Legislation and guidance summary

**Legislation/guidance**

**Adults** - *In Safe Hands 2000: Implementing Adult Protection Procedures in Wales*

**How it protects the people we support**
Places a duty on local authorities in Wales to coordinate adult protection procedures in their areas. It ensures that policies and procedures are in place across Wales, which, clarify the principles of good practice and facilitate service development designed to prevent, identify and respond to abuse of adults at risk.

**What it requires you to do if you become aware of harm, abuse and neglect**
To report concerns to an appropriate person in line with safe sharing of information.

**Legislation/guidance**

**Adults** - *Wales Interim Policy and Procedures for the Protection of Vulnerable Adults from Abuse 2010*

**How it protects the people we support**
Individuals have the right to be fully involved throughout the adult protection process and to make decisions about their safety and welfare, unless it has been assessed that they do not have the mental capacity to make any particular decision.

**What it requires you to do if you become aware of harm, abuse and neglect**
You have a duty of care to act if you:
- witness abuse;
- receive information about abuse, suspected abuse or concerns about the care or treatment of an adult at risk; and
- have concerns or suspicions about possible abuse or inappropriate care.

**Legislation/guidance**

**Adults** - *Deprivation of Liberty Standards*

**How it protects the people we support**
Protects the rights of people in care homes or hospitals.
Allows restraint and restrictions to be used – but only if they are in a person’s best interests.
Allows a resident or patient to be deprived of their liberty when they lack capacity to consent to their care and treatment, in order to keep them safe from harm.

**What it requires you to do if you become aware of harm, abuse and neglect**
To report any instances of an individual who wrongly is deprived of their liberty.

**Legislation/guidance**


**How it protects the people we support**
The Convention says that every child has:
- the right to a childhood;
- the right to be educated;
- the right to be healthy;
- the right to be treated fairly; and
- the right to be heard.

**What it requires you to do if you become aware of harm, abuse and neglect**
You should always do what is best for the child, whilst respecting the views of the child i.e. their best interests must be the primary concern in making decisions that may affect them.
立法和指导

儿童 - 儿童法1989年和2004

如何保护我们支持的人

该法在所有机构中设置了职责，以保护和促进儿童的福利，这包括在早期阶段分享担忧以鼓励预防性行动。

如果你意识到伤害、虐待和忽视，你应该做什么

你有责任如果:
• 见证虐待;
• 收到关于虐待、疑似虐待或儿童护理或治疗的担忧或疑虑的信息;
• 或有对可能的虐待的担忧或疑虑。

立法和指导

儿童 - 全威尔士儿童保护政策和程序2008

如何保护我们支持的人

它们基于保护儿童免受伤害的责任这一原则，适用于与儿童和家庭以及可能对孩子构成风险的成年人或成人一起工作的所有个人和机构。

如果你意识到伤害、虐待和忽视，你应该做什么

所有那些与儿童或成人或与可能对孩子构成风险的成人一起工作的人应理解分享信息的目的是为了保护和促进儿童的福利。他们需要了解他们可以做什么以及法律要求他们做什么，包括如何获得分享信息的同意，以及在没有获得同意或在获得同意将使孩子处于风险中时分享信息。

立法和指导

人权法1998

如何保护我们支持的人

在英国，人权法1998年保护所有人。受保护的权利包括:
• 生命权;
• 尊重私人和家庭生活的权利;
• 以及宗教或信仰自由的权利。

如果你意识到伤害、虐待和忽视，你应该做什么

要在你的支持者的权利受到威胁时采取行动，即报告任何担忧给适当的人。
Legislation/guidance
Generic - Care Standards Act 2000

How it protects the people we support
- Provide minimum standards below which no provider may operate.
- Ensure the protection of residents. Safeguard and promote the health, welfare and quality of life of residents and provide standards which are robust, measurable and enforceable, in order to achieve these aims, for example, not employing someone who is on the POVA or POCA list.

What it requires you to do if you become aware of harm, abuse and neglect
To report your concerns immediately.

Legislation/guidance
Generic - Mental Health Act revision 2007

How it protects the people we support
It requires hospitals to ensure that patients aged under 18 years-old, admitted to hospital for mental disorder are accommodated in an environment that is suitable for their age (subject to their needs).

It minimises restrictions on liberty by stopping people being compulsorily detained, or their detention continued, unless appropriate medical treatment and all other circumstances of the case is available to that patient.

It involves patients in planning, developing and delivering care and treatment appropriate to them.

What it requires you to do if you become aware of harm, abuse and neglect
To report your concerns immediately.

Legislation/guidance
Generic - Mental Capacity Act 2005

How it protects the people we support
Protects the rights of individuals who cannot make decisions for themselves (lack capacity).

Protects the rights of individuals to make unwise decisions.

Any decisions made on behalf of an individual who lacks capacity must be in their best interest.

What it requires you to do if you become aware of harm, abuse and neglect
To act when the rights of the people you support are threatened, i.e. report any concerns to an appropriate person.

Legislation/guidance
Generic - Safeguarding of Vulnerable Groups Act 2006

How it protects the people we support
Provides the legislative framework for a new vetting and barring scheme for people who work with children and vulnerable adults, thereby preventing unsuitable individuals from working with children and vulnerable adults.

What it requires you to do if you become aware of harm, abuse and neglect
To report your concerns immediately.

Legislation/guidance
Generic - Equality Act 2010

How it protects the people we support
It protects individuals from discrimination on the grounds of:
- disability
- gender reassignment
- pregnancy and maternity (which includes breastfeeding)
- race
- religion and belief
- sex, and
- sexual orientation.

What it requires you to do if you become aware of harm, abuse and neglect
To act when the rights of the people you support are threatened, i.e. report any concerns to an appropriate person.
**Legislation/guidance**

**Generic - Social Services and Well-being (Wales) Act 2014**

**How it protects the people we support**
The Act identifies Adult and Children’s Pathways in safeguarding.

**Adults Pathway**
Defines the term ‘Adult at Risk’ as an adult who:

a) is experiencing or is at risk of abuse or neglect;

b) has needs for care and support (whether or not the local authority is meeting any of those needs); and

c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

The term ‘at risk’ allows for an early intervention, the aim being to protect people who need it and help to prevent abuse or neglect.

It places a duty upon Local Authority partner organisations such as Police, health boards and probation to inform the local authority if it suspects that an adult is at risk.

Local authorities have a new power to make enquiries if it has reasonable cause to believe an adult is at risk.

If required an ‘Adult Protection and Support Order’ (APSO) can be used in exceptional circumstances to ensure a proper assessment takes place.

**Childrens Pathway**
The definition of a Child at Risk is a child who:

a) is experiencing or is at risk of abuse, neglect or other kinds of harm; and

b) has needs for care and support (whether or not the local authority is meeting any of those needs).

It places a duty upon relevant local authority partners to inform the local authority if it suspects that a child is at risk.

When a child has been reported as at risk the follow up action by the local authority will be the same as that required by section 47 of the Children Act 1989.

**Legislation/guidance**

**Generic - Violence against Women, Domestic Abuse and Sexual Violence (Wales) 2015 Act**

**How it protects the people we support**
Requires local authorities and their partners to develop consistent services in line with a national strategy. Will encourage multi-agency collaboration around identification and commissioning of services.