



**DeaflympicsGB**



**UK Deaf Sport**

**Safeguarding Adults in Sport Policy**

## The Issue Status

The Issue Status is indicated by the version number in the footer of this document. It identifies the Issue Status of the 'UK Deaf Sport Safeguarding Adults in Sport Policy'.

When any part of this document is amended, a record is made in the Amendment Log shown below.

The 'UK Deaf Sport Safeguarding Adults in Sport Policy' can be fully revised and re-issued at the discretion of the UK Deaf Sport Board.

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## 1. Introduction

- 1.1 UK Deaf Sport (UKDS) is committed to safeguarding adults and ensuring that our activities are delivered in a way which keeps all adults safe in line with national legislation and relevant national and local guidelines.
- 1.2 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. Abuse may be perpetrated as the result of deliberate intent, negligence, omission, or ignorance.
- 1.3 There are different types and patterns of abuse and neglect and different circumstances in which they may take place. For example, Institutional Abuse, Domestic Abuse, Forced Marriage, Human Trafficking, Modern Slavery, Sexual Exploitation, County Lines, Radicalisation, Hate Crime, Mate Crime, Cyber bullying and Scams (see Annex 1: Signs, Indicators and Definitions of Abuse and Neglect). Some of these are named specifically within Home Nation legislation. Safeguarding legislation in each Home Nation lists the categories and definitions of abuse differently. These are detailed in Annex 2: Safeguarding Legislation.
- 1.4 UKDS also recognises and acknowledges that there may be occasions where adults intentionally injure themselves as a way to cope with emotional distress or become overwhelmed by their situation. UKDS considers recognition of those at risk of self-harm and suicide as an important aspect of safeguarding of adults (see Annex 3: Self-harm and Suicide).
- 1.5 Abuse can take place within a sporting context and the person causing harm could be any other person, for example, a member of staff, a coach, a volunteer, a participant or a fan. Abuse or neglect outside sport could be carried out by:
  - A spouse, partner or family member.
  - Neighbours or residents.
  - Friends, acquaintances or strangers.
  - People who deliberately exploit adults they perceive as vulnerable.
  - Paid staff, professionals or volunteers providing care and support.
- 1.6 Often the perpetrator is known to the adult and may be in a position of trust and/or power.
- 1.7 UKDS is committed to creating a culture of zero-tolerance of harm to adults which requires:
  - The recognition of adults who may be at risk and the circumstances which may increase risk.
  - Knowing how adult abuse, exploitation or neglect manifests and reporting safeguarding concerns.

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.

- 1.8 UKDS is committed to delivering the best safeguarding practice and upholding the rights of all adults to live a life free from harm from abuse, exploitation and neglect.

## 2. Purpose

- 2.1 The purpose of this policy is to demonstrate the commitment of UKDS to safeguarding adults and to ensure that everyone involved in UKDS is aware of:
- How to identify the indicators of adult abuse and neglect (detailed in Annex 1: Signs, Indicators and Definitions of Abuse and Neglect).
  - Their role and responsibility for safeguarding adults.
- 2.2 The Safeguarding Adults in Sport Policy is only one part of UKDS's approach to safeguarding and must be read in conjunction with the UKDS Safeguarding Adults and Children Procedures. The Safeguarding Adults and Children Procedures include information on who to contact and what to do if abuse is suspected, and what UKDS will do when someone reports suspected abuse to us.

## 3. About UK Deaf Sport

- 3.1 UKDS is recognised as the National Governing Body for deaf sport across the UK. It is the recognised federation for deaf sport in the UK by international deaf sport bodies.
- 3.2 Our vision is *Every Deaf Person Active and Inspired by Sport and Physical Activity*. Our mission is for more deaf people to participate in sport throughout their lives and more deaf athletes to perform on the world stage. UKDS use the term deaf<sup>1</sup> to represent all people who are deaf, hard of hearing or have a hearing loss, whether this is acquired or from birth.
- 3.3 There are more than 12 million deaf people in the UK and more than 50,000 deaf children. UKDS works in partnership with key organisations to ensure that deaf children and adults have equal opportunities to participate and excel in sport and physical activity as their hearing counterparts from grassroots to elite level. This includes working with decision-makers and professionals such as national sport governing bodies to support them to remove the challenges and barriers that prevent deaf people taking part in sport and physical activity.
- 3.4 As the National Governing Body for deaf sport, UKDS are responsible for ensuring good governance including the administration and coordination of deaf sport teams competing abroad at both a British and Home Nation level. UKDS is also responsible for the selection and management of the DeaflympicsGB Team, the official team that represents Great Britain at the Summer and Winter Deaflympics.
- 3.5 UKDS does not directly manage events or deliver sporting activities other than managing the DeaflympicsGB Team. For the vast majority of its work UKDS Employees, Board Directors and any other representatives will not work directly with participants at events

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<sup>1</sup> The term 'deaf' covers a range of definitions of deafness, including those who are profoundly deaf, have severe, moderate or mild hearing loss or are hard of hearing whether acquired or from birth. This includes the use of the terms Deaf and deaf whereby the use of a capital D in Deaf may denote those who identify as having a cultural and shared experience of being Deaf.

ICSD (who govern the Deaflympics) set their own criteria for eligibility which is a hearing loss of at least 55dB in the better ear (3 tone frequency average of 500, 1,000 and 2,000 Hertz, ANSI 1969 standard). DeaflympicsGB athletes will meet this standard.

and activities. However, UKDS recognises they may occasionally come into contact with adults at risk as representatives of UKDS.

