



Trefloyne Golf Course

Safeguarding adults at risk

**Our policy, procedures
and supporting documents**



Trefloyne Golf Course

Safeguarding adults: our policy

Trefloyne is committed to creating and maintaining a safe and positive environment for all individuals involved in golf. We fully endorse and adopt Wales Golf's policy and procedures on safeguarding adults, which form the basis of this document

The Social Services and Well-being Act 2014 (SSWBA) defines an adult at risk as an individual aged 18 years and over who:

- is experiencing or is at risk of abuse or neglect
- needs care and support, whether or not the authority is meeting any of those needs
- is unable to protect her/himself against the abuse or neglect or the risk of it, because of their personal needs.

The use of the term 'at risk' means that actual abuse or neglect does not need to have occurred, but that early interventions should be considered to protect an adult at risk of abuse, to prevent actual abuse and neglect.

We appreciate the encouragement and support of Wales Golf in developing the principles and practice that inform this policy and procedures document.

The principles behind safeguarding adults at risk

The SSWBA lays out these principles.

- Pay attention to what people want.
- Remember people's dignity.
- Think about each person and their culture, beliefs and language.
- Support people to be part of their decisions about their life.
- Expect adults to know what is best for themselves.
- Support adults to be as independent as possible.

The concept of well-being is a key principle in safeguarding, relating to maintaining personal dignity, support and inclusion.

In addition to the relevant legislation, the Wales Safeguarding Procedures (2019) spell out the ethical obligation to take action where there are concerns about an adult who may be at risk. This duty includes sharing the concerns with the relevant local authority (police or adult social care) regardless of the views of the adult at risk.

This means that any publicly funded golf club or activity supported by Wales Golf funding must report any concerns relating to an Adult at Risk. While this legal obligation does not extend to privately owned clubs and facilities, Trefloyne signs up wholeheartedly to Wales Golf's policy and procedures.

Making safeguarding personal is the concept that adult safeguarding should be person-led and outcome-focused. It engages the individual in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control, as well as improving quality of life, well-being and safety.

Wherever possible the person who hears of a safeguarding concern should discuss it with the adult at risk, to get their view of what they would like to happen and keep them involved in the safeguarding process. It is also important to seek their consent to share information outside the organization where necessary.

Capacity refers to the ability to make a decision at a particular time, for example when under considerable stress. It should always be assumed that a person has capacity to make a decision unless it can be established that they lack capacity. It is critically important that people are provided with information in a way and/or a format that they understand, in order to ensure informed decision making.

The principles of the Mental Capacity Act 2005 (MCA) state that every individual has the right to make their own decisions, and it provides the framework for this to happen. The Wales Safeguarding Procedures, like the Care and Support Guidance, make it clear that the adult who is perceived to be at risk must remain central to and involved in any decisions about how they are supported when addressing any safeguarding concerns, as long as they have the capacity and give their consent

Where concerns arise that capacity and consent are compromised (due to illness, disability, coercion and control for example), the MCA also provides a framework for situations where there is a risk of immediate or significant harm. This supports intervention and advocacy in order to safeguard and protect the most vulnerable.

In addition, Trefloyne recognizes and endorses the following principles. They underpin Wales Golf's work with groups and individuals who need support and protection.

- It is every adult's right to be protected from abuse irrespective of their age, gender identity, faith or religion, culture, ethnicity, sexual orientation, background, economic position, marital status, disability or level of ability.
- All staff and volunteers share the responsibility for the protection of adults at risk and will show respect and understanding for their rights, safety and welfare.
- We recognize the additional vulnerability of disabled adults (including those with invisible disabilities, learning and communication differences) is recognized.
- We take all allegations of abuse or concerns about the welfare of any adult seriously and respond to them swiftly and appropriately.
- Trefloyne recognizes the role and responsibilities of the statutory agencies for safeguarding adults and is committed to complying with the Wales Safeguarding Procedures and the procedures of the relevant Safeguarding Adults Boards.
- We maintain confidentiality appropriately and at all times. The adult's safety and welfare must be the overriding consideration when making decisions on whether or not to share information about them.
- All participants involved in golfing activities have the right to be listened to with respect and to be heard.

