

Keeping you safe from harm and abuse and What happens when you report abuse

Guidance for Wales

February 2012



This is an Easy Read version of:

Wales Interim Policy and Procedures for the protection of vulnerable adults from abuse. Summary Version 2011

Commissioned by the four Adult Fora in Wales

Funded by Welsh Government

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This document has been produced from a vulnerable adult's point of view so they can understand more about keeping safe from harm and abuse.

A definition of a vulnerable adult is on page 6.



You may like to have someone to support you when you read this document.



There are some difficult words in this document. We have put what these words mean in boxes.



This document was made into Easy Read by Learning Disability Wales using Photosymbols 4 and in consultation with members of Rhondda Cynon Taff People First



Introduction



There are 4 Adult Protection Forums in Wales. They have written some guidance to help keep vulnerable adults safe from harm and abuse.

The guidance covers all of Wales.

Keeping adults safe from abuse is called **safeguarding**.

The guidance is for people and agencies who provide services to vulnerable adults including:



- social services
- health
- voluntary organisations and charities
- **advocates**

This is someone who speaks up on your behalf.



- private organisations
- police
- **Crown Prosecution Service**

When the police think someone has done a crime, the **Crown Prosecution Service** decides if that person must go to court.



- schools and colleges
- fire and ambulance services
- **Care and Social Services Inspectorate for Wales (CSSIW).**

The **Care and Social Services Inspectorate for Wales** check the quality of care you get.



This is an Easy Read version of the summary document:

Wales Interim Policy and Procedures for the protection of vulnerable adults from abuse.
Summary Version 2011.

This Easy Read Version tells you:



- how you will be supported to keep safe from harm and abuse



- the 5 types of abuse
- who might abuse you



- where abuse might take place
- who you should tell if abuse happens
- what happens when you report abuse. This includes **10 steps**.



- what you should expect from people and organisations after you have reported abuse.



The Welsh Government have said they will introduce a new law called the 'Social Services (Wales) Bill 2012.



This law will include ways to make sure vulnerable adults are protected from abuse.

They will also change the guidance called 'In Safe Hands' and make it better.

Who is a Vulnerable Adult?

A Vulnerable Adult is a person over 18 years old who is, or may be, in need of community care services because of their:

- learning disability
- physical disability
- sensory disability
- mental health
- illness
- age
- misuse of alcohol or drugs.



A vulnerable adult has problems protecting him or herself against harm, abuse or being taken advantage of.

How should you be supported to keep safe from harm and abuse?

You have a right to:



- **choice** – the right to make choices and have information so choices can be made



- **independence** – the right to live your life by making your own decisions, including taking risks

- **dignity and respect** – being treated as an individual and being valued



- **equality** – to be treated equally to others
- **privacy** – for you and your things to be kept to yourself.

What this means



- If you report abuse you should be believed.
- Your needs and wishes should be listened to.



- You have a right to information on your rights and services.
- You have a right to be supported when you have reported abuse.



- If **you do not have mental capacity** to make your own decisions about keeping yourself safe, you can have someone to speak on your behalf.

This is called an **Independent Mental Capacity Advocate** .



- If **you have the mental capacity** to make your own decisions about keeping yourself safe, you have a right to refuse help. But this may mean that you are at risk of further harm or abuse.

A definition of **mental capacity** is on page 11.



- You have rights and protection of the law.



- Family carers have a right to have their needs met.

- Staff should have training so they know about the safeguarding guidance.



- Staff should understand abuse, how people may be at risk from harm and work to make sure it does not happen.

- Staff have a duty to report concerns of abuse.



- All agencies should work together and with the vulnerable adult and their family.



- The person who has abused must have their rights respected.



- If the person who has abused is a vulnerable adult themselves, they have a right to be supported and have an independent advocate if they want.

What is Mental Capacity?



Having mental capacity means being able to make your own decision about something.

Some people may not have the mental capacity to make certain decisions.

A person is not able to make a decision if they are assessed as not able to do any of the following:



- understand the information they need to make the decision

- keep hold of the information

- use the information as part of the decision



- tell someone their decision.

The Mental Capacity Act 2005 supports and protects people who are not able to make decisions. It says that:



- start by thinking that everyone can make their own decisions
- checking capacity is based on the decision at that time, not the person's condition
- the person should be supported to make a decision before assessment of capacity is given. This may include giving someone Easy Read information
- capacity should not be based on someone else thinking the decision is wrong or bad



- decisions about capacity will be in the person's best interests.



What is Consent?



Consent means saying yes or agreeing to something.



The law says that people should start thinking that adults can agree or not agree to something.

Some vulnerable adults may not have the capacity to give consent which means they are at risk of abuse or harm.

Why is mental capacity and consent important?



Mental capacity and consent are important because some people might not understand:

- what decisions need to be made, or they may not be able to consent. For example, saying yes or no
- what abuse is, what has happened to them and how it could affect them
- what they can choose to do if they have been abused and what might happen if staff take the matter further to stop abuse happening again

What is abuse?