- 3.6 UKDS will develop event specific safeguarding procedures for any UKDS managed events, such as the Deaflympics. Bespoke safeguarding procedures will identify the onsite Designated Safeguarding Lead (DSL) and include a risk assessment of any possible safeguarding risks to adults so that appropriate measures are put in place to keep all deaf participants safe.
- 3.7 UKDS administer the entry process and registration of entrants to European and World Deaf Sport Championships. UKDS expect deaf sport organisations that want UKDS to enter their teams and athletes into international competitions to have:
- A robust safeguarding policy and procedures for that event which will be checked by UKDS as part of the entry process and before the team are registered.
  - A completed risk assessment that should cover risks to all participants, including safeguarding risks and steps they intend to take to ensure participants are safeguarded from harm of any kind.
  - Specified, documented safeguards in place that protect and promote the welfare of participants involved in their deaf sport. This includes checking safe recruitment processes and screening of volunteers and that there are appropriate safeguarding guidance documents in place.
- 3.8 UKDS seeks to influence, encourage and promote the adoption and implementation of robust measures to safeguard adults by partner organisations. We recommend governance and quality standards for deaf sport governing bodies and other deaf sport organisations including the implementation of appropriate policies for safeguarding. UKDS has also provided training in Safeguarding Adults in Sport and completing Risk Assessment to deaf sport organisations.

## **4. Our Policy**

- 4.1 This Safeguarding Adults in Sport Policy demonstrates UKDS's commitment to safeguarding adults.
- 4.2 UKDS believes everyone without exception has the right to live free from abuse regardless of age, ability or disability, sex, race, religion, ethnic origin, beliefs, sexual orientation, marital or gender status.
- 4.3 UKDS believes the welfare of all adults is paramount and 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.
- 4.4 UKDS acknowledges that safeguarding is everybody's responsibility and is committed to prevent abuse and neglect through safeguarding the welfare of all adults.
- 4.5 UKDS recognises that health, wellbeing, ability, disability and the 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.

- 4.6 UKDS recognises that there is a legal framework within which sports need 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. We will act in accordance with the relevant safeguarding adult legislation and with local statutory safeguarding procedures.
- 4.7 Actions taken by UKDS 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 (see Annex 4: Principles of Safeguarding in Each Home Nation).

## **5. Scope**

- 5.1 This Safeguarding Adults in Sport Policy and associated procedures apply to all individuals involved with UKDS including Employees, Board Directors, Advisory Group Members and Volunteers and to all concerns about the safety of adults whilst interacting with our organisation, its activities and in the wider community.
- 5.2 UKDS expect our partner organisations including, for example, deaf sport governing bodies, suppliers and sponsors to adopt and/or demonstrate their commitment to the principles and practice as set out in this Safeguarding Adults in Sport Policy and associated procedures.
- 5.3 This policy and other associated safeguarding policies and procedures will be published on the UKDS website.
- 5.4 To ensure UKDS always acts in all participants best interests and takes all reasonable steps to prevent harm to them, we have developed separate Safeguarding Adult and Children Procedures that detail when and how to report a concern. This ensures that people who are attending activities and events as representatives of UKDS know what to do if they should have a concern about an adult or child they come into contact with.

## **6. Commitments**

- 6.1 UKDS will ensure that everyone involved with UKDS is given a copy of this policy and the Safeguarding Adult and Children Procedures, so they understand their role and responsibility for safeguarding children, know what to do and who to contact if they have a concern relating to the welfare or wellbeing of an adult. Where required, they will have completed and will be up to date with safeguarding adults training and learning opportunities appropriate for their role.
- 6.2 Any concern about an adult will be taken seriously, responded to promptly, and followed up in line with the Safeguarding Adult and Children Procedures. We recognise it is the responsibility of the safeguarding experts and agencies to determine whether abuse has taken place, but it is everyone's responsibility to report any concerns.
- 6.3 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, for example, where there is a public interest consideration or issue or where a best interest decision needs to be made where the adult lacks capacity to make the decision (see Annex 5: Mental Capacity and Decision Making).
- 6.4 Any actions taken will respect the rights and dignity of all those involved and be proportionate to the risk of harm.

- 6.5 Confidential, detailed and accurate records of all safeguarding concerns will be maintained and securely stored in line with our Data Protection Policy and Procedures.
- 6.6 UKDS will act in accordance with best practice advice, for example, from the Ann Craft Trust, UK Sport, Sport England, Sport Wales, Sport Scotland, Sport Northern Ireland, National Governing Bodies, the Child Protection in Sport Unit (CPSU) and the National Society for the Prevention of Cruelty to Children (NSPCC).
- 6.7 UKDS will cooperate with the Police and the relevant Local Authorities in taking action to safeguard an adult. UKDS will share information about anyone found to be a risk to adults and will cooperate with the appropriate bodies, for example, the DBS, Police and Local Authority Adult's Services in taking action to safeguard an adult.
- 6.8 UKDS will use safe recruitment practices, including undertaking Disclosure and Barring Service (DBS) checks for all Employees and Board Directors, and will assess the suitability of Volunteers, when relevant, to prevent the employment/deployment of unsuitable individuals in UKDS and within the deaf sporting community.
- 6.9 When planning activities and events UKDS will undertake an assessment of, and risk to, the safety of all adults from abuse and neglect and designate a person who will be in attendance as a safeguarding lead for that event.
- 6.10 This policy, related policies and the UKDS Safeguarding Adults and Children Procedures will be reviewed by the UKDS Board and Senior Management Team on a two-yearly basis. They will be updated whenever there are changes in relevant legislation and/or Government guidance or as required by Sport England/Wales/ Scotland/Northern Ireland or as a result of any other significant change or event or feedback.

