

## THE SIX PRINCIPLES IN RELATION TO ADULTS AT RISK

The Care Act 2014 is the current legislation that sets out the six principles which underpin all adult safeguarding work:

- **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:** Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
- **Accountability:** Accountability and transparency in delivering safeguarding.



### KEY POINTS:

- There is a **legal duty on Local Authorities** to provide support to 'adults at risk'.
- **Adults at risk** are defined in legislation and Safeguarding Adults Policy.
- The safeguarding legislation applies to **all forms of abuse** that harm a person's well-being.
- The law provides a framework for good practice in safeguarding that makes the overall **well-being** of the adult at risk a priority of any intervention.
- The law in all four home nations emphasises the importance of **person-centred safeguarding**, (referred to as '**Making Safeguarding Personal**' in England).
- The law provides a framework for making decisions on behalf of adults who can't make decisions for themselves (**Mental Capacity**).
- The law provides a framework for sports organisations to **share concerns** they have about adults at risk with the local authority.
- The law provides a framework for all organisations to **share information and cooperate** to protect adults at risk.

## ABUSE

Abuse is a violation of an individual's human and civil rights by another person or persons. It can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it.

Any or all of the following types of abuse may be perpetrated as the result of deliberate intent, negligence, omission or ignorance.

There are different types and patterns of abuse and different circumstances in which they may take place. The 10 following types of abuse are:

- Physical abuse
- Domestic violence or abuse
- Sexual abuse
- Psychological or emotional abuse
- Financial or material abuse
- Modern slavery
- Discriminatory abuse
- Organisational or institutional abuse
- Neglect or acts of omission
- Self-neglect

Abuse can take place in any relationship and there are many contexts in which abuse might take place, e.g. institutional abuse, domestic abuse, forced marriage, human trafficking, modern slavery, sexual exploitation, county lines, radicalisation, hate crime, mate crime, cyberbullying, scams.

### ABUSE OUTSIDE SPORT COULD BE CARRIED OUT BY:

- A spouse, partner, or family member.
- Neighbours or residents.
- Friends, acquaintances, or strangers.
- People who deliberately exploit adults they perceive as vulnerable.
- Paid staff, professionals or volunteers providing care and support.

Abuse can take place within a sporting context and the person causing harm might be any other person. For example: a member of staff, a coach, a volunteer, a participant, or a fan.

Some examples of abuse within sport include:

- Harassment of a participant because of their (perceived) disability or other protected characteristics.
- Not meeting the needs of the participant e.g., training without a necessary break.
- A coach intentionally striking an athlete.
- One elite participant controlling another athlete with threats of withdrawal from their partnership.
- An official who sends unwanted sexually explicit text messages to a participant with learning disabilities.
- A participant threatens another participant with physical harm and persistently blames them for poor performance.

Often the perpetrator is known to the adult and may be in a position of trust and/or power.





## SIGNS AND INDICATORS OF ABUSE

An adult may confide to a member of staff, coach, volunteer, or another participant that they are experiencing abuse inside or outside of the organisation's setting. Similarly, others may suspect that this is the case.

There are many signs and indicators that may suggest someone is being abused or neglected. There may be other explanations, but they should not be ignored. The signs and symptoms include but are not limited to:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- Person has belongings or money going missing.
- Person is not attending/no longer enjoying their sessions. You may notice that a participant in a team has been missing from practice sessions and is not responding to reminders from team members or coaches.
- Someone losing or gaining weight/an unkempt appearance. This could be a player whose appearance becomes unkempt, does not wear suitable sports kit and there is a deterioration in hygiene.
- A change in the behaviour or confidence of a person. For example, a participant may be looking quiet and withdrawn when their brother comes to collect them from sessions in contrast to their personal assistant whom they greet with a smile.
- Self-harm.
- A fear of a particular group of people or individual.
- A parent/carer always speaks for the person and doesn't allow them to make their own choices.
- They may tell you/another person they are being abused – i.e., a disclosure.

## WELL-BEING PRINCIPLE

The success of sport, in terms of helping people achieve their potential, making the most of existing talent, and attracting new people to sport relies on putting people – their safety, well-being and welfare – at the centre of what sport does.

