|  |
| --- |
| **Reference Number**: |
| **Target Audience**: Multi-agency |
| **Sources of advice in relation to this document:**  **ADASS**: [*https://www.local.gov.uk/deciding-if-you-need-raise-safeguarding-concern-local-authority-multi-agency-safeguarding-hub-mash*](https://www.local.gov.uk/deciding-if-you-need-raise-safeguarding-concern-local-authority-multi-agency-safeguarding-hub-mash)  **LGA/ADASS 2020:** **Understanding what constitutes a safeguarding concern and how to support effective outcomes:** [Understanding what constitutes a safeguarding concern and how to support effective outcomes | Local Government Association](https://www.local.gov.uk/publications/understanding-what-constitutes-safeguarding-concern-and-how-support-effective-outcomes)  **What are the six principles of safeguarding?** <https://www.scie.org.uk/safeguarding/adults/introduction/six-principles> (Accessed 08/02/2023)  **SCIE Aug 2021**: [Resident-to-resident harm in care homes and residential settings | SCIE](https://www.scie.org.uk/safeguarding/evidence/resident-to-resident-harm)  **Lancashire SAB July 2018:** When to consider raising a safeguarding concern following a Service User to Service User Incident: [Information & Guidance for Providers (lancashiresafeguarding.org.uk)](https://www.lancashiresafeguarding.org.uk/media/1449/v2-appendix-4-safeguarding-concern-guidance-service-user-incident-final.pdf)  **Lancashire SAB July 2018:** When to consider raising a safeguarding concern following a Service User to Service User Incident: [Information & Guidance for Providers (lancashiresafeguarding.org.uk)](https://www.lancashiresafeguarding.org.uk/media/1449/v2-appendix-4-safeguarding-concern-guidance-service-user-incident-final.pdf)  **Marsland, Oakes & White, Hull University Centre for Applied Research and Evaluation 2012:** Early Indicators of Concern Residential and Nursing Homes for Older People  [LSAB 7 Minute Briefing - Eileen Dean (safeguardinglewisham.org.uk)](https://www.safeguardinglewisham.org.uk/assets/2/ed_7_mins.pdf)  *With thanks to Somerset Safeguarding Adults Board and Somerset County Council upon whose work much of this document is based.* |
| **Replaces if appropriate:** NSSAB Threshold Support Tool (2017) |
| **Type of Document**: Guidance |
| **Approved by:** NSSAB |
| **Date:** November 2023 |
| **Date displayed on NSSAB web site:** |
| **Date due to be reviewed by responsible person or body:** |

# Logo North Somerset Safeguarding Adults BoardNorth Somerset Safeguarding Adults Board

**Threshold Support Tool**

**Contents**

[**Raising a Safeguarding Adults Concern 3**](#_Toc133484881)

[**Introduction 3**](#_Toc133484882)

[**National policy and legal context 4**](#_Toc133484883)

[**Decision-making principles 4**](#_Toc133484884)

[**How to use this document 6**](#_Toc133484885)

[Assessment of vulnerability 7](#_Toc133484886)

[Assessment of seriousness 8](#_Toc133484887)

[Seriousness 8](#_Toc133484888)

[Physical abuse (Including medication errors) 11](#_Toc133484889)

[Sexual 12](#_Toc133484890)

[(including sexual exploitation) 12](#_Toc133484891)

[Psychological 13](#_Toc133484892)

[and Emotional abuse 13](#_Toc133484893)

[Financial abuse 14](#_Toc133484894)

[Neglect 15](#_Toc133484895)

[Self-Neglect 16](#_Toc133484896)

[Discriminatory abuse 17](#_Toc133484897)

[Organisational abuse 18](#_Toc133484898)

[See NSSAB Service Level Safeguarding Protocol 18](#_Toc133484899)

[Modern 19](#_Toc133484900)

[Slavery 19](#_Toc133484901)

[Domestic 20](#_Toc133484902)

[Abuse 20](#_Toc133484903)

[**Incidents between people using a care service 21**](#_Toc133484904)

[Responding to incidents between people using care services 22](#_Toc133484905)

[**Appendix 1: Decision matrix and outcome record 23**](#_Toc133484906)

[Decision matrix outcome record 24](#_Toc133484907)

[**Appendix Two: Incident between people using a care service: Decision making record 25**](#_Toc133484908)

[**Appendix Three: Equality Impact Assessment 26**](#_Toc133484909)

# Raising a Safeguarding Adults Concern

All safeguarding adults concerns must be reported to Care Connect

Email: [care.connect@n-somerset.gov.uk](mailto:care.connect@n-somerset.gov.uk)

Tel: 01934 888801

The use of the [[NSSAB Referral form](https://www.nssab.co.uk/how-you-can-get-help)](https://www.nssab.co.uk/how-you-can-get-help) is preferred

# Introduction

All adult safeguarding work is underpinned by six principles:

**Empowerment**

People being supported and encouraged to make their own decisions and informed consent

**Prevention**

It is better to take action before harm occurs.

