

Title: Safeguarding Adults Policy

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Policy Change History:

Version	Date	Author	Description
1.0	Feb 2022	S.Sprigg	Document Review
2.0	Feb 2025	G.M.Stevenson	Document Renewal

Please note: This procedure/policy maybe subject to change where trustees or senior managers of the charity identify reasons underpinning the need for it.

1 Purpose of Policy and introduction

- 1.1 The purpose of this policy is to demonstrate the commitment of Balance Support CIO to safeguarding adults and to ensure that everyone involved in the charity is aware of:
 - The legislation, policy and procedures for safeguarding adults.
 - Their role and responsibility for safeguarding adults.
 - What to do or who to speak to if they have a concern relating to the welfare or wellbeing of an adult within the organisation.
- 1.2 Balance Support CIO is committed to Safeguarding Adults in line with national legislation and relevant national and local guidelines.
- 1.3 We will safeguard adults by ensuring that our activities are delivered in a way which keeps all adults safe.
- 1.4 The charity is committed to creating a culture of zero-tolerance of harm to adults which necessitates: the recognition of adults who may be at risk and the circumstances which may increase risk; knowing how adult abuse, exploitation or neglect manifests itself; and being willing to report safeguarding concerns.
- 1.5 This extends to recognising and reporting harm experienced anywhere, including within our activities, within other organised community or voluntary activities, in the community, in the person's own home and in any care setting.
- 1.6 The charity is committed to best safeguarding practice and to uphold the rights of all adults to live a life free from harm from abuse, exploitation and neglect.
- 1.7 This policy sets out our standards and obligations required by law in addition to the objectives and values that govern our delivery of services, contractual partnerships and community relationships.

2 Our Policy Statement

- 2.1 Balance believes everyone has the right to live free from abuse or neglect regardless of age, ability or disability, sex, race, religion, ethnic origin, sexual orientation, marital or gender status.
- 2.2 The charity is committed to creating and maintaining a safe and positive environment and an open, listening culture where people feel able to share concerns without fear of retribution.
- 2.3 We acknowledge that safeguarding is everybody's responsibility and is committed to prevent abuse and neglect through safeguarding the welfare of all adults involved.

- 2.4 We recognise that health, well-being, ability, disability and need for care and support can affect a person's resilience. We recognise that some people experience barriers, for example, to communication in raising concerns or seeking help. We recognise that these factors can vary at different points in people's lives.
- 2.5 We recognise that there is a legal framework within which the charity needs to work to safeguard adults who have needs for care and support and for protecting those who are unable to take action to protect themselves and will act in accordance with the relevant safeguarding adult legislation and with local statutory safeguarding procedures.
- 2.6 Actions taken by the charity will be consistent with the principles of adult safeguarding ensuring that any action taken is prompt, proportionate and that it includes and respects the voice of the adult concerned.
- 2.7 This policy is applicable to our paid and unpaid staff, our board of trustees, in addition to all third-party contractors completing work on the charity's behalf and any other individual of agency engaging in supporting the charity's work and its promotion.

3 Commitments

- 3.1 In order to implement this policy, the charity will ensure that:
 - Everyone involved with the charity is aware of the safeguarding adult procedures and knows what to do and who to contact if they have a concern relating to the welfare or wellbeing of an adult.
 - Any concern that an adult is not safe is taken seriously, responded to promptly, and followed up in line with this charity's Safeguarding Adults Policy and Procedures.
 - The well-being of those at risk of harm will be put first and the adult actively supported to communicate their views and the outcomes they want to achieve.
 Those views and wishes will be respected and supported unless there are overriding reasons not to.
 - Any actions taken will respect the rights and dignity of all those involved and be proportionate to the risk of harm.
 - Confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored in line with our Data Protection Policy and Procedures.
 - The charity acts in accordance with best practice advice, for example
 - Balance will cooperate with the Police and the relevant Local Authorities in taking action to safeguard an adult.

- All Board members, staff, officials and volunteers understand their role and responsibility for safeguarding adults and have completed and are up to date with safeguarding adult training and learning opportunities appropriate for their role.
- The charity uses safe recruitment practices and continually assesses the suitability of volunteers and staff to prevent the employment/deployment of unsuitable individuals in this organisation.
- The charity shares information about anyone found to be a risk to adults with the appropriate bodies. For example: Disclosure and Barring Service, Services, Police, Local Authority/Social Services.
- When planning activities and events the charity includes an assessment of, and risk to, the safety of all adults from abuse and neglect.
 Actions taken under this policy are reviewed by the Board and senior management team on an annual basis.