## **7. Implementation**

- 7.1 UKDS is committed to developing and maintaining its capability to implement this policy and procedures. In order to do so the following will be in place:
  - 7.1.1 A clear line of accountability within the organisation for the safety and welfare of all adults.
  - 7.1.2 Management reporting to the UKDS Board following any safeguarding concern being raised, detailing how the concern is being/has been managed and addressed.
  - 7.1.3 An annual report to the UKDS Board covering all safeguarding concerns raised during the year and how they were managed and resolved.
  - 7.1.4 Safeguarding adult procedures that deal effectively with any concerns of abuse or neglect, including those caused through poor practice.
  - 7.1.5 A Designated Safeguarding Lead (see *UKDS Safeguarding Adults and Children Procedures - Annex 1: Designated Safeguarding Lead*).
  - 7.1.6 A delegated Safeguarding Lead for events and competitions hosted by UKDS.



- 7.1.7 A process for forming a Case Management Group on a case-by-case basis with an appointed Chair and clear Terms of Reference (see *UKDS Safeguarding Adults and Children Procedures – Annex 2: Case Management Groups*).
  - 7.1.8 Arrangements to work effectively with other relevant organisations to safeguard and promote the welfare of adults, including arrangements for sharing information.
  - 7.1.9 A Code of Conduct for Employees, Board Directors, Advisory Group Members and Volunteers that specify zero tolerance of abuse in any form and the expectation that they will avoid actual impropriety and any appearance of improper behaviour. It also sets out their responsibility to the welfare and safety of all participants in deaf sports, deaf athletes and UKDS Employees as an integral part of their role.
  - 7.1.10 Risk Assessments that specifically include safeguarding of adults.
- 7.2 UKDS has a range of associated policies and procedures that address the areas closely related to safeguarding and which are consistent with this Safeguarding Adults in Sport Policy as detailed in the *UKDS Safeguarding Adults and Children Procedures Annex 4: Associated Policies and Procedures*.

## **8. Training and Support**

- 8.1 UKDS will ensure all Employees, Board Directors and Volunteers are provided with access to a copy of the safeguarding policies and procedures as part of their induction and that they are expected to become acquainted with them.
- 8.2 Employees and Volunteers with designated or special responsibilities in relation to safeguarding adults will be provided with training where needed to enable them to develop and maintain the necessary skills and knowledge that reflects their safeguarding roles and responsibilities. For example, the Welfare and Safety Lead Director.
- 8.3 UKDS will guide and assist Members and deaf sport organisations to improve their knowledge of Safeguarding Children and Adults in Sport, to ensure they have sufficient knowledge of safeguarding legislation and guidance to support them in their specific roles.
- 8.3 UKDS will encourage deaf sport organisations to access training and will provide a link to suitable training modules that Members and other deaf sport organisations can access at a reasonable cost alongside any training hosted by UKDS.
- 8.4 As part of the induction process, new Board Directors, Committee and Advisory Group Members will be made aware of how to access the UKDS safeguarding policies and procedures.
- 8.5 Employees, Directors, Committee and Advisory Group Members must sign the agreement to abide by the UKDS Code of Conduct which sets out the expectations of their behaviour as a representative of UKDS.

## **9. Definitions and Legislation**

- 9.1 The Safeguarding Adults legislation applies to all forms of abuse that harm a person's well-being. It has specific responsibilities for Local Authorities, Health Services and the

Police to provide additional protection from abuse and neglect to 'adults at risk'. Adults at risk are defined in legislation and the criteria applied differs between each Home Nation. More detailed information on the definition of adults at risk in each Home Nation is provided in Annex 2: Safeguarding Adults Legislation.

- 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. In Scotland and Wales, the Local Authority can gain access to an adult to find out if they are at risk of harm, for example, if that access is being blocked by another person.
- 9.3 The law provides a framework for good practice in safeguarding that makes the overall well-being of the adult at risk a priority of any intervention (see Annex 4: Principles of Safeguarding in each Home Nation).
- 9.4 The law provides a framework for making decisions on behalf of adults who can't make decisions for themselves (see Annex 5: Mental Capacity and Decision Making).
- 9.5 The law in all four Home Nations emphasises the importance of person-centred safeguarding (see Annex 6: Well-being and Person Centred Safeguarding).
- 9.6 The law provides a framework for sports organisations to share concerns they have about adults at risk with the Local Authority.
- 9.7 The law provides a framework for all organisations to share information and cooperate to protect adults at risk (see Section 10: Recording and Sharing Information).
- 9.8 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 Services. A sporting organisation may need to take action as part of safeguarding an adult. The Local Authority role includes having multi-agency procedures which coordinate the actions taken by different organisations.

## **10. Responsibilities of the Board**

- 10.1 UKDS's Board is responsible for ensuring that adults are not harmed in any way through contact with UKDS. They have a legal duty to take all reasonable steps within their power to ensure that harm is prevented. It is particularly important where beneficiaries are adults at risk.
- 10.2 The UKDS Board is ultimately responsible for the welfare and safety of its people (including but not limited to Employees, Participants, and Volunteers) and any decisions made in this regard. It is a requirement of the Code of Sports Governance that the Board ensures its responsibilities towards welfare and safety are factored into the decisions it makes and appoints one of its Directors to take a lead in this area.
- 10.3 There is a Role Description for the Welfare and Safety Lead Director. This role has responsibility for checking and challenging the Board on decisions that affect welfare and safety across the organisation and for supporting the executive staff in this area.
- 10.4 The Lead Director also has a role to play in offering a direct route for raising any welfare and safety concerns from people for whom the organisation is responsible as set out in the *UKDS Safeguarding Adults and Children Procedures*. Annex 1 of these Procedures

confirms that where the DSL is not available, or concerns relate to the DSL, the lead Director for Welfare and Safety will act as the DSL.

