



Safeguarding Policy and Procedures

‘Protecting Children and Adults at Risk’

2023

Equalities Statement

Bolsover District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

Access for All statement

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- **Phone:** [01246 242424](tel:01246242424)
- **Email:** enquiries@bolsover.gov.uk
- **BSL Video Call:** A three-way video call with us and a BSL interpreter. It is free to call Bolsover District Council with Sign Solutions, you just need WiFi or mobile data to make the video call, or call into one of our Contact Centres.
- Call with [Relay UK](#) - a free phone service provided by BT for anyone who has difficulty hearing or speaking. It's a way to have a real-time conversation with us by text.
- **Visiting** one of our [offices](#) at Clowne, Bolsover, Shirebrook and South Normanton

CONTROL SHEET FOR Safeguarding Policy and Procedures

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1. INTRODUCTION

Bolsover Derbyshire District Council (the Council) recognises the important role it plays in safeguarding, and this is underpinned by a legal responsibility (or 'duty of care') to safeguard and promote the welfare of all who access or receive its services. All local authorities and public services have this duty and should work together to safeguard those within their area. The duty of care is particularly important for children or adults at risk, who may have specific needs or requirements, and the council is committed to ensuring these groups are protected and kept safe from harm and abuse.

For councils, there is a requirement that the district / borough council must work in partnership with their upper tier authority, in this case, Derbyshire County Council; the authority who is responsible for `adult or children's care services.

The purpose of this Safeguarding Policy is to make explicit the responsibilities of the council, and how its employees and representatives will meet the legislative duty.

a) Aim of the policy

The aim of this policy is to outline the safeguarding procedures that are to be followed by the Council, to ensure that legal obligations are met. The council will meet this aim by:

- Ensuring working practices safeguard all who access or receive council services, with specific regard to the needs of children and adults at risk;
- Ensuring children and adults at risk and their parents/guardians/carers have confidence in council employees and representatives through safe policies and practices;
- Promoting the welfare, health and full development of children and adults at risk;
- Working together with partners to support safeguarding processes.

2. SCOPE

The Council will undertake the following actions:

- Ensuring employees and representatives of the Council are clear on the roles and responsibilities for protecting children and adults at risk;
- Raising awareness with all employees or representatives of the Council to support them to recognise safeguarding concerns;

- Ensuring that all employees or representatives of the Council are aware of how to record and report identified concerns promptly and appropriately; and,
- Working in compliance with the Derby and Derbyshire Safeguarding Children Partnership's Safeguarding Children Policy - www.ddscp.org.uk and with the Derbyshire Safeguarding Adults Board's Safeguarding Adults Policy and Procedures - www.derbyshiresab.org.uk

Through these aims, the Council will empower those delivering services to have the confidence to support the Derbyshire response to safeguarding children and adults at risk. This will support the council to meet the following corporate priorities:

- A community with lifelong good health
- A place to live that people value
- A place where people enjoy spending time

b) Definitions

Child/ren or young person	Anyone under the age of 18 years in accordance with the Children Act 1989. For the purpose of this policy the reference to children therefore means 'children and young person' throughout.
Child in need	<p>A child in need is defined under the Children Act 1989 as a child:</p> <ul style="list-style-type: none"> • who is unlikely to achieve or maintain or to have the opportunity of achieving or maintaining, a satisfactory level of health or development without the provision of services; • or who's health or development is likely to be significantly impaired, or further impaired, without the provision of such services; or • or a child is disabled. <p>Under section 47 of the Children Act 1989, where a local authority has reasonable cause to suspect that a child (who lives or is found in their area) is suffering or is likely to suffer significant harm, it has a duty to make such enquiries as it considers necessary to decide whether to take any action to safeguard or promote the child's welfare. Such enquiries, supported by other organisations and agencies, as appropriate, should be initiated where there are concerns about all forms of</p>

	abuse and neglect. This includes Female Genital Mutilation and other Honour-Based Violence , and extra-familial threats including radicalisation and sexual or criminal exploitation;
Adult at risk	An adult who is aged 18 and over who: <ul style="list-style-type: none"> • 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, harm 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.
Employee or representative of the Council	An employee (including Agency Staff), Elected Member, volunteer or anyone working on behalf of, delivering a service for, or representing the council including contractors or voluntary organisations.
Parent	Generic term to include birth parents, step-parents and carers. The term will specify parental responsibility where necessary.

3. PRINCIPLES

a) Overarching key principles

The guidance given in this policy is based on the following key principles:

- The welfare of children and adults at risk is of paramount concern for organisations working in the area;
- All children and adults, whatever their age, culture, disability, gender, language, race, religion or belief and / or sexual orientation have the right to protection from abuse or neglect;

In order to fulfil the key principles, it is important that the council:

- Provides political and senior management leadership to ensure that all incidents of suspected or alleged poor practice are taken seriously and responded to quickly and appropriately. This includes allegations made against employees, volunteers and contractors;
- Designs and delivers council services with due regard to safeguarding legislation, best practice and protocols;
- Shares data with relevant bodies where appropriate;

- Provides appropriate training for employees or representatives of the Council working directly to deliver council services; and
- Insists on robust safeguarding policies and practices from contractors, partners and voluntary groups delivering council services or using council facilities.