4 Responsibilities

4.1 Balance is a complex organisation working across a number of differing geographical areas with a mixed discipline of services. Reporting, review and assessment of the efficacy of safeguarding across the charity is everyone's responsibility. However, the charity also acknowledges that specific responsibilities will rest with designated professionals to maintain our compliance and procedural assurance in relation to safeguarding.

4.2 Role of the Chief Executive:

- To promote and support the aims of this Policy.
- Ensure that managers have the appropriate authority and resources to implement this Policy.
- To oversee its governance and ongoing relationship to the law and our regulated activity.

4.3 Role Managers, Team Leads and other senior staff:

- Ensure that training compliance on safeguarding and mental capacity is maintained as per our training and policy governance
- Inform staff of their duty to report
- Show the person that you have listened to their concern and inform them of the action you are going to take
- Ask staff to factually record what they have been told /heard/seen/suspected

- To underscore to our staff their obligations in recording their concerns, actions and outcomes within our Client Records Management (CRM) system, with an additional record and reference in the central register.
- Ensure that all records created by our staff correct against the safeguarded individual, with dates, times and actions a verifiable evaluation of the safeguarding issue and our actions.
- That staff are clear on distinguishing between fact and opinion
- That staff complete appropriate body map and safe it to the client record in the CRM.
- That staff do not take photographs of injuries unless directed to by the Social Work and/or Safeguarding Team
- Ensure operational compliance with our Safeguarding Policy and Procedures

4.4 Role of Staff and Volunteers:

- Respond quickly if a person at risk is in immediate danger, it may be
 necessary, even before reporting, to take action to ensure their safety by
 calling for the emergency service or for urgent medical attention or by
 removing them to a safe place
- Report as soon as possible. Any failure to report could result in forensic evidence being lost/contamination of investigation
- You must not discuss your suspicions or what you have witnessed with anyone other than a manager
- In case of sexual assault, you must preserve evidence by ensuring the person does not bathe, change their clothes or take fluids before being medically examined
- Be factual when reporting, record notes accurately by recording times, dates, names and signatures
- Use full names, dates and timings, this must be legible, and sign and dated
- Record exactly what has been said
- Distinguish between fact and opinion
- Do not ask leading questions, this can also jeopardise investigations, if unsure seek advice from a Team Leader
- Do not take photographs of injuries

4.5 Detail on the charity's safeguarding procedure are set out in the Balance Safeguarding Procedural Flow Chart¹. A copy of which is attached in Appendix 1.

5 Implementation

- 5.1 Balance is committed to developing and maintaining its capability to implement this policy and procedures.
- 5.2 In order to do so the following will be in place:
 - A clear line of accountability within the organisation for the safety and welfare of all adults.
 - Access to relevant legal and professional advice.
 - Regular management reports to the Board detailing how risks to adult safeguarding are being addressed and how any reports have been addressed.
 - Safeguarding adult procedures that deal effectively with any concerns of abuse or neglect, including those caused through poor practice.
 - A Safeguarding Lead
 - A process for forming a Case Management Group on a case-by-case basis within clear terms of reference.
 - Arrangements to work effectively with other relevant organisations to safeguard and promote the welfare of adults, including arrangements for sharing information.
 - Codes of conduct for Board members, Staff, Volunteers and third-party contractors and any other relevant agency/individuals that specify zero tolerance of abuse in any form.
 - Risk assessments that specifically include safeguarding of adults.
 - Policies and procedures that address the following areas and which are consistent with this Safeguarding Adults policy are listed below.

The Staff Handbook Site Compliance Procedure for non-Balance

The Drivers Handbook Contractors

The Volunteers Handbook Social Media Policy

The Code of Conduct

Balance Operational

Partnership Agreement

Zero Tolerance Statement

Whistle Blowing Policy

The Equalities Policy

Family contact and Serious Incident and Management Policy

communications procedure Volunteer Policy
Positive Behaviour Support Data Protection Policy
Policy Data Security Policy

Service User Holiday Support

Policy

¹ <u>Balance Safeguarding Procedural Flow Chart</u>
Name: **Safeguarding Adults Policy** Version 2.0 Classification: Internal

6 Securing Safeguarding as practice

6.1 The charity will ensure compliance with its governance and legal obligations for its staff and volunteers by applying the following undertakings.