Legislation and guidance

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 Board's policy and procedures.

They take into account the following laws and guidance, which is a summary of a range of legislation detailed at the end of this policy document.

Legislation

- Wales - Social Services and Well-Being Act 2014 (SSWBA)
- England - Care Act 2014
- Protection of Freedoms Act 2012
- Domestic Violence, Crime and Victims (Amendment) Act 2012
- Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015
- Serious Crime Act 2015 (sections 67 and 76)
- Equality Act 2010
- Safeguarding Vulnerable Groups Act 2006
- England and Wales - Mental Capacity Act 2005
- Sexual Offences Act 2003
- Human Rights Act 1998
- Data Protection Act 1998
- General Data Protection Regulations 2016
- Counter-Terrorism and Security Act 2015
- Modern Slavery Act 2017

Statutory guidance

- The Wales Safeguarding Procedures (2019)
- England and Wales: Care and Support Statutory Guidance (updated July 2018)

The Wales Safeguarding Procedures spell out that anyone who has any knowledge, concerns or suspicions that a child or adult is suffering, has suffered or is likely to be at risk of suffer abuse, must ensure that those concerns are reported to Social Services or the police, who have statutory duties and powers to make enquiries and intervene when necessary.

The Wales Safeguarding Procedures make it clear that it must be reported, and that **this is a requirement and not a matter of discretion or personal choice.**

Fulfilling our responsibilities

Trefloyne supports Wales Golf in its promotion of the principles of safeguarding, so to prevent abuse and/or stop problems from escalating. We do this by:

- reviewing this policy and procedures document every three years, or whenever there is a major change in legislation, or Wales Golf changes its guidance
- giving guidance on appropriate recruitment procedures to assess the suitability of volunteers and staff working with vulnerable groups
- bringing this policy and procedures document to the attention of all staff, volunteers, coaches and club members, to facilitate the reporting of welfare concerns and allegations about the behaviour of adults
- directing staff, volunteers & coaches to appropriate safeguarding training and learning opportunities, where this is appropriate to their role.

A partnership approach – who does what

There is no legal requirement for Trefloyne, as a privately-owned entity, to be involved in adult safeguarding. However, doing what is right is not the same as doing the legal minimum, and we totally accept the moral responsibility for doing so and will play our part to the best of our ability.

At the core of our policy on safeguarding adults is the partnership between Trefloyne and Wales Golf. It is a partnership that recognizes:

- Wales Golf's professional experience and experience in managing the issues that arising from concerns in adult safeguarding, and its capacity to support and guide adults at risk who are the subject of those concerns
- Trefloyne's role in the process – to pick up concerns, treat them seriously and handle them in line with best practice guidelines.

Our philosophy is, that when dealing with something as critically important as adult safeguarding, there is no room for amateur intervention, however well-meaning. Mistakes, bad judgements and a lack of experience and insight could exacerbate existing problems and cause more harm.

So, in drawing up our procedures we have established a clear line between the things that we at Trefloyne can do well, and those things that depend on more professional involvement.

This means that Trefloyne's safeguarding procedures for adults at risk are different from those applying to children and young people, where parents and carers are involved and coaches, staff and volunteers work generally in more structured contexts.

Our procedures for safeguarding children involve Trefloyne's Safeguarding Lead, as the main point of reference at the golf course. So, anyone with a concern over a child's well-being or safety will generally approach our Safeguarding Lead first.

Adult safeguarding follows a more direct approach, and our procedures are clearly spelt out in this document. The key difference is that the person who has the concern takes it straight to the Wales Golf Lead Safeguarding Officer, although Trefloyne's Safeguarding Lead will always give initial advice and support if needed.