- 10.5 The Board and Lead Director must have clear oversight of all aspects of welfare and safety, including but not limited to safeguarding (adults and children), mental health and wellbeing (including psychological safety), anti-doping and integrity issues. The Welfare and Safety Lead Director advises the Board in such matters.
- 10.6 For safeguarding adults, UKDS will implement and adhere to the Framework for Safeguarding Adults in Sport<sup>2</sup> as developed by the Anne Craft Trust (ACT).

## 11. Reporting a Concern

- 11.1 UKDS has a clear procedure and a DSL for reporting safeguarding issues including poor practice or possible signs of abuse or neglect. This is covered in detail in the *UKDS Safeguarding Adults and Children Procedures*.
- 11.2 UKDS develops a separate Deaflympics Safeguarding Procedure that names the onsite delegated Safeguarding Lead and clearly explains the steps to be taken if Employees, Volunteers or Participants have a safeguarding concern during the Deaflympics.
- 11.3 It is the responsibility of the safeguarding experts and agencies to determine whether or not abuse or poor practice has taken place, but it is everyone's responsibility to report any concerns.

## 12. Recording and Information Sharing

- 12.1 All sports organisation must comply with the Data Protection Act 2018 (DPA) and the UK General Data Protection Regulations (UK GDPR).
- 12.2 Information about concerns of abuse includes personal data. It is therefore important to be clear as to the grounds for processing and sharing information about concerns of abuse. Processing information includes record keeping. Records relating to safeguarding concerns must be accurate and relevant. They must be stored confidentially with access only to those with a need to know.
- 12.3 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'. 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.
- 12.4 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.

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<sup>2</sup> <https://www.anncrafttrust.org/safeguarding-adults-sport-activity/the-safeguarding-adults-in-sport-framework/>

- 12.5 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 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.
- 12.6 There may be circumstances when information needs to be shared without the adult's consent. Details of when to share information without the adult's consent can be found in the *UKDS Safeguarding Adults and Children Procedures*.

### **13. Multi-Agency Working**

- 13.1 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.
- 13.2 Sports bodies may need to cooperate with the Local Authority and the Police. Details of circumstances in which UKDS may need to cooperate with the Local Authority and/or the Police can be found in the *UKDS Safeguarding Adults and Children Procedures*.
- 13.3 Annex 7 provides information on sources of support and information that is available to adults who have been, or are, at risk of abuse and those who work with them.

## Annex 1: Signs, Indicators and Definitions of Abuse and Neglect

- I. 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 sport or activity. Staff or volunteers may notice that a participant has been missing from practice sessions and is not responding to reminders from team members or coaches.
  - Someone losing or gaining weight/an unkempt appearance. This could be a player whose appearance becomes unkempt, does not wear suitable sports kit and there is a deterioration in hygiene.
  - A change in the behaviour or confidence of a person. For example, a participant may be looking quiet and withdrawn when their brother comes to collect them from sessions in contrast to their personal assistant whom they greet with a smile.
  - Self-harm.
  - A fear of a particular group of people or individual.
  - A parent/carer always speaks for the person and doesn't allow them to make their own choices.
  - A person may disclose to another adult that they are being abused.
- II. For adults' abuse can mean:
  - *Physical*: this includes assault, hitting, slapping, pushing, giving the wrong (or no) medication, restraining someone or only letting them do certain things at certain times.
  - *Domestic*: this includes psychological, physical, sexual, financial or emotional abuse. It also covers so-called 'honour' based violence.
  - *Sexual*: this includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, taking sexual photographs, making someone look at pornography or watch sexual acts, sexual assault or sexual acts the adult didn't consent to or was pressured into consenting.
  - *Psychological*: this includes emotional abuse, threats of harm or abandonment, depriving someone of contact with someone else, humiliation, blaming, controlling, intimidation, putting pressure on someone to do something, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or support networks.
  - *Financial or material*: this includes theft, fraud, internet scamming, putting pressure on someone about their financial arrangements (including wills, property,

inheritance or financial transactions) or the misuse or stealing of property, possessions or benefits.

- *Modern slavery*: this covers slavery (including domestic slavery), human trafficking and forced labour. Traffickers and slave masters use whatever they can to pressurise, deceive and force individuals into a life of abuse and inhumane treatment (also see UKDS's Modern Slavery statement).
- *Discriminatory*: this includes types of harassment or insults because of someone's race, gender or gender identity, age, disability, sexual orientation or religion.
- *Organisational*: this includes neglect and poor care in an institution or care setting such as a hospital or care home, or if an organisation provides care in someone's home. The abuse can be a one-off incident or repeated, on-going ill treatment. The abuse can be through neglect or poor professional practice, which might be because of structure, policies, processes and practices within an organisation.
- *Neglect and acts of omission*: this includes ignoring medical, emotional or physical needs, failure to provide access to appropriate health, care and support or educational services, or not giving someone what they need to help them live, such as medication, enough nutrition and heating.
- *Self-neglect*: this covers a wide range of behaviour which shows that someone isn't caring for their own personal hygiene, health or surroundings. It includes behaviour such as hoarding.

## Annex 2: Safeguarding Adults Legislation

- I. Safeguarding Adults in all Home Nations is compliant with United Nations directives on the rights of disabled people and commitments to the rights of older people. It is covered by:
  - The Human Rights Act 1998.
  - Equalities Act 2010.
  - The Data Protection Act 2018.
  - UK General Data Protection Regulations.
  
