




ENGLAND NETBALL	
Safeguarding Adults at Risk in Netball Policy	
  Endorsed by  <small>Registered charity Registered charity numbers 216401 and SC037717</small>	Responsible Officer Safeguarding & Welfare Manager
	Group Owner Executive Team
	Date Created / Modified January 2022
	Version 1.3
	Review Date January 2024
	Applicable for
Summary	This Policy sets out England Netball's approach to fulfilling its commitment to creating and maintaining a safe and enjoyable environment for adults at risk, who take part in the sport of netball. England Netball requires all members, connected participants and staff to abide by this Policy and all relating procedures and practice.

Version Control:

Person Responsible	Version and summary of changes	Date
Safeguarding & Welfare Manager	Updated Standard Policy Format. Role Responsible update Additional of Types of Abuse Addition of emphasis that Safeguarding is Everyone's responsibility. Additional Links to Policy/procedure documentation	January 2022

CONTENTS

1. Purpose and Scope
2. Definitions
3. Legislative Framework
4. Types of abuse?
5. Roles and responsibilities
6. Duty of care
7. Wellbeing
8. Links to Support
9. Contact England Netball
10. Policy Review
11. Legislation & Government Initiatives

PURPOSE AND SCOPE

England Netball is committed to creating and maintaining a safe and positive environment and ensuring Netball is an inclusive sport to be enjoyed by all.

This policy applies to all staff and Board members of England Netball. This policy also applies to all players, coaches, volunteers, members, contacted participants and individuals involved in any other role within Netball. This policy is expected to be followed by all; whether at an England Netball organised competition, internationally or a locally organised competition in a region or county; whether part of the National Squad, an academy or playing at a local club.

England Netball considers it everyone's responsibility to safeguard Adults at Risk in our sport, and so this Safeguarding Adults at Risk Policy, together with the accompanying procedures, apply to all individuals involved in Netball.

England Netball will encourage and support partner organisations, including clubs, suppliers, and sponsors to adopt and demonstrate their commitment to the principles and practice of equality as set out in this Policy and in the Procedures. Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted.

Everyone has a responsibility for the safeguarding the welfare of Adults at risk and this is no less the case in netball. Specified people have identified responsibility within the [Reporting a Concern](#) process, but they can only act on the information which others provide to them. Understanding how to recognise concerns and how to respond to them, will help make all parts of the [Reporting a Concern](#) process more effective.

Where necessary, England Netball will take Disciplinary Action against any members and connected participants and staff where breach of this Policy, [Safeguarding Disciplinary Regulations](#) or the [Codes of Conduct and Disciplinary Regulations](#) is alleged.

This Policy operates in conjunction with the legislation governing safeguarding and protecting adults at risk, and England Netball works with external partners to ensure best practice is implemented. It is also to be read in conjunction with the Codes of Conduct, Safeguarding Disciplinary Regulations and all other relevant England Netball policies and procedures.

England Netball seeks to:

- Ensure all adults, regardless of age, ability or disability, gender, race, religion, ethnic origin, sexual orientation, marital or gender status have the right to be protected from abuse and poor practice and to participate in an enjoyable and safe environment.
- Ensure the rights, dignity and worth of all adults will always be respected.
- Recognise that ability and disability can change over time, such that some adults may be additionally vulnerable to abuse, in particular those adults with care and support needs.
- Create a safe and welcoming environment at events, where participants can have fun and develop their skills and confidence.
- Support and encourage netball events, affiliated clubs and netball teams to implement similar policies.

- Promote safeguarding adults as everyone's responsibility. We all have a shared responsibility to ensure the safety and well-being of all adults and will act appropriately and report concerns whether these concerns arise within netball or in the wider community.
- Ensure that England Netball organised training and events are run to the highest possible safety standards.
- Be prepared to review its ways of working to incorporate good practice.
- Ensure the principles of safeguarding adults are applied and embedded across the sport and organisation
- Provide resources, training and guidance to all members, connected participants and staff to assist them in understanding the meaning of Adults at Risk.
- Where appropriate, work in partnership with parents and/or carers to support the Adult at Risk to achieve the best outcome for them.