In addition, when supporting adults, the following principles will be used to support local partnership arrangements:

- **Empowerment**
Adults will be supported and encouraged to make their own decisions and have informed consent, whether this is for themselves, or as a parent / carer / guardian of either an adult at risk, or a child or young person. Ensuring that services empower the person to have their voice heard through the process.
- **Prevention**
It is better to take action before harm occurs.
- **Proportionality**
Taking the least intrusive response appropriate to the risk presented.
- **Protection**
Support and representation for those in greatest need.
- **Partnership**
Local solutions found with services working with their communities, acknowledging that communities have a part to play in preventing, detecting and reporting abuse.
- **Accountability**
Accountability and transparency in delivering safeguarding.

b) Confidentiality and Sharing Information

The council will follow its Data Protection and Information Governance policies in all it does to ensure that information is dealt with in line with data protection laws. This includes confidentiality, and the storage and sharing of data with other parties.

Confidentiality is a crucial part of data protection, and all employees have a statutory obligation to safeguard the confidentiality of personal information. Every effort will be made to maintain confidentiality, and information should be shared on a need-to-know basis. This includes the following:

- Members of the team leading the internal investigation;

- The parents/guardian/carer of the person who is alleged to have been abused;
- The person making the allegation;
- DCC Children's Social Care and the police;
- The alleged perpetrator.

Alongside confidentiality, every effort will be made to obtain consent from the individuals involved as appropriate, particularly when considering preventative services.

However, anyone receiving or discussing a potential safeguarding report or disclosure must consider the safety and welfare of the person/s involved. Where there is a concern that a child or adult may be suffering, or is at risk of significant harm, the individual's immediate safety and welfare must be the overriding consideration. This may mean that it is necessary to share information **without** consent from those involved.

Sharing confidential information without consent is allowed in certain circumstances under the Data Protection Act 2018 when it is in the public interest and is normally justified where:

- it is in the interest of the child or young person where reasonable concerns identify that their health or development will be impaired without the provision of services;
- there is evidence that a child or young person is suffering or is at risk of suffering significant harm;
- there is reasonable cause to believe that an individual may be suffering or at risk of suffering significant harm;
- it is to prevent significant harm arising to children and young people, including through the prevention, detection and prosecution of serious crime.

Where consent is not deemed possible, the key factor on deciding whether to share confidential information is proportionality; whether the proposed sharing is a proportionate response to the need to protect the public interest in question. This should also take into account the circumstances of the individual; including whether those who are charged with keeping them safe are the subject of the disclosure and sharing the disclosure with them may put the individual at risk of more harm. The person making a disclosure must be advised that the information they provide will need to be shared with appropriate people and/or agencies.

The representative of the council receiving the disclosure should speak with a Safeguarding Link Officer who will support them to make a decision based on

reasonable judgement and together, record it. Call Derbyshire or Starting Point can also provide advice and can be contacted on **telephone 01629 533 190**.

In all cases, the sharing of data will still need to be carried out in a controlled manner as defined in the Data Protection Act 1998 and the General Data Protection Regulations (GDPR) with any relevant council guidance, policies and practices, including information being stored in a secure place with limited access.

It is acknowledged that the early sharing of information is the key to providing effective help where there are emerging concerns. Fears of sharing information must not stand in the way of promoting and protecting the well-being of children and adults at risk of abuse and neglect.

Further guidance on key points for sharing information is available:

- [For children and young people](#)
- [For adults](#)

4. Statutory Framework

a) Legal Framework – Safeguarding Children

Local authorities have a duty under Section 11 of the Childrens Act 2004 to ensure their functions and services provided on their behalf are discharged with regard to the needs to safeguard and promote the welfare of children.

In addition, July 2018, the Government issued new national guidelines; “[Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children](#)” to provide clarity for what is required and how organisations need to work together in partnership with others.

There is more information on the legislation on the [Derby & Derbyshire Safeguarding Children Partnership](#).

b) Legal Framework - Safeguarding Adults at Risk

Nationally there is a wide range of legislation and regulatory framework relating to adults who may be vulnerable. More information is available on the [Derbyshire Safeguarding Adults Board](#) website. There are specific requirements for upper tier councils such as Derbyshire County Council, who have the statutory lead on adult care services including, but not limited to:

- [The Care Act 2014 and its statutory guidance](#) (this replaces the ‘No Secrets’ Guidance 2000)
- [Human Rights Act 1998](#)

- [Mental Capacity Act 2005](#) and its subsequent amendments [Mental Capacity \(Amendment\) Act 2019](#)
- [SCIE Safeguarding Adults of Risk of Harm: a Legal Framework for Practitioners](#)

Employees will have regard to and are bound to operate within these Acts as appropriate, and will have due regard to any other relevant legislation, statutory guidance and regulations. Other procedures or guidance may apply such as the 'Safeguarding Children' procedures, Domestic Abuse Protocol, MARAC, and Forced Marriage.

This Policy is based on the duties and obligations enshrined in the following Acts and guidance policies:-

- The Children Act 1989 and 2004
- Safeguarding Vulnerable Groups Act 2006
- Public Interest Disclosure Act 1998
- Data Protection Act 1998
- General Data Protection Regulations 2018
- Care Act 2014
- Children and Social Work Act 2017
- European Convention of Human Rights
- No Secrets 2000
- Working Together to Safeguard Children 2015
- Mental Capacity Act 2005
- Disclosure and Barring Service (formerly the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA)
- Equalities Act 2010

c) The Council's responsibility

“Safeguarding is everyone's responsibility”

The services directly provided by, or services commissioned by the Council but delivered by others (including volunteers, partners, contractors, Elected Members or voluntary organisations), have the potential to impact positively upon the lives of children and adults at risk. These include employees or representatives of the Council working directly with individuals or families. Equally, employees or representatives may become aware of safeguarding issues whilst out and about in the borough during their personal lives.

