

Safeguarding

Adults at Risk

Good Practice Guidance

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**1 Making safeguarding personal**

All staff must be aware of the 6 principles of ‘making safeguarding personal’ (see Policy) and apply them to all safeguarding situations.

Wherever possible, if the adult at risk has capacity, their consent will be obtained to all stages of the safeguarding process. Use MacIntyre’s Mental Capacity Act Handbook for guidance on mental capacity and making best interest decisions.

Where a person supported by MacIntyre is subject to local authority protection procedures, staff should continually advocate for the person to be kept at the centre of the process (See 2.6 below).

If there is an overriding public interest or vital interest, or if gaining consent for the safeguarding procedures would put the adult at further risk, an alert **must**be made. This includes situations where:

* Other people or children could be at risk from the person causing harm
* It is necessary to prevent crime, or if a serious crime may have been committed
* There is a high risk to the health and safety of the adult at risk
* The person lacks capacity to consent to the abuse, or their apparent consent may be being obtained under duress.

The person should normally be informed of the decision to refer and the reasons for this, unless telling them would jeopardise their safety or the safety of others. If the alerting manager is unsure whether to refer, they should contact the local authority safeguarding adults board for advice.

If the person at risk has capacity and does not consent to a referral, and there are no public or vital interest considerations, they should be given information about where to get help if they change their mind, or if the abuse or neglect continues and they subsequently want support to promote their safety. The alerting manager must assure themselves that the decision to withhold consent to referral is not made under undue influence, coercion or intimidation. An ongoing risk assessment should be carried out as appropriate.

However any decision **not** to refer to the local authority (where the person is consenting to potential abuse, has the capacity to consent, and does not want a referral to be made) **must** be agreed at the level of Director (who should obtain suitable external advice). MacIntyre will record the concern, as well as the adult’s decisions with reasons, and what information the person at risk was given.

2 What to do following an allegation or suspicion of abuse

Actions to take follow five procedural stages:

* Alerting
* Reporting
* Enquiring
* Monitoring
* Recording
* Support throughout and after the process

2.1 Alerting

* Anyone working with individuals may be alerted to the possibility of abuse. Being alerted could mean that you witness an act of abuse, that a person says that abuse has occurred, or suspicions are raised. See ‘Definitions’ in the Policy.
* You must keep detailed records of the initial cause for concern. Note down exactly what the complainant or alleged victim has said or indicated to you or what you have witnessed. Any such records must clearly separate factual information from expression of opinion. You must be aware that the report may be required later as part of legal or disciplinary action (see Section 5 ‘Written records’ below).
* If the disclosure is made by the person who says that they have been abused, you must accept what the person is saying. Do not make comments other than to be comforting and sympathetic in line with any guidance in the support plan (see Section 4 ‘Do’s and Don’ts’ below`). Tell the person what will happen next
* Report the incident or allegation to the Front Line Manager straight away. If you are not able to contact the Front Line Manager for any reason, contact another manager.
* The person who has been allegedly abused must be asked how they wish to proceed and their views should be considered when deciding on future action.
* Where a person is considered to make spurious allegations of abuse, you must still record them and report them to the front line manager
* If you suspect your manager of abuse or have concerns about their practices or behaviour towards an individual, or you suspect that your manager may not respond appropriately to an alert, you must report your concerns to another Manager, Head of Operations or Director
* If you are unable or unwilling to report the incident or allegation through MacIntyre line management, you must report it directly to the local authority safeguarding team.
* Ensure the person’s immediate safety. If necessary, call the police.
* With the consent of the person, ensure immediate medical attention if necessary (e.g. physical injury/trauma, reports of severe pain). Inform any examining doctor of the suspicion of abuse and that a written report will be required which may be used in legal proceedings.
* Every effort must be made to preserve evidence by:
	+ Placing any material evidence in a safe place (for example, in the event of suspected Financial Abuse, removing all records and receipts - unless these have been removed by the police in which case MacIntyre would require copies to be retained for our internal enquiry purposes)
	+ Not allowing vital evidence to be destroyed (for example, evidence of a sexual assault could be destroyed if the victim takes a bath/has a drink before being medically examined).
	+ Taking careful note of any signs of abuse, using the body maps on the form (incident accident report) to show the location of injuries if possible.
	+ The Front Line Manager must immediately contact the Area Manager. If unavailable, contact another Area Manager, Head of Operations or on-call.