**Proportionality**

The least intrusive response appropriate to the risk presented.

**Protection**

Support and representation for those in greatest need.

**Partnership**

Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.

**Accountability**

Accountability and transparency in safeguarding practice.

This document is intended to be read as practice guidance. It does not replace professional curiosity, or professional judgement. It aims to support partners in making decisions on when to raise safeguarding adults concerns. It does this by separating out the ‘vulnerability’ of an adult at risk and the ‘seriousness of the act’.

It is more likely that a safeguarding concern should be raised as both the vulnerability of the individual and seriousness of the act increase.

This guidance is supplemented by a variety of ‘issue specific’ documents which can be found on the [NSSAB policies and procedures webpage](https://nssab.co.uk/resources-safeguarding-professionals/multi-agency-policies-procedures), offering more detailed information in relation to specific areas of practice:

* Medication errors
* Hoarding
* Self-Neglect
* Financial abuse
* Pressure injuries
* Organisational Abuse (Service Level Safeguarding Protocol)

A decision matrix and outcome record is provided at Appendix 1.

This document also provides a decision-making tool at Appendix 2 to assist care providers in making decisions about when to raise concerns in connection with incidents between people using their service. This is intended to support providers to make proportionate decisions based on their service type while ensuring a person remains central to decision making and their rights to protection and justice are always upheld.

Appendices 1 and 2 offer templates upon which the decision-making and rationale around whether or not to raise a safeguarding concern can be recorded and saved on a person’s record.

As part of healthy partnership working, there will be occasions where there are disagreements between agencies. In such cases, please refer to the NSSAB joint escalation protocol which can be found on the [NSSAB policies and procedures webpage](https://nssab.co.uk/resources-safeguarding-professionals/multi-agency-policies-procedures).

# National policy and legal context

When a local authority is made aware of an adult in its area who:

a. Has care and support needs and

b. Is at risk of or experiencing abuse or neglect and

c. Is unable to protect themselves

then that local authority has a duty to undertake enquiries.

The point at which a local authority should be informed of such a concern is less clearly defined.

# Decision-making principles

The primary principle in decision-making is that of ensuring the adult at risk remains at the centre of the decision being made. It is therefore essential that their views or those of their representatives are considered from the outset.

[ADASS](https://www.local.gov.uk/deciding-if-you-need-raise-safeguarding-concern-local-authority-multi-agency-safeguarding-hub-mash) advise that before a safeguarding concern is raised, the following factors are considered:

a. Does the adult have care and support needs (irrespective of whether or not the local authority are meeting these needs)?

b. Is the adult experiencing or are they at risk of abuse or neglect?

c. Have you discussed with the adult about raising a safeguarding concern? Does the adult wish to raise their own concerns? Do they need support to do this?

d. Does a concern need to be raised in the adult’s best interests (where the adult lacks mental capacity)?

e. If the adult at risk does not want a concern to be raised, there may still be grounds to do so. Is there a public interest consideration or issue (for example where there is an over-riding duty to protect other adults at risk)?

# How to use this document

The decision matrix vertical axis relates to the vulnerability of the adult at risk: as you progress along this scale the adult becomes increasingly unable to act to protect themselves. Think about being able to describe someone’s vulnerabilities and how they may impact on their experience of risk and ability to protect themselves.

The horizontal axis relates to the ‘seriousness’ of the alleged abusive act. Assessments must be made on a case-by-case basis, supported by the tables above which provide examples of how the levels of seriousness are assessed against the various types of abuse.

|  |  |  |  |
| --- | --- | --- | --- |
| Ability to protect themselves with seriousness of the act | Low | Significant | Critical |
| Unable even with support | Consider a referral | Raise a concern | Raise a concern |
| Requires practical support | Manage through internal/universal processes | Raise a concern | Raise a concern |
| With advice | Manage through internal/universal processes | Consider a referral | Raise a concern |
| Independent | Manage through internal/universal processes | Manage through internal/universal processes | Manage through internal/universal processes |

Red: Raise a concern

Amber: Consider a referral

Green: Manage through internal/universal processes (HR/Police/Universal public services)

Decision making records are available for use on the [NSSAB policies and procedures webpage](https://nssab.co.uk/resources-safeguarding-professionals/multi-agency-policies-procedures). These can be completed and stored as part of a person’s care records.

If the decision is made to raise a safeguarding adults concern, please visit the North Somerset Safeguarding Adults Board website and raise a concern by completing a referral form found on the [NSSAB how you can get help webpage](https://nssab.co.uk/how-you-can-get-help).