The Council has a Adult and Children Safeguarding Group which is responsible for developing the corporate policy in conjunction with partners and having due regard to local and national policy and legislation. The Group also monitors the application of and effectiveness of the council's policy and procedures. Key officers across the Council sit on the working group.

The group is responsible for:

- Developing, implementing and monitoring the effectiveness of the policy and procedures;
- Ensuring a consistent application of the policy across the Council;
- Working with the relevant Safeguarding Partnerships and Boards through the county-wide governance arrangements;
- Agreeing the content and delivery of training;
- Reporting to the Managing Director and Service Management Team as appropriate any findings, directions or contraventions of the policy and its procedures.
- Disseminating good practice and practice guidance.

The Council has appointed Safeguarding Link Officers to act as contact points for employees, Councillors or members of the public that need to report any incidents or concerns regarding a child's health and wellbeing.

The Safeguarding Link Officers will have a specific responsibility for:

- ensuring the reporting of any allegation or suspicion of safeguarding concerns to appropriate organisations
- being familiar with the requirements set out by Derby and Derbyshire Safeguarding Children's Partnership and Derbyshire Safeguarding Adults Board
- championing the inclusion of robust safeguarding procedures across the council
- continuing professional development to keep abreast of changes in safeguarding practice or legislation.

d) Recruitment and employment

The Council will take all reasonable steps to prevent unsuitable people from working with children and young people. The Council's Policy on Recruitment and Selection must be followed for all appointments. For existing employees and applicants who are offered employment in posts which involve contact with children or undertaking any form of regulated activity, an Enhanced Disclosure and Barring Service (DBS) Check must be undertaken and renewed on an annual basis. This must include a check to ensure that the successful candidate is not barred from working with children and/or adults in vulnerable circumstances. The Council fully complies with the DBS Code of Practice, this policy will be in line with the Council's Disclosure and Barring Service (DBS) Policy, which can be viewed via the Council's internal website or a copy requested from the Human Resources department.

e) Dealing with allegations against employees

Any concerns about the welfare of a child or an adult at risk due to the actions of an employee of the Council must be reported immediately.

It can often be difficult to report a fellow employee, but the Council will ensure that all employees are fully support and protect anyone who, without malicious intent, reports their concerns about a colleague's behaviour towards a child or adult at risk. The Council has a Whistle Blowing Policy, which complements the reporting procedures referred to in this policy and can be viewed via the Council's internal website or a copy requested from the Human Resources department.

If there is an allegation about an employee, there may be three types of investigation:

- Criminal, led by the police;
- Child or Adult Social Care, led by Derbyshire County Council;
- Disciplinary, led by the line manager and appropriate senior manager at the Council's, following internal disciplinary procedures.

Civil proceedings could also be taken by the person or family who are alleging the abuse or harassment. It may be that one or more of the above investigations are ongoing at similar times.

Where it is suspected that abuse has taken place, the normal safeguarding reporting routes should be followed and the concern reported to an immediate line manager, Safeguarding Link Officer, or to a member of the Senior Leadership Team (SLT).

Advice will be sought from appropriate officers or external organisations as to the way to proceed, which may involve reporting the concerns to Derbyshire County Council or the Police.

Whilst any allegation will be treated seriously and investigated immediately and thoroughly, it is possible for an employee to become a victim of false accusations. Employees are encouraged to protect themselves from false accusations by adopting good practice at all times.

Further information about dealing with allegations made against staff or representatives can be found:

- [For children](#)
- [For adults](#)

5. Abuse and harm

The following sections go through the different types of abuse and harm. Whilst there are a number of similarities between children and adults, there are difference and the responses and pathways to support are different. Therefore, the following sections are separated into Children and Adults.

What is abuse or harm to children?

a) Types of abuse

In July 2018 the Government issued new national guidelines;
“Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children”

This document provides clarity for what is required and how organisations need to work together in partnership with others. Safeguarding and promoting the welfare of children is defined in the guidance as:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best outcomes

This can include preventing and protecting a child from:

- Abuse
- Physical abuse
- Emotional abuse
- Sexual abuse
- Child sexual or criminal exploitation
- Neglect
- Extremism

b) Barriers to disclosure

There may be a number of barriers that exist which prevent a child from telling others about abuse. Some of the main barriers are:

- Have communication or learning difficulties;
- Not yet have the vocabulary to describe what has happened;
- Don't understand that what they have or are experiencing is wrong;
- Be scared because they feel they have been threatened;
- Think they will be taken away from home;
- Believe they are to blame, or they may feel guilty;
- Think it happens to others;
- Feel embarrassed;
- Not want their abuser to get in trouble;
- Be afraid that they won't be believed;
- Think they have already told e.g. by dropping hints;
- Have told someone before and weren't believed, so think there is no point in trying again.

c) Factors that increase the risk of abuse

There are many issues that may contribute to child abuse, but some factors increase the risk to children and young people and make them more vulnerable to abuse. They can be found in the background of parents, in the environmental situation and in attributes of the child or young person themselves.

These factors can be significant in alerting a bystander or family member to offer support to a family and keep a caring eye out.