Safeguarding adults: our procedures

1 Complaints, concerns and allegations

- 1.1** You, as a staff member, volunteer, club member or coach, must bring any concerns to the attention of the Wales Golf Lead Safeguarding Officer without delay if you,
- are concerned about the welfare of an adult
 - see behaviours or attitudes that appear to be having a negative impact
 - become aware that abuse or poor practice is taking place
 - suspect that abuse or poor practice may be occurring
 - hear about something that may be abuse or poor practice
- 1.2** You do not need to decide whether abuse has occurred, and should not investigate. Your responsibility is simply to pass on their concerns and any relevant information. In the event of an emergency please call the police 999.
- 1.3** Trefloyne works with Wales Golf and other agencies to take appropriate action where concerns relate to potential abuse or serious poor practice. Trefloyne's disciplinary procedures will be applied and followed where possible.
- 1.4** Wales Golf handle all concerns in confidence, sharing information on a strict 'need to know' basis with those who can help to manage the concern.
- 1.5** If you learn of a concern, record the details on an Incident Report Form and contact the Wales Golf Lead Safeguarding Officer at 01633 436040. If they are not immediately available, contact the Trefloyne Safeguarding Lead for advice or, if you consider there is imminent danger of harm, get in touch with the police or social services. *The contact details are all in Section 5, on page 12.*
- 1.6** Safeguarding adults at risk requires everyone to be committed to the highest possible standards of openness, integrity and accountability. We support an environment where staff, volunteers, parents/carers and the public are encouraged to raise safeguarding concerns.
- Trefloyne and Wales Golf take all concerns seriously and support anyone who reports a legitimate concern, even if it later turns out to be unfounded.
- 1.7** When considering your concern, always consider the needs and wishes of the person at risk, and where possible clarify with them what it is they would like to have happen, in terms of support and interventions.

2 Responding to a disclosure of abuse

2.1 If an adult indicates to you that they are being abused, you should:

- stay calm
- take it seriously
- listen carefully to what is said, allowing the adult to continue at their own pace
- explain that it is likely the information will have to be shared with others- do not promise to keep secrets
- keep questions to a minimum, only ask questions if you need to identify/ clarify what the person is telling you
- take care to distinguish between fact, observation, allegation and opinion it is important that the information you have is accurate.
- reassure the person that they have done the right thing in sharing the information
- ask them what they think might help and what they'd like to happen next
- explain what you would like to do next and ask if they are happy for you to share the information in order for you to help them; as long as it does not increase the risk to the individual, explain that it is your duty to share your concern with the Wales Golf Lead Safeguarding Officer
- using the adult's own words record in writing what was said, as soon as possible – the Incident Report Form (*page 15*) is laid out to help you to record all the critical information needed.

2.2 Do not:

- dismiss the concern.
- panic, or show any signs of shock or distaste
- probe for more information than is offered.
- make promises that cannot be kept.
- carry out your own investigation
- make negative comments about the alleged perpetrator.

2.3 If the matter is urgent and relates to the immediate safety of an adult at risk, contact the police immediately; in that case complete an Incident Report Form and copy it to the Wales Golf Lead Safeguarding Officer within 24 hours.

3. Signs and indicators of abuse and/or neglect

3.1 Abuse can take place in any context and may be inflicted by anyone, and players, members, staff, volunteers or coaches may suspect that an adult is being abused or neglected outside Trefloyne.

There are many signs and indicators that may suggest someone is being abused or neglected, and these include but are not limited to:

- unexplained bruises or injuries
- inconsistencies between the account of what happened and the apparent evidence
- lack of medical attention when someone has been injured
- the person having belongings or money go missing
- the individual not attending / no longer enjoying their sessions; you may notice that a participant has been missing from practice sessions and is not responding to reminders or communications from team members or coaches
- someone losing or gaining weight, or having an unkempt appearance, possibly not wearing suitable clothing and/or a deterioration in hygiene
- a change in behaviour or confidence – for example, looking quiet and withdrawn when a specific individual comes to collect them from sessions, in contrast to their coach at Trefloyne whom they greet with a smile
- avoiding eye contact
- changes in posture and movement
- evidence or signs of self-harm
- an apparent fear of a particular group of people or individual
- them telling you or someone else, that they are frightened of someone or that someone is abusing them (a disclosure).
- Someone being harassed, picked on, bullied or teased heavily because they have, or are perceived to have, protected characteristics
- a coach not meeting the participant's needs – for instance, training without sufficient breaks or hydration.
- a coach intentionally striking a player or threatening to do so orally or through gestures
- one participant sending unwanted sexually explicit text messages to another
- one participant threatening another with physical harm and persistently blaming them for poor performance.