## Assessment of vulnerability

|  |  |  |
| --- | --- | --- |
|  | Less vulnerable | More vulnerable |
|  | |
| **1.** Vulnerability of the adult at risk: | Is there reasonable cause to suspect that the adult has:  **1) needs for care and support?**  *Remember that this includes people whose needs may not be being met by the Local Authority.*  **2) Can the adult protect themselves?**  Does the adult have the communication skills to raise an alert?  Is the person dependent on the alleged perpetrator?  Is the adult able to understand the concern?  Is what you are worried about simply an unwise decision, or is it a symptom of a more significant concern?  Is the adult able to act on their decisions?  Has the alleged victim been threatened or coerced into making decisions?  • Does the person lack mental capacity to make the required decision at the time it needs to be made?  When raising a concern; think about being able to describe someone’s vulnerabilities and how they may impact on their experience of risk and ability to protect themselves.  Remember: Complex life events and trauma as an adult or child can impact a person’s ability to make decisions, keep themselves safe or maintain safe relationships | |

## Assessment of seriousness

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Seriousness** | **Less serious** | | **More serious** | |  |
|  | | | |
| **2. Seriousness of abuse** | **Low** | **Significant** | | **Critical** |
| 2.1. Patterns of abuse | Isolated incident | Repetition of concerns that have previously been considered ‘isolated’ and ongoing contact with the person allegedly causing harm | | Evidence of repeated and ongoing abuse | Always seek advice from your own organisation’s Safeguarding Lead where there are concerns about repeated low-level harm to agree how these concerns will progress to further stages in the safeguarding adults process.  Consider the history of Victim/Service/Perpetrator  Consider whether sufficient measures are now in place to reduce the risk of early concerns escalating further. |
| 2.2. Impact on victims | No impact | Short term impact | | Impact is considered acute (Severe but short term) or chronic (lower level but longer lasting) | Remember that the same incident may affect different people in different ways: impact of abuse does not necessarily correspond to the extent of the abuse. The views of the adult at risk will be important in determining the impact in each case. |
| 2.3. Impact on others | No one else affected | Indirect effect on others | | Others directly affected | Other people may be affected by the abuse of another adult:   * Always remember to Think Family * Are children, relatives or other residents/service users affected or distressed by the abuse? * Are other people intimidated and/or their environment affected? * Is the alleged perpetrator a person in a position of trust? |
| 2.4. Intent | Unintended / ill-informed | Opportunistic | | Deliberate/Targeted | An act or an omission doesn’t have to be intentional in order to be considered abuse however, it may be pertinent to consider the following:   * Is the act/omission a response to difficulties in caring? * Is the act/omission planned and deliberately malicious? * Is the act a breach of a professional code of conduct? |
| 2.5. Illegality of the act | No evidence of criminality | Advice sought from police | | Police involvement clearly required from the outset | Is the act/omission poor practice (but not illegal) or is it clearly a crime?  Seek advice from the Police if you are unsure if a crime has been committed. |

The following tables are to be used as a guide to assessing the level of seriousness against the ten types of abuse as defined by The Care Act. This tool uses three levels of risk as follows:

**Low**

These concerns are unlikely to indicate a risk of abuse or neglect and are unlikely to require a concern being raised. While professional judgement or advice from your agency’s safeguarding lead may result in a concern being raised, they are more likely to remain at the information gathering (S.42(1)) stage. You should always seek advice from your own organisation’s Safeguarding Lead.

Repeated concerns around ‘low’ incidents would be considered at a higher level of seriousness.

The views and wishes of the adult at risk or their representative may be a determining factor in deciding whether to raise a safeguarding concern despite a ‘low’ level of seriousness.

**Significant**

Concerns of a significant nature are likely to warrant a safeguarding concern being raised. Such a concern will undergo further information gathering (S.42(1)) and may progress further under safeguarding adults procedures. Incidents of a ‘significant’ level of seriousness could include criminal offences which will need to be referred to the Police.

The ability of a service to manage risk within the context of its internal procedures and the nature of the service will be considered when deciding whether or not to raise a safeguarding concern at this stage. Repeated incidents must increase the assessed level of seriousness.

The views and wishes of the adult at risk should be considered when making the decision as to whether to raise a safeguarding concern. Accountability and transparency with the adult at risk and/or their representative is crucial.

**Critical**

Concerns of a critical nature must be raised immediately are likely to progress further under safeguarding adults procedures. The majority of concerns at the critical level will indicate potential criminality. If so, they must be referred to police.