Caregivers factors:

- Caregivers with drug or alcohol issues
- Caregivers with mental health issues, including depression
- Caregivers who don't understand children's needs or development
- Caregivers who were abused or neglected as children
- Caregivers who are young or single parents or parents with many children
- Caregivers have unrealistic expectations of the child and lack parenting knowledge
- Caregivers with low education or income
- Caregivers experiencing high levels of parenting stress or economic stress
- Caregivers who use spanking and other forms of corporal punishment for discipline
- Caregivers in the home who are not a biological parent
- Caregivers with attitudes accepting of or justifying violence or aggression

Family factors

- Families that have household members in jail or prison
- Families that are isolated from and not connected to other people (extended family, friends, neighbours)
- Families experiencing other types of violence, including relationship violence
- Families with high conflict and negative communication styles

Community factors

- Communities with high rates of violence and crime
- Communities with high rates of poverty and limited educational and economic opportunities
- Communities with high unemployment rates
- Communities with easy access to drugs and alcohol
- Communities where neighbours don't know or look out for each other and there is low community involvement among residents
- Communities with few community activities for young people
- Communities with unstable housing and where residents move frequently
- Communities where families frequently experience food insecurity

Environmental Factors:

- Overcrowding in the house
- Poverty or lack of opportunity to improve the family's resources
- Family violence is present
- A non-biological adult living in the house
- Family is experiencing multiple stresses

Child Factors:

- Baby is sickly, colicky or unwanted
- Child is younger than 4 years of age
- Child has additional needs which may increase caregiver burden
- Child is the product of an abusive relationship
- Lack of attachment between child and parent

6. Dealing with allegations or suspicions

All employees have a duty to discuss any concerns they may have about the safety or welfare of a child with their line manager or one of the Safeguarding Link Officers and ensure an appropriate referral is made as outlined in this policy.

There are 5 steps employees or representatives should take:

1. **RECOGNISE** concerns as they are identified.
2. **RESPOND** to disclosures in an appropriate way and deal with immediate safety or crime concerns.
3. **REPORT** allegations or suspicions to line managers on the same day.
4. **REFER** to appropriate organisations on the same day.
5. **RECORD** incidents to share concerns with appropriate organisations, ensure data management policies and facilitate investigations or case reviews.

1. Recognise

It is not always easy to recognise when abuse has taken place or a situation that may develop to become abusive. Council employees are not expected to be experts at recognising such situations but they do have a responsibility to act if they have **any** concerns about the behaviour *of* a child, or *towards* a child.

Harm and abuse can happen in a range of different ways, and in any setting, including:

- a person's home (including a care or nursing home)
- at work
- at an education setting, including a school or college
- in a hospital
- at a day centre
- at organised clubs or groups
- anywhere else people spend their time in the community (e.g. leisure centres, open spaces).

2. Respond

It is important that you respond in the right way to anyone who may disclose a concern. Remember:

- Stay calm
- Listen carefully
- Ask questions for clarification

- Believe
- Reassure
- As a child, you will need to inform them you will have to pass information on to the right people to help them
- Don't promise to keep secrets. All allegations of harm or potential harm will be acted upon.

When responding to a disclosure or suspicion about a situation, you need to assess the situation:

- Does it need an immediate response?

It is important that we deal with any situation where someone is immediately at risk of harm or in danger, or if there is a crime in progress at that moment. If this is the case, you need to dial 999 to alert the emergency services, remembering to also dial a 9 first if you are ringing from an internal council phone.

- Has a crime taken place?

If someone is saying that a crime has taken place (but not in progress), you will need to support the person to report this to the police. You can do this in a number of ways:

- **Phone number:** 101
- **Website reporting form:** www.derbyshire.police.uk
- **Twitter:** Sending a Direct Message to @DerPolContact

You will still need to follow the steps below.

3. Report

You will need to share your concerns with your Line Manager and contact one of the Safeguarding Link Officers on the same day as the concern was noted.

The Safeguarding Link Officers are officers who can help you to consider what needs to be done next and by who.

4. Refer

The Safeguarding Link Officers] act as contact points for any employees, Councillors or members of the public that need to report any incidents or concerns they may have with a child's health and wellbeing.

If professionals (usually the Safeguarding Link Officer) are unsure about whether to refer, they should telephone Starting Point Consultation and Advice Service for Professionals (Tel: 01629 535 353). The service operates Monday to Friday from 08:00 – 18:00.

Making a Referral to DCC's Children Social Care

When speaking with the Safeguarding Link Officers, they will work with you to decide what appropriate action needs to be taken, which may be:

- **Phoning Call Derbyshire on 01629 533 190**

Call Derbyshire Customer Care Assistants (CCAs) receive all telephone calls from professionals working with children in Derbyshire where there are concerns for the immediate welfare of a child/ren. Call Derbyshire CCAs will record the detail of the referral on an Initial contact record and task this immediately to **Starting Point**.

Call Derbyshire CCAs will advise referrers to follow up their verbal referral within 24 hours with written confirmation through the completion of an electronic referral document which can be found at: www.derbyshire.gov.uk/startingpoint.

Children's Social Care (through Starting Point) operates their service both on the phone and through the Online Referral Forms from Monday to Friday 8am - 6pm. To report immediate child protection issues or safeguarding concerns out of these hours telephone:

- Call Derbyshire on Tel: 01629 532 600.

Starting Point has links with Derbyshire Constabulary, Derbyshire Health Services, as well as Children's Social Care, each with access to their own information systems. It is important to make clear that you wish to discuss an individual child and ensure you get the name and job title of the person you speak to. Any immediate courses of action can be discussed to address any concerns. The response time will vary depending on the situation, however it is expected that you are kept informed, but if this does not happen within three working days a follow up call should be made by the Link Officer (or person making the referral).

If you are not a Safeguarding Link Officer and have had to contact Starting Point please ensure you pass full details of the referral to the Safeguarding Link Officer for recording purposes.

There is more information available on the services that [Derbyshire County Council provide for children and families](#) on their website.