4. Seeking the consent of the adult at risk to share information

4.1 The Social Services and Wellbeing (Wales) Act 2014 guidance advises that the first priority in safeguarding is to ensure the adult's safety and well-being.

4.2 Adults have a general right to independence, choice and self-determination including control over information about themselves. However, the Wales Safeguarding Procedures makes it clear that there are some circumstances when we may need to take action without an adult's consent.

Sometimes an adult at risk may not want you to act on your concerns or their disclosure, perhaps because they are scared or fearful of the repercussions from you taking action, or because they are not aware abuse is taking place. Or perhaps they have not got the mental capacity to make an informed decision and do not understand that remaining in their current situation is unsafe.

Sharing your concerns with the right people is central to good practice in safeguarding adults.

4.3 When sharing information always follow these rules.

- 1 Seek advice if in any doubt.
- 2 Be transparent, unless doing so would place the person at significant risk of harm. The Data Protection Act (DPA) is not a barrier to sharing information but is there to ensure that personal information is shared appropriately.
- 3 Consider the public interest. Base the decision to share information on the well-being and safety of that person or others who may be affected by their actions.
- 4 Share with consent where appropriate. Where possible respond to the wishes of those who do not consent to share confidential information. However, in Wales you must still share safeguarding concerns and information without consent.
- 5 Keep a record of your decision and reasons to share or not share information.
- 6 Keep it accurate, necessary, proportionate, relevant and secure. Ensure that all information shared is accurate, up-to-date, necessary and share with only those who need to have it.

4.4 It is appropriate to report concerns without an adult's consent when:

- you have reason to believe the adult's health and or wellbeing will be adversely affected by ongoing harm
- other people, including children, are or may be, at risk from the person causing harm
- it is necessary to prevent a crime, or a serious crime has been committed.
- sharing the information could prevent a crime and help to stop abuse.
- the adult may be under duress or being coerced.
- the alleged abuser has care and support needs and may also be at risk
- individuals in a position of trust are implicated
- it appears that the adult lacks the mental capacity to make that decision
If so, you must seek guidance from the Wales Safeguarding Lead Officer.

- 4.5** Contact the Wales Golf's Safeguarding Team for support and advice and follow these procedures. Do not wait until you are certain or because you:
- are concerned that the referral is a breach of trust
 - wish to retain control and manage the situation locally
 - fear actual or perceived threats from someone's family and or community
 - identify with or have a connection with those who may be negatively impacting the adult at risk
 - are worried that the report will not be taken seriously
 - are fearful that the report will result in considerable distress for the adult at risk and others, while no meaningful help and support will be provided because of lack of resources
 - find yourself looking for excuses for the behaviour and/or justifying potentially abusive behaviours
 - wonder whether a particular form of abuse or neglect might be classed as 'normal' because of the commonality of a particular situation
 - believe or suspect that the behaviour may be acceptable in a particular culture or religion
 - feel over-optimistic about a situation seeing it as a one-off or accident;
 - doubt that professionals or those in higher socio-economic groups can perpetrate abuse or neglect
 - have been reassured by an abuser they have/will change and/or engaged with services.
- 4.6** We do not expect staff, coaches or volunteers to support an adult they feel to be vulnerable or at risk, as the adult is deciding what to do, Instead, we expect them without delay to inform Wales Golf, who can clearly define the various options to help support the adult at risk and make a decision about their safety. As long as it does not increase the risk to the individual, it is their duty to share their concern with the Safeguarding Lead Officer, without delay.
- 4.7** Adults may not want you to share safeguarding information outside Trefloyne, for a number of reasons. For example, they may be unduly influenced, coerced or intimidated by another person, they may be frightened of reprisals, they may fear losing control, they may not trust social services or other partners or they may fear that their relationship with the abuser will be damaged. Reassurance and appropriate support may help to change their view on whether it is best to share information.