The views and wishes of the adult at risk should still be considered, however this may require planning with police. There is an over-riding duty to raise a concern if an incident is considered to have reached a ‘critical’ level of seriousness.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **LOW** | **SIGNIFICANT** | **CRITICAL** |
|  | Isolated incident involving service user on service user managed within the context of the relevant care plans  Service has the ability to manage isolated incidents following a review of the relevant care plans  ***When the concerns relate to the behaviour of a person in a position of trust or power, the level of risk should be escalated – low>significant; Significant>critical*** | There are concerns about the service’s capacity to manage the risk  OR  The adult at risk has been subject to repeated incidents  OR  There has been significant harm to the adult’s physical, psychological or emotional wellbeing  OR  There is a focus on one or more specific adults at risk and there is an intention to cause harm  ***When the concerns relate to the behaviour of a person in a position of trust or power, the level of risk should be escalated - low>significant; Significant>critical*** | Grievous bodily harm / assault with a weapon leading to irreversible damage or death  Sexual assault/rape (including sexual without the ability to consent)  Prolonged focussed abuse with intent and harm caused to specific individuals on several occasions |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **LOW** | | **SIGNIFICANT** | | **CRITICAL** | |
| Physical abuse (Including medication errors) | Staff error causing no / little harm e.g. friction mark on skin due to ill-fitting hoist sling  Minor events that still meet the criteria for ‘incident reporting’ accidents  Isolated incident involving service user on service user  Inexplicable marking found on one occasion  Minor event where users lack capacity  ***When the concerns relate to the behaviour of a person in a position of trust or power, the level of risk should be escalated - low>significant; Significant>critical*** | **Medication:**  Adult does not receive prescribed medication (missed / wrong dose) on one occasion – no harm occurs  Recurring missed medication or administration errors that cause no harm | Inexplicable marking or lesions, cuts or grip marks on a number of occasions.  Accumulations of minor incidents  Inappropriate restraint  Withholding of food, drinks or aids to independence  Inexplicable fracture/ repeated injuries  ***When the concerns relate to the behaviour of a person in a position of trust or power, the level of risk should be escalated - low>significant; Significant>critical*** | **Medication:**  Increased risk is identified through a change in the volume and nature of medication errors within a service.    Errors that affect more than one adult and/or result in harm  Potential serious consequences or harm occurs  Covert administration without proper authorisation or appropriate care plan and review | Grievous bodily harm / assault with a weapon leading to irreversible damage or death | **Medication:**  Pattern of recurring errors or an incident of deliberate  maladministration that results in ill health or death  Use of contaminated equipment for the administration of medication  Deliberate maladministration of medications |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **LOW** | **SIGNIFICANT** | **CRITICAL** |
| Sexual(including sexual exploitation) | Isolated incident of low-level unwanted sexualised attention (verbal) directed at one adult by another whether or not capacity exists  Isolated incident of minimal unwanted verbal sexualised attention (Repeated incidents would increase the ‘seriousness’)  (NB: Consider the impact of the behaviour on the adult at risk as this may escalate the level of seriousness)  ***When the concerns relate to the behaviour of a person in a position of trust or power, the level of risk should be escalated - low>significant; Significant>critical*** | Isolated or recurring incidents of unwanted sexualised attention (e.g. touching or masturbation) without consent directed at one adult by another *whether or not capacity exists*  Voyeurism without consent  Being subject to indecent exposure  Grooming; including via the internet and social media  Being made to look at pornographic material against will/where consent cannot be given  Repeated incidents of minimal unwanted verbal sexualised attention  ***When the concerns relate to the behaviour of a person in a position of trust or power, the level of risk should be escalated - low>significant; Significant>critical*** | Isolated or repeated incidents of a sexual nature where power and authority are used to exploit an individual. Characterised by:   * Incidents of sexual exploitation * The person allegedly causing harm occupying a position of trust     Sex without consent (rape)    Attempted penetration by any means (whether or not it occurs within a relationship) without consent |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **LOW** | **SIGNIFICANT** | **CRITICAL** |