Abuse is when someone hurts you or treats you badly.

Abuse is always wrong and should not happen. It is never your fault.



Abuse can happen once or many times and can include different types of abuse.

Sometimes abuse can get more serious the more it happens.



The person who abuses you may make it hard for you to report what is happening.

They may tell you it is a secret, or that they will hurt you if you speak up. So you may be scared to speak out or to stop them.



Abuse may result in harm to you or someone else.



Abuse can be against the law.



If you are abused, you may feel frightened, unhappy, angry or confused.

There are 5 different types of abuse



Physical abuse

Physical abuse is when somebody does something on purpose to hurt you and it results in pain or suffering.

For example:

- hitting you
- kicking you
- burning you
- pushing you
- holding you down
- forcing you to do something you do not want to do.



Sexual abuse



Sexual Abuse is when you do not want to take part in a sexual activity.

Sexual abuse may happen even when you have said no.



Sexual abuse may happen if you are not able to give your consent because you do not understand what is happening.

Sexual abuse is when someone touches your body or your private parts in ways **you do not want or like**. This includes:



- having sex with you
- touching your private parts
- making you touch them
- looking at people having sex in magazines, films or the Internet.

Emotional abuse

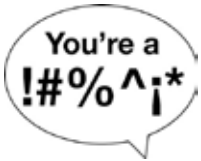


Emotional abuse is when people say bad things to you and they hurt your feelings and they make you feel frightened.

This is often known as bullying.

This includes:

- teasing you
- threatening you
- swearing at you
- shouting at you
- ignoring you
- putting you down.



Financial abuse



This is when someone takes your money or things that belong to you or spends your money on things you do not want. This includes:



- stealing your money or things you own
- buying things with your money that you do not want or things that are really for them



- not giving you your money for things that you need
- not paying bills for you
- taking loans out in your name.



Neglect

This is when people who are meant to support and care for you do not do it properly. For example:

- not giving you enough food



- not keeping you warm and safe

- not giving you your medicine or giving you too much



- not taking you to the doctor when you are ill

- stopping you seeing your friends and family.

Other types of abuse

There are other types of abuse but all of them include one or more of the 5 types listed.

Hate crime and discrimination



This is a crime that you or someone else thinks took place because of bad feelings or hate towards you because you are different.



Domestic abuse

This is when someone in your family abuses you.



Institutional abuse

This is abuse in care homes or hospital caused by the way they are run.



Forced marriage

This is when you are forced to get married to someone and you do not want to.



Abuse by someone you do not know

Knowing about other types of abuse can help in preventing abuse and knowing what to do if abuse happens.

Who might abuse you?

Most people will not abuse you, but anyone could.

It could be:



- someone who works with you such as a support worker, nurse or social worker



- someone in your family



- a friend or neighbour



- a stranger



- another vulnerable adult.

Where might abuse happen?

Abuse can happen any where and at any time.

It can happen:



- in your own home or someone else's home



- in your care home

- at your day centre

- at college



- in hospital

- at a club or advocacy group



- when using transport.

Who can I tell if I am being abused?

If any of these things happen to you or your friends, you should always tell someone you know and trust. You could tell:



- a member of staff



- someone in your family
- your social worker or care worker



- your doctor



- a friend or neighbour
- an advocate



- the Police.



By telling someone about the abuse, you can stop it happening to you.



Staff may see the abuse happening to you or they may suspect abuse is happening to you.

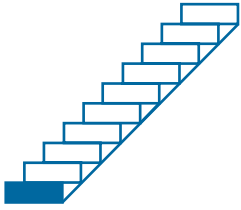


You might not want them to tell anyone but they have to report it to their manager. They have to tell you that they will be reporting it.



Your family carers may see changes in you and are concerned you might be being abused. They should report this to social services or the Police.

What happens when you report abuse?



Step 1: Alert

This is when the reported abuse is first known about

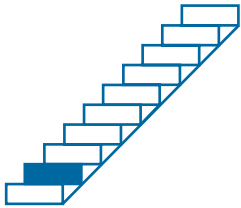
If the abuse is serious such as you are badly hurt or the law has been broken:



- you may need to be seen by a doctor. You will be asked if you agree to this

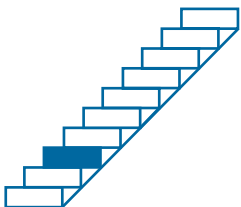


- the Police will be called.



Step 2: Referral

This is when Social Services, Health or the Police are told about the reported abuse

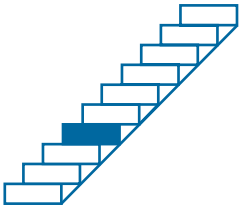


Step 3: First Evaluation

This is when it is decided if the reported abuse needs to be looked into.



A senior manager from social services or health will see how the abuse you reported will be looked into.



Step 4: Strategy Discussion

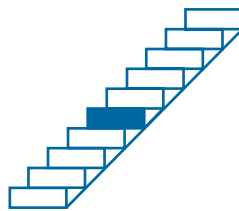
This is when people check what action is needed



A senior manager from social services or health will meet with other organisations and the Police to see if

- anything needs to be done
- or a crime has been committed.