4.8 If the adult is reluctant to allow information to be shared, consider:

- exploring the reasons for their objections, and what they are worried about
- explaining why you think it is important to share the information
- telling the adult who it is that you will be sharing the information with and why it is in line with Wales Golf and national safeguarding procedures
- providing reassurance; explain the benefits to them or others, of sharing information – perhaps they could access better help and support
- discussing the consequences of not sharing the information; perhaps someone else could come to harm
- reassuring them that the information will not be shared with anyone who does not need to know
- reassuring them that they're not alone and that support is available to them.

4.9 You should always advise the adult at risk that you must seek the support and advice of the Wales Golf Safeguarding Lead Officer, unless to do so might increase immediate risk to the, either through their own actions, including suicidal actions, or because of possible disclosure to and action by the alleged abuser.

You should reassure the adult that they will be fully included on what happens.

4.10 In general, always contact the Wales Golf Safeguarding Lead Officer for advice and support. But in exceptional circumstances, if you need to support the adult but cannot contact the Wales Gold Safeguarding Lead, it might mean you must make a referral to the statutory agencies without their consent, including but not limited to when:

- emergency or life-threatening situations may warrant the sharing of relevant information with the emergency services without consent
- other people – including children – are or may be at risk
- a serious crime has been committed or may be prevented.

4.11 It is important to keep a careful record of the decision-making process and to seek guidance from the Wales Golf Safeguarding Lead Officer. If the decision is made to take action without the adult's consent, unless it is unsafe to do so it should be explained to the adult that this is being done, with the reasons why.

5. Useful Contacts

Golf contacts		
Name	Address	Contact Details
Wales Golf Lead Safeguarding Officer	Siân Simmons, Wales Golf Catsash, Newport NP18 1JQ	01633 436040 Sian.simmons@walesgolf.org
Wales Golf Deputy Safeguarding Officer	Linda Stokoe, Wales Golf Catsash, Newport NP18 1JQ	01633 436044 Linda.stokoe@walesgolf.org
Trefloyne Safeguarding Lead	Graham Willcocks	07484 874 840 gtw1947@btinternet.com

Local contacts		
Pembrokeshire County Council: Safeguarding Adults	Adult Safeguarding Team Social Services out of hours Contact Centre	01437 776056 0300 333 2222 01437 764551
Police	Emergency: 999 Non-emergency: 101	Pembrokeshire County Council County Hall Haverfordwest Pembrokeshire SA61 1TP
NSPCC	0808 8005000	
Domestic abuse helpline	0808 8010800 0300 7900126	
Care Inspectorate Wales	0800 1111	
Childline		
National Contacts		
Ann Craft Trust	Website: www.anncrafttrust.org	email: ann-craft-trust@nottingham.ac.uk Telephone: 0115 951 5400
Samaritans		08457 90 90
NSPCC	Laura Whapham	Telephone: 02920 334975 email: laura.whapham@nspcc.org.uk Mobile: 07766 802832
Child Protection in Sport Unit	Cerri Dando	Email: cerri.dando@nspcc.org.uk

6 Guidance on someone's capacity to make decisions

The Mental Capacity Act 2005 (MCA) is about making sure that people over the age of 16 have the support they need to make as many decisions as possible. It also protects people who need family, friends, or paid support staff to make decisions for them because they lack capacity to make specific decisions.

One of the MCA principles is that every individual has the right to make their own decisions. And to make a decision we need to:

- understand information
- remember it for long enough
- think about the information
- communicate our decision.

The individual needs the capacity to make a decision, and the issue of capacity or decision making is a key one in safeguarding adults. So, it is useful to have an overview of the concept of capacity.

We make many decisions every day, often without realising. We make so many decisions that it's easy to take this ability for granted. But some people are only able to make some decisions, and a small number of people cannot make any at all. Being unable to make a decision is called "lacking capacity".

A person's ability to make decisions may be affected by things like learning disability, dementia, mental health needs, acquired brain injury, and physical ill health.

For example, these are some examples that demonstrate how the timing of a question can affect the response.

- A person with epilepsy may not be able to make a decision following a seizure.
- Someone who is anxious may not be able to make a decision at that point.
- A person may not be able to respond as quickly if they have just taken some medication that causes fatigue.