England Netball will:

- Appoint and train a designated Safeguarding Lead responsible for safeguarding adults in netball
- Carefully recruit and select all employees, contractors and volunteers, applying safe recruitment procedures.
- Treat all participants with respect and celebrate their achievements in accordance with our Diversity & Belonging Policy [Diversity and Belonging Policy](#).
- Make safeguarding personal to the adult involved, and take into account the adults views, wishes, beliefs and wants as part of the safeguard. Respond swiftly and appropriately to all complaints and concerns about poor practice or suspected or actual abuse and monitor all complaints and concerns about poor practice or suspected or actual abuse to gain a greater insight into the experiences of Adults at Risk in netball and continuously improve the support and guidance we develop.
- Recognise the role and responsibilities of the statutory agencies in safeguarding adults and is committed to complying with local safeguarding procedures
- Provide resources and guidance to all clubs and staff to assist them in understanding the meaning of Adults at Risk.
- Develop and implement an effective [online safety policy and related procedures](#)
- Ensure we have effective [complaints and whistleblowing](#) measures in place.
- Ensure that every club affiliating with England Netball will have a Club Safeguarding/Welfare Officer who will be able to provide support and advice within the club environment, and ensure safeguarding duties are carried out when an adult meets the at risk definition.
- Work within the principles of the England and Wales - Mental Capacity Act 2005 & Scotland - Adults with Incapacity Act 2000 and support all adults to make informed decisions

DEFINITIONS

Adult at Risk - Safeguarding legislation has moved away from the term 'vulnerable adult', instead using the term 'adult at risk'. This term illustrates that it is the circumstances that people with care and support needs are in that causes them to be at risk of abuse or neglect. An "adult at risk" is an individual aged 18 years or over who:

- (a) has needs for care and support, or is more vulnerable due to an infirmity or disorder than adults who are not so affected;
- (b) is at risk of harm, abuse or neglect; and
- (c) is unable to safeguard or protect themselves from those risks

In a sporting context, clubs and event organisers may work with:

- (i) People who have a physical disability, whether from birth or acquired through injury, illness or advancing age, ranging from those who can train and compete independently but need some assistance in transition, to those who depend on others for physical care and support
- (ii) People who are blind or visually impaired, who may need to be guided around a course or at training
- (iii) People who are deaf or hearing impaired, whose needs are largely connected to communication and inclusion
- (iv) People who have learning disabilities or who for some other reason (e.g. brain injury, dementia) may not have the capacity to make independent decisions or to assess risk.
- (v) People who are at risk due to a specific circumstance they may find themselves in, for example: domestic abuse, forced marriage, sexual or commercial or financial exploitation.

Although many of the good practice guidelines and principles to be followed when safeguarding children also apply to adults, there is a key difference. In the case of a child, there is a clear duty to act if we suspect that the child has been harmed or is at risk of harm. In the case of an adult, the starting assumption must always be that an adult has the capacity to make a decision and has the right to do so unless it can be established that they lack capacity.

Lead Safeguarding Officer – the person appointed by England Netball to lead on all safeguarding matters, including developing and maintaining safeguarding policies and procedures and advising the netball community on their implementation and application.

Wellbeing – a person's state of mental and physical health and resilience

LEGISLATIVE FRAMEWORK

The practices and procedures within the England Netball Safeguarding Adults Policy, Procedures and Guidance Documents are based on the principles contained within the UK legislation and Government Guidance.