NB;Any person suspecting that a child or young person is being abused or neglected must report this using the relevant Safeguarding Children policy and guidance.

2.2 Reporting

* All decisions and actions must be clearly recorded at every stage, including any decision not to proceed and reasons why.
* If the Manager considers that the allegation may not actually be one of suspected abuse (but rather a comment or complaint, an issue of poor practice or a review of an individual’s Person Centred Plan), the Manager MUST consult the Head of Operations before taking a decision NOT to report the allegation to the local authority.
* **Any allegation that may constitute abuse, whether you consider it valid or not, must be reported to the local authority safeguarding team** unless:
	+ - it clearly falls below any reporting threshold published by the local authority
		- the alleged victim does not consent to this reporting and you have considered the criteria in Section 1 ‘Making Safeguarding Personal’ (above) and decided with the relevant Director not to report.
		- If you do not refer to the local authority, it must still be reported on MacIntyre’s Safeguarding
* Notify the local authority safeguarding team or named Care Manager (refer to your local authority Policy and Procedures for Protection from Abuse/Safeguarding Adults at Risk). This will be the local authority within whose area the person is living (which may be different from the commissioning authority). The local authority safeguarding team will consider the referral, and inform you of the action they propose to take in response.
* Where a person is considered to make spurious allegations of abuse, these must still be reported to the local authority – unless there is a clear written agreement with the local safeguarding team and/or the person’s social worker not to do so under certain defined circumstances. The Area Manager and Head of Operations must be informed of and sign off any such agreement. There should be a plan for how we work with the person to make sure that allegations they make are taken seriously.
* If the local authority accepts the referral as a safeguarding matter, you must cooperate and comply with the local authority procedure.
* Advise the relevant Head of Operations of the situation and the proposed course of action at the earliest opportunity.
* If the service is registered with CQC, notify CQC of any allegation over which the local authority was consulted (even where the conclusion of such consultation was a decision not to notify the local authority). If the allegation relates to a serious injury to the victim, ensure that you comply with MacIntyre’s procedures relating to the statutory duty of candour.
* If the referral is accepted by the local authority as an allegation of abuse, the allegation must be reported to the commissioning authority (if this is a different authority).
* Inform the police if a crime is suspected (unless the local safeguarding team has said that it will do this)
* Decisions about which individuals (including next of kin), agencies or organisations should be informed of the allegation and any subsequent action must be made with great care in consultation with the local authority and the person at risk; a record must be kept of all decisions to share information.
* Where the alleged abuser is an employee of MacIntyre, consideration must be given to whether immediate precautionary suspension from duty is required pending a disciplinary investigation.
* Any information given or received verbally or by telephone must be confirmed in writing at the earliest available opportunity.
* Inform the alerter than an appropriate investigation will take place. The alerter should refer again if they continue to be concerned and no action has been taken following their initial alert.
* Keep the alleged victim informed of what action has/will be taken.

2.3 Enquiring

* MacIntyre conducts enquiries into all safeguarding alerts:
* If the alert is investigated by the police, an internal enquiry does not usually take place until after the police investigation has been completed.
* If the alert is not accepted by the local authority, MacIntyre will usually conduct its own enquiry.
* If the alert is accepted and the local authority is content to accept MacIntyre’s enquiry, MacIntyre will usually conduct the enquiry and report back to the local authority.
* If the alert is accepted and the local authority decides to conduct its own enquiry or a joint local authority/MacIntyre enquiry, MacIntyre will usually conduct its own investigation after the local authority/joint enquiry has been completed.
* Where abuse has been alleged and reported, it will be necessary to complete an investigation for MacIntyre’s own purposes, in order to:
	+ Establish MacIntyre’s formal position in relation to the allegation
	+ Comply with relevant disciplinary procedures.
* It is important for the investigating officer and any other MacIntyre employee to work in full co-operation with the local authority and police as part of any formal enquiry. They must also seek to ensure the safety and welfare of the individuals and staff.
* Principles of confidentiality designed to safeguard and promote the interests of an adult should not be confused with those designed to protect the management interests of an organisation. These have a legitimate role but must never be allowed to conflict with the welfare of an adult at risk. If it appears to an employee or person in a similar role that such confidentiality rules may be operating against the interests of the adult at risk then a duty arises to make full disclosure in the public interest.
* No employee should speak on behalf of an individual or ‘translate’ as part of a police and/or Social Services interview without the permission of the relevant Head of Operations/Director.
* Following every enquiry of abuse, review the Person Centred Plan/Safeguarding Assessment for every person involved in order to make provision for necessary change.

