

**Leeds Safeguarding
Adults Partnership**

Service User To Service User Abuse

**Information for service provider managers of residential and
nursing homes and support tenancy schemes**

Everyone has a right to live their life free from abuse and the fear of abuse

Every adult at risk has an equal right to support and protection within the safeguarding adult procedures regardless of their individual differences or circumstances.

The West Yorkshire Multi-Agency Safeguarding Adults Policy and Procedures apply equally to:

- all adults at risk
- all agencies
- all settings, and
- all forms of abuse

This guidance is provided for service provider managers of residential and nursing homes, and supported tenancies. Its purpose is to help support managers in deciding whether a safeguarding alert should be made when an incident has occurred between service users within their service.

Abuse as a crime

Alongside the safeguarding adult procedures, service users must be afforded the same rights to justice and the protection of the law as any other citizen. Where a crime is suspected, it should be reported to the police with the consent of the adult at risk.

A crime may also need to be reported without the person's consent, where there is a duty of care to report the crime and/or it is assessed as in the person's best interests in line with the Mental Capacity Act 2005.

Examples of such crimes include:

- ❖ Being physically assaulted (even if there is no resulting injury) may be an offence under Section 39 of the Criminal Justice Act 1988.
- ❖ Unwanted sexual touching (intentional) may be an offence under Section 3 of the Sexual Offences Act 2003.
- ❖ Harassment (causing alarm or distress) of another person may be an offence under the Protection From Harassment Act 1997.
- ❖ Taking the money or possessions of others may be an offence under Section 1 of the Theft Act 1968.

Refer to the West Yorkshire Multi-Agency Safeguarding Adult Policy and Procedures for further guidance and/or contact the police for advice.

Common types of abuse between service users

The following types of abuse will be most common between service users in residential and nursing homes, and supported tenancies:

Physical abuse includes:

Hitting, slapping, kicking, pushing, biting, pinching, causing pain or physical harm

Psychological/emotional abuse includes:

Threats of harm, humiliation, intimidation, coercion, controlling, harassment, degrading treatment, verbal abuse

Sexual abuse includes:

Rape and sexual assault or sexual acts to which the adult at risk has not consented, or could not consent or was pressurised into consenting

Financial and material abuse:

Financial and material abuse is a crime. It is the use of a person's property, assets, income, funds or any resources without their informed consent or authorisation

Discriminatory abuse:

Involves abuse based on a person's race, sex, disability, faith, sexual orientation, or age, other forms of harassment, slurs or similar treatment or hate crime/hate incident

Sometimes a person may experience more than one type of abuse.

On some occasions a service user who is experiencing abuse may also be abusing another person.

When should you make a safeguarding adult alert?

Making a safeguarding alert means reporting the concerns into the safeguarding adult procedures.

An incident occurs or a concern is reported to you

Does the incident indicate a form of abuse?

- | | | | |
|-------------------------------|--------------------------|------------------------------|--------------------------|
| Physical abuse | <input type="checkbox"/> | Financial and material abuse | <input type="checkbox"/> |
| Sexual abuse | <input type="checkbox"/> | Discriminatory abuse | <input type="checkbox"/> |
| Psychological/emotional abuse | <input type="checkbox"/> | | |

NB: Abuse may occur without any intent to cause harm

Consider the seriousness of the allegation or concern, taking into account:

- The nature and extent of the concern
- The length of time it has been occurring
- The impact of the incident
- The risk of repeated incidents for the person
- The risk of repeated incidents for others

Does the person appear to have experienced harm or are they at risk of harm if the safeguarding alert is not made?

Consider the adult at risk's wishes about what they want to happen next. Sometimes it will be necessary to report a concern without the person's consent. Such as in the following circumstances:

- It is in the public interest e.g. there is also a risk to others, abuse has occurred on property owned or managed by an organisation with a responsibility to provide care
- The person lacks mental capacity to consent and it is in the person's best interests
- The person is being unduly influenced or intimidated, to extent that they are unable to give consent
- It is in the person's vital interests (to prevent serious harm or distress or life threatening situations)
- It is necessary to prevent crime

If there is uncertainty as to whether you should make a safeguarding alert, refer to the additional guidance on Page 5 and seek advice as required.

Contact the lead(s) for safeguarding adults within your organisation

Contact the Leeds Safeguarding Adult Partnership Advice Line
0113 224 3511 (Office hours Monday-Friday)

Additional Guidance: Alert Decision Support Tool

When considering whether to make a safeguarding adult alert into the safeguarding adult procedures, the following examples can be used to support your decision making. This can be used as a general guide. It is important however to take into account the unique circumstances of the situation in reaching your decision.