- England - The Care Act 2014
- The Protection of Freedoms Act 2012

- Domestic Violence, Crime and Victims (Amendment) Act 2012
- The Equality Act 2010
- The Safeguarding Vulnerable Groups Act 2006
- England and Wales - Mental Capacity Act 2005
- Sexual Offences Act 1956 & 2003
- The Human Rights Act 1998
- The Data Protection Act 1998
- The General Data Protection Regulation 2016

TYPES OF ABUSE

Physical Abuse

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

Possible indicators of physical abuse;

- No explanation for injuries or inconsistency in account
- Bruising, cuts, welts, burns and/or marks on the body or loss of hair in clumps
- Frequent injuries
- Subdued or changed behaviour in the presence of a particular person
- Signs of malnutrition

Sexual Abuse

Including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

Possible indicators of sexual abuse;

- Bruising, to the thighs and upper arms and marks on the neck
- Unusual difficulty in walking or sitting
- The uncharacteristic use of explicit sexual language or significant changes in sexual behaviour or attitude
- Self-harming
- Fear of receiving help with personal care
- Reluctance to be alone with a particular person

Financial or Material Abuse

Including theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Possible indicators of financial or material abuse;

- Missing personal possessions
- Unexplained lack of money or inability to maintain lifestyle

- The family or others show unusual interest in the assets of the person
- Disparity between the person's living conditions and their financial resources

Neglect

Including ignoring medical or physical care needs, failure to provide access to appropriate health social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Possible indicators of neglect;

- Poor physical condition and/or personal hygiene
- Malnutrition or unexplained weight loss
- Untreated injuries and medical problems
- Uncharacteristic failure to engage in social interaction
- Inappropriate or inadequate clothing

Emotional or Psychological Abuse

This includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, gaslighting, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

Possible indicators of psychological or emotional abuse;

- An air of silence when a particular person is present
- Withdrawal or change in the psychological state of the person
- Low self-esteem
- Uncooperative and aggressive behaviour
- A change of appetite, weight loss/gain
- Signs of distress: tearfulness, anger
- Apparent false claims, by someone involved with the person, to attract unnecessary treatment

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.

Possible indicators of self-neglect;

- Very poor personal hygiene
- Unkempt appearance
- Lack of essential food, clothing or shelter
- Malnutrition and/or dehydration
- Inability or unwillingness to take medication or treat illness or injury

Modern Slavery

Encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Possible indicators of modern slavery;

- Signs of physical or emotional abuse

- Appearing to be malnourished, unkempt or withdrawn
- Isolation from the community, seeming under the control or influence of others
- Lack of personal effects or identification documents
- Always wearing the same clothes
- Avoidance of eye contact, appearing frightened or hesitant to talk to strangers

Domestic Abuse

Including psychological, physical, sexual, financial and emotional abuse. It also includes so called 'honour' based violence. Sport may notice a power imbalance between a participant and a family member.

Possible indicators of domestic violence or abuse;

- Low self-esteem
- Feeling that the abuse is their fault when it is not
- Physical evidence of violence such as bruising, cuts, broken bones
- Verbal abuse and humiliation in front of others
- Fear of outside intervention
- Isolation – not seeing friends and family
- Limited access to money

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.

Possible indicators of discriminatory abuse;

- The person appears withdrawn and isolated
- Expressions of anger, frustration, fear or anxiety
- The support on offer does not take account of the person's individual needs in terms of a protected characteristic

Organisational Abuse

Including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Possible indicators of organisational abuse;

- Lack of flexibility and choice for people using the service
- People being hungry or dehydrated
- Poor standards of care
- Lack of personal clothing and possessions and communal use of personal items
- Few social, recreational and educational activities
- Unnecessary exposure during bathing or using the toilet

Not included in the Care Act 2014 but also relevant:

Cyber Bullying – cyberbullying 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 - Is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-social Behaviour, Crime and Policing Act 2014 make it a criminal offence to force someone to marry.

Female Genital Mutilation – A procedure, which is illegal in the UK, where female genital organs are injured or changed with no medical reason. It is often a very traumatic and violent act, which can cause immediate and/or long-term health consequences. There are four different types of FGM.