- II. The practices within this policy and related procedures are based on the relevant legislation and government guidance including:
  - England - The Care Act 2014.  
Care and Support Statutory Guidance (especially Chapter 14) 2014.
  - Wales - Social Services and Well Being Act 2014.  
Wales Safeguarding Procedures 2019.
  - Scotland - Adult Support and Protection Act 2007.  
Adult Support and Protection (Scotland) Act 2007 Code of Practice 2014.
  - Northern Ireland - Adult Safeguarding Prevention and Protection in Partnership 2015
  
- III. Many other pieces of UK and Home Nation legislation also affect adult safeguarding. These include legislation about different forms of abuse and those that govern information sharing. For example, legislation dealing with:
  - Murder/attempted murder.
  - Physical Assault.
  - Sexual Offences.
  - Domestic Abuse/Coercive Control.
  - Forced Marriage.
  - Female Genital Mutilation.
  - Theft and Fraud.
  - Modern Slavery and Human Exploitation.
  - Hate Crime.
  - Harassment.
  - Listing and Barring of those unsuitable to work with adults with care and support needs.
  
- IV. Each Home Nation also has legislation about the circumstances in which decisions can be made on behalf of an adult who is unable to make decisions for themselves:
  - England and Wales - Mental Capacity Act 2005.
  - Scotland - Adults with Incapacity Act 2000.
  - Mental Capacity (Northern Ireland) 2016.
  
- V. There are specific offences applying to the mistreatment of and sexual offences against adults who do not have Mental Capacity and specific offences where mistreatment is carried out by a person who is employed as a carer e.g. wilful neglect and wilful mistreatment.

VI. The Safeguarding Adults Legislation in each Home Country defines categories of adult abuse and harm as follows.

England (Care Act 2014)

- Physical
- Sexual
- Emotional/Psychological/Mental
- Neglect and acts of Omission
- Financial or material abuse
- Discriminatory
- Organisational / Institutional
- Self-neglect
- Domestic Abuse (including coercive control)
- Modern slavery

Scotland (Adult Support and Protection Act 2007)

- Physical
- Psychological
- Financial
- Sexual
- Neglect

Wales (Social Services and Well Being Act 2014)

- Physical
- Sexual
- Psychological
- Neglect
- Financial

Northern Ireland (Adult Safeguarding Prevention and Protection in Partnership 2015)

- Physical
- Sexual violence
- Psychological / emotional
- Financial
- Institutional
- Neglect
- Exploitation
- Domestic violence
- Human trafficking
- Hate crime

VIII. In England under the '*Care Act 2014*', an Adult at risk is an individual aged 18 years and over who:

- a) has needs for care and support (whether or not the Local Authority is meeting any of those needs); AND
- b) is experiencing, or at risk of, abuse or neglect, AND
- c) 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.

IX. In Scotland under the '*Adult Support and Protection Act 2007*' an Adult at risk is an individual aged 16 years and over who:



- a) is unable to safeguard their own well-being, property, rights or other interests;
- b) is at risk of harm; AND
- c) because they are affected by disability, mental disorder, illness or physical or mental infirmity, is more vulnerable to being harmed than adults who are not so affected.

X. In Wales under the '*Social Services and Wellbeing Act 2014*' an Adult at risk is an individual aged 18 years and over who:

- a) is experiencing or is at risk of abuse or neglect; AND
- b) has needs for care and support (whether or not the 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.

XI. In Northern Ireland under the '*Adult Safeguarding Prevention and Protection in Partnership 2015*' An adult at risk of harm is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their a) personal characteristics and/or b) life circumstances.

- a) *Personal characteristics* may include, but are not limited to age, disability, special educational needs, illness, mental or physical frailty or impairment of, or disturbance in, the functioning of the mind or brain.
- b) *Life circumstances* may include, but are not limited to, isolation, socio-economic factors and environmental living conditions.

XII. An adult in need of protection is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their personal characteristics and/or life circumstances and:

- c) who is unable to protect their own well-being, property, assets, rights or other interests; AND
- d) where the action or inaction of another person or persons is causing, or is likely to cause, him/her to be harmed.

XIII. In order to meet the definition of an 'adult in need of protection' either (a) or (b) must be present, in addition to both elements (c), and (d).

## **Annex 3: Self-harm and Suicide**

### **Section 1: Self-Harm**

- I. Self-harm is when somebody intentionally damages or injures their body. Self-harm is most often described as a way to express or cope with emotional distress. People are more likely to self-harm if they take illegal drugs or drink too much alcohol. Self-harm is more common in young people who live with depression and anxiety, but it also affects adults without a mental health problem.
- II. People self-harm in different ways such as by:
  - Cutting
  - Burning
  - Scalding with hot water
  - Banging or scratching their body
  - Sticking sharp objects into their body
  - Eating or drinking things that are poisonous
  - Not letting wounds heal
  - Taking too many tablets, known as an 'overdose'
- III. Self-harm is not a mental illness, but it is often linked to mental distress. People may self-harm because they find it difficult to cope with their moods or how they feel. Everyone has their own reasons for self-harming.
- IV. Some of the reasons that people may self-harm include:
  - Expressing or coping with emotional distress
  - Trying to feel in control
  - A way of punishing themselves
  - Relieving unbearable tension
  - A cry for help
  - A response to intrusive thoughts.
- V. Self-harm may be linked to bad experiences that are happening now, or in the past. But sometimes the reason is unknown. The reasons can also change over time and will not be the same for everybody.
- VI. Drinking a lot of alcohol or taking drugs may increase the risk of self-harm. People are more at risk of death if they self-harm because of accidental suicide. There is evidence of a clear link between suicide and suicidal thoughts and people who have previously self-harmed. However, not everyone who self-harms wants to end their life. Some people describe their self-harm as a way of staying alive by responding to or coping with severe emotional distress. There are many possible causes of emotional distress. It's often a build-up of many smaller things that leads people to think about self-harm.
- VII. Some common causes of emotional distress include:
  - Being bullied
  - Pressure at work or to achieve at a given sport
  - Family arguments or relationship problems
  - Money worries
  - Low self-esteem
  - Struggling with stress, anxiety and depression