- **Speaking to workers already involved**

If you are aware the child already has an allocated Early Help Team worker or social worker do not fill out this form and liaise directly with the allocated worker.

5. Record

You will need to write detailed notes on what happened and when, including who was there, what was said or done, what your suspicions are and anything else you remember about the situation. The referral form will help you to record the right information but should always include:

- Name, address and date of birth of the person concerned
- Date and time of the situation
- Your name, signature and job title
- A factual account of what happened

- The location where the incident took place
- The actual words spoken by the individual if possible and how they acted
- A note of any other people involved e.g. as witnesses

7. What is harm or abuse to adults at risk?

a) Types of abuse

Abuse is a violation of an individual's human or civil rights, by any other person or persons. Professionals should not limit their view of what constitutes abuse or neglect, as they can take many forms and the circumstances of the individual case should always be considered. The following types of abuse and neglect are identified within the Care Act 2014, but should not be considered exhaustive;

- **Physical abuse**
Including assault, hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate physical sanctions.
- **Domestic abuse**
An incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse by someone who is or has been an intimate partner or family member regardless of gender or sexuality. Includes psychological, physical, sexual, financial, emotional abuse, so called 'honour' based violence, Female Genital Mutilation and Forced Marriage.
- **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.
- **Sexual exploitation**
Involves exploitative situations and relationships where people receive 'something' (e.g. accommodation, alcohol, affection, money) as a result of performing, or others performing on them, sexual activities
- **Psychological abuse**
Including emotional abuse, threats of harm or abandonment, deprivation, of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks
- **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.
- **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 inhuman treatment.

- Discriminatory abuse
Including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.
- 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.
- Neglect and acts of omission
Including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.
- 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.

b) Adults not meeting safeguarding criteria

Where there is concern that someone is being abused, neglected or is being affected by abuse, but they do not meet the definition of an 'adult at risk' as outlined in 'Definitions, 2 b), the Vulnerable Adult Risk Management (VARM) procedures may be applicable. More information about the VARM process is available on the [Derbyshire Safeguarding Adults Board website](#).

In addition, there are other areas of community safety that may apply, each with policies, procedures and support available. These may include:

- Derbyshire Domestic Abuse Policies including MARAC, Female Genital Mutilation and Forced Marriage
- Multi Agency Public Protections Arrangements (MAPPA)
- Anti-Social Behaviour
- Hate crime
- Prevent
- Modern Slavery

For more information on these, please see the [VARM Policy](#) or the associated information sheets which can be found on the Council's intranet, or contact a VARM Champion or your local Community Safety Team.

In all cases, information will be supplied to the person about universal safety services.

c) Recognition of mental ill health

Everyone has mental health, like everyone has physical health, both change throughout our lives. Minds like bodies can become unwell. Mental ill health can range from mild stress-related symptoms, to acute conditions such as bipolar, depression, psychosis and schizophrenia. The following can often be indicators that someone may need help: Suicidal thoughts, social withdrawal, delusions, paranoia, confusion, self-harm, marked mood swings and severe anxiety.

Further information on Mental Health is available on the Council's website or the Rethink Mental Illness website.

d) Barriers to disclosure

There may be a number of barriers that exist which prevent a child or adult from telling others about abuse. Some of the main barriers are:

- Be scared because they may have been threatened;
- Think they will be taken away from home;
- Believe they are to blame, or they may feel guilty;
- Think it happens to others;
- Feel embarrassed;
- Not want their abuser to get in trouble;
- Have communication or learning difficulties;
- Not yet have the vocabulary to describe what has happened;
- Be afraid that they won't be believed;
- Think they have already told e.g. by dropping hints;
- Have told someone before and weren't believed, so they believe there is no point in trying again.

e) Factors that increase the risk of abuse

There are a number of factors that can increase the risk of an adult being at risk of abuse. These can include:

- be getting older.
- have a physical or learning disability, or have trouble seeing or hearing.
- not have enough support.
- have mental health problems.
- be socially isolated.
- live in inappropriate accommodation.
- misuse alcohol or drugs.
- have financial circumstances which make them higher risk.

8. Dealing with allegations or suspicions regarding adults

There are 5 steps for employees or representatives to undertake:

1. **RECOGNISE** concerns as they are identified.
2. **RESPOND** to disclosures in an appropriate way and deal with immediate safety or crime concerns.
3. **REPORT** allegations or suspicions to line managers on the same day.
4. **REFER** to appropriate organisations on the same day.
5. **RECORD** incidents to share concerns with appropriate organisations, ensure data management policies and facilitate investigations or case reviews.

1. Recognise

It is not always easy to recognise when abuse has taken place or a situation that may develop to become abusive. Council employees are not expected to be experts at recognising such situations but they do have a responsibility to act if they have **any** concerns about the behaviour of an adult or child, or *towards* an adult or child.

Harm and abuse can happen in a range of different ways, and in any setting, including:

- a person's home (including a care or nursing home)
- at work
- at an education setting, including colleges or adult education settings
- in a hospital
- at a day centre
- at organised clubs or groups
- anywhere else people spend their time in the community (e.g. leisure centres, open spaces).

You need to assess the situation:

- Does it need an immediate response?

It is important that we deal with any situation where someone is immediately at risk of harm or in danger, or if there is a crime in progress at that moment. If this is the case, you need to dial 999 to alert the emergency services, remembering to also dial a 9 first if you are ringing from an internal council phone.

- Has a crime taken place?