Mate Crime / Cuckooing - 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.

ROLES AND RESPONSIBILITIES

SAFEGUARDING IS EVERYONE’S RESPONSIBILITY AND YOU SHOULD RESPOND TO ANY SAFEGUARDING CONCERN YOU BECOME AWARE OF

England Netball fulfils its safeguarding responsibilities by providing advice and guidance to all those in netball and by working in partnership with members, connected participants, staff and external agencies, including statutory authorities.

England Netball has an appointed Lead Safeguarding Officer, who is responsible for formulating the organisation’s approach to safeguarding; developing the work programme to implement this Policy; providing advice, guidance and resources to the sport of netball to ensure a consistent level of awareness of safeguarding, and, who is the point of contact for all concerns raised, and to liaise with statutory agencies and other partners.

England Netball has a Case Management Group (CMG) tasked with setting the strategic direction of the organisation’s safeguarding work; overseeing the work of the Lead Safeguarding Officer; identifying trends in concerns reported and agreeing organisational responses to issues. Investigation of the more complex cases will be overseen by this group and they have a key role

in the conduct of Safeguarding Disciplinary Cases. This Group is Chaired by a Board member and has the input of external, independent expert members.

Regional Management Boards promote and educate on safeguarding practice in their Region. Through Regional Implementation Plans they commit to working with England Netball to provide safeguarding training throughout their Region.

Clubs are responsible for ensuring the environment in which Adults at Risk engage in netball is a safe one, providing them with a fun experience. Clubs must appoint a Club Safeguarding/Welfare Officer and provide them with the support and resources necessary to fulfil their role.

England Netball is committed to 'making safeguarding personal', recognising that adult safeguarding should be person led and outcome focused. We all have different preferences, histories, circumstances and lifestyles so it is unhelpful to prescribe a process that must be followed whenever a concern is raised. Instead, individuals should be engaged 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 safeguarding concerns will be discussed with the adult to get their view of what they would like to happen, and they should be involved in the safeguarding process, giving their consent to share information outside of the organisation where necessary.

DUTY OF CARE

England Netball accepts its duty of care for all Adults at Risk in the sport of netball and welcomes the Duty of Care in Sport Review (2017). This means we will take reasonable measures to ensure that their participation in activities, which they are invited or permitted to participate in, is safe and enjoyable.

Club Responsibilities

Clubs have a responsibility to take all reasonable care for the safety of the Adults at Risk involved with their event. They need to consider the reasonable steps which should be taken to show they have acted to a reasonable standard of care. This should include:

- Adopting the policies and procedures of England Netball into the club constitution;
- Ensuring that every member of the club is aware of who the Club Safeguarding/Welfare Officer is;
- Familiarisation with the Safeguarding Adults at Risk in Netball Policy;
- Ensuring relevant training is provided and kept up to date for Club Safeguarding/Welfare Officers, coaches and members of the club; and
- Ensuring everyone knows how to use the [Reporting a Concern](#) process

There should also be:-

- A current register of attendees;
- A current register of contact details, including emergency contacts;
- Confidentially retained records of any medical conditions, allergies, special needs etc. for all individuals

- First aid provision available at all times, both at the club and when off site, and a trained First Aider in attendance;
- Appropriate personnel in place, appointed in accordance with the Recruitment and Selection of policy
- Current risk assessments for the premises and activities carried out.

Coaches have a duty of care to ensure that the activities they organise are appropriate to the capabilities of each individual present. They should adhere to the standards set for them by the qualifications they have achieved and not seek to operate at a level which is beyond their current qualification. (for example, a Level 1 coach taking a session unsupervised by a Level 2 coach).

WELLBEING

Many concerns about the welfare of Adults at Risk are about their general health and happiness, their wellbeing, rather than about issues of potential abuse. England Netball believes that sport offers many positives in the lives of all its participants and that caring about the welfare of Adults at Risk is part of the safeguarding duty which we all have; be available to listen and to offer advice.