Types of Abuse/ Types of Response	Examples: Safeguarding alert may not be required. Consider alternative responses e.g. revised care plans, care reviews, complaints etc.	Examples: Safeguarding alert likely to be required Making an Alert means reporting a concern into the safeguarding adult procedures
Physical Abuse	<p>One service user ‘taps’ or ‘slaps’ another but not with sufficient force to cause a mark or bruise and the victim is not intimidated. Isolated incident, care plans amended to address risk of reoccurrence</p> <p>One service user shouts at another in a threatening manner, but the victim is not intimidated. Care plans amended to address risk of reoccurrence.</p>	<p>Isolated incident causing harm.</p> <p>Predictable and preventable (by staff) incident between two adults at risk</p> <p>Harm may include: bruising, abrasions and/or emotional distress caused</p>
	<p>Illustrated example</p> <p>Nathan has learning disabilities and lives in a care home with 3 other people. When walking through the lounge he is pushed by Mike, another resident, as he rushes past. Nathan stumbles and falls over. He is a bit shocked but is not hurt. Staff tell the manager, who decides that a safeguarding alert is not required. They provided Nathan with support and advise the other resident of the need to take greater care in the future.</p>	<p>Nathan has learning disabilities and lives in a care home with 3 other people. When walking through the lounge he is pushed by Mike, another resident as he rushes past. Nathan stumbles and falls over. Staff have spoken to Mike about this before, but it has happened several times now. Nathan has bruised his arm, and is upset and anxious around Mike. They provide Nathan with support and make a safeguarding alert.</p>
	<p>Illustrated example</p> <p>Iris is in her 80’s, has dementia and lives in a nursing home. During lunch she sits with Joyce, but becomes disorientated and confused about where she is. As staff walk over to reassure her, she becomes agitated and throws her tea cup in frustration. The tea cup lands up in Joyce’s lap, who is initially cross, but is not scalded or otherwise hurt. Staff tell the manager, who decides that a safeguarding alert is not required. They provide both Iris and Joyce with support and review the incident and the support provided.</p>	<p>Iris is her 80’s, has dementia and lives in a nursing home. During lunch she sits with Joyce, but becomes disorientated and confused about where she is. As staff walk over to reassure her, she becomes agitated and throws her tea cup in frustration. The tea cup hits Joyce on the side of her head. This has not happened before. Joyce is distressed and has a small cut on her cheek. Staff provided both Iris and Joyce with support. Later Joyce was unable to remember what had happened due to her dementia. Staff tell the manager, who decides that a safeguarding alert is required.</p>

Types of Abuse/ Types of Response	Examples: Safeguarding alert may not be required. Consider alternative responses e.g. revised care plans, care reviews, complaints etc.	Examples: Safeguarding alert likely to be required Making an Alert means reporting a concern into the safeguarding adult procedures
Psychological/Emotional Abuse	One service user is teased or spoken to in a rude, insulting, belittling or other inappropriate way by another service user. Isolated incident. Respect for them and their dignity is not maintained but they are not distressed. Actions being taken to prevent reoccurrence.	Isolated incident(s) resulting in harm or recurring/persistent, or is happening to more than one adult at risk. Persistent teasing Harm may include: distress, demoralisation, loss of confidence or dignity.
	Illustrated Example Harinder is in her 30's, she has cerebral palsy and uses a wheelchair outside of her home. Harinder lives in a supported living accommodation. The tenancy support worker overhears another tenant, Mark, shouting at her, calling her derogatory names. Harinder says they had been arguing, and Mark just 'lost it'. Harinder says this is unlike him, they are friends and she doesn't know why he got so cross. The tenancy support worker provides Harinder with support. She tells her manager who speaks to Mark about acceptable behaviour and encourages him to apologise.	Harinder is in her 30's, she has cerebral palsy and uses a wheelchair outside of her home. Harinder lives in a supported living accommodation. The tenancy support worker overhears another resident, Mark, shouting at her, calling her derogatory names. Harinder is very upset , she says that Mark is doing this 'all the time' , he only lives next door so it is hard to avoid him. She says she avoids going out in case she sees him. The tenancy support worker tells her manager, they provide Harinder with support, and make a safeguarding alert .
Sexual Abuse	Isolated incident of teasing or low level unwanted sexualised attention (verbal or non-intimate touching) directed at one service user to another, whether or not they have mental capacity. Care plans being amended to address. Person is not distressed or intimidated.	Intimate touch between service users without valid consent or recurring verbal sexualised teasing resulting in harm Harm may include: emotional distress, intimidation, loss of dignity
	Illustrated Example Margaret resides in a care home. She wakes one night to find another resident, Albert getting into bed with her. Margaret calls for assistance and a member of staff comes to redirect Albert. Albert is confused, he seems to think this is his bedroom and that he is getting into bed with his wife. Margaret is unhappy that this happened. The care staff provide her with support, encourage her to use the lock on her door, and review the care plans in place for Albert so as to be more aware of his whereabouts. Margaret is reassured by this. The manager decides that a safeguarding alert is not required.	Margaret resides in a care home. She wakes one night to find another resident, Albert getting into bed with her. Margaret calls for assistance and a member of staff comes to redirect Albert. Albert is confused, he seems to think this is his bedroom and that he is getting into bed with his wife. Margaret is distressed , she reports that Albert had touched her breasts . Margaret is anxious about it happening again . The care staff provide her with support, and inform the manager, who decides that a safeguarding alert is required.

