

# **Safeguarding Adults Policy and Procedures**

**Durham University**

Updated January 2023

## Durham University Safeguarding Adults Policy and Procedures

### Introduction

Durham University is committed to creating and maintaining a safe and positive environment and accepts our responsibility to safeguard the welfare of all adults in accordance with the Care Act 2014.

Our Safeguarding Adults policy and procedures apply to all individuals who are part of the University's community.

Durham University will encourage and support all departments, colleges, clubs, societies and suppliers to adopt and demonstrate their commitment to the principles and practice of equality as set out in this Safeguarding Adults policy and procedures.

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## 2.1 Principles

- 2.1 The guidance given in the policy and procedures is based on the following principles:

### The six principles of adult safeguarding

The Care Act sets out the following principles that should underpin safeguarding of adults

**Empowerment** - People being supported and encouraged to make their own decisions and informed consent.

"I am asked what I want as 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** – The least intrusive response appropriate to the risk presented.

"I am sure that the professionals will work in my interest, 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 and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want."

**Partnership** – 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 and with me to get the best result for me."

**Accountability** – Accountability and transparency in delivering safeguarding.

"I understand the role of everyone involved in my life and so do they."

- 2.1.2 All adults, regardless of age, ability or disability, gender, race, religion, ethnic origin, sexual orientation, marital or gender status have the right to be protected from abuse and poor practice and to participate in an enjoyable and safe environment.
- 2.1.3 Durham University will seek to ensure that the University is inclusive and make reasonable adjustments for any ability, disability or impairment. We will also commit to continuous development, monitoring and review.

- 2.1.4 The rights, dignity and worth of all adults will always be respected.
- 2.1.5 We recognise that ability and disability can change over time, such that some adults may be additionally vulnerable to abuse, for example those who have a dependency on others or have different communication needs.
- 2.1.6 We recognise that a disabled adult may or may not identify themselves or be identified as an adult 'at risk'.
- 2.1.7 We all have a shared responsibility to ensure the safety and well-being of all adults and will act appropriately and report concerns whether these concerns arise within the University, for example inappropriate behaviour of a student or member of staff, or in the wider community.
- 2.1.8 All allegations will be taken seriously and responded to quickly in line with these Safeguarding Adults Policy and Procedures.
- 2.1.9 Durham University recognises the role and responsibilities of the statutory agencies in safeguarding adults and is committed to complying with the procedures of the Local Safeguarding Adults Boards.

### 3 Guidance and Legislation

3.1 The practices and procedures within this policy are based on the principles contained within the UK and legislation and Government Guidance and have been developed to complement the Safeguarding Adults Boards policy and procedures, and take the following into consideration:

- The Care Act 2014
- The Protection of Freedoms Act 2012
- Domestic Violence, Crime and Victims (Amendment ) Act 2012
- The Equality Act 2010
- The Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005
- Sexual Offences Act 2003
- The Human Rights Act 1998
- The Data Protection Act 1994 and 1998

### 4 Definitions

- 4.1 To assist working through and understanding this policy a number of key definitions need to be explained:
  - 4.1.1 **Adult at Risk** is a person aged 18 or over who is in need of care and support regardless of whether they are receiving them, and because of those needs are unable to protect themselves against abuse or neglect.  
In recent years there has been a marked shift away from using the term 'vulnerable' to describe adults potentially at risk from harm or abuse.
  - 4.1.2 **Abuse** is a violation of an individual's human and civil rights by another person or persons. See section 5 for further explanations.

- 4.1.3 **Adult** is anyone aged 18 or over.
- 4.1.4 **Adult safeguarding** is protecting a person's right to live in safety, free from abuse and neglect.
- 4.1.5 **Capacity** refers to the ability to make a decision at a particular time, for example when under considerable stress. The starting assumption must always be that a person has the capacity to make a decision unless it can be established that they lack capacity (MCA 2005).

## 5 Types of Abuse and Neglect - Definitions from the Care Act 2014

- 5.1 This is not intended to be an exhaustive list but an illustrative guide as to the sort of behaviour or issue which could give rise to a safeguarding concern.
  - 5.1.1 **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.
  - 5.1.2 **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.
  - 5.1.3 **Domestic Abuse** – including psychological, physical, sexual, financial and emotional abuse. It also includes so called 'honour' based violence.
  - 5.1.4 **Discriminatory** – discrimination is abuse which centres on a difference or perceived difference particularly with respect to race, gender or disability or any of the protected characteristics of the Equality Act.
  - 5.1.5 **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.
  - 5.1.6 **Physical Abuse** – includes hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.
  - 5.1.7 **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.
  - 5.1.8 **Financial or Material Abuse** – including theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
  - 5.1.9 **Neglect** – including ignoring medical or physical care needs, failure to provide access to appropriate health social care or educational services, the

withholding of the necessities of life, such as medication, adequate nutrition and heating.