We recognise that not all issues will meet the threshold of 'significant risk of harm' and that local support may be the most effective way of helping the individual. We can assist with identifying and supporting the Adult at Risk by raising levels of awareness and acting as a sign posting service to resources and organisations which provide support. Click here for information on [Wellbeing](#).

LINKS TO SUPPORT

Ann Craft Trust (ACT)

Provides advice to anyone who has a query about the protection of vulnerable children and adults, including professionals, parents, carers and family members. Tel: 0115 951 5400
www.anncrafttrust.org

Citizens Advice Bureau

Providing free information and advice about legal, financial and a host of other issues Contact your local branch. Tel: 0844 847 2638 www.citizensadvice.org.uk

Karma Nirvana

Karma Nirvana supports victims and survivors of forced marriage and honour based abuse; support includes an advice line. Tel: 0800 5999 247 www.karmanirvana.org.uk

National Domestic Violence Freephone Helpline

Free 24hr National Domestic Violence Helpline, run in partnership between Women's Aid and Refuge, is a national service for women experiencing domestic violence, their family, friends, colleagues and others calling on their behalf. Tel: 0808 2000 247
www.nationaldomesticviolencehelpline.org.uk

Samaritans

Samaritans volunteers listen in confidence to anyone in any type of emotional distress, without judging or telling people what to do. Tel: 08457 90 90 90
<http://www.samaritans.org/branches/rochdale-oldham-and-district-samaritans>

The Forced Marriage Unit

Part of the Foreign and Commonwealth Office, provides information, multi agency guidelines and an advice line for victims, friends, relatives and professionals. Tel: 0207 008 0151

www.fco.gov.uk/forcedmarriage

Women's Aid

Provides support and information in relation to domestic violence. Tel: 0808 2000 247

www.womensaid.org.uk

CONTACT ENGLAND NETBALL

If you believe an Adult at Risk is in danger or at immediate risk of harm, contact the Police and other relevant emergency services by calling 999.

Report a concern to England Netball via besafe@englandnetball.co.uk .

Policy Review

The HR Department and LSO are responsible for reviewing and updating this policy in line with legislation or statutory changes. This policy document will remain in force until it is amended, replaced or withdrawn.

The practices and procedures within the England Netball Safeguarding Adults Policy, Procedures and Guidance Documents are based on the principles contained within the UK legislation and Government Guidance.

All relevant concerns, allegations, complaints and their outcome should be notified to the England Netball Lead Safeguarding Officer at besafe@englandnetball.co.uk

LEGISLATION & GOVERNMENT INITIATIVES**England - Care Act 2014 – statutory guidance**

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

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

Adult at risk definition

An "adult at risk" is defined as an individual aged 18 years and over who:

- (a) has needs for care and support (whether or not the local authority is meeting any of those needs)
- (b) is experiencing, or at risk of, abuse or neglect
- (c) as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

The Act's principles are:

- Empowerment - People being supported and encouraged to make their own decisions and informed consent.
- Prevention – It is better to take action before harm occurs.

- Proportionality – The least intrusive response appropriate to the risk presented.
- Protection – Support and representation for those in greatest need.
- Partnership – Community services have part to play in preventing, detecting, reporting neglect and abuse
- Accountability – Accountability and transparency in delivering safeguarding.

Wales - Social Services and Well Being Act 2014

http://www.legislation.gov.uk/anaw/2014/4/pdfs/anaw_20140004_en.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.

Adult at risk definition

An "adult at risk" is defined as an individual aged 18 years and over who:

- (a) is experiencing or is at risk of abuse or neglect,
- (b) has needs for care and support (whether or not the authority is meeting any of those needs) and
- (c) as a result, is unable to protect himself or herself against the abuse or neglect or the risk of it.