| Psychologicaland Emotional abuse | Isolated incident where adult is spoken to in a rude or inappropriate way – respect is undermined but no/little distress caused  Occasional taunts or verbal outburst    Withholding of information to disempower: Such as an isolated incident of [coercive or controlling behaviour](https://www.cps.gov.uk/legal-guidance/controlling-or-coercive-behaviour-intimate-or-family-relationship#:~:text=Coercive%20behaviour%20is%20an%20act,punish%2C%20or%20frighten%20their%20victim) \*  Isolated unintentional incident demonstrating a one-off lack of kindness/ Interactions which are objectifying or demeaning  ***When the concerns relate to the behaviour of a person in a position of trust or power, the level of risk should be escalated - low>significant; Significant>critical***  \*Coercive or controlling behaviour may have elements of one or more other types of abuse | Treatment that undermines dignity and esteem  Denying or failing to recognise adult’s choice or opinion. Repeatedly or as a one-off event which causes harm or distress.  Repeated incidents of or sustained coercive or controlling behaviour (Insert \* to explain that coercive control can have elements of other abuse types)  [Cuckooing](http://www.stopadultabuse.org.uk/what-is-abuse/cuckooing-county-lines.aspx)  Humiliation  Emotional blackmail such as:   * e.g. threats or abandonment / harm * Frequent or frightening verbal outbursts or harassment   Withholding of information to disempower – recurring incidents/ pattern  Repeated incidents demonstrating lack of kindness/ Intentional **or** repeated interactions which are objectifying or demeaning  ***When the concerns relate to the behaviour of a person in a position of trust or power, the level of risk should be escalated - low>significant; Significant>critical*** | Denial of basic human rights / civil liberties, overriding advance directive    Prolonged intimidation  Vicious / personalised verbal attacks |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **LOW** | **SIGNIFICANT** | **CRITICAL** |
| Financial abuse | Staff personally benefit from user funds e.g. accrue ‘reward’ points on their own store loyalty cards when shopping  Transactions involving service user’s funds not recorded safely and properly by staff.    Adult not routinely involved in decisions about how their money is spent or kept safe – capacity in this respect is not properly considered  Non-payment of care fees not impacting on care | Adult’s monies kept in a joint bank account – unclear arrangements for equitable sharing of interest  Adult denied access to own funds or possessions  Ongoing non-payment of care fees putting a person’s care at risk  Misuse/Misappropriation of property or possessions of benefits by a person in a position of trust or control  Personal finance removed from adult’s control  Fraud / exploitation relating to benefits, income, property or will.  Scams  NB: The level of seriousness for all the above is increased with the presence of threats, intimidation, or other forms of coercion  ***When the concerns relate to the behaviour of a person in a position of trust or power, the level of risk should be escalated - Significant>critical*** | Fraud / exploitation relating to benefits, income, property or will of an adult at risk by a [person in a position of trust](https://www.nssab.co.uk/sites/default/files/2021-11/PiPoT%20framework-acc.pdf)  Theft by a person in a position of trust  Scams involving life-changing sums of money or with a significant impact on an adult’s well-being. |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **LOW** | **SIGNIFICANT** | **CRITICAL** |
| Neglect (incudes neglect by family  members  and/or unpaid carers) | Isolated missed home care visit where no harm occurs  Adult is not assisted with a meal/drink on one occasion and no harm occurs    Adult not bathed as often as they would like – possible complaint  Isolated or infrequent inadequacies in care provision that lead to discomfort or inconvenience – no harm occurs e.g. being left wet  Not having access to aids to independence | Recent missed home care visits where risk of harm escalates, or one miss where harm occurs  Hospital discharge without adequate planning and harm occurs  Acts of neglect where there are also allegations of domestic abuse  Ongoing lack of care to the extent that health and wellbeing deteriorate significantly e.g. pressure wounds, dehydration, malnutrition, loss of independence / confidence  Repeated failures to meet basic care needs  ***When the concerns relate to the behaviour of a person in a position of trust or power, the level of risk should be escalated; Significant>critical*** | Failure to arrange access to lifesaving services or medical care  Failure to intervene in dangerous situations where the adult lacks the capacity to assess risk |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **LOW** | **SIGNIFICANT** | **CRITICAL** |
| Self-Neglect   [(See self-neglect guidance)](https://www.nssab.co.uk/sites/default/files/2021-03/Self%20neglect%20protocol%20-%20Acc.pdf) | Isolated / occasional reports about unkempt personal appearance or property which is out of character or unusual for the person.  Refusal to engage with health or social care, with minimal impact on well-being  Indications of not managing a tenancy or own property independently e.g. unpaid utility bills, utilities at risk of being or already cut off, hoarding (see [Hoarding Protocol](https://www.nssab.co.uk/sites/default/files/2021-03/NSSAB%20hoarding%20handbook.pdf)) | Reports of concerns from multiple agencies    Behaviour which poses a fire risk to self and others  Poor management of finances leading to health, wellbeing or property risks  Ongoing lack of care or behaviour to extent that health and wellbeing deteriorate significantly e.g. pressure sores, wounds, dehydration, malnutrition  Evidence of not managing a tenancy or own property (see examples in Low column) despite support from multiple agencies | Failure to seek lifesaving or sustaining services or medical care where required  Incidents of fire posing a risk to self and others  Life in danger if intervention is not made to protect the individual |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **LOW** | **SIGNIFICANT** | **CRITICAL** |