If someone is saying that a crime has taken place (but not in progress), you will need to support the person to report this to the police. You can do this in a number of ways:

- **Phone number: 101**
- **Website reporting form: www.derbyshire.police.uk**

- **Twitter: @DerPolContact**

2. Respond

It is important that you respond in the right way to anyone who may disclose a concern. Remember:

- Stay calm
- Listen carefully
- Ask questions for clarification
- Believe
- Reassure
- If it is a child, inform them you will have to pass information on to the right people to help them
- Don't promise to keep secrets. All allegations of harm or potential harm will be acted upon.

If no-one is in immediate danger, record the details of the situation and follow the next stages.

Actions to be avoided:

- Panic
- Allow shock and/or distaste to show
- Probe to find out more information than offered
- Speculate or make assumptions
- Make negative comments about the alleged abuser
- Make promises to agree to keep it a secret
- Discussing the issue with anyone other than the appropriate line Manager or Senior Manager.

It is not the responsibility of any employee, Councillor, or contractor of the Council to decide whether or not abuse has taken place. There is, however, a responsibility to act on any concerns and to protect adults in order that appropriate agencies (in the Council's case this is normally DCC's Adult Service or the Police) to make enquiries and take necessary action to protect the Adult.

3. Report

You will need to share your concerns with your Line Manager and contact one of the Safeguarding Link Officers on the same day as the concern was noted.

Employees will complete a referral form (see appendix 1), or the online form which can be found on the Council's intranet. As soon as possible, telephone / email the Officer who will contact Call Derbyshire and forward the referral form.

NOTE: In the event that a Safeguarding Link Officer is not available the referral should not be delayed. A call should be made to Call Derbyshire during the same working day.

4. Refer

The Safeguarding Link Officers act as contact points for any employees, Councillors or members of the public that need to report any incidents or concerns they may have with an adult's health and wellbeing.

When speaking with the Safeguarding Link Officer, they will work with you to decide what appropriate action needs to be taken, which may be a referral to Adult Social Care. This needs to be completed by;

- **Telephoning Call Derbyshire on Tel: 01629 533 190**

Call Derbyshire operates their service (both on the phone and through the Online Referral Forms from Monday to Friday 8am - 6pm. To report adult safeguarding concerns out of these hours telephone Call Derbyshire on Tel: 01629 532 600.

When referrals are made via telephone to Call Derbyshire, the referring officer should confirm in writing within 24 hours to contactcentre@derbyshire.gov.uk or as directed by the Call Derbyshire officer. If you are not the council's Safeguarding Link Officer and have had to contact Call Derbyshire, please ensure you pass full details of the referral to the Safeguarding Link Officer for recording purposes.

Call Derbyshire has representatives from Derbyshire Constabulary, Derbyshire Health Services, as well as Adult Social Care, each with access to their own information systems. Any immediate courses of action can be discussed to address any concerns. The response time will vary depending on the situation, however it is expected that you are kept informed, but if this does not happen within three working days a follow up call should be made by the Safeguarding Link Officer (or person making the referral).

More information found on [the Derbyshire Safeguarding Adults Board website.](#)

- **Speaking to an allocated worker**

If you are aware the adult already has an allocated Social Worker, do not fill out this form and liaise directly with the allocated worker.

5. Record

You will need to write detailed notes on what happened and when, including who was there, what was said or done, what your suspicions are and anything else you remember about the situation. The referral form will help you to record the right information but should always include:

- Name, address and date of birth of the person concerned
- Date and time of the situation
- Your name, signature and job title
- A factual account of what happened
- The location where the incident took place
- The actual words spoken by the individual if possible and how they acted

- A note of any other people involved e.g. as witnesses

9. Responsibility for Implementation

Emergency

In an emergency **you** must call the police and/or ambulance service on **999**, and then speak to Call Derbyshire immediately on **01629 533190 or 01629 532600 (out of hours)** explaining your concerns. If you can, and it is safe to do so, stay with the adult until help arrives.

Non-Emergency Contacts

The tables show the Safeguarding Link Officers name and contact details for Bolsover Derbyshire District Council.

Bolsover Derbyshire District Council Link Officers

Name	Job Title	Telephone Number
Karen Hanson	Chief Executive Officer	01246 242224
Deborah Whallett	Housing Services Manager	01246 593057
Lesley Botham	Customer Services Manager	01246 242230
Ellie Bircumshaw	ASB Caseworker	01246 242232
Sally Banner	Contact Centre Manager	01246 242280
Maxine Marriott	Contact Centre Manager	01246 242602
Lisa Reeves	Contact Centre Manager	01246 242662
Steve Brunt	Strategic Director of Services	01246 217245
Mel Osborne	Senior Parenting Practitioner	01246 593024

All referrals to Derbyshire County Council should then be passed to deborah.whallett@bolsover.gov.uk for monitoring purposes.

There is a wealth of information available to access through the Boards, Partnerships and organisations involved. Please visit:

- [Derbyshire Safeguarding Adults Board](#)
- [Derby & Derbyshire Safeguarding Children Partnership](#)
- [Derbyshire County Council](#)
- [Derbyshire Police](#)

10. Appendices



**Derby Safeguarding Adults Board and
Derbyshire Safeguarding Adults Board
Referral Form**



When completing the referral form please consult the Derby and Derbyshire Safeguarding Adults Procedures.

FOR ALL SAFEGUARDING REFERRALS PLEASE TELEPHONE the relevant local authority to make the referral before submitting this form.

For Derby City, please call 01332 642855 or 01332 956606 outside of office hours.

For Derbyshire County, please contact Call Derbyshire on 01629 533190 or 01629 532600 outside of office hours.