The Act's principles are:

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

Scotland - Adult Support and Protection Act 2007

<https://www.legislation.gov.uk/asp/2007/10/contents>

Introduced new measures to identify and protect individuals by defining adults at risk. Placing a duty on Local Authorities to identify and prevent harm whilst requiring partnership working. It replaces No Secrets and puts adult safeguarding on a statutory footing.

Adult at risk definition

An "Adult at risk" is defined as an individual aged 16 years and over who:

- (a) is unable to safeguard their own well-being, property, rights or other interests,
- (b) is at risk of harm, and
- (c) because they are affected by disability, mental disorder, illness or physical or mental infirmity, is more vulnerable to being harmed than adults who are not so affected.

The Act's principles are:

The overarching principle underlying Part 1 of the Act is that any intervention in an individual's affairs should provide benefit to the individual, and should be the least restrictive option of those that are available which will meet the purpose of the intervention. This is supported by a set of

guiding principles which, together with the overarching principle, must be taken account of when performing functions under Part 1 of the Act. These are:

- The wishes and feelings of the adult at risk (past and present);
- The views of other significant individuals, such as the adult's nearest relative; their primary carer, guardian, or attorney; or any other person with an interest in the adult's well-being or property;
- The importance of the adult taking an active part in the performance of the function under the Act;
- Providing the adult with the relevant information and support to enable them to participate as fully as possible;
- The importance of ensuring that the adult is not treated less favourably than another adult in a comparable situation; and
- The adult's abilities, background and characteristics (including their age, sex, sexual orientation, religious persuasion, racial origin, ethnic group and cultural and linguistic heritage).

Northern Ireland - Adult Safeguarding Prevention and Protection in Partnership 2015

<https://www.eani.org.uk/sites/default/files/2018-11/Adult%20Safeguarding%20-%20Prevention%20and%20Protection%20in%20Partnership.%20DHSSPS%202015.pdf>

Implemented to improve safeguarding arrangements for adults who are at risk of harm from abuse, exploitation or neglect. The framework is to provide support and effective protective interventions, placing significant emphasis on prevention and early intervention. It also seeks to ensure that access to justice is available to adults that have been harmed. 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>

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>

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

Equality Act 2010

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

The Act legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations.

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

Scotland - Adults with Incapacity Act 2000

<http://www.legislation.gov.uk/asp/2000/4/contents>

Provides ways to help safeguard the welfare and finances of people who lack capacity.

Northern Ireland - Mental Capacity 2016

<http://www.legislation.gov.uk/nia/2016/18/contents/enacted>

Combines mental health and capacity within one piece of legislation. Considers the individuals capacity to independently make decisions about their health, welfare or finances, and the safeguards that must be put in place if they lack the capacity to do so.

Sexual Offences Act 1956

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

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

Sexual Offences Act 2003

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

The Sexual Offences Act introduced a number of new offences concerning adults at risk and children. www.opsi.gov.uk

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 UK General Data Protection Regulations)

2018 Act - <http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

UK GDPR - [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(legislation.gov.uk\)](http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted)

The original 1998 DPA was superseded in May 2018. The Act is designed to protect personal data stored on computers or on paper, regulating collection, storage, and use. The Act provides individuals with the legal rights to control information about themselves. The Act was amended by the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 due to Brexit, and at the same time, the GDPR was retained into domestic law by the UK GDPR. The UK GDPR sits alongside the amended version of the Act.

Safeguarding Vulnerable Groups Act 2006

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

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

Deprivation of Liberty Safeguards

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

Introduced into the Mental Capacity Act 2005 and came into force in April 2009. Designed to provide appropriate safeguards for vulnerable people who have a mental disorder and lack the

capacity to consent to the arrangements made for their care or treatment, and who may be deprived of their liberty in their best interests in order to protect them from harm.

Disclosure & Barring Service 2013

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

Criminal record checks: guidance for employers - How employers or organisations can request criminal records checks on potential employees from the Disclosure and Barring Service (DBS).

www.gov.uk/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.