6.2 Our Practice Aims

- 6.2.1 The quality and consistency of our safeguarding practice will deliver practice that:
 - Consistently reduces risk of harm, abuse or neglect to vulnerable adults across our operations.
 - Safeguard individuals in a way that supports them in making choices and having control in how they choose to live their lives
 - Promote an approach that concentrates on improving life for every individual in receipt of our services.
 - Raise public awareness for those associated with the charity and its work and their part in preventing, identifying and responding to abuse and neglect.
 - Provide information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult
 - Address issues, causes and concerns that the charity has identified as a safeguarding risk.
- 6.3 Our operational commitment to safeguarding will make sure that:
 - The needs and interests of adults at risk are always respected and upheld
 - The human rights of adults at risk are respected and upheld
 - A proportionate, timely, professional and ethical response is made to any adult at risk who may be experiencing abuse in line with the current London Multi-Agency Safeguarding Policies and Procedures.
 - All decisions and actions are taken in line with the principles of the Mental Capacity Act 2005, Care Act 20114 and Human Rights Act 1998.

6.4 **Recruitment**

- 6.4.1 At interview all prospective candidates for paid of non-paid roles across the organisation will be informed that they must undertake a Disclosure and Barring Service assessment prior to their appointment.
- 6.4.2 Candidates will also be required to provide at least two satisfactory references as part of the pre-appointment process.

6.5 Induction

- 6.5.1 Newly appointed candidates will complete a six-month probationary and comprehensive induction training and mentoring which will include the following principal commitment from the charity:
 - All new employees (paid and non-paid) will undertake a period of induction which will include mandatory training and read reviews of all principal policies associated with the safe delivery of services.
 - All inductees will read and acknowledge receipt of the charity's safeguarding, code of conduct and staff handbook.
 - All appointed staff will undertake the charity's suite of mandatory training.
 - Departmental managers and the corporate services team will set out at induction the reporting and recording process as applies to safeguarding and incident reporting. Clarification of all reporting obligations and who to report to will be integral to this process.
 - All staff will review and refresh their safeguarding training annually.

7 Making Safeguarding Personal

- 7.1 The charity is committed to delivering person centred and values-based support to those accessing its services and support.
- 7.2 Our commitment to "No decision about me without" is framed through four of our corporate values of *independence*, *empowerment*, *professionalism* and *partnership*. An adult has the right to know about how Balance and other agencies can work with them to find the right solutions to keep people safe and support them in making informed choices.
- 7.3 Making safeguarding personal means that our work with adults should be person-led and outcome-focused. It means engaging 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, wellbeing and safety.
- 7.4 The charity recognises that everyone using its services has the right to have their strengths, priorities and personal attributes maximised in how and where decisions are made in relation to their support from the charity and other agencies involved in their care. That safeguarding in action will mobilise our commitment to informed decision making, choice and maximising access to a life well lived.
- 7.5 All staff within Balance have a duty to protect and take action to manage the immediate safety of an adult, to report any concerns in line with this policy, our legal compliance and any obligations under our contractual governance.

8 Principles and values

8.1 There are six key principles that underpins all work in respect of safeguarding



9 Adults at Risk

- 9.1 The Safeguarding Adults legislation creates specific responsibilities on Local Authorities, Health, and the Police to provide additional protection from abuse and neglect to Adults at Risk.
- 9.2 When a Local Authority has reason to believe there is an adult at risk, they have a responsibility to find out more about the situation and decide what actions need to be taken to support the adult.
- 9.3 The actions that need to be taken might be by the Local Authority (usually social services) and/or by other agencies, for example the Police and Health. An organisation such as this charity may need to take action as part of safeguarding an adult, for example, to use the disciplinary procedures in relation to a member of staff or member who has been reported to be harming a participant. The Local Authority role includes having multi-agency procedures which coordinate the actions taken by different organisations.
- 9.4 An adult as risk under the Care Act 2014 is someone over the age of 18 who has:
 - Has needs for care and support (whether or not the local authority is meeting any of those needs) and;
 - Is experiencing, or at risk of, abuse or neglect, and;
 - 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.