| Discriminatory abuse | Isolated incident of unwanted verbal attention motivated by prejudicial attitudes towards an adult’s individual differences  Occasional taunts that do not result in harm/ humiliation  Isolated incident of care planning that fails to address adult’s specific diversity associated needs for a short period  *The impact of these incidents particularly when repeated should be considered when assessing seriousness.*  ***When the concerns relate to the behaviour of a person in a position of trust or power, the level of risk should be escalated – low>significant; Significant>critical*** | Inequitable access to service provision as a result of a diversity issue  Recurring failure to meet specific care/support needs linked to diversity  Refused access to essential services  Denial of civil liberties such as voting or making a complaint  Humiliation or threats on a regular basis  ***When the concerns relate to the behaviour of a person in a position of trust or power, the level of risk should be escalated – low>significant; Significant>critical*** | Hate crime resulting in injury / emergency medical treatment /fear for life  Hate crime resulting in serious injury or attempted murder / honour-based violence |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **LOW** | **SIGNIFICANT** | **CRITICAL** |
| Organisational abuse May include any one or a combination  of the other forms of abuse [See NSSAB Service Level Safeguarding Protocol](https://www.nssab.co.uk/sites/default/files/2022-06/NSSAB001.1%20Organisational%20Abuse%20Protocol%2029.11.21.pdf) | Concerns in one of the following areas:  1. Lack of or lack of evidence application of safeguarding policy, procedure, or governance  2. Not meeting contractual or regulatory requirements but with an action plan in place to mitigate risks and improve service  3. Mismanagement of safeguarding concerns or poor record-keeping  4. Staffing:  - Levels  - Recruitment  - Training  5. Quality of care e.g:  - Food  - Personal care  - Routines  - Medication practice  - Activities  6. Lack of referrals to or involvement of external agencies including seeking medical care  7. Financial mismanagement or lack of investment | Concerns exist across a range of the following example domains:  1. Lack of or lack of evidence application of safeguarding policy, procedure or governance  2. Not meeting contractual or regulatory requirements but with an action plan in place to mitigate risks and improve service  3. Mismanagement of safeguarding concerns or poor record-keeping  4. Staffing:  - Levels  - Recruitment  - Training  5. Quality of care e.g:  - Food  - Personal care  - Routines  - Medication practice  - Activities  6. Lack of referrals to or involvement of external agencies including seeking medical care  7. Financial mismanagement or lack of investment | May result from one very serious incident which indicates risk to all other people using the service  Concerns across several domains may exist alongside evidence of deception |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **LOW** | **SIGNIFICANT** | **CRITICAL** |
| ModernSlavery (also consider sexual abuse) | All concerns about modern slavery are deemed to be of a significant / critical level | Limited freedom of movement  Being forced to work for little or no payment    Limited or no access to medical and dental care  No access to appropriate benefits  Exploitation of an individual’s circumstances  Limited access to food or shelter    Be regularly moved (trafficked) to avoid detection  Removal of passport or ID documents | Sexual exploitation  Starvation  Organ harvesting    No control over movement / imprisonment  Forced marriage |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **LOW** | **SIGNIFICANT** | **CRITICAL** |
| DomesticAbuse Domestic abuse is **not** limited to  partner on  partner abuse, and incudes  familial abuse. It can also take place anywhere, including care homes and hospitals | Isolated incident of alleged abuse  Occasional taunts of an abusive nature / verbal outbursts  The impact of these incidents particularly when repeated should be considered when assessing seriousness.  Seriousness of such incidents will increase when they relate to the behaviour of a person in a position of trust or power (Please refer to [NSSAB PIPOT Framework](https://www.nssab.co.uk/sites/default/files/2021-11/PiPoT%20framework-acc.pdf)) | Inexplicable marking or lesions, cuts or grip marks on a number of occasions  Alleged perpetrator exhibits controlling behaviour  Limited access to medical and dental care  Accumulations of minor incidents    Frequent verbal / physical outbursts  No access / control over finances  Stalking  Relationship characterised by imbalance of power | Threats to kill, attempts to strangle, choke or suffocate. Non-Fatal strangulation  Sex without consent (rape)    Forced marriage  Female Genital Mutilation (FGM)    Honour-based violence    Coercive control that results in harm e.g.  - not taking prescribed medication for serious health conditions as a result of the alleged perpetrators beliefs |
| **A** [**Domestic Abuse Risk Assessment (DASH)**](https://saferstrongerns.co.uk/professionals/domestic-abuse-information)**must be used to determine the level of risk in domestic abuse cases and a**  [**Multi-**](http://ssab.safeguardingsomerset.org.uk/adult-safeguarding-procedures-intro/domestic-abuse-and-maracs/)[**Agency Risk Assessment Conference (MARAC**](https://saferstrongerns.co.uk/professionals/domestic-abuse-information)[**)**](http://ssab.safeguardingsomerset.org.uk/adult-safeguarding-procedures-intro/domestic-abuse-and-maracs/) **referral made where appropriate** | | |