In each of these examples, it may appear as though the person cannot make a decision. But our ability to make decisions can change over the course of a day, so later, presented with the same decision, they may be able at least to be involved.

The MCA recognizes that capacity is decision-specific, so no one will be labelled as entirely lacking capacity. It also recognizes that decisions can be about big life-changing events such as where to live, or equally about small events such as what to wear on a cold day.

To help you to understand the MCA, consider these five points.

1. Assume that people are able to make decisions, unless it is shown that they are not. If you have concerns about a person's level of understanding you should check this with them, and if applicable with the people supporting them.
2. Give people as much support as they need to make decisions. You may be involved in this – you might need to think about the way you communicate or provide information, and you may be asked your opinion.

3. People have the right to make unwise decisions. The important thing is that they understand the implications. If they understand the implications, consider how risks might be minimised.
4. If someone is not able to make a decision, then the person helping them must only make decisions in their "best interests". This means that the decision must be what is best for the person, not for anyone else. If someone was making a decision on your behalf, you would want it to reflect the decision you would make if you were able to.
5. Find the least restrictive way of doing what needs to be done.

Remember these key points

- If any person has knowledge, concerns or suspicions that an adult is suffering, has suffered or is likely to be at risk of abuse, it is their responsibility to ensure that the concerns are referred to social services or the police who have statutory duties and powers to make enquiries and intervene when necessary. The Wales Safeguarding Procedures make it clear that this is not a personal choice and the Wales Golf Safeguarding Lead can support you to do this.
- The obligation to take this action does not preclude working respectfully and in partnership with the person and enabling them to feel that they have some control and influence over decisions affecting them.
- You should not discriminate or make assumptions about someone's ability to make decisions, and you should not pre-empt a best-interest's decision merely on the basis of a person's age, appearance, condition, or behaviour.
- When it comes to decision-making, you could be involved in a minor way, or asked to provide more detail. The way you provide information might influence a person's ultimate decision. A person may be receiving support that is not in line

Other relevant policies

This policy should be read in conjunction with the following Wales Golf policies.

- Whistle Blowing
- Social media
- Complaints
- Disciplinary
- Equality, diversity and inclusion.

There are also relevant sections in Trefloyne's policies and procedures on Bullying, Whistle blowing, Social Media, and Photography and videoing. These are all available in the Trefloyne Policy on Safeguarding children and young people, on the Trefloyne website at www.Trefloyne.co.uk



**WALES GOLF
INCIDENT REPORT FORM**

Recorder's Name:	
Address:	
Post Code:	Telephone No:

Name of Identified Adult:	
D.O.B:	
Address:	
Post Code:	Telephone No:

Person making the referral:	
Role:	
Address:	
Post Code:	Telephone No:
Email:	

Details of the concerns/allegations: [include: date; time; location; and nature of the incident.]

<p>Club/Event:</p> <p>Safeguarding Lead Name and Contact details:</p>
<p>Additional information: [include: witnesses; corroborative statements; carer information where appropriate etc.]</p>
<p>Have you discussed your concerns with the adult? What are their views?</p> <p>If you haven't spoken to the adult, please explain why.</p>
<p>Wales Golf notified (01633 436040) Case Number (if allocated):</p> <p>Name of person spoken to:</p> <p>Date: Time:</p>
<p>Action taken:</p> <p>Date: Time:</p>
<p>Signature of Recorder:</p> <p>Signature of Referrer:</p>
<p>Data protection:</p> <p>Wales Golf may use the information in this form (together with other information they obtain as a result of any investigation) to investigate the alleged incident and to take whatever action is deemed appropriate, in accordance with their Safeguarding Adults Policy and Procedures.</p> <p>Strict confidentiality will be maintained and information will only be shared on a "need to know" basis in the interests of safeguarding. This may involve disclosing certain information to a number of organizations and individuals including relevant clubs and County bodies, individuals that are the subject of an investigation and/or Statutory agencies such as the Police and Adult Social Care.</p>

7 Guidance on types of harm

SSWBA recognizes 5 categories of abuse that may be experienced by adults.

