMBER: Incidents of abuse may be one-off or multiple, and can affect one or more adults, so that professionals and others should look beyond single incidents or individuals to identify patterns of harm.

2.2 Terminology and Eligibility

In the Care Act the term 'adult at risk' replaces previous terms such as 'vulnerable adult', or 'victim'. The adult at risk (hereafter referred to as 'the adult') describes the person who is the subject of the safeguarding concern.

There is no eligibility for safeguarding services, only as described in section 42 of the Care Act that safeguarding duties apply to the 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

The term 'adult in need of care and support' describes adults who are or eligible for community care services provided by the local authority under the Care Act and

associated legislation and guidance. An element of why safeguarding services are provided to adults at risk is because they are adults in need of care and support. However, not all adults in need of care and support will be at risk of, or experience abuse or neglect.

Where someone is over 18 but is still receiving children's services and a safeguarding issue is raised, the matter should be dealt with through the adult safeguarding arrangements irrespective of meeting the adult's criteria as outlined in the Care Act.

The term 'individual causing the concern', is used throughout this document to describe the person known, or suspected to have caused abuse or neglect and replaces the term 'perpetrator'.

The Care Act replaces the term 'safeguarding alert' - used to describe a contact with the local authority by somebody to report possible abuse or neglect – with the term 'safeguarding concern'.

2.3 Everybody's Business

It is vital that everyone is vigilant on behalf of those who are unable to protect themselves from abuse or neglect. Anyone can witness or become aware of information suggesting that abuse or neglect is occurring. It may be something that the adult says or does that hints all is not well, or it may materialise in a call for help, a complaint or a routine contact.

An important aim of agencies in Warrington with responsibility to safeguard adults at risk or who are in need of care and support is the prevention of abuse or neglect. Warrington Safeguarding Adult Boards prevention strategy guides this work.

REMEMBER: Everyone should know what to do and where to go for help and advice when abuse or neglect is suspected. In order to manage risks effectively, respect people's dignity and achieve satisfactory safeguarding outcomes in terms of empowering and protecting adults at risk in our community, everyone should:

- **Know about the different types of abuse and their signs**
- **Support adults at risk to keep safe**
- **Know who to tell about suspected abuse or neglect.**
- **Support adults at risk to exercise informed choice and receive the support they need to achieve Improved wellbeing**