### Duty of Care in Sport Independent Report to Government Baroness Tanni Grey-Thompson DBE, DL.

The concept of ‘well-being’ is threaded throughout UK legislation and is part of the Law about how health and social care is provided. Our well-being includes our mental and physical health, our relationships, our connection with our communities and our contribution to society.

Being able to live free from abuse and neglect is a key element of well-being.

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 well-being.](#)



## MAKING SAFEGUARDING PERSONAL

Making safeguarding personal is the concept that adult safeguarding should be person led and outcome focused. It engages the person 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.

Volleyball England work to support adults to achieve the outcomes they want for themselves. The adult's views, wishes, feelings and beliefs must be considered when decisions are made about how to support them to be safe. There may be many ways to prevent further harm. Working with the person will mean that actions taken help them to find the solution that is right for them. Treating people with respect, enhancing their dignity, and supporting their

ability to make decisions also helps promote people's sense of self-worth and supports recovery from abuse.

If someone has difficulty making their views and wishes known, then they can be supported or represented by an advocate. This might be a safe family member or friend of their choice or a professional advocate.





## MENTAL CAPACITY AND DECISION MAKING

We make many decisions every day, often without realising, it is easy to take this ability for granted. The Mental Capacity Act 2005 (MCA) assumes that all people over the age of 16 have the ability to make their own decisions, unless it has been proved that they can't. It also gives us the right to make any decision that we need to make and gives us the right to make our own decisions even if others consider them to be unwise.

To make a decision we need to:

- Understand information.
- Remember it for long enough.
- Think about the information.
- Communicate our decision.

A person's ability to do this may be affected by things such as learning disability, dementia, mental health needs, acquired brain injury and physical ill health.

Most adults have the ability to make their own decisions given the right support however, some adults with care and support needs have the experience of other people making decisions about them and for them.

Mental capacity refers to the ability to make a decision at the time that decision is needed. A person's mental capacity can change. If it is safe/possible to wait until they are able to be involved in decision making or to make the decision themselves.

Here are some examples on how the timing of a question can affect a 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.

Mental Capacity is important for safeguarding for several reasons. Not being allowed to make decisions one is capable of making is abuse.

Mental Capacity must also be considered when we believe abuse might be taking place. It is important to make sure an 'adult at risk' has choices in the actions taken to safeguard them, including whether or not, they want other people informed about what has happened, however, in some situations the adult may not have the mental capacity to understand the choice or to tell you their views.

## REMEMBER:

- We can only make decisions for other people if they cannot do that for themselves at the time the decision is needed.
- If the decision can wait, then wait – e.g., for help to enable the person to make their decision, or until they can make it themselves.
- If we have to make a decision for someone else, then we must make the decision in their best interests (for their benefit) and consider what we know about their preferences and wishes.
- If the action we are taking to keep people safe will restrict them then we must think of the way to do that which restricts to their freedom and rights as little as possible.

It is good practice to get as much information about the person as possible. If a person who has a lot of difficulty making their own decisions is thought to be being abused or neglected you will need to refer the situation to the Local Authority, and this should result in health or social care professionals making an assessment of mental capacity and/or getting the person the support they need to make decisions.

There may be times when a sporting organisation needs to make decisions on behalf of an individual in an emergency. Decisions taken in order to safeguard an adult who cannot make the decision for themselves could include:

- Sharing information about safeguarding concerns with people that can help protect them.
- Stopping them being in contact with the person causing harm.





## MULTI-AGENCY WORKING

Safeguarding adults' legislation gives the lead role for adult safeguarding to the Local Authority. However, it is recognised that safeguarding can involve a wide range of organisations.

Volleyball England may need to cooperate with the Local Authority and the Police including to:

- Provide more information about the concern you have raised.
- Provide a safe venue for the adult to meet with other professionals e.g. Police/Social Workers/Advocates.
- Attend safeguarding meetings.
- Coordinate internal investigations (e.g., complaints, disciplinary) with investigations by the Police or other agencies.
- Share information about the outcomes of internal investigations.
- Provide a safe environment for the adult to continue their sporting activity/their role in the organisation.