The email addresses below are secure. However, you should seek assurance from your IT team that you have the correct security to email securely to 'gov.uk' addresses. If in doubt, please send an encrypted email. Please note: these email inboxes are not monitored out of hours.

Derby City	AdultsMASH@derby.gov.uk
Amber Valley Area (Ripley, Alfreton, Belper)	ASCH.BSAmbervalley@derbyshire.gov.uk
Bolsover Area (Clowne, Whitwell)	ASCH.BSBolsover@derbyshire.gov.uk
Chesterfield Area	ASCH.BSChesterfield@derbyshire.gov.uk
Erewash (Long Eaton, Ilkeston)	ASCH.BSErewash@derbyshire.gov.uk
High Peak Area (Glossop, Buxton, Matlock)	ASCH.BSHighpeak@derbyshire.gov.uk
North East Area (Clay Cross, Dronfield, Eckington)	ASCH.BSNorthEast@derbyshire.gov.uk

South Dales Area (Ashbourne,
Swadlincote, Shardlow, Willington,
Hilton, Etwell)

ASCH.BSSouthDales@derbyshire.gov.uk

Please note: sending person identifiable information using the above email addresses may amount to a breach of Data Protection legislation if you do not send from a secure email address to a secure email address.

ALL QUESTIONS MUST BE COMPLETED IN FULL TO ALLOW ASSESSMENT OF RISK

Any incomplete forms will be reported to agency safeguarding leads for quality assurance.

1. DETAILS OF THE ADULT

Name of relevant adult: Click or tap to enter text.

Date of birth: Click or tap to enter a date.

Gender: Choose an item.

If Other, please state: Click or tap to enter text.

Ethnicity: Choose an item.

If Other Ethnic Group, please state: Click or tap to enter text.

Address: Click or tap to enter text.

Telephone number: Click or tap to enter text.

Present location of the adult, if different from above: Click or tap to enter text.

Has the referral been discussed with the adult? Choose an item.

If 'No', why not? Click or tap to enter text.

Have you assessed the adult's capacity (Mental Capacity Act) to make a decision about the safeguarding referral? Choose an item.

If 'Yes', what was the outcome? Choose an item.

If 'No', why not? Click or tap to enter text.

Date of capacity assessment: Click or tap to enter a date.

Has the adult consented to the referral? Choose an item.

If 'No', why not? Click or tap to enter text.

Where the adult consents to the referral what do they want to happen as an outcome of the referral? Click or tap to enter text.

<p>Where the adult has not consented to the referral, what legal grounds are there to override consent?</p> <p>Consent should be sought by explaining to the customer the benefits of sharing information which is relevant and proportionate to the safeguarding concerns, and that sharing information will enable all agencies to work together with the adult to create a safety plan</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Not applicable <input type="checkbox"/> Lacks capacity to consent (MCA 2005) <input type="checkbox"/> Prevention and Investigation of Crime (CDA 1998) <input type="checkbox"/> Prevent serious harm/distress/threat to life (GDPR 2016) <input type="checkbox"/> Risk to other people <input type="checkbox"/> Risk to children (CA 1989) <input type="checkbox"/> The adult is under duress or coercion <input type="checkbox"/> Domestic abuse meets MARAC criteria <input type="checkbox"/> Alleged abuser needs care and support/may be at risk <input type="checkbox"/> Staff are implicated <input type="checkbox"/> Court order/other legal authority <input type="checkbox"/> Other: Click or tap to enter text.
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<p>Is the adult able to independently represent their views and wishes?</p>	<p>Choose an item.</p>
<p>Would the adult like someone to support or represent them? If so, please provide details:</p>	<p>Click or tap to enter text.</p>
<p>Where there is a representative supporting the adult, are they aware of the safeguarding concerns?</p>	<p>Choose an item.</p>
<p>Does the adult need referral to formal advocacy support or services?</p>	<p>Choose an item.</p>

2. STATUTORY SAFEGUARDING CRITERIA	
<p>What care and support needs does the adult have?</p> <ul style="list-style-type: none"> • For example, does the adult have any medical conditions or disabilities such as learning disability, dementia, physical disability, mental ill health etc. Please describe how these conditions impact the adult's day-to-day life. • Are there any conditions which impact on the person's ability to make 	<p>Click or tap to enter text.</p>

decisions for themselves? If you have completed a capacity assessment, please provide more information here?

- Please also explain whether the adult has experienced any trauma, do they have any leaving care status, previous experience of abuse, experiencing coercion or control, etc.
- Please also state if the adult is a carer.

Reflecting on the care and support needs above, how do these needs prevent the adult keeping themselves safe?

3. CATEGORY OF ALLEGED ABUSE/RISK OF ABUSE

- | | | |
|--|---|--|
| <input type="checkbox"/> Physical | <input type="checkbox"/> Sexual | <input type="checkbox"/> Psychological/emotional |
| <input type="checkbox"/> Financial/material | <input type="checkbox"/> Discriminatory | <input type="checkbox"/> Domestic abuse |
| <input type="checkbox"/> Sexual exploitation | <input type="checkbox"/> Neglect/acts of omission | <input type="checkbox"/> Modern slavery |
| <input type="checkbox"/> Organisational | <input type="checkbox"/> Self-neglect | |