- Confusion about sexuality
  - Grief following bereavement or loss  
Physical or sexual abuse
  - Experiencing complex mental health difficulties that sometimes cause impulsive behaviour or difficulty controlling emotions, often due to past trauma.
- VIII. Adults may share their feelings with someone they trust who they think can help them to self-harm less and make them feel less alone. It can be difficult to know how to support someone who self-harms. Being patient and learning about why people self-harm can help. However, it is important to find the right support or treatment to help deal with the underlying cause of their distress in a less harmful way.

## **Section 2: Suicide**

- I. Many people with suicidal feelings will find it difficult to talk about them because they are worried about how others will react or because they do not know how to put them into words. They might hide their feelings and convince others that they are okay.
- II. The type of suicidal feelings people may have will vary from person to person, particularly in terms of:
  - how intense they are – suicidal feelings are more overwhelming for some people than others. They can build up gradually or be intense from the start. They can be more or less severe at different times and may change quickly.
  - how long they last – suicidal feelings sometimes pass quickly but may still be very intense. They may come and go or last for a long time.
- III. Suicidal thoughts are common, and many experience them when they are under increased levels of stress or experiencing trauma. However, most people who experience suicidal thoughts do not end their life, although some may make suicide attempts. Suicide is often seen as a way out of the problems people are facing and they view suicide as their only option.
- IV. While we can never be sure who or why someone will attempt to end their own life, there are known risk factors and warning signs that can help us to identify people who are most vulnerable. Warning signs can include:
  - Changes in the person’s behaviour, such as them becoming quieter and more withdrawn, defensive, tearful or forgetful.
  - Expressing hopelessness; feeling like there is no way out or no reason to live.
  - Anxiety, agitation, sleeplessness, or mood swings.
  - Withdrawing or isolating themselves.
  - Showing rage or talking about seeking revenge.
  - Talking about hurting or killing themselves.
  - Talking about death, dying, or suicide.
  - Talking about feeling trapped, being in unbearable pain, or a burden to others.

- V. Risk factors for suicide research shows that a wide range of biological, psychological and social factors are associated with an increased risk of suicide. Risk factors can be things that can change (such as substance abuse) or things that cannot change (a family history of suicide). Risk factors include:
- Stressful life events, such as a bereavement, relationship break-up or divorce, getting into debt, being made redundant or failure to achieve expectations of self and/or others.
  - Experiencing mental health and/or drug and alcohol problems.
  - A past suicide attempt.
  - Experiencing family difficulties or violence, or a family history of suicide.
  - Loss of a friend or family member.
  - Social and geographical isolation.
- VI. Asking someone directly about whether they are having thoughts of suicide and if they have a plan for how they will do it will not “put thoughts into their head” and is vitally important in assessing someone’s risk of suicide. Those who feel lonely and isolated are at heightened risk because they often lack the friendship, family and other support networks needed to open up about their feelings and get reassurance that even though they feel like this now, it won’t always be the case.

## **Annex 4: The Principles of Adult Safeguarding in each Home Nation**

- I. The legislation for each nation identifies and underpins the safeguarding principles that apply to the safeguarding of adults.
- II. Safeguarding adults is about preventing the risk of harm from abuse or exploitation or having the ability to reduce it through supporting people and awareness in making informed decisions.
- III. The principles in the England (Care Act 2014):
  - *Empowerment*: people being supported and encouraged to make their own decisions and give informed consent.
  - *Prevention*: it is better to take action before harm occurs.
  - *Protection*: support and representation for those in greatest need.
  - *Partnership*: local solutions through services working with their communities – communities have a part to play in preventing, detecting and reporting neglect and abuse.
  - *Proportionality*: the least intrusive response appropriate to the risk presented.
  - *Accountability*: accountability and transparency in safeguarding practice.
- IV. The principles in Wales (Social Services and Well Being Act 2014):
  - *Responsibility*: safeguarding is everyone's responsibility.
  - *Well-being*: any actions taken must safeguard the person's well-being.
  - *Person-centred approach*: understand what outcomes the adult wishes to achieve and what matters to them.
  - *Voice and control*: expect people to know what is best for them and support them to be involved in decision making about their lives.
  - *Language*: make an active offer of use of the Welsh language and use professional interpreters where other languages are needed.
  - *Prevention*: it is better to take action before harm occurs.
- V. The principles in Scotland (Adult Support and Protection Act 2007): The overarching principle underlying Part 1 of the Act is that any intervention in an individual's affairs should provide benefit to the individual and should be the least restrictive option of those that are available which will meet the purpose of the intervention.
- VI. This is supported by a set of guiding principles which, together with the overarching principle, must be taken account of when performing functions under Part 1 of the Act. These are:
  - The wishes and feelings of the adult at risk (past and present).