- 5.1.10 **Emotional or Psychological Abuse** – this includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.  
This could be an athlete threatening another athlete with physical harm and persistently blaming them for poor performance.

## 5.2 Not included in the Care Act 2014 but also relevant:

- 5.2.1 **Cyber Bullying** - cyber bullying occurs when someone repeatedly makes fun of another person online or repeatedly picks on another person through emails or text messages, or uses online forums with the intention of harming, damaging, humiliating or isolating another person. It can be used to carry out many different types of bullying (such as racist bullying, homophobic bullying, or bullying related to special educational needs and disabilities) but instead of the perpetrator carrying out the bullying face-to-face, they use technology as a means to do it.
- 5.2.2 **Forced Marriage** - forced marriage is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-social Behaviour, Crime and Policing Act 2014 make it a criminal offence to force someone to marry.
- 5.2.3 **Mate Crime** - a 'mate crime' as defined by the Safety Net Project is 'when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual.' Mate Crime is carried out by someone the adult knows and often happens in private. In recent years there have been a number of Serious Case Reviews relating to people with a learning disability who were murdered or seriously harmed by people who purported to be their friend.
- 5.2.4 **Radicalisation** - the aim of radicalisation is to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. This may be direct through a relationship, or through social media.

## 6. Signs and indicators of abuse and neglect

- 6.1 Abuse can take place in any context and by all manner of perpetrator. There are many signs and indicators that may suggest someone is being abused or neglected, these include but are not limited to:
- 6.1.1 Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- 6.1.2 Person has belongings or money going missing.

- 6.1.3 Person is not attending / no longer enjoying their academic course / social activities.
- 6.1.4 Someone losing or gaining weight / an unkempt appearance.
- 6.1.5 A change in the behaviour or confidence of a person.
- 6.1.6 They may self-harm.
- 6.1.7 They may have a fear of a particular group or individual.
- 6.1.8 They may tell you / another person they are being abused – i.e. a disclosure.