10 Abuse and Neglect

- 10.1 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.
- 10.2 There are different types and patterns of abuse and neglect and different circumstances in which they may take place.
- 10.3 Safeguarding legislation set out in the Care Act 2014 defines abuse as the following:
 - Physical
 - Sexual
 - Emotional/Psychological/Mental
 - Neglect and acts of omission
 - Financial and material abuse
 - Discriminatory
 - Organisational/Institutional
 - Self-neglect

- Domestic Abuse
- Modern Slavery
- 10.4 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, Cyber bullying, Scams. Some of these are named specifically within home nation legislations.
- 10.5 Given the nature of our services there is an ever-present potential for harm where one person may be at risk of the actions of another. For example: a member of staff, a family member, a volunteer, or third-party service provider.
- 10.6 Some examples of abuse include:
 - Harassment and abuse because of a disability or other protected characteristics central to the identify of those using our services.
 - Not meeting the needs of users of our services e.g. not providing support as agreed within the support plan
 - The financial exploitation of a user of our services through the misuse of their personal finances and bank accounts.
 - Exploiting the use of someone's home for illegal and/or unsafe practice.
 - Actual harm, physical threat or persistent verbal abuse that threatens the wellbeing and safety of an individual.
- 10.7 Abuse or neglect 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
- 10.8 Often the perpetrator is known to the adult and may be in a position of trust and/or power.

11 Signs and indicators of Abuse and Neglect

- 11.1 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.
- 11.2 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 client whose appearance becomes unkempt, does not wear suitable clothing 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

12 Wellbeing Principle

- 12.1 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.
- 12.2 Being able to live free from abuse and neglect is a key element of well-being.
- 12.3 The legislation recognises that statutory agencies have sometimes acted disproportionately in the past. For example, removing an adult at risk from their own home when there were other ways of preventing harm.
- 12.4 For that reason, any actions taken to safeguard an adult must take their whole well-being into account and be proportionate to the risk of harm.

13 Mental Capacity and Decision Making

- 13.1 We make many decisions every day, often without realising. UK Law assumes that all people over the age of 16 have the ability to make their own decisions, unless it has been proven 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.
- 13.2 We make so many decisions that it is easy to take this ability for granted. The Law says that to make a decision we need to:
 - Understand information
 - Remember it for long enough
 - Think about the information
 - Communicate our decision
- 13.3 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.
- 13.4 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.
- 13.5 Some people can only make simple decisions like which colour T-shirt to wear or can only make decisions if a lot of time is spent supporting them to understand the options. If someone has a disability that means they need support to understand or make a decision this must be provided. A small number of people cannot make any decisions. Being unable to make a decision is called "lacking mental capacity".

13.6 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.

13.7 For example:

- 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.
- 13.8 Mental Capacity is important for safeguarding for several reasons.
- 13.9 Not being allowed to make decisions one is capable of making is abuse. For example, a disabled adult may want to take part in an activity but their parent who is their carer won't allow them to and will not provide the support they would need. Conversely the adult may not seem to be benefiting from an activity other people are insisting they do.
- 13.10 Another situation is where an adult is being abused, and they are scared of the consequences of going against the views of the person abusing them. It is recognised in the law as coercion and a person can be seen not to have mental capacity because they cannot make free and informed decisions.
- 13.11 Mental Capacity must also be considered when we believe abuse or neglect 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.
- 13.12 Legislation makes it clear when and how we can make decisions for people who are unable to make decisions for themselves. The principles are the same.
 - 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, wait e.g. to get help to help the person 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 take into account 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.
- 13.13 Many potential difficulties with making decisions can be overcome with preparation.

- 13.14 It is good practice to get as much information about the person as possible. Some people with care and support needs will have a 'One page profile' or a 'This is me' document that describes important things about them. Some of those things will be about how to support the person, their routines, food and drink choices etc. but will also include things they like and don't like doing.
- 13.15 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.
- 13.16 There may be times when Balance 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.