2.4 Monitoring

* Any actions resulting from the local authority protection procedures, or from a MacIntyre investigation, will be monitored by the Area Manager

2.5 Recording

* It is important that a record is kept of any part of a procedure carried out to alert, report or investigate, whether substantiated or not.
* All alerts, (including those that fall below the local authority threshold or are not accepted as referrals by the local authority) are recorded on the corporate Safeguarding Log.
* This information will be held confidentially by Managers and Heads of Operations, and by the relevant Registered Manager

2.6 Support throughout and after the process

* For support at the time of the disclosure: see Section 4 ‘Disclosure Do’s and Don’ts’ below
* For support around consent to a safeguarding referral, see Section 1 ’Making Safeguarding Personal’ above. Where it is decided to refer without the person’s consent (e.g. when others are also at risk), a careful decision must be made about who will discuss this very sensitively with the person so that they understand why their wishes are not being complied with.
* The local authority must arrange for an independent advocate to represent and support an adult who is the subject of a safeguarding enquiry or Safeguarding Adult Review where the adult has ‘substantial difficulty’ in being involved in the process and where there is no other suitable person to represent and support them
* Staff will also require support through the safeguarding process and this should be available via their line management or from an external source if this is considered appropriate
* During the referral and protection process, MacIntyre staff will work with the Safeguarding Team to ensure where appropriate that the following considerations are taken into account (these are taken from the LGA/ADASS/SCIE report ‘Making Safeguarding Personal’ (March 2013):
	+ Safeguarding is not a term that people generally recognise or understand
	+ A quick and assertive intervention is valued
	+ Having a clear conversation with the person who is being safeguarded about the outcomes that they want is important at the beginning and end (and possibly middle) of the process. This helps staff and professionals to communicate better and in a more timely way with the person at risk.
	+ Staff may need to be on hand at critical times and be prepared to give ongoing support when needed
	+ People need to know when the safeguarding process has finished, what the outcome is and what happens next. They should be consulted about whether their outcomes have been met. Where possible the person should be consulted about their experience of the safeguarding process.
	+ People need continuity of staff involved in the processes
	+ People should be made aware that they can ask a friend or advocate to support them at meetings.
	+ Staff should be aware that “...if practitioners only focus on making people feel safe, they may compromise other aspects of their wellbeing, such as feeling empowered and in control”. Staff should not be advocating “safety” measures that do not take account of individual well-being
* At the conclusion of the process, staff should work (with the local authority where appropriate) to agree a strategy for the person, and anyone else within MacIntyre involved in or affected by the process (staff or person supported) to move forward
1. Support in making decisions

Decisions about safeguarding matters require very careful consideration and should not be made without consultation. Staff are reminded of the decision-making guidance given above:

* Although any member of staff may report an allegation directly to the local Safeguarding Board if no other route is available to them, the usual method of reporting will be via a Frontline Manager, who will wherever possible consult an Area Manager or equivalent before reporting
* The relevant Head of Operations should be advised of the situation and the proposed course of action at the earliest opportunity.
* If the Manager considers that the allegation may not actually be one of suspected abuse (but rather a comment or complaint, an issue of poor practice or a review of an individual’s Person Centred Plan), the Manager MUST consult the Head of Operations before taking a decision NOT to report the allegation to the local authority.
* Any decision **not** to refer to the local authority (where the person is consenting to potential abuse, has the capacity to consent, and does not want a referral to be made) **must** be agreed at the level of Director (who should obtain suitable external advice).

Professional dilemmas and even disagreements are not uncommon in dealing with safeguarding matters. In addition to the above, advice or support in relation to safeguarding matters may be obtained from the any of the following:

* + Head of HR and Recruitment
	+ Corporate Services Manager
	+ Any member of the Safeguarding Group
	+ Compliance Team

MacIntyre has access to external expertise and advice in making difficult decisions.4 FLOWCHART: Procedure following allegations or suspicions of abuse

**ALERTER**

Ensure noimmediate danger to victim

Seek medical advice/treatment if needed.

Make notes and preserve any potential evidence if possible.

If not available contact On Call/

Area Manager/ Human Resources/

Head of Ops.

If all else fails, contact local authority safeguarding number directly.

Inform Front Line Manager (or Senior Manager)

Informs Area Manager, who informs Head of Operations

Could this be an allegation of abuse?