- The views of other significant individuals, such as the adult's nearest relative; their primary carer, guardian, or attorney; or any other person with an interest in the adult's well-being or property.
- The importance of the adult taking an active part in the performance of the function under the Act.
- Providing the adult with the relevant information and support to enable them to participate as fully as possible.
- The importance of ensuring that the adult is not treated less favourably than another adult in a comparable situation.
- The adult's abilities, background and characteristics (including their age, sex, sexual orientation, gender, religious persuasion, racial origin, ethnic group and cultural and linguistic heritage).

VIII. The principles in *Northern Ireland (Adult Safeguarding Prevention and Protection in Partnership 2015)*:

- *A Rights-Based Approach* - to promote and respect an adult's right to be safe and secure; to freedom from harm and coercion; to equality of treatment; to the protection of the law; to privacy; to confidentiality; and freedom from discrimination.
- *An Empowering Approach* - to empower adults to make informed choices about their lives, to maximise their opportunities to participate in wider society, to keep themselves safe and free from harm and enabled to manage their own decisions in respect of exposure to risk.
- *A Person-Centred Approach* - to promote and facilitate full participation of adults in all decisions affecting their lives taking full account of their views, wishes and feelings and, where appropriate, the views of others who have an interest in safety and well-being.
- *A Consent-Driven Approach* - to make a presumption that the adult has the ability to give or withhold consent; to make informed choices; to help inform choice through the provision of information, and the identification of options and alternatives; to have particular regard to the needs of individuals who require support with communication, advocacy or who lack the capacity to consent; and intervening in the life of an adult against his or her wishes only in particular circumstances, for very specific purposes and always in accordance with the law.
- *A Collaborative Approach* - to acknowledge that adult safeguarding will be most effective when it has the full support of the wider public and of safeguarding partners across the statutory, voluntary, community, independent and faith sectors working together and is delivered in a way where roles, responsibilities and lines of accountability are clearly defined and understood. Working in partnership and a person-centred approach will work hand-in-hand.

## Annex 5: Mental Capacity and Decision Making

- I. People 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 proved that they cannot. It also gives people the right to make any decision that they need to make and gives them the right to make their own decisions even if others consider them to be unwise.
- II. People make so many decisions that it is easy to take this ability for granted. The Law says that to make a decision people need to:
  - Understand information.
  - Remember it for long enough.
  - Think about the information.
  - Communicate their decision.
- III. A person's ability to do this may be affected by things such as a learning disability, dementia, mental health needs, acquired brain injury and physical ill health.
- IV. 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.
- V. 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".
- VI. 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.
- VII. 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.
- VIII. Mental Capacity is important for safeguarding for several reasons.
- IX. 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 will not 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.
- X. 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'.

- XI. Mental Capacity must also be considered when it is believed 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 someone their views.
- XII. Each Home Nation has legislation that describes when and how decisions can be made 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.
- XIII. Many potential difficulties with making decisions can be overcome with preparation. A person needing support to help them make decisions whilst taking part in a sports organisation will ordinarily be accompanied by someone e.g. a family member or formal carer whose role includes supporting them to make decisions.
- XIV. 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. It's also important to have an agreement with the person who has enrolled the adult in the sports activity about how different types of decisions will be made on a day-to-day basis.
- XV. If a person who has a lot of difficulty making their own decisions is thought to be being abused or neglected you the situation will need to be referred 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.
- XVI. There may be times when a sporting organisation needs to make decisions on behalf of an individual in an emergency. Decisions taken in order to safeguard an adult who cannot make the decision for themselves could include:
- Sharing information about safeguarding concerns with people that can help protect them.
  - Stopping them being in contact with the person causing harm.



## **Annex 6: Well-being and Person-Centred Safeguarding**

### **Section 1: Well-being Principle**

- I. *"The success of sport, in terms of helping people achieve their potential, making the most of existing talent, and attracting new people to sport relies on putting people - their safety, wellbeing and welfare - at the centre of what sport does".* Duty of Care in Sport Independent Report to Government by Baroness Tanni Grey-Thompson DBE, DL.
- II. The concept of 'well-being' is threaded throughout UK legislation and is part of the law about how health and social care is provided. Well-being includes our mental and physical health, our relationships, our connection with our communities and our contribution to society.
- III. Being able to live free from abuse and neglect is a key element of well-being.
- IV. 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. In the words of Justice Mumby *'What good is it making someone safe when we merely make them miserable?'* What Price Dignity? (2010)
- V. 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.

### **Section 2: Person Centred Safeguarding**

- I. Legislation recognises that adults make choices that may mean that one part of their wellbeing suffers at the expense of another, for example, they move away from friends and family to take a better job.
- II. Similarly, adults can choose to risk their personal safety, for example, to provide care to a partner with dementia who becomes abusive when they are disorientated and anxious.
- III. No one else can make these choices for another adult. If someone is being supported to make choices about their own safety there needs to be an understanding of *'what matters'* to them and what outcomes they want to achieve from any actions agencies take to help them to protect themselves.
- IV. The concept of 'Person Centred Safeguarding'/'Making Safeguarding Personal' means engaging the person in a conversation about how best to respond to their situation in a way that enhances their involvement, choice and control, as well as improving their quality of life, well-being and safety. Organisations should work to support adults to achieve the outcomes they want for themselves.
- V. The adult's views, wishes, feelings and beliefs must be taken into account when decisions are made about how to support them to be safe. There may be many different ways to prevent further harm.
- VI. Working with the person will mean that actions taken help them to find the solution that is right for them. Treating people with respect, enhancing their dignity and supporting their ability to make decisions also helps promote people's sense of self-worth and supports recovery from abuse.

- VII. If someone has difficulty making their views and wishes known, then they can be supported or represented by an advocate. This might be a safe family member or friend of their choice or a professional advocate (usually from a third sector organisation).