4. DOES THE ABUSE/NEGLECT INVOLVE ANY OF THE FOLLOWING FACTORS?

- | | | |
|--|--|---|
| <input type="checkbox"/> Ageism | <input type="checkbox"/> Gender discrimination | <input type="checkbox"/> Sexual orientation/Homophobia |
| <input type="checkbox"/> Religious intolerance | <input type="checkbox"/> Racism | <input type="checkbox"/> Disability |
| <input type="checkbox"/> Pregnancy/maternity | <input type="checkbox"/> Hate crime | <input type="checkbox"/> Anti-social behaviour |
| <input type="checkbox"/> Forced marriage | <input type="checkbox"/> Honour-based violence | <input type="checkbox"/> Radicalisation |
| <input type="checkbox"/> Caring responsibilities | <input type="checkbox"/> Mate crime | <input type="checkbox"/> Criminal exploitation |
| <input type="checkbox"/> Female Genital Mutilation | <input type="checkbox"/> Cuckooing | <input type="checkbox"/> Cross-border/county lines issues |
| <input type="checkbox"/> Homelessness | <input type="checkbox"/> Substance misuse | <input type="checkbox"/> Rough sleeping |
| <input type="checkbox"/> Cost of living | <input type="checkbox"/> Not Known | |

5. DETAILS OF ALLEGED ABUSE/RISK OF ABUSE

Details of alleged abuse/risk of abuse/concerns Click or tap to enter text.

Please give as much detail as possible about what the concerns are, what has happened and what risk of future abuse/harm has been identified (who is involved, what has happened, how has it happened), are they at risk now?

What immediate safeguarding action has been taken? Click or tap to enter text.

If you suspect a crime has occurred, please contact the Police:

For emergency – call 999

For non-emergencies – call 101 or via the online portal link: [Report a crime | Derbyshire Constabulary](#)

Have the Police been informed? Choose an item.
Click or tap to enter text.

If 'Yes', what is the incident or crime number?

Where has the alleged abuse occurred or is likely to occur? Click or tap to enter text.

If this is a regulated setting, please provide the full address and postcode.

Date of suspected abuse: Click or tap to enter a date.

Time of suspected abuse: Click or tap to enter text.

If specific date/time is unknown, please provide details:

Click or tap here to enter text.

Has the adult died? Choose an item.

If yes, what was the date of death? Click or tap to enter a date.

Has the death been referred to HM Coroner? Choose an item.

Think Family: is anyone else at risk including other adults or children? Choose an item.

If you have concerns for the welfare or safety of a child, **If 'Yes', please detail:** Click or tap to enter text.

make a referral to children's services.

[Derbyshire County Council Childrens Services](#)

[Derby City Council Childrens Services](#)

Has the abuse or neglect been directly observed?

Choose an item.

If 'Yes', by whom? Click or tap to enter text.

6. DETAILS OF THE PERSON WHO HAS ALLEGEDLY CAUSED HARM

Do not complete this section where self-neglect is identified

Name of person alleged to have caused harm:

Click or tap to enter text.

Date of birth:

Click or tap to enter a date.

Address: Click or tap to enter text.

Has the person who has allegedly caused harm/abuse got care and support needs? Choose an item.

If yes, please provide details of their care and support needs. For example, does the alleged source of risk have any disabilities, physical and/or mental health conditions, substance misuse, neurodiversity considerations, or are there any concerns about their decision-making ability?

Click or tap to enter text.

Is the person who has allegedly caused harm/abuse aware of the referral?

Choose an item.

- Is this person:**
- A carer
 - Family member
 - Partner
 - Professional
 - Stranger
 - Unknown/other

Details of relationship: Click or tap to enter text.

7. DETAILS OF THE PERSON MAKING THIS REFERRAL

Name of referrer and referring agency: Click or tap to enter text.

Address: Click or tap to enter text.

Telephone: Click or tap to enter text.

Email: Click or tap to enter text.

Signature of referrer: Click or tap to enter text.

By typing your name, you are signing this electronic form.

Print name: Click or tap to enter text.

Date safeguarding concern raised in referring agency: Click or tap to enter a date.

Date form completed: Click or tap to enter a date.

Time: Click or tap to enter text.

Do you consent to the Local Authority disclosing to the adult that you have made this referral? Choose an item.

Contact details for the Local Authority to send feedback about the outcome of the referral: Click or tap here to enter text.

8. ADDITIONAL INFORMATION

Please provide any relevant information about the adult's circumstances e.g. mobility/sensory/communication needs; access to mobile/landline phone; best time for contact/visit; anyone who supports the adult.

It will help in the communication/contact with the adult and the safeguarding process.

Click or tap to enter text.

How is your information used?

The information we collect will be used so that we can assess the risk to your wellbeing in line with our Safeguarding Adults duties, to provide you with information, advice, and safety planning services to help you to maximise your independence and stay safe.

The information may also be used to carry out multi-agency case file audit for the purpose of assuring the quality of local systems and services in place to safeguard adults.

Who will your information be shared with?

If you are referred under safeguarding adults criteria, the information you provide may be shared with other professionals who may or may not be involved with you for similar purposes. We may also ask government departments and agencies to give us information they have about you.

The council may be legally obligated to share the referrer's details with the adult subject to the referral.

If you live in **Derby (excluding Derbyshire)** and would like further information about how your personal information will be used, please see the full copy of our [Privacy Notice](#). Alternatively, you can request a hard copy from the Contact Support Team, Business Support, Derby City Council, Council House, Derby DE1 2FS. Email: contact.support@derby.gov.uk, tel: 01332 640825.

If you live in the **Derbyshire (excluding Derby)** and would like further information about how your personal information will be used, please see the full copy of our [Privacy Notice](#). Alternatively, you can request a hard copy by emailing adultcare.info@derbyshire.gov.uk or writing to the Adult Care Information Team, County Hall, Matlock, DE4 3AG.