**Inform local authority** **safeguarding team with consent of alleged victim if appropriate**

**Follow local authority safeguarding procedures**

Attend Strategy Meetings as required and follow directions/findings.

Advocate for person to attend and to be kept at centre of process.

Outcome/decision of strategy meeting

**Implement agreed measures**

Debrief. Monitor.

Strategy for moving forward

Decide with the victim whether and who will inform family and any other agencies.

MacIntyre investigation and review

Area Manager investigates as service issue/complaint/poor practice keeping the person informed and at the centre

Keep victim informed.

Inform alerter that an appropriate investi-gation will take place

Inform care manager or commissioning authority.

Enter alert on Safeguarding Log

Inform appropriate regulatory body within 1 working day

Adopt ‘Investigation Guidance’

Contact Police if crime suspected (unless safe-guarding team has said it will do this).

Consider suspension of any suspected staff member

**YES**

**NO**

Action

Alternative action if needed

Decision box

Action box

**5 Disclosure Do's and Don'ts**

**Do:**

* Stay calm and try not to show shock
* Listen carefully
* Be sympathetic ("I am sorry that this has happened to you")
* Ask what they would like to happen next
* Be aware of the possibility of medical evidence
* Tell the person that:
* He/she did right to tell you
* You are treating the information seriously
* It was not his/her fault
* You are going to inform the appropriate line manager
* The service will take steps to protect and support them
* He/she will be involved in decisions about what will happen
* Report to your line manager
* Write down what was said by the person disclosing and yourself, noting date and time.

**Don't:**

* Press the person for more details
* Promise to keep secrets
* Make promises you cannot keep (e.g. "this will never happen to you again")
* Contact the alleged abuser
* Be judgemental (e.g. "why didn't you run away?")
* Break the confidentiality agreed with the alleged victim and your line manager (e.g. to other members of staff – "it's just awful, something terrible happened to…")

**6 Written records**

**Points to Remember:**

* Note down what the person actually says, using their own words and phrases. In some circumstances it would not be appropriate to take notes at the time the allegation is being made; make a written report as soon as possible afterwards
* In your written report, factual information should be clearly separated from expression of opinion
* Use a pen or biro with black ink if you possibly can
* Sign and date your report
* The Area Manager will complete the Safeguarding Log
* Be aware that your report and any written records may be required later as part of a legal action or disciplinary procedure
* During an enquiry phase it is particularly important that notes are kept on all interviews, telephone calls, information gathered. These must be kept in a separate confidential file.
* Consistent with principles and rules of fairness, confidentiality and data protection, records should be available to those adults affected by, and subject to, an enquiry.

**7 Local safeguarding contacts**

Every MacIntyre service must produce, and keep up to date, a document detailing local, corporate and national safeguarding contacts under the following headings:

* Referral – contact details for On Call, local authority Safeguarding Board, local police and CPS Public Protection Unit, A&E, pharmacy, NHS Direct, duty social worker
* How and where to access expert advice on safeguarding matters
* Services of support or redress – local contact details for organisations that might offer support and redress to people who have experienced abuse.

It is recommended that services use the template in Appendix 1 (available on My MacIntyre) for this document.**8 Safeguarding Assessment**

Every person receiving support from MacIntyre is entitled to have a safeguarding assessment. The purpose of the assessment is to assess their vulnerability to abuse, and to identify any additional measures that may be necessary to safeguard them over and above the ‘standard MacIntyre safeguards’. The recommended format for this assessment is the Safeguarding Assessment (available from the Safeguarding Noticeboard on My MacIntyre). This is a risk assessment, so it should be filed with risk assessments and listed on the person’s risk assessment schedule in order to ensure an annual review; a review should also be considered after every safeguarding alert.

**Standard MacIntyre safeguards**

The following safeguarding measures are in place at all MacIntyre services:

* All MacIntyre staff undergo a thorough recruitment procedure that meets or exceeds all statutory requirements
* Recruitment to the MacIntyre Profile, and MacIntyre’s value base, DNA and Great Interactions means that staff are selected and trained not to harm, and to protect, people supported
* Every person supported has a Communication Profile and/or Support Plan, which describes how the person may indicate concern or distress
* All staff are required to complete safeguarding training and the Health and Safety Induction Workbook before they are permitted to work unsupervised
* Staff receive training in physical intervention and behaviour that challenges (where required), and in other policies and procedures mentioned below
* MacIntyre has a robust Safeguarding Policy and Good Practice Guidance
* MacIntyre has a robust Whistleblowing Policy and procedures that are known to all staff
* In addition to our Safeguarding and Whistleblowing Policies and Guidance, a number of other MacIntyre policies and procedures contribute towards creating a safe environment for people supported
	+ Positive approaches to behaviour that Challenges Policy
	+ Complaints procedures
	+ Personal Relationships and Sexuality Policy
	+ Mental Capacity Act Handbook
	+ Supervision and Appraisal Policy
	+ Health and Safety Policy, risk assessment procedures, medication policy
	+ Person Centred Approaches Policy
	+ Performance management and disciplinary procedures
	+ Lone working and safe staffing level procedures
	+ Staff Code of Conduct
* The corporate Safeguarding Group advises and informs services on best practice about safeguarding matters.

**9 Safeguarding review**

At least annually each Area Manager should conduct a recorded review (for example at an area meeting) of safeguarding within the area, reviewing:

* Potential safeguarding alerts since the last review, and any learning points
* Awareness of safeguarding by the people we support, and how this can be further promoted
* Perceived disincentives to concerns being reported – by staff or people we support - and how these can be mitigated
* The take-up of safeguarding training, and staff’s awareness of their reporting responsibilities
* Relationships with local authority safeguarding teams and other relevant professionals involved in multi-agency working.
* Action points from the above.

Following the completion of the area safeguarding reviews, the Safeguarding Group will conduct an annual corporate safeguarding review in order to ensure consistency of approach and sharing of best practice across the organisation.

A summary of each review will be included as an appendix in the annual Safeguarding Report which is sent to the Directors.

**10 Safeguarding Group**

MacIntyre has set up a Safeguarding Group, whose purpose is ‘to ensure rigorous safeguarding practices are implemented throughout MacIntyre in order to minimise the risk of abuse to the people we support’.

The Group does this by

* Reviewing relevant policies and making recommendations
* Sharing learning and good practice around safeguarding
* Raising awareness of safeguarding across the organisation
* Monitoring and analysing safeguarding training
* Monitoring alerts and enquiries to ensure consistency and learning across the organisation

For further details see the flyer ‘Safeguarding Group’ (available from the Safeguarding Noticeboard on My MacIntyre).

The Group is chaired by the CEO of the Ann Craft Trust, a national charity committed to safeguarding disabled children and adults, with which MacIntyre works closely. This connection with ACT enables MacIntyre to keep up to date with policy, research and best practice about safeguarding.

The Group publishes The Safeguardian quarterly to keep you up to date.

**11 Safeguarding Log**

All Area Managers are required to maintain an accurate Safeguarding Log in the approved format and to submit this as directed to the Compliance Team. The Compliance Team maintains the corporate Safeguarding Log.

The log has 3 purposes:

* As a tracking tool to remind the area manager to go through all the necessary stages of a potential safeguarding issue
* As evidence (for our own records, and for external regulators) that we are following correct procedures in dealing with potential safeguarding issues
* To provide a common reporting system so that safeguarding information can be collated across the whole of MacIntyre in order for corporate monitoring of safeguarding to be undertaken.

Registered Managers should also maintain records of all safeguarding allegations within their service, including actions taken and outcomes, and make these available to CQC upon request.

**12 Safeguarding training**

All new operational staff are required to complete MacIntyre’s safeguarding e-learning training:

* Part 1 (Modules 1 and 2) before working unsupervised with people we support
* Part 2 (Modules 3 and 4) during the probationary period.

Front line staff are required to refresh this training (Parts 1 and 2) every 3 years (unless more frequent safeguarding training is required by the commissioner)

In the years when they have not completed the e-learning modules, staff will undertake an annual safeguarding competency review; those not achieving the required level may be required to re-complete the e-learning modules or other appropriate learning as agreed by line manager.

In many areas it is a requirement that staff attend training in the local authority’s safeguarding procedures in addition to MacIntyre’s own training.

Staff in non-operational roles who may come into contact with people we support are required to complete Part 1 of MacIntyre’s safeguarding e-learning training.