14 Recording and Information Sharing

- 14.1 The charity operates strict governance in how it records, secures and shares information and data pertinent to all those involved with the charity's work and activities.
- 14.2 Data processing where it relates to safeguarding is subject to the legislative framework which governs the charity's data management policies. The Data Protection Act 2018 and General Data Protection Regulations 2016 both set out regulatory obligations in safeguarding the personal data of our staff, volunteers and those using our services.
- 14.3 Legitimate grounds for processing any safeguarding information must be established prior to their sharing. Data must be accurate and relevant, stored securely and accessible to only those with designated security permissions.
- 14.4 The charity recognises that sharing information, with the right people, is central to good practice in safeguarding adults. However, information sharing must only ever be with those with a 'need to know'.
- 14.5 This does NOT automatically include the persons spouse, partner, adult, child, unpaid or paid carer. Information should only be shared with family and friends and/or carers with the consent of the adult or if the adult does not have capacity to make that decision and family/ friends/ carers need to know in order to help keep the person safe.
- 14.6 The purpose of Data Protection legislation is not to prevent information sharing but to ensure personal information is only shared appropriately. Data protection legislation allows information sharing within an organisation. For example:

- Anyone who has a concern about harm can make a report to an appropriate person within the same organisation
- Case management meetings can take place to agree to co-ordinate actions by the organisation
- 14.7 There are also many situations in which it is perfectly legal to share information about adult safeguarding concerns outside the organisation. Importantly personal information can be shared with the consent of the adult concerned. However, the adult may not always want information to be shared. This may be because they fear of repercussions from the person causing harm or are scared that they will lose control of their situation to statutory bodies or because they feel stupid or embarrassed. Their wishes should be respected unless there are over-riding reasons for sharing information.
- 14.8 The circumstances when we need to share information without the adult's consent include those where:
 - It is not safe to contact the adult to gain their consent i.e. it might put them or the person making contact at further risk.
 - You believe they or someone else is at risk.
 - You believe the adult is being coerced or is under duress.
 - It is necessary to contact the police to prevent a crime, or to report that a serious crime has been committed.
 - The adult does not have mental capacity to consent to information being shared about them.
 - The person causing harm has care and support needs.
- 14.9 When information is shared without the consent of the adult this must be explained to them, when it is safe to do so, and any further actions should still fully include them.
- 14.10 If you are in doubt as to whether to share information, seek advice, e.g. seek legal advice and/or contact the Local Authority and explain the situation without giving personal details about the person at risk or the person causing harm.
- 14.11 Any decision to share or not to share information with an external person or organisation must be recorded together with the reasons to share or not share information.
- 14.12 All safeguarding referrals once completed are required to complete a lessons learnt evaluation. The management panel will be convened, including the safeguarding lead, relevant service manager, and the relevant member of staff involved in the initial stage of the referral.
- 14.13 All recommendations and follow up actions agreed through the lessons learnt process will require review and sign off by the board of Trustees as part of their governance and ownership of the charity's safeguarding obligations.

15 Our Multi – Agency Approach

- 15.1 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.
- 15.2 Balance operates in partnership with a range of community, statutory and regulatory authorities. Reporting, investigation, action and resolution of anyone of safeguarding concern may involve a range of people in managing its outcome.
- 15.3 This charity and its staff will cooperate with the Local Authority and the Police included 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 as necessary.
 - Share information about the outcomes of internal investigations.
 - Provide a safe environment for the adult to continue their activity/ their role in the organisation

16 Legislation

- 16.1 The following legislation will frame how the charity manages it legal, governance and operational obligations in securing safeguard for those in receipt of its services.
 - The Care Act 2014
 - The Sexual Offences Act 2003
 - The Fraud Act 2006
 - The Equalities Act 2010
 - Corporate Manslaughter and Homicide Act 2007
 - Vulnerable Groups Act 2006
 - Public Interest Disclosure Act 1998
 - Mental Capacity Act 2005
 - The Criminal Courts and Justice Act 2015
 - The Serious Crimes Act 2015

- Human Rights Act 1998
- Serious Crimes Act 2015 (offence of coercive and controlling behaviour in intimate and familial relationships)
- 16.2 Section 44 of the Mental Capacity Act 2005 makes it a criminal offence for care workers who ill-treat or wilfully neglects an adult at risk. This offence applies to adults who lack capacity and only the care worker can be liable.
- 16.3 Section 20 and 21 of the Criminal Justice and Courts Act 2015 makes it a criminal offence for a care worker to ill-treat or wilfully neglect someone in receipt of care irrespective of their mental capacity and applies to both the care worker and Balance as a care provider.
- 16.4 The Serious Crimes Act 2015 creates a new offence of coercive and controlling behaviour in intimate and familial relationships. The offence will impose a maximum 5 year imprisonment, a fine or both.
- 16.5 The list of legislative responsibilities above is not exhaustive and will act in reference to others relevant to the delivery and good governance of the charity's services. Staff will be made aware of their relevance as part of our quality assurance and training compliance obligations.

Appendix 1