## Annex 7: Sources of Information and Support

### Action on Elder Abuse

A national organisation based in London. It aims to prevent the abuse of older people by raising awareness, encouraging education, promoting research and collecting and disseminating information.

Tel: 020 8765 7000

Email: [enquiries@elderabuse.org.uk](mailto:enquiries@elderabuse.org.uk)

[www.elderabuse.org.uk](http://www.elderabuse.org.uk)

### Ann Craft Trust (ACT)

A national organisation providing information and advice about adult safeguarding. ACT have a specialist Safeguarding Adults in Sport and Activity team to support the sector

Tel: 0115 951 5400

Email: [Ann-Craft-Trust@nottingham.ac.uk](mailto:Ann-Craft-Trust@nottingham.ac.uk)

[www.anncrafttrust.org](http://www.anncrafttrust.org)

### Men's Advice Line

For male domestic abuse survivors

Tel: 0808 801 0327

### National LGBT+ Domestic Abuse Helpline

Tel: 0800 999 5428

### National 24Hour Freephone Domestic Abuse Helplines

| England   | Northern Ireland  |
|---|---|
| Tel: 0808 2000 247<br><a href="http://www.nationaldahelpline.org.uk/Contact-us">www.nationaldahelpline.org.uk/Contact-us</a>                                  | Tel: 0808 802 1414<br><a href="http://www.dsahelpline.org">www.dsahelpline.org</a><br>Twitter: <a href="https://www.twitter.com/dsahelpline">www.twitter.com/dsahelpline</a><br>Facebook: <a href="https://www.facebook.com/dsahelpline">www.facebook.com/dsahelpline</a> |
| Scotland  | Wales   |
| Tel: 0800 027 1234<br>Email: <a href="mailto:helpline@sdafmh.org.uk">helpline@sdafmh.org.uk</a><br>Web chat: <a href="http://sdafmh.org.uk">sdafmh.org.uk</a> | Llinell Gymorth Byw HebOfn/ Live free from fear helpline<br>Tel: 0808 8010 800<br>Type Talk: 18001 0808 801 0800<br>Text: 078600 77 333   |

### Rape Crisis Federation of England and Wales

Rape Crisis was launched in 1996 and exists to provide a range of facilities and resources to enable the continuance and development of Rape Crisis Groups throughout Wales and England.

Email: [info@rapecrisis.co.uk](mailto:info@rapecrisis.co.uk)

[www.rapecrisis.co.uk](http://www.rapecrisis.co.uk)

### Respond

Respond provides a range of services to victims and perpetrators of sexual abuse who have learning disabilities, and training and support to those working with them.

Tel: 020 7383 0700 or

0808 808 0700 (Helpline)

Email: [services@respond.org.uk](mailto:services@respond.org.uk)

[www.respond.org.uk](http://www.respond.org.uk)

### **Stop Hate Crime**

Works to challenge all forms of Hate Crime and discrimination, based on any aspect of an individual's identity. Stop Hate UK provides independent, confidential and accessible reporting and support for victims, witnesses and third parties.

24 hours service:

Telephone: 0800 138 1625

Web Chat: [www.stophateuk.org/talk-to-us/](http://www.stophateuk.org/talk-to-us/)

E mail: [talk@stophateuk.org](mailto:talk@stophateuk.org)

Text: 07717 989 025

Text relay: 18001 0800 138 1625

By post: PO Box 851, Leeds LS1 9QS

### **Susy Lamplugh Trust**

The Trust is a leading authority on personal safety. Its role is to minimise the damage caused to individuals and to society by aggression in all its forms – physical, verbal and psychological.

Tel: 020 83921839

Fax: 020 8392 1830

Email: [info@suzylamplugh.org](mailto:info@suzylamplugh.org)

[www.suzylamplugh.org](http://www.suzylamplugh.org)

### **Victim Support**

Provides practical advice and help, emotional support and reassurance to those who have suffered the effects of a crime.

Tel: 0808 168 9111

[www.victimsupport.com](http://www.victimsupport.com)

### **Women's Aid Federation of England and Wales**

Women's Aid is a national domestic violence charity. It also runs a domestic violence online help service.

[www.womensaid.org.uk/information-support](http://www.womensaid.org.uk/information-support)

### **Samaritans**

Samaritans listen with no judgement, no pressure, and help you work through what's on your mind. We'll never tell you what to do.

Tel: 116 123 - 24 hours

Email: [jo@samaritans.org](mailto:jo@samaritans.org)

<https://www.samaritans.org/how-we-can-help/>

### **Campaign Against Living Miserably (CALM)**

CALM stand together with everyone who's struggling with life, no matter who they are, where they're from or what they're going through.

Tel: 0800 58 58 58 - 5pm to midnight every day

Visit the [webchat page](#)

<https://www.thecalmzone.net/>

### **Papyrus**

Papyrus is for young people up to 35 years of age. Papyrus is a UK charity dedicated to the prevention of suicide and the promotion of positive mental health and emotional wellbeing in young people.

Tel: 0800 068 41 41 - 9am to midnight every day

Text: 07860 039967

Email: [pat@papyrus-uk.org](mailto:pat@papyrus-uk.org)

<https://www.papyrus-uk.org/>

**SOS Silence of Suicide**

Mental health, well-being and suicide support.

Tel: 0808 115 1505 - 8pm to midnight weekdays; 4pm to midnight Saturday and Sunday

Email: [contact@sosilenceofsuicide.org](mailto:contact@sosilenceofsuicide.org)

<https://sosilenceofsuicide.org/>