1. Physical
2. Sexual
3. Psychological
4. Neglect
5. Financial

The explanations below are not exhaustive, and are for guidance only.

The bottom line is that it you do not need to be 100% sure that a concern meets a threshold for abuse, or even which category (or categories) it falls into.

What matters is that you should take action as soon as concerns arise, as waiting until you are certain that harm has occurred often leads to very poor outcomes.

Physical

Including hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.

Sexual

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.

Emotional or Psychological

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.

Neglect and acts of omission

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.

Financial or Material

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.

8 More forms of harm or abuse

The Care Act 2014 and wider UK legislation identify a range of categories of abuse not included in Social Services and Wellbeing (Wales) Act 2014. These expand upon the above definitions of abuse where they take place in differing contexts. They are also relevant to safeguarding adults in sport and physical activity and include:

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.

Modern Slavery / Human Trafficking

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

Domestic Abuse and coercive control

Including psychological, physical, sexual, financial and emotional abuse. It also includes so called 'honour' based violence. It can occur between any family members.

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.

Organizational / Institutional

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 organization.

Exploitation

Is the deliberate maltreatment, manipulation or abuse of power and control over another person; to take advantage of another person or situation usually, but not always, for personal gain from using them as a commodity. It may manifest itself in many forms including slavery, servitude, forced or compulsory labour, domestic violence and abuse, sexual violence and abuse, or human trafficking.

Hate crime

Is any incident which constitutes a criminal offence perceived by the victim or any other person as being motivated by prejudice, discrimination or hate towards a person's actual or perceived race, religious belief, sexual orientation, disability, political opinion or gender identity.

There are additional definitions which, whilst not included in legislation, interface with adult safeguarding:

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.

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 the latter both parties consent to the assistance of a third party in identifying a spouse. The Anti-social Behaviour, Crime and Policing Act 2014 makes it a criminal offence to force someone to marry. The forced marriage of adults with learning disabilities occurs when the adult does not have the capacity to consent to the marriage.

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.

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.

9 Legislation and government initiatives, with links for further information

Wales - Social Services and Well Being Act 2014

<http://www.legislation.gov.uk/anaw/2014/4/pdfs/anaw20140004en.pdf>

Reforms and integrates social services' law-making provisions for improving well-being outcomes for people who need care and support. Requiring coordination and partnership by public authorities to improve well-being. It replaces *No Secrets* and puts adult safeguarding on a statutory footing.

England - Care Act 2014 – statutory guidance

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

This Act introduces new responsibilities for local authorities. It 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.

Protection of Freedoms Act 2012 <http://www.legislation.gov.uk/ukpga/2012/9/contents/enacted>

The act brought about a wide range of measures, regarding numerous areas of law. Notably changes to the vetting and barring system to create the Disclosure and Barring Service.

Domestic Violence, Crime and Victims (Amendment) Act 2012

<http://www.legislation.gov.uk/ukpga/2012/4/contents/enacted>

This creates the offence of causing or allowing the death or serious harm of a child or adult at risk for those within the household.

Serious Crime Act 2015

<https://www.gov.uk/government/collections/serious-crime-bill>

This act addresses increasing safeguarding and criminal concerns about sexual communications with children and young people (Section 67) and coercion and control (section 76). It creates an offence in relation to controlling and coercive behaviour in an intimate or family relationships and this can be a critical issue in undermining an individual's ability/capacity to give or withhold informed consent and/or to recognize themselves as being at risk or abused.

Equality Act 2010

<https://www.legislation.gov.uk/ukpga/2010/15/contents>

This protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws, making the law easier to understand and strengthening protection in some situations. It identifies nine protected personal characteristics which may put individuals at increased risk of abuse, disadvantage or discrimination. Safeguarding concerns may arise where it is indicated that one or more of the following personal characteristics have been a factor.

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Gender
- Sexual orientation

Children and Families Act 2014

<https://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>

This act aims to improve services for vulnerable children and young people and to reform the systems for adoption, looked-after children, family justice and special educational needs. It is relevant to adult protection because it extends the support, resources and protection available to those who are transitioning into adulthood, such as care leavers, those with a recognized disability. This legislation extends the rights of those aged over 18 to remain in supported households with their former foster carers until their 21st birthday and for those with special educational needs or disability to access additional protection and support up to age 25.