They will decide if there is a risk to you or other people and how to keep you safe.



Step 5: First Strategy Meeting

This is when a meeting is held to decide what action to take



Within 7 working days (not Saturday or Sunday) of the abuse being reported a meeting will be held to decide if:

- the abuse needs to be looked into further and
- what action to take.

You will not be invited to the first meeting

This meeting will:



- look at the risks to you and take action to keep you safe. This will be written in an **Individual Protection Plan**

- decide whether the abuse happened or not



- decide what happens to the person who has abused you

- decide what actions to take where the abuse took place, so it does not happen again

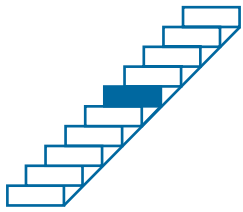


- you can ask for an advocate, if you need one.

There may be more than 1 strategy meeting so the reported abuse is fully looked into and actions made are reviewed.



You should be invited to further meetings if they are needed.



Step 6: Investigation

This is when the reported abuse is looked into.



If the reported abuse might be a crime the Police will look into it.

You may need to tell the Police about what has happened to you.

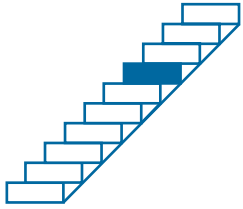


If there is enough evidence about the abuse, the person accused of the abuse may be charged with an offence and may have to go to court.



If the reported abuse is not a crime social services and other agencies will carry out an Investigation.

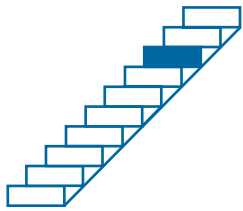
This is where they find out as much as they can about the abuse and what happened.



Step 7: Further Strategy Meetings



You may be invited to attend some or all of the meeting. Your family, support worker or an advocate may come if you want them to.



Step 8: Case Conference

This meeting involves you.

This meeting involves you and the relevant agencies and is to:



- share and talk about what the Investigation has found out
- decide how to keep you safe.



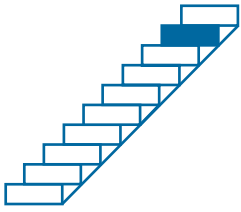
You can bring someone along to the meeting. This may be a member of your family or your **Advocate**.

An **Advocate** is someone who speaks up on your behalf.

The meeting should make sure you are:



- fully involved and
- they meet your needs.



Step 9: Review

This is when the case is looked into to see how it went.

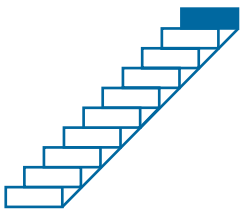


Your **Individual Protection Plan** will be looked at and changes made if needed. This plan looks at how to keep you safe.



This will happen within 6 weeks of the Case Conference. The case will then end.

However, the case may have finished earlier if it was decided the reported abuse did not need to be looked into.



Step 10: End of Case

This is when everything has been done and the case is now closed.

What you should expect from people and organisations during the 10 steps



Your family will:

- help with finding out what has been going on



- be given information about what is happening



- be kept involved.

Your family will help you during the process unless a member of your family is the person who has been accused of abusing you.

Social Services will:



- listen to you and give you time to talk
- take what you say seriously



- find out everything that has happened and write it all down



- help you stay safe
- give you help and support

- ask if you agree to information being shared with other organisations who need to know

- make sure you can contact them if you want to



- tell you, your family or advocate what they are going to do about it



- give you information about what is happening during the process

- assess you on whether you can make your own decisions or not



This is called **Mental Capacity**

- assess you on whether you have the capacity to agree to certain things.

This is called **Consent**

If you have an advocate they will:



- be fully trained on protection of adults from abuse and know the process on what happens when abuse is reported

- help you when the abuse is looked into



- support you to understand what is happening
- make sure your voice is heard
- an **Independent Mental Capacity Advocate** may be asked to support you if you do not have mental capacity.



If it is decided the abuse is a crime, the Police will:

- make sure that it is easy for you tell them what has happened
- you can have someone with you
- they may video you when you are being interviewed.



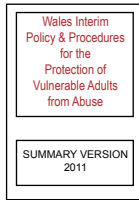
If it is decided that the offender will be charged, you will have to give evidence in court.

The Crown Prosecution Service will help you do this. They will:

- make sure that you get the help you need if you have to tell them what happened in court.

For example, if you need help to talk or say what you think you can have help from an independent person

You can get more copies of this Easy Read version from your local social services department.



You can get copies of the '**Wales Interim Policy and Procedures for the protection of vulnerable adults from abuse**, Summary Version 2011', from your local social services department.



You can get the Easy Read document '**Supporting Victims and Witnesses with a learning disability**, July 2009' from:



02920 803800



http://www.cps.gov.uk/publications/docs/supporting_v_and_w_with_a_learning_disability_easy_read.pdf



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