## **7 What to do if you have a concern or someone raises concerns with you.**

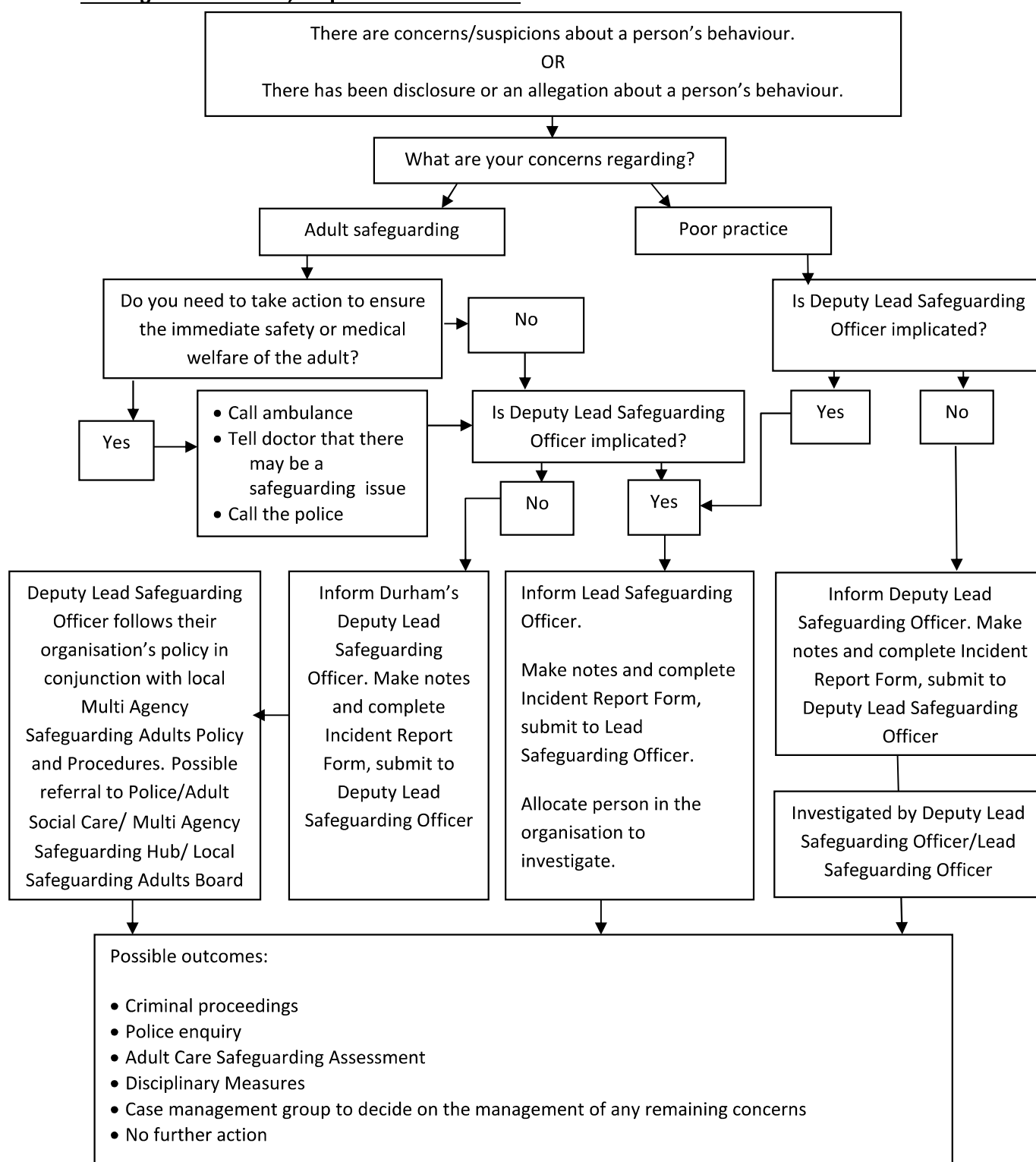
- 7.1 You may become aware that abuse or poor practice is taking place, suspect abuse or poor practice may be occurring or be told about something that may be abuse or poor practice and you must report this to the University's Deputy Lead Safeguarding Officer (DLSO) or, if the Lead Safeguarding Officer is implicated, then report it to the Lead Safeguarding (LSO).
- 7.2 If you are at an external event and have a concern then speak to the relevant staff member.
- 7.3 If you are concerned someone is in immediate danger, contact the police straight away.
- 7.4 It is important when considering your concern that you also consider the needs and wishes of the person at risk, taking into account the nature of the alert, more information on this is given in Appendix 1 'The Legislative Framework'.

## **8 How to Record a Disclosure**

- 8.1 Make a note of what the person has said using his or her own words as soon as practicable. Complete an Incident Form and submit to the University's Deputy Lead Safeguarding Officer.
- 8.2 As long as it does not increase the risk to the individual, you should explain to them that it is your duty to share your concern with your Deputy Lead Safeguarding Officer.
- 8.3 Describe the circumstances in which the disclosure came about.
- 8.4 Take care to distinguish between fact, observation, allegation and opinion. It is important that the information you have is accurate.
- 8.5 Be mindful of the need to be confidential at all times, this information must only be shared with the Deputy Lead Safeguarding Officer and others on a need to know basis.
- 8.6 If the matter is urgent and relates to the immediate safety of an adult at risk then contact the emergency services without delay on 999 or 101.

## 9. Safeguarding Adults Flowchart

### Dealing with Concerns, Suspicions or Disclosure



**Remember to involve the adult at risk throughout the process wherever possible and gain consent for any referrals to social care if the person has capacity**



## 10 Roles and responsibilities

- 10.1 Durham University is committed to having the following in place:
- 10.1.1 A Lead Safeguarding Officer who is accountable for the production and dissemination of guidance and resources to support the policy and procedures.
  - 10.1.2 A clear line of accountability within the organisation for work on promoting the welfare of all adults.
  - 10.1.3 Procedures for dealing with allegations of abuse or poor practice against members of staff and students.
  - 10.1.4 A Steering Group or Case Management or Case Referral Group that effectively deals with issues, manages concerns and refers to a disciplinary panel where necessary (i.e. where concerns arise about the behaviour of someone within (insert name of your organisation)).
  - 10.1.5 A Disciplinary Panel will be formed as required for a given incident, if appropriate and should a threshold be met.
  - 10.1.6 Arrangements are in place to work effectively with other organisations to safeguard and promote the welfare of adults, including arrangements for sharing information.
  - 10.1.7 Appropriate whistle blowing procedures and an open and inclusive culture that enables safeguarding and equality & diversity issues to be addressed.