England & Wales - 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

Sexual Offences Act 1956 <https://www.legislation.gov.uk/ukpga/Eliz2/4-5/69/contents>

This consolidated the law relating to sexual offences committed between 1957 and 2004. It was mostly repealed by the Sexual Offences Act 2003, but sections 33– 37 are still active.

Sexual Offences Act 2003

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

This act introduced a number of new offences concerning adults at risk and children. 'Position of Trust' is a legal term referring to roles and settings where an adult has direct and regular contact with and responsibility for a child or individual who may be additionally vulnerable.

These positions create power imbalances and potential dependency (for example, teachers, nurses, care workers, social workers). Positions of trust are not yet legally covered in the sport sector, but all recognized sports governing bodies and the NSPCC continue to campaign to have this loophole closed. Under current safeguarding policies and procedures Wales Golf will always seek support and advice from the statutory agencies, in relation to concerns arising about staff, volunteers or coaches who hold a position of responsibility in relation to vulnerable groups.

Human Rights Act 1998 <https://www.legislation.gov.uk/ukpga/1998/42/contents>

Designed to incorporate into UK law the rights contained in the European Convention on Human Rights. The Act makes a remedy for breach of a Convention right available in UK courts, without the need to go to the European Court. In particular, the Act makes it unlawful for any public body to act in a way which is incompatible with the Convention, unless the wording of any other primary legislation provides no other choice.

Data Protection Act 2018 (including General Data Protection Regulations 2016) 2018 Act <http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

GDPR <https://eur-lex.europa.eu/legalcontent/EN/TXT/PDF/?uri=CELEX:32016R0679&from=EN>

The original 1998 DPA was superseded in May 2018. The new Act supplements the General Data Protection Regulation (GDPR), which came into effect later the same month. The act is designed to protect personal data stored on computers or on paper. It regulates collection, storage, and use, and gives individuals the legal right to control information about themselves. No current UK legislation, including GDPR, precludes the sharing of information where there are safeguarding concerns as to the prevention of harm and safeguarding of the most vulnerable in society (children and adults at risk) is actively recognized and supported as the primary consideration in all cases.

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.

Modern Slavery Act 2015 (updated 2017) <https://www.gov.uk/government/collections/modern-slavery> <https://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>

This Act sought to address increasing concerns around criminal exploitation, human trafficking and slavery, servitude and forced/compulsory labour in the UK. This is an increasing issue and it is important to note that this can look very varied in terms of how an individual may be harmed or exploited (such as agricultural work, domestic work, nail bars etc.). The consent of a person (whether an adult or a child) to any of the acts alleged to constitute holding the person in slavery or servitude, or requiring the person to perform forced or compulsory labour, does not preclude a determination that the person is being held in slavery or servitude, or required to perform forced or compulsory labour.

Counter-Terrorism and Security Act 2015

<https://www.gov.uk/government/collections/counter-terrorism-and-security-bill#:~:text=The%20Counter%2DTerrorism%20and%20Security%20Act%20contains%20powers%20to%20help,then%20return%20to%20the%20UK>

This act contains powers to enable the UK to respond to extremism, radicalisation and terrorism. The 'Prevent' strategy and anti-radicalisation statutory responsibilities sit under this legislation. It is increasingly apparent that many of those who have become radicalised have been identified as vulnerable (isolated, Autistic spectrum, communication differences, socially and educationally disadvantaged) and then targeted and groomed. Concerns should be responded to as a safeguarding issue at the earliest possible opportunity to ensure that an adult at risk is supported, protected and prevented from becoming radicalised and criminalised. Any immediate risk of significant harm to the individual or others however must be immediately reported to the police.

Deprivation of Liberty Safeguards (DoLS)

<https://www.gov.uk/government/collections/dh-mental-capacity-act-2005-deprivation-ofliberty-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/organizations/disclosure-and-barring-service/about>

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

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.