Types of Abuse/ Types of Response	Examples: Safeguarding alert may not be required. Consider alternative responses e.g. revised care plans, care reviews, complaints etc.	Examples: Safeguarding alert likely to be required Making an Alert means reporting a concern into the safeguarding adult procedures
Discriminatory Abuse	<p>Isolated incident of service user being treated differently/unfairly for reasons of race, sex, disability, faith, sexual orientation or age by another service user. Actions being taken to address. Person is not distressed, intimidated or socially excluded.</p> <p>Isolated teasing incident, insulting comment reflecting discriminatory beliefs. No distress caused. Actions being taken to address.</p>	<p>Isolated incidents(s) resulting in harm, reoccurring or repeated incident. A hate crime or deliberate intent to cause distress.</p> <p>Harm may include: distress, social exclusion, social withdrawal, loss of confidence.</p>
	<p>Illustrated Example</p> <p>David, Carl and John share a flat together. Support staff become aware that John is being teased by the others about his sexuality. Staff overhear them calling him 'gay' and that he is 'like a woman'. This makes John uncomfortable. The support worker holds a house meeting to address this issue; provides John with support and speaks separately with David and Carl about appropriate behaviour. The manager decides that a safeguarding alert is not required.</p>	<p>David, Carl and John share a flat together. Support staff become aware that John is doing all the household tasks. Staff overhear David and Carl calling him 'gay' in a derogatory way, saying he is 'like a woman' and that it is his job to do all their cleaning, washing and cooking. Staff have tried to address this before through house meetings and by speaking to David and Carl about appropriate behaviour. John appears increasingly withdrawn and upset. The manager decides to make a safeguarding alert.</p>
Financial and material Abuse	<p>Service user has borrowed items from another service user with their consent but items are returned to them. Actions being taken to prevent reoccurrence.</p>	<p>Service user has taken item(s) from another service user without their consent and have not returned them.</p>
	<p>Illustrated Example</p> <p>Daljit has mental health problems, he lives alongside Marc in a supported housing tenancy. Daljit has been lending Marc money. The support worker is concerned that it takes a long time for Marc to get his money back. Daljit says he finds it difficult to say no, but also that he is a friend and wants to help. The support worker agrees to support Daljit to be more assertive with Marc, and to offer Marc support with his budgeting.</p>	<p>Daljit has mental health problems; he lives alongside Marc in a supported tenancy. Daljit has been lending Marc money. The support worker is concerned that Marc does not get his money back. Daljit says he finds it difficult to say no and feels intimidated and pressurised and wants to be left alone. The support worker feels Marc is exploiting Daljit because he cannot stand up to him. Daljit doesn't have enough money for his own needs. The worker informs her manager, who decides that a safeguarding alert is required.</p>

Responsibilities in relation to the adult at risk

Alongside the decision to make a safeguarding alert into the safeguarding adult procedures, you must also:

Assess the risk of harm. Seek medical attention if needed	<input type="checkbox"/>
Take action needed to keep the person safe	<input type="checkbox"/>
Consider if the incident should be reported to the police	<input type="checkbox"/>
Consider if the person has any unmet needs	<input type="checkbox"/>
Review relevant care plans	<input type="checkbox"/>
Provide help to understand the safeguarding procedures	<input type="checkbox"/>
Provide support to participate in the safeguarding procedures	<input type="checkbox"/>
Consider if a relative or other representative needs to be informed and involved in decisions. Is an advocate required?	<input type="checkbox"/>
Keep clear records of actions and decisions	<input type="checkbox"/>

Note: Where both service users are living in the same care setting, the impact of an incident may be compounded by the emotional distress of living with an abusive person. Take this into account when considering the impact of an incident and the person's support needs.