**Appendix: Key government initiatives and legislation**

* **Human Rights Act 1998**

This Act came into force in this country on 2 October 2000. It brings the rights outlined in the European Convention of Human rights into English law for the first time. The Act is designed to protect individuals from abuse by state institutions and people working for these institutions. BILD has developed an easy guide to the Human Rights Act and its implications for people with learning disabilities. [www.opsi.gov.uk](http://www.opsi.gov.uk)

* **Speaking Up For Justice 1998**

A report on the treatment of Vulnerable or Intimidated Witnesses in the Criminal Justice System with 78 recommendations for improvements to the criminal justice system including the reporting of crime, identification of vulnerable or intimidated witnesses, and measures to assist witnesses before, during and after the trial. [www.cps.gov.uk](http://www.cps.gov.uk)

* **Youth Justice and Criminal Evidence Act 1999**

The recommendations from Speaking Up For Justice that required legislative changes were incorporated into this Act. [www.opsi.gov.uk](http://www.opsi.gov.uk)

* **No Secrets 2000 (under review 2010)**

No Secrets gives guidance to local agencies who have a responsibility to investigate and take action when a vulnerable adult is believed to be suffering abuse. [www.dh.gov.uk](http://www.dh.gov.uk)

* **Achieving Best Evidence 2002/2006**

‘Achieving Best Evidence in Criminal Proceedings’ offers guidance for vulnerable or intimidated witnesses, including children. It covers the planning and conducting of interviews, witness preparation and support and witnesses in court. [www.cps.gov.uk](http://www.cps.gov.uk)

* **Sexual Offences Act 2003**

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**

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**

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](http://en.wikipedia.org/wiki/Vetting) process with criminal sanctions for non-compliance. [www.opsi.gov.uk](http://www.opsi.gov.uk)

* **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. [www.dca.gov.uk](http://www.dca.gov.uk)

* **Health and Social Care Act 2008**

Contains significant measures to modernise and integrate health and social care. The Act created the Care Quality Commission with tough new powers to ensure safe and high quality services. [www.dh.gov.uk](http://www.dh.gov.uk)

* **‘In Safe Hands’ guidance - Third supplement 2009**

This sets out the roles and responsibilities of CSSIW (Wales) in relation to other statutory bodies including local authorities who have the lead role in coordinating the development of local policies and procedures

in adult protection.

[www.nmc-uk.org/.../Safeguarding](http://www.nmc-uk.org/.../Safeguarding)

* **Adult safeguarding: statement of government policy 2011**

The purpose of this document is to set out the Government’s policy on safeguarding vulnerable adults. It includes a statement of principles for use by Local Authority Social Services and housing, health, the police and other agencies for both developing and assessing the effectiveness of their local safeguarding arrangements. [www.dh.gov.uk](http://www.dh.gov.uk)

* **Law Commission report on the law on Adult Social Care 2011**

This report makes recommendations for a single, clear, modern statute and code of practice that would pave the way for a coherent social care system. Under the reforms proposed in the report, older people, disabled people, those with mental health problems and carers will, for the first time, be clear about their legal rights to care and support services.[www.lawcommission.justice.gov.uk](http://www.lawcommission.justice.gov.uk)

* **Disclosure & Barring Service 2013**

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/dbs-update-service](http://www.gov.uk/dbs-update-service)

* **The Care Act 2014 – statutory guidance**

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. [www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation](http://www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation)

* **Making Safeguarding Personal Guide 2014**

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

[www.local.gov.uk/publications//journal\_content/56/10180/6098641/PUBLICATION](http://www.local.gov.uk/publications//journal_content/56/10180/6098641/PUBLICATION)

* [**Social Services and Well-being (Wales) Act 2014**](http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CCcQFjAB&url=http%3A%2F%2Fwww.legislation.gov.uk%2Fanaw%2F2014%2F4%2Fcontents%2Fenacted&ei=6EQZVeuOA46U7QbejICIBQ&usg=AFQjCNGAhKoWJh2yiJMIfnkFPEzpNGWY5g&bvm=bv.89381419,d.ZGU&cad=rja)

This act has provided a new legal framework for social care in Wales to engage with and empower citizens, to help them achieve independence and well-being, and where necessary, to obtain the support they need [www.**legislation**.gov.uk/anaw/**2014**/4/contents/en**act**ed](http://www.legislation.gov.uk/anaw/2014/4/contents/enacted)

* **Criminal Justice and Courts Act 2015**

This Act includesall formal adult social care provision including where care is self-funded. Separate offences will apply to an organisation and individual perpetrators (Ill-treatment or wilful neglect: care worker offence & Ill-treatment or wilful neglect: care provider offence).

[www.legislation.gov.uk/ukpga/2015/2/contents/en**act**ed](http://www.legislation.gov.uk/ukpga/2015/2/contents/enacted)