## 11 Relevant Policies - This policy should be read in conjunction with the following policies Durham University:

- Whistle Blowing  
<https://www.dur.ac.uk/resources/about/policies/PublicInterestDisclosurePolicy2014APM.pdf>
- Social media <https://www.dur.ac.uk/hr/policies/social/>
- Complaints – Students  
[https://www.dur.ac.uk/university.calendar/volume1/codes\\_of\\_practice/](https://www.dur.ac.uk/university.calendar/volume1/codes_of_practice/)
- Disciplinary <http://www.dur.ac.uk/hr/policies/disciplinary/>

## 12 Further Information

Policies, procedures and supporting information are available on the Durham University website (<https://www.dur.ac.uk/safeguarding/>)

Durham University Lead Safeguarding Officer (LSO)

Mrs Amanda Wilcox

University Secretary

[university.secretary@durham.ac.uk](mailto:university.secretary@durham.ac.uk)

Durham University Deputy Lead Safeguarding Officer (DLSO)

Mr Sam Dale

Director of Student Support & Wellbeing

[director.wellbeing@durham.ac.uk](mailto:director.wellbeing@durham.ac.uk)

**Review date**

This policy will be reviewed every two years or sooner in the event of legislative changes or revised policies and best practice.

## Appendix 1

### Incident Report Form

<b>File note:</b>	
<b>Nature and date of incident(s)</b>	<hr/>
<b>Action taken</b>	
<b>Action that is planned for the future in response to the incident</b>	
<b>Date incident deemed closed in agreement with the DLSO and LSO</b>	
<b>Record keeping</b>	A copy of this incident report will be held in the office of the DLSO. There is no direct provision for the retention of this type of document within the University's data retention schedule. After consultation with the Deputy Information and Data Protection Manager, it would be reasonable to retain this file note for seven years in the first instance and to review thereafter.
<b>Signed and dated</b>	

## Appendix 2

### Legislation and Government Initiatives

#### Sexual Offences Act 2003

<http://www.legislation.gov.uk/ukpga/2003/42/contents>

The Sexual Offences Act introduced a number of new offences concerning vulnerable adults and children. [www.opsi.gov.uk](http://www.opsi.gov.uk)

#### Mental Capacity Act 2005

<http://www.legislation.gov.uk/ukpga/2005/9/introduction>

Its general principle is that everybody has capacity unless it is proved otherwise, that they should be supported to make their own decisions, that anything done for or on behalf of people without capacity must be in their best interests and there should be least restrictive intervention. [www.dca.gov.uk](http://www.dca.gov.uk)

#### Safeguarding Vulnerable Groups Act 2006

<http://www.legislation.gov.uk/ukpga/2006/47/contents>

Introduced the new Vetting and Barring Scheme and the role of the Independent Safeguarding Authority. The Act places a statutory duty on all those working with vulnerable groups to register and undergo an advanced vetting process with criminal sanctions for non-compliance. [www.opsi.gov.uk](http://www.opsi.gov.uk)

#### Deprivation of Liberty Safeguards

<https://www.gov.uk/government/collections/dh-mental-capacity-act-2005-deprivation-of-liberty-safeguards>

Introduced into the Mental Capacity Act 2005 and came into force in April 2009. Designed to provide appropriate safeguards for vulnerable people who have a mental disorder and lack the capacity to consent to the arrangements made for their care or treatment, and who may be deprived of their liberty in their best interests in order to protect them from harm.

#### Disclosure & Barring Service 2013

<https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>

Criminal record checks: guidance for employers - How employers or organisations can request criminal records checks on potential employees from the Disclosure and Barring Service (DBS). [www.gov.uk/db-update-service](http://www.gov.uk/db-update-service)

#### The Care Act 2014 – statutory guidance

<http://www.legislation.gov.uk/ukpga/2014/23/introduction/enacted>

The Care Act introduces new responsibilities for local authorities. It also has major implications for adult care and support providers, people who use services, carers and advocates. It replaces No Secrets and puts adult safeguarding on a statutory footing.

#### Making Safeguarding Personal Guide 2014

<http://www.local.gov.uk/documents/10180/5852661/Making+Safeguarding+Personal+-+Guide+2014/4213d016-2732-40d4-bbc0-d0d8639ef0df>

This guide is intended to support councils and their partners to develop outcomes-focused, person-centred safeguarding practice.

## **Appendix 3**

### **Useful contacts**

#### **Local Authority Safeguarding Lead**

County Durham Safeguarding Adults Inter-Agency Partnership  
Children and Adult Services  
Priory House  
Durham  
DH1 5RR

Call Social Care Direct 24 hours a day on 03000 267 979.

#### **Police contact**

Durham Constabulary 101 or 999