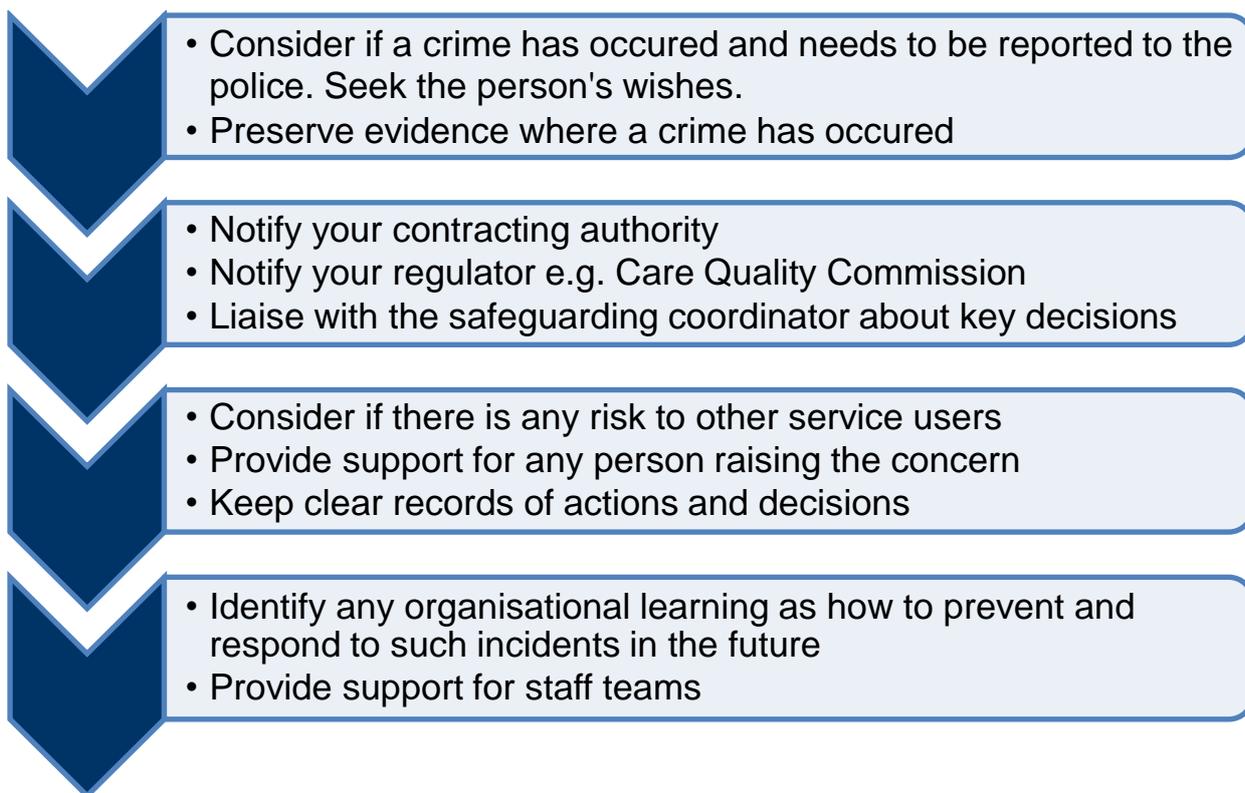
Responsibilities in relation to the person alleged to have caused harm

Alongside the decision to make a safeguarding alert into the safeguarding adult procedures, you must also:

<input type="checkbox"/>	Assess the risk of further incidents
<input type="checkbox"/>	Review the person's care plans
<input type="checkbox"/>	Consider if the person has any unmet needs
<input type="checkbox"/>	Help them to understand the safeguarding procedures
<input type="checkbox"/>	Provide support to participate in the safeguarding procedures
<input type="checkbox"/>	Consider if a relative or other person needs to be informed and involved their care planning. Is an advocate required?
<input type="checkbox"/>	Keep clear records of actions and decisions

Note: In assessing risk, it is important to seek to understand the underlying reasons for the incident or concern. Consider what factors that have triggered or contributed to the incident or concern, and focus on these when reviewing arrangements to keep people safe.

Wider responsibilities of the organisation



Sources of additional advice/information:



Please refer to www.leadssafeguardingadults.org.uk for further information about safeguarding adults.

To make a safeguarding adult alert:

- Telephone Adult Social Care Contact Centre: 0113 222 4401
- Emergency Duty Team: 0113 240 9536

To contact the police

- In an emergency: 999
- To report a crime/non-emergency: 101



**Leeds Safeguarding
Adults Partnership**

© Leeds City Council Communications. This information can be provided in large print, Braille, audio or a community language, please telephone Leeds City Council Communications 0113 247 8630