General Data Protection Regulations (GDPR) and Safeguarding Practice

Leeds Allotments Federation Learning Day

Contents

- General Data Protection Regulations (GDPR)
  - Rights and responsibilities have changed
  - Significant penalties for breaches including unlimited fines for organisations
- Safeguarding Practice
  - Legal duties to protect children and vulnerable adults

General Data Protection Regulations

- Introduced new and extended rights for **individuals**
  - Right to know what information is held about you by organisations (subject access request)
  - Right to correct errors in data
  - Rights erase data (be forgotten) or restrict its use
  - Rights to object to data being held or to move data to another organisation

General Data Protection Regulations

- New and extended responsibilities for **organisations**
  - Data must only be collected with consent and for a defined purpose (where consent is knowingly given and not presumed, no use of pre-filled tick boxes on websites)
  - Must only be used for the purposes agreed at consent (known as processing)
  - Must be held securely and only be accessible to those with a need to allow for processing for purpose agreed
  - Must be checked at reasonable frequency and deleted once no longer needed
  - Cannot be shared to other organisations without consent

Safeguarding Practice

- Children, young people and adults at risk need to be safeguarded from abuse and neglect.
- Council officers, contractors and **volunteers** are frequently in contact with members of the public, so play an important role in safeguarding.
- If you believe someone is at risk or experiencing abuse, harm or neglect then it's important to raise your concern.
- The Care Act 2014 calls for everyone to have a safeguarding understanding and take action where necessary. We all have a personal responsibility to safeguard children, young people and adults at risk.

Safeguarding Practice

- Children and young people are aged 0 – 18 years old and are a vulnerable group because of their age.
- What types of harm are children and young people at risk of?
  - Physical abuse (including hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm)
  - Emotional abuse (**persistent** emotional maltreatment causing **severe** and **reoccurring** adverse effects emotional development)
  - Sexual abuse (forcing or enticing a child or young person to take part in sexual activities, whether the child is aware of what is happening or not and may not necessarily involve violence)
  - Neglect (**persistent** failure to meet a child's basic physical and/or psychological needs, likely to result in a serious impairment of the child's health or development)

Safeguarding Practice

- Vulnerable adult is 18 or older with needs for care and support and is experiencing, or at risk of abuse or neglect **and**…

- Because of those care and support needs is unable to protect themselves.

- Vulnerability can be temporary through illness or impairment

Safeguarding Practice

- What types of harm are vulnerable adults at risk of ?

  - Physical abuse (assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions)
  - Sexual abuse (rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing, innuendos, 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)
  - Psychological or 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 support networks)
  - Neglect (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)

Safeguarding Practice

- What types of harm are vulnerable adults at risk of ?

  - Financial abuse (the use of a person's property, assets, income funds or any resources without their informed consent or authorisation. It includes theft, fraud, internet scamming, coercion in relation to financial affairs or arrangements, including wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits)
  - Discriminatory abuse (ill-treatment, harassment, slurs or similar because of race, gender and gender identity, age, disability, sexual orientation or religion)
  - Organisational abuse (resulting from the way a service is provided. It includes poor practice within a care setting such as a hospital or 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)

Safeguarding Practice

- What types of harm are vulnerable adults at risk of ?

  - Domestic violence and abuse (incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. Also including ‘honour-based’ violence, forced marriage and female genital mutilation.
  - Modern slavery (encompasses slavery, human trafficking, forced labour, domestic servitude and traffickers and slave masters using whatever means to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment)
  - Self-neglect (behaviour such as neglecting to care for one’s personal hygiene, health or surroundings and includes behaviour such as collecting possessions in large amounts)

Safeguarding Case study

An elderly male allotment holder is seen to have teenage girls (around 14yrs) visiting him in his shed on his allotment and drinking alcohol. It is known that the plot holder does not have grandchildren – Is this a cause for concern?

Yes – the girls are underage and should not be consuming alcohol on any basis.

- Are the girls being offered alcohol to increase their vulnerability and risk of sexual abuse
- Is the plot holder being abused by the girls who could be forcing him to supply drink and allow use of the shed

Contact the council for support (0113 - 224444) or call the Police (999) if happening now and you feel someone is at immediate risk. It is better to question and be wrong than to not act.