# Incidents between people using a care service

Any person has a fundamental right to justice and the protection of the law. However, the challenge comes in deciding whether to raise incidents between people using a care or support service as safeguarding concerns.

NSSAB understand that care services within its area work with varying degrees of risk; this often involves managing and responding to incidents between people using services that occur as a result of known care and support needs. Such services must be able to identify, respond to and reduce risk within the day-to-day function of their statement of purpose.

In deciding whether to raise a safeguarding concern or not, the primary consideration must be the views and wishes of the adult at risk. In practice this means that the same incident for one person may result in the matter being managed internally whereas the incident may be perceived or experienced differently by another person and the grounds for raising a concern may then be met.

NSSAB expect safeguarding concerns in connection with incidents between people who using the same care service to be raised in any one of the following circumstances:

* Where an incident has occurred and the adult at risk wishes a concern to be raised
* Where a criminal act has been committed and police are investigating
* Where harm has occurred for example:

- Significant material loss

- Cuts, bruising or marking

- Damaging of a person’s dignity

- Emotional distress or psychological harm considered anything other than brief

* Where incidents are repeated
* Where an individual incident is purposely targeted or planned against one or more adults using the care service.
* Where isolated incidents cannot be managed within the usual care planning and risk management systems within the care service
* A predictable or preventable incident has occurred as a result of a failure to plan or deliver care the relevant care
* Intimate touching has occurred without valid consent

NSSAB expects care providers in its area to be able to manage incidents internally when all the following apply:

* + Isolated incident where harm is brief or of a low level
  + Provider can evidence that care planning and dynamic/responsive risk management within the care service’s day to day function adequately reduce the risk of recurrence (the ability to manage risk will vary depending on the speciality and purpose of the particular service)
  + The adult at risk does not wish for a concern to be raised

In all cases, action must be taken to identify the cause of risk and appropriate mitigating action taken. This includes the recording and reporting of incidents.

Case example:

Lewisham Safeguarding Adults Board published a Safeguarding Adults Review: LSAB 7 Minute Briefing - Eileen Dean (safeguardinglewisham.org.uk)

This review demonstrated the need for assessing risk, sharing information and the appropriate initiation of safeguarding procedures.

## Responding to incidents between people using care services

Always consider Interventions to reduce harm:

* + Identification, recording and reporting of abusive behaviours
  + Root cause of behaviours that cause risk (not just managing the behaviour as a symptom) for example, the impact of trauma and loss, psychosis or expression of unmet emotional needs.
  + Environmental considerations (such as reducing crowding, noise and clutter, and prompting meaningful activities)
  + Care practices (including care plans, staff training, identifying risk factors, consistent staffing to build relationships)

# Appendix 1: Decision matrix and outcome record

The decision-making matrix is intended to assist in decision making in the majority of circumstances. However, if you are considering referring an incident between two or more people using a care service, first consider the seriousness of the incident, then move straight to Appendix Two

The decision matrix vertical axis relates to the vulnerability of the adult at risk: As you progress along this scale the adult becomes increasingly unable to act to protect themselves. Think about being able to describe someone’s vulnerabilities and how they may impact on their experience of risk and ability to protect themselves.

The horizontal axis relates to the ‘seriousness’ of the alleged abusive act. Assessments must be made on a case-by-case basis, supported by the tables above which provide examples of how the levels of seriousness are assessed against the various types of abuse.

|  |  |  |  |
| --- | --- | --- | --- |
| Ability to protect themselves with seriousness of the act | Low | Significant | Critical |
| Unable even with support | Consider a referral | Raise a concern | Raise a concern |
| Requires practical support | Manage through internal/universal processes | Raise a concern | Raise a concern |
| With advice | Manage through internal/universal processes | Consider a referral | Raise a concern |
| Independent | Manage through internal/universal processes | Manage through internal/universal processes | Manage through internal/universal processes |

Red: Raise a concern

Amber: Consider a referral

Green: Manage through internal/universal processes (HR/Police/Universal public services)

## Decision matrix outcome record

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Adult at risk** | **Incident date** | **Details of incident** | **Decision maker** | **Decision date** |
|  |  |  |  |  |

**Use an ‘X’ to identify the rating given when applying the matrix above:**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Vulnerability rating** | | **Seriousness rating** | | **Overall matrix rating** | | | |
| Independent |  | Low |  | Green |  | Manage through internal procedures and refer to universal services |
| With advice |  | Significant |  | Amber |  | **Consider a referral**  Apply professional judgement and consider the evidence you are using. What are the views of adult at risk?  Seek advice from organisational safeguarding leads |
| With practical support |  |
| Unable even with support |  | Critical |  | Red |  | Raise a concern |

|  |  |  |
| --- | --- | --- |
| **Evidence to support this rating:** | **Evidence to support this rating:** | **Record whether or not a concern will be raised. Include a summary of your overall rationale:** |
|  |  |  |

# Appendix Two: Incident between people using a care service: Decision making record

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Adult at risk** | **Incident date** | **Details of incident** | **Decision maker** | **Decision date** |
|  |  |  |  |  |

|  |  |  |
| --- | --- | --- |
| **If you answer ‘Yes’ to *any* of the following questions, a safeguarding concern must be raised** | **Yes** | **No** |
| The adult at risk wishes a concern to be raised |  |  |
| The seriousness of the incident is rated as critical |  |  |
| A criminal act has been committed and police are investigating |  |  |
| Harm has occurred for example:   * Significant material loss * Cuts, bruising or marking * Damaging of a person’s dignity * Emotional distress or psychological harm considered anything other than brief |  |  |
| Incidents are repeated |  |  |
| An individual incident is purposely targeted or planned against one or more adults using the care service. |  |  |
| Isolated incidents cannot be managed within the usual care planning and risk management systems within the care service |  |  |
| A predictable or preventable incident has occurred as a result of a failure to plan or deliver care the relevant care |  |  |
| Intimate touching has occurred without valid consent |  |  |

|  |  |  |
| --- | --- | --- |
| **If you answer ‘No’ to *any* of the following questions, a Safeguarding concern must be raised** | **Yes** | **No** |
| Isolated incident where harm is brief or of a low level |  |  |
| Provider can evidence that care planning and dynamic/responsive risk management within the care service’s day to day function adequately reduce the risk of recurrence (*The ability to manage risk will vary depending on the speciality and purpose of the particular service)* |  |  |
| The adult at risk does not wish for a concern to be raised |  |  |
| **Record the rationale or evidence used to reach this decision** | | |
|  | | |

# Appendix Three: Equality Impact Assessment

1. **Name the Strategy, Policy, Procedure or Function (SPPF) being assessed and name of author**

|  |
| --- |
| Threshold Support Tool  Author: James Wright & Kathryn Benjamin on Behalf of NSSAB Policy & Procedures Sub-Group |

**2. Aims of the SPPF being assessed**

* *Whose need is it designed to meet?*
* *Are there any measurable objectives?*

|  |
| --- |
| Threshold support guidance is aimed to achieve consistency of decision making across partner agencies in deciding when to raise a safeguarding adults concern  The safeguarding adults board would expect to see an increase in the proportion of safeguarding contacts that are considered a ‘safeguarding concern’. |

**3. Who has been consulted in developing the SPPF?**

* *Make reference or links to consultation/evidence documents*
* *Consider marginalised groups and people with lived experience*

|  |
| --- |
| Policy & Procedures sub-group members have been consulted which includes representatives of care providers across care home and domiciliary care. Acute psychiatric providers and long term psychiatric care providers have been consulted.  LD Providers have not been consulted |

**4. Does the SPPF promote equality of opportunity?**

|  |
| --- |
| The policy promotes equality of opportunity across the protected characteristics as follows:  It ensures consistency of response for adults with care and support needs. |

**5. Are there potential human rights violations?**

* *See the* [*Charter of Fundamental Rights of the European Union on the Equality and Human Rights Commission website*](https://www.equalityhumanrights.com/en/what-european-convention-human-rights)

|  |
| --- |
| No |

**6. Screening Tool**

Identify potential impact on each of the diversity “groups” by considering the following questions (the list is not exhaustive, but an indication of the sort of questions assessors should think about):

* *Might some groups be disproportionately affected?*
* *Do some groups have particular needs that are not well met by the current SPPF?*
* *What evidence do you have for your judgement (e.g. monitoring data, information from consultation/research/feedback)?*
* *Have stakeholders raised concerns/complaints?*
* *Is there local or national research to suggest there could be a problem?*

Insert X into one box per row, for impact level and type

**H**: High **M**: Medium **L**: Low **N:** None

**+** Positive **=** Neutral **-** Negative

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | Level | | | | Type | | |
| H | M | L | N | + | = | - |
| Disabled people |  | x |  |  | X |  |  |
| People from different ethnic groups |  |  |  | x |  | x |  |
| Gender |  |  |  | x |  | x |  |
| Sexual orientation |  |  |  | x |  | x |  |
| People on a low income |  |  |  | x |  | x |  |
| People in particular age groups |  |  |  | x |  | x |  |
| People in particular faith groups |  |  |  | x |  | x |  |
| People who are married or in a civil partnership |  |  |  | x |  | x |  |
| Transgender people |  |  |  | x |  | x |  |
| Other specific impacts, for example: carers, parents, impact on health and wellbeing, Armed Forces Community etc.  Please specify:  People with more complex needs and those who display behaviours that challenge others |  |  | x |  |  |  | x |

**7. If positive impact(s) have been identified in Table 4 above, what are they and how can they be improved upon or maximised, either in this SPPF or others?**

|  |
| --- |
| Adults with disabilities should expect a more consistent response to concerns around abuse and neglect. |

**8. If negative impact(s) have been identified, what are they?**

|  |
| --- |
| There is the potential that fewer concerns will be raised associated with incident between people more complex behavioural needs.  The voice of people or providers of services for people with learning disabilities has not been heard. |

***9. If negative impact(s) have been identified, is there anything that can be done now that would reduce the impact level to Low or Neutral? (Detail below)***

* If no, progress to a full Equality Impact Assessment

|  |
| --- |
| The guidance has been amended to ensure that the promotion of a person’s right to protection and justice are made explicit and amendments were made to ensure that providers can evidence that their risk management plans are effective.  The local authority manager for the team for people with learning disabilities was consulted. |

**- End